

INTERNATIONAL SEARCH REPORT

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A. CLASSIFICATION OF SUBJECT MATTER IPC 6 G06F17/30		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC 6 G06F H04L		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used)		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	CRESPO A ET AL: "WebWriter: A browser-based editor for constructing Web applications" COMPUTER NETWORKS AND ISDN SYSTEMS, vol. 11, no. 28, May 1996, page 1291-1306 XP004018228 see page 1291, column 2, line 6 - page 1291, column 2, line 17 see page 1293, column 1, line 15 - page 1293, column 2, line 31 see figure 2	1,2
Y	---	3,4
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<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
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Date of the actual completion of the international search 24 April 1998		Date of mailing of the international search report 04/05/1998
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Abbing, R

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	PATENT ABSTRACTS OF JAPAN vol. 015, no. 476 (E-1140), 4 December 1991 & JP 03 204259 A (NIPPON TELEGR & TELEPH CORP), 5 September 1991, see abstract	3
Y	EP 0 669 587 A (AT & T CORP) 30 August 1995 see abstract see column 2, line 55 - column 3, line 18 see column 18, line 34 - column 21, line 13	4
X	LADD D A ET AL: "PROGRAMMING THE WEB: AN APPLICATION-ORIENTED LANGUAGE FOR HYPERMEDIA SERVICE PROGRAMMING" INTERNATIONAL WORLD WIDE WEB CONFERENCE, December 1995, pages 1-17, XP002049893 see page 6, line 24 - page 7, line 9	1,2

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Information on patent family members

International Application No

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Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0669587 A	30-08-95	CA 2140850 A US 5715404 A	25-08-95 03-02-98

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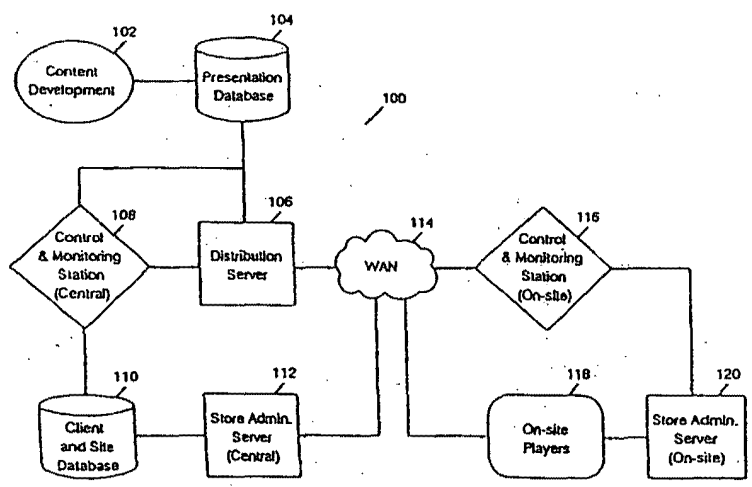
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<p>(21) International Application Number: PCT/US98/00513 (22) International Filing Date: 13 January 1998 (13.01.98) (30) Priority Data: 08/819,419 17 March 1997 (17.03.97) US (71) Applicant (for all designated States except US): FRANKEL & COMPANY [US/US]; 111 east Wacker Drive, Chicago, IL 60601 (US). (72) Inventors; and (75) Inventors/Applicants (for US only): MANDEBERG, Richard, D. [US/US]; 2601 West Coyle Avenue, Chicago, IL 60645 (US). MOLESKI, Desmond, C., J. [US/US]; 627 North Marion Street, Oak Park, IL 60302 (US). ALMAGRO, Manolo, B. [US/US]; 3900 North Pine Grove #401, Chicago, IL 60613 (US). MEYER, Joseph, F. [US/US]; 333 East Ontario Street #2702-B, Chicago, IL 60611 (US). (74) Agents: BIGEL, Mitchell, S. et al.; Myers, Bigel, Sibley, & Sajovec, L.L.P., P.O. Box 37428, Raleigh, NC 27627 (US).</p>	<p>(81) Designated States: AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).</p> <p>Published With international search report.</p>	

(54) Title: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR GENERATING DIGITAL MULTIMEDIA STORE DISPLAYS AND MENU BOARDS



(57) Abstract

Digital multimedia presentations are assembled at a central location for stores. Start and end times are assigned. The digital multimedia presentations and the assigned start and end times are transmitted to and received at the stores. The received presentations are stored in digital multimedia players at the stores. Upon occurrence of an assigned start time, the associated digital multimedia presentation is automatically played in the store until the assigned end time. If a presentation is not available at a particular time, a generic default presentation is played. The presentations may be played at assigned start and end times until an expiration date, after which it is automatically deleted from the digital multimedia player. The digital multimedia presentations may be customized at the central location and/or at the stores. The present invention is particularly applicable for generating menu boards for an enterprise which includes multiple sites.

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SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS
FOR GENERATING DIGITAL MULTIMEDIA
STORE DISPLAYS AND MENU BOARDS

Field of the Invention

This invention relates to information processing systems, methods and computer program products, and more particularly to store systems, methods and computer program products.

Background of the Invention

Information processing systems, methods and computer program products are being increasingly used in the store environment. For example, information processing systems may be used for inventory control, point-of-sale and accounting systems. Stores may include wholesale or retail stores or any other consumer environment such as movie theaters, airports, shopping malls, arenas, and other such venues.

Information processing systems continue to play an increasing role at restaurant chains such as "fast food" restaurant chains which include a large number of restaurant sites. Information processing control of distribution, promotion and other activities is increasingly being used to coordinate the large number of restaurant sites.

With the advent of the personal computer, multimedia presentations are also increasingly being

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used in commercial and consumer environments. Multimedia presentations may include text, graphics, audio and full motion digital video which are integrated into a single presentation.

5 Attempts have been made to use multimedia presentations in the store environment. See, for example, U.S. Patent 5,412,416 to Nemirofsky entitled "Video Media Distribution Network Apparatus and Method" and International Application WO 96/08113 to Cho et al.
10 entitled "Point of Purchase Video Distribution System". See also the publication entitled "POS Goes Multimedia: Retailers Test New Applications" by Fox, Chain Store Age Executive, Vol. 71, No. 2, February, 1995, pp. 43-46. However, notwithstanding these attempts, there
15 continues to be a need for improved systems, methods and computer program products for generating store displays.

Summary of the Invention

20 The present invention includes methods, systems and computer program products for generating store displays for a plurality of stores. Digital multimedia presentations are assembled at a central location for the plurality of stores. Start and end times are assigned to the digital multimedia
25 presentations for the stores. The digital multimedia presentations and the assigned start and end times are transmitted to the plurality of stores and are received at the stores. The received digital multimedia presentations are stored in digital multimedia players
30 at the stores. Upon occurrence of an assigned start time, the associated stored received digital multimedia presentation is automatically played on a digital multimedia display in the store until occurrence of the assigned end time for the associated digital multimedia
35 presentation. Thus, digital networks and digital

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multimedia presentations are used to effectively generate digital multimedia store presentations.

In a preferred embodiment of the present invention, a digital multimedia default presentation is also generated at the central location for the plurality of stores. The digital multimedia default presentation is free of (i.e. it does not include) a start time and an end time. The digital multimedia default presentation is transmitted, received and stored in the digital multimedia players at the stores. At the stores, it is detected that an assigned end time for an associated digital multimedia presentation has occurred, and that a start time for a second digital multimedia presentation does not correspond to the assigned end time. Upon this occurrence, the digital multimedia default presentation is automatically played so that the digital multimedia display always plays a multimedia presentation. Similarly, it may be detected at the store that termination of a digital multimedia presentation has occurred prior to the assigned end time, for example because of an error or other reason. In this case, the digital multimedia default presentation is automatically played on the digital multimedia display in the store.

The digital multimedia presentations also preferably include start and end dates which are also transmitted and received at the stores. The received digital multimedia presentation is automatically played on the digital multimedia display in the store upon occurrence of an assigned start time which is between the assigned start date and the assigned end date. After expiration of the assigned end date, the stored digital multimedia presentation is deleted from the digital multimedia player at the store. Thus, digital multimedia presentations may be played at predetermined times during the day, for a period of days between an assigned start day and end day. Thereafter, the

presentation is deleted to make room for other presentations on the digital multimedia player.

The digital multimedia presentations are preferably customized for selected ones of the plurality of stores. When customized, a store identification may be provided and the customized digital multimedia presentations are transmitted to the identified stores.

Customization may be provided at the central location by accepting customization data related to the selected ones of the stores. Alternatively, customization may take place at the individual store by providing customized data, for example concerning prices or sales periods at the stores. Customization may also take place both at the central location and at the stores. A feedback mechanism may also be provided wherein effectiveness of the digital multimedia presentation in the store is measured, for example by analyzing sales data. If an indication is received that the digital multimedia presentation is not effective, a new multimedia presentation may be assembled, transmitted, received, stored and automatically played.

Transmission may take place using a wide area network such as a wired wide area network, a wireless network and the internet. The digital multimedia presentation may be presented on a display which is a virtual display comprising a plurality of display devices arranged in an array. According to another aspect of the invention, customer inputs may be accepted to provide interactive digital multimedia presentations at the store.

The present invention is particularly applicable for generating menu boards for an enterprise such as a restaurant chain, which includes a plurality of sites such as restaurant sites. As is well known to those having skill in the art, menu boards are

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generally placed above a counter in a restaurant and include an identification of items sold at the particular restaurant, as well as the associated prices. A time of day may also be identified, for example for a breakfast menu. Special promotions may be identified, such as "value meals" or other limited-time promotions. The present invention allows replacement of the static menu board with a digital multimedia menu board which can be displayed on a virtual display including a row or array of multimedia monitors.

Digital multimedia menu presentations are assembled at a central location. The presentations include a menu of items which are sold at the restaurant chain and digital multimedia presentations for selected ones of the menu items to advertise promotions. The digital multimedia presentations may include audio, text, graphics and full motion digital video.

For each restaurant site, a restaurant site specific menu is generated which comprises selected ones of the items from the menu of items which are sold at the restaurant chain, the associated prices for the restaurant site, and the restaurant-specific multimedia advertisements, to form a customized digital multimedia menu board for each restaurant site, including menu items offered at the restaurant site, the associated prices and the multimedia advertisements concerning the menu items. Thus, for example, a nationwide restaurant chain may be running different promotions and may be selling different items in different parts of the country. The prices will also generally vary from store to store. Thus, for each restaurant site, a site-specific menu is generated.

The customized digital multimedia presentation is then transmitted from the central location to the associated restaurant site and is

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received at the associated restaurant site. The received customized digital multimedia presentation is then stored in a digital multimedia player at the restaurant site. The customized digital multimedia presentation is then automatically played on a digital multimedia menu board at the restaurant site, so that the digital multimedia menu board indicates the menu items and prices and advertisements for items which are presently being sold at the restaurant site.

10 According to another aspect of the present invention, start and end times are assigned for the digital multimedia presentations for each restaurant site, and the start and end times are transmitted and received at the restaurant site. Then, the customized digital multimedia presentation is automatically played from the assigned start time until the assigned end time. Thus, for example, a digital multimedia menu board for breakfast may only be played from 7:00AM-11:00AM, and this time can vary from day to day. Thereafter, a lunch menu board may be displayed.

20 According to another aspect of the present invention, a digital multimedia default menu presentation is also generated, transmitted, received and stored. Then, if an assigned end time for a digital multimedia presentation occurs and a start time for a second digital multimedia menu presentation is not present, the digital multimedia default menu presentation may be played. Accordingly, for example, if a new lunch menu has not been received, a default lunch menu may be displayed until the new lunch menu is received. Thus, it can be ensured that the digital multimedia menu board never displays a blank menu board. Similarly, if a digital multimedia menu presentation terminates prematurely due to an error or other occurrence, the default menu board may be played so that the digital multimedia menu board is never blank.

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According to another aspect of the present invention, start and end dates are provided for the digital multimedia menu presentations for the restaurant sites. The start and end dates may be provided to accommodate price changes, new promotions and new items which are added to the menu board. Thus, the digital multimedia menu presentations are presented between the assigned start and end times and between the start and end dates. After the end date, the stored digital multimedia menu presentation is deleted from the digital multimedia player at the restaurant site, to free up storage space.

According to another aspect of the invention, customization data may also be provided for the restaurant site. For example, a customized list of items which are sold at the restaurant site may be provided centrally, but the prices may be entered at the individual restaurant site. Similarly, local promotions to meet competitive prices may also be entered at the local sites.

The digital multimedia menu boards may also be tied to a point-of-sale system at the restaurant site, which measures effectiveness of the promotions which are advertised on the menu boards. Thus, if point-of-sale data indicates that the promotions on the menu board are not being effective, this indication may be provided to the central location and new digital multimedia presentations may be assembled and transmitted to the store to provide a new presentation. The presentations on the menu board or on another kiosk in the store may also be made interactive by responding to customer inputs to provide interactive presentations. Multilingual presentations may also be provided.

Brief Description of the Drawings

5 Figure 1 is an overall block diagram of systems, methods and computer program products for generating digital multimedia store displays and menu boards according to the invention.

10 Figures 2A and 2B are flowcharts illustrating an operational overview of systems, methods and computer program products for generating store displays for a plurality of stores according to the present invention.

Figure 3 is a detailed block diagram of the control and monitoring station of Figure 1.

15 Figure 4 illustrates an entity relationship conceptual model of the client and site database of Figure 1.

Figure 5 illustrates an entity relationship conceptual model of the presentation tracking database of Figure 3.

20 Figures 6A and 6B illustrate examples of wide area networks of Figure 1.

Figure 7 illustrates a local area network which may be used at the central location of Figure 1.

25 Figure 8 illustrates an example of an on-site local area network for Figure 1.

Figure 9 is a block diagram of the on-site players of Figure 1.

Figure 10 is a block diagram of the on-site control and monitoring station of Figure 1.

30 Figure 11 illustrates a fast-food restaurant including a digital multimedia menu board according to the present invention.

Figure 12 illustrates a digital multimedia interactive kiosk according to the present invention.

Detailed Description of Preferred Embodiments

35 The present invention now will be described more fully hereinafter with reference to the

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5 accompanying drawings, in which preferred embodiments of the invention are shown. This invention may, however, be embodied in many different forms and should not be construed as limited to the embodiments set forth herein; rather, these embodiments are provided so that this disclosure will be thorough and complete, and will fully convey the scope of the invention to those skilled in the art. Like numbers refer to like elements throughout.

10 Overview

Referring now to Figure 1, an overall block diagram of systems, methods and computer program products for generating digital multimedia store displays and menu boards according to the invention is illustrated. As shown in Figure 1, system 100 may be used to distribute, manage, monitor and display digital multimedia presentations in store environments. The digital multimedia presentations may serve a promotional, operational, or "edutainment" (education/entertainment) function. By using digital multimedia presentations, the present invention can leverage the strengths of network distribution including rapid updating, improved process management, dynamic integration of multiple data sources and robust control over remote playback.

Promotional applications may include in-store marketing efforts which are targeted to motivate desired consumer behavior by increasing consumer awareness. For example, digital multimedia presentations may highlight product availability or specific in-store incentives to motivate product purchase. Operational presentations may include features which are central to the functioning of the store, for example a fast food restaurant menu board. Finally, edutainment applications may be used to provide computer-based activities to consumers or store

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personnel that are either educational or entertainment, or both. Examples may include staff training, motivational messaging or computer games. Regardless of the content, the digital multimedia presentations may be assembled, transmitted, received and played at the stores using the same software and hardware infrastructure, described below.

Accordingly, the present invention may be used to generate revenue, reduce costs, and/or increase consumer traffic. As a revenue generator, the promotional applications may create a new in-store medium that can be sponsored or cofunded by participating companies, similar to television advertisements. The operational applications can reduce the amount of materials and labor which are currently expended for the same tasks. Finally, the edutainment applications can be the basis for an in-store experience that motivates consumers to visit a given store or motivates staff retention and effectiveness.

It will be understood that the digital multimedia presentations may be passive or interactive. The digital multimedia presentations may respond to direct consumer input. For example, a promotional application can be presented on a touch-screen device which changes the type of information displayed in response to consumer selections.

Figure 1 is a block diagram of systems, methods and computer program products for generating store displays according to the present invention. As shown in Figure 1, system 100 includes an apparatus and/or a step for assembling at a central location, digital multimedia presentations for the plurality of stores. This apparatus or step is indicated in Figure 1 as "content development" 102. Digital multimedia presentations which are developed are stored in a presentation database 104 at the central location and

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are staged for distribution through a distribution server 106 at the central location. Applications are distributed through a wide area network (WAN) 114 to on-site players 118. Information about the digital multimedia presentations in the stores may be transmitted back to the distribution server 106 where it is stored in a client and site database 110.

Continuing with the description of Figure 1, digital multimedia presentations which are assembled during content development 102, may include full motion digital video, still images, computer-generated animation, print prepress files, text and/or audio. The content is assembled into a complete digital multimedia presentation and stored in the presentation database 104. The details of assembling digital multimedia presentations will be described below. All approved digital multimedia presentations in the presentation database 104 are available for scheduling and transmission to the on-site players 118, as will be described in detail below.

The central control and monitoring station 108 enables a system operator to collect data from the client and site database 110 and the presentation database 104 in order to create digital multimedia presentation packages for each site. The digital multimedia presentation for each site may be determined in part by specific instructions or data from the various sites, which may be entered at the on-site control and monitoring station 116 and which is received and processed through the store administration server (central) 112. The central control and monitoring station 108 issues commands to distribute the assembled digital multimedia presentations from the presentation database 104 via the distribution server 106.

Digital multimedia presentations are distributed from the central location, to the plurality

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of stores, using a wide area network (WAN) 114. Thus, the blocks of Figure 1 to the left of WAN 114 are at a central location, whereas the blocks to the right of WAN 114 are at an individual store. It will be understood that the central location may include a plurality of discrete sites which act as distribution points for the stores. Similarly, the various components for the stores need not be physically located in the stores, except for the digital multimedia display of the on-site players 118. Rather, these components may be included at another location associated with the store. The distribution of the digital multimedia presentations from the central locations to the stores may be managed by large multimedia file distribution software such as CreativePartner™, which is marketed by emotion Incorporated, Palo Alto, California.

At the stores, the digital multimedia presentations may be received, disassembled and stored in the on-site players 118. Client instructions or other on-site data such as point-of-sale information can be integrated into the digital multimedia presentations on the on-site players 118. Relevant data about the digital multimedia presentations and the state of the on-site players 118 may be recorded and transmitted to the distribution server 106. A system operator at the control and monitoring station 108 can view this data.

After a predetermined end date, the digital multimedia presentation is retired and replaced by another presentation which is delivered to the on-site player 118 as described above. Alternatively, a site-specific default presentation, which is always present on each on-site player 118, may be used. The default presentation is designed to be appropriate for on-site display at any time for a given client.

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The system 100 is preferably designed to allow most digital multimedia presentations to play without any action on the part of on-site personnel. However, there may be some functions for which it is useful to provide control and management tools to the store manager, such as selecting from among multiple implementations of a particular digital multimedia presentation, or setting the store hours or schedule for a particular store. This on-site customization may be obtained using the on-site control and monitoring station 116 and the store administration server 120, as will be described below.

Operational Overview

Referring now to Figures 2A and 2B, an operational overview of systems, methods and computer program products for generating store displays for a plurality of stores will be described.

As will be appreciated by one of skill in the art, the present invention may be embodied as a method, data processing system and/or computer program product. Accordingly, the present invention may take the form of an entirely hardware embodiment, an entirely software embodiment or an embodiment combining software and hardware aspects. Furthermore, the present invention may take the form of a computer program product on a computer-readable storage medium having computer-readable program code means embodied in the medium. Any suitable computer-readable medium may be utilized including hard disks, CD-ROMs, optical storage devices, or magnetic storage devices.

The present invention is described below with reference to flowchart illustrations of methods, apparatus (systems) and computer program products. It will be understood that each block of the flowchart illustrations, and combinations of blocks in the flowchart illustrations, can be implemented by computer

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program instructions. These computer program instructions may be loaded onto a computer or other programmable data processing apparatus to produce a machine, such that the instructions which execute on the computer or other programmable data processing apparatus create means for implementing the functions specified in the flowchart block or blocks. These computer program instructions may also be stored in a computer-readable memory that can direct a computer or other programmable data processing apparatus to function in a particular manner, such that the instructions stored in the computer-readable memory produce an article of manufacture including instruction means which implement the function specified in the flowchart block or blocks. The computer program instructions may also be loaded onto a computer or other programmable data processing apparatus to cause a series of operational steps to be performed on the computer or other programmable apparatus to produce a computer implemented process such that the instructions which execute on the computer or other programmable apparatus provide steps for implementing the functions specified in the flowchart block or blocks.

Referring now to Figures 2A and 2B, store displays 200 are generated by first developing or assembling generic digital multimedia presentations for multiple stores (Block 202). For example, when the store displays are menu boards for a restaurant chain, digital multimedia menu presentations including a menu of items which are sold at the restaurant and digital multimedia presentations such as advertisements for selected ones of the menu items are generated. These digital multimedia presentations are generally developed by creative professionals at advertising agencies or clients. After a generic presentation is assembled, it is released to distribution and stored in

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the presentation database 104 of Figure 1 where it awaits assembly and distribution.

At Block 204, the digital multimedia presentations are customized for individual stores. Customization may take place by generating for each restaurant site, a restaurant site-specific menu comprising selected ones of the items from the menu of items which are sold at the restaurant chain, the associated prices for the restaurant site, and restaurant-specific multimedia advertisements, to form a customized digital multimedia menu board for each restaurant site including menu items offered at the restaurant site, the associated prices, and multimedia advertisements concerning the menu items.

It will be understood that customization may take place independent of store input. However, preferably, instructions or data gathered from the store sites may impact the presentation customization at Block 204. Thus, presentations are preferably customized using the client and site database 110 at the control and monitoring station 108 (Figure 1). The data in the client and site database may be obtained from the store administration server 110 at the store via the store administration server at the central location 112. It will also be understood that additional customization may take place at the stores, as will be described below.

In addition to customization, at Block 206, start and end times and start and end dates are assigned for the customized multimedia presentations. The start and end dates may indicate start and end dates for a particular menu including special products and/or prices. Start and end times may indicate when in the day a specific menu is displayed, for example breakfast, lunch and dinner menus and/or weekend or weekday menus.

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At Block 208, a default digital multimedia presentation is also developed or generated. The default digital multimedia presentation preferably includes generic material for the site which may be displayed in the absence of a customized digital multimedia presentation. Absence of a customized digital multimedia presentation may take place because of an error or because it is desired to display the default digital multimedia presentation.

At Block 212, the digital multimedia presentation packages are assembled for each store. At Block 214, the digital multimedia packages are queued for distribution to the individual stores using the distribution server 106 and wide area network 114 of Figure 1. At Block 216, the digital multimedia packages are transmitted over the WAN 114 and received at the store 216. The received customized digital multimedia presentations are stored at the associated store at Block 218.

At Block 222, further customization may be applied to the presentation. In particular, the on-site store administration server 120 of Figure 1 may be used to provide further customization of the digital multimedia presentation. For example, the playing hours may be modified and prices may be changed. If alternative digital multimedia presentations are stored, one may be selected for presentation at the store. It will be understood that central customization and on-site customization may be used to optimize overall network resources and efficiency. It will also be understood that on-site customization may occur dynamically as the digital multimedia program is played.

Referring to Blocks 226-248, the customized digital multimedia presentations are then automatically played on the on-site player, such as a digital multimedia menu board at the associated restaurant

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site, so that the digital multimedia menu board indicates the menu items and prices, and advertisements for items which are presently being sold at the restaurant site. The appropriate digital multimedia presentation is played between an assigned start and end time and an assigned start and end date.

In particular, the presentations may abut each other in a serial fashion, with a succeeding presentation beginning at the end of a preceding presentation. In other instances, the valid periods for presentations may overlap in several ways. For example, a week-long special promotion presentation may supersede a quarterly seasonal presentation. For that week, the relative start dates are compared, with a preference for the presentation with the most recent start date.

Also, the start and end times which divide a day into periods may be related to a day profile which allows for several different ways of dividing days. For example, a weekend day may have a distinct set of periods from a weekday. More preferably, there is a hierarchy of preferred matching of day profiles which determines what set of time periods are in effect for a given day. These preferred matching profiles may be determined by the manner in which a date is specified. For example, a fully specified date such as 3/17/1997 may have priority over a partially specified date such as 12/25, which itself may have a preference over a day of the week such as Thursday, which itself may have preference over a weekday versus weekend specification.

Accordingly, as shown at Block 226, when the player computer is started, or if the current time is a boundary between sales periods, then at Block 232, a candidate digital multimedia presentation is selected for playback. Candidate digital multimedia presentations are identified as those presentations with an assigned start date greater than or equal to

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the current date and with an assigned start time which falls within the current sales period. If more than one candidate presentation is available, then the candidate with the most recent or greatest assigned start date is started at Block 234. If no candidate presentations are available from Block 232, then the default digital multimedia presentation is started at Block 228.

Having started an appropriate digital multimedia presentation, control returns to Block 226. Until the next sales period boundary or player computer start-up, the player computer storage is periodically checked for outdated digital multimedia presentations beginning at Block 244. If the assigned end date of any digital multimedia presentation is less than, i.e. before, the current date, then the expired presentation is moved to the "outdated" directory at Block 246. If there are no such presentations, then at Block 236 a check is made to determine whether the available storage capacity of the player computer has fallen below a configurable threshold. When the storage capacity falls below that threshold, then the contents of the "outdated" directory are purged to make room for new digital multimedia presentations.

It will be understood that control is periodically passed through Block 238, where a test is made to determine that there is an appropriate digital multimedia presentation displayed. If that test indicates any error in the presentation playback, then the default digital multimedia presentation is displayed at Block 228.

Central Control and Monitoring Station

A detailed operational explanation of control and monitoring station 108 (Figure 1) will now be described in connection with Figure 3. As shown in Figure 3, the control and monitoring station 108

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includes control and monitoring software which may be accessed by a system operator to manage the client and site database 110, prepare digital multimedia presentation packages for distribution and track system status and history.

The presentation database 104 is maintained and populated by the content process described in connection with Figure 1. The control and monitoring station 108 accesses the presentation database 104 to identify the digital multimedia presentations which are available for distribution when an operator creates a distribution package.

The client and site database 110 contains information about various enterprises related to the store business, including but not limited to contact and site information and information about the on-site player configuration and installation.

Figure 4 illustrates an Entity-Relationship conceptual model of the client and site database 110. The modeling of databases using entity relationships was first described by Chen. An in-depth presentation of the Entity-Relationship approach may be found in an article by Teorey et al. entitled "*A Logical Design Methodology for Relational Databases Using the Extended Entity-Relationship Model*", published by ACM Computing Surveys, Vol. 18, No. 2, June 1986, the disclosure of which is hereby incorporated herein by reference.

As shown in Figure 4, the client and site database conceptual model represents entities and relationships, implemented in a relational database, which the control and monitoring station 108 manipulates. Enterprise entities can be an advertising agency or its clients, vendors or partners. Alternatively, enterprise entities may be the chain or restaurant chain. As shown in Figure 4, an enterprise owns sites and employs contacts (people) who occupy one or more offices provided by an enterprise site.

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Enterprises may also define regions which allow many sites to be represented by a convenient shorthand notation.

Continuing with the description of Figure 4,
5 a player is a computer configured with a particular set of monitors at a known site. It will be understood that enterprises, contacts, computers, monitors, computer configurations and display configurations can each exist in the database independent of other
10 entities. Thus, they are independent entities. In contrast, regions, sites, offices and players only exist in relation to one or more independent entities. As such, they are shown as "dependent" entities.

Accordingly, in order to assemble a package
15 of digital multimedia presentations for the plurality of stores, an operator at the control and monitoring station 108 selects one or more programs from the presentation database 104, specifies destination sites from the client and site database 110 and schedules the
20 package start and expiration dates. The information that comprises the package is stored in the presentation tracking database 302. Packages are queued for distribution to on-site players using the CreativePartner agent 304. Other multimedia
25 distribution packages may also be employed. The CreativePartner agent 304 copies the package files to on-site players 118 via the distribution server 106 which is connected a wide area network (WAN) 114, as will be described below.

30 Information such as on-site player operating status and the currently displayed multimedia presentation can also be provided from the on-site players 118 via the distribution server 106 and the CreativePartner agent 304, back to the control and
35 monitoring station 108 to be incorporated into the presentation tracking database 302. For example, a particular digital multimedia presentation may have

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several implementations. An on-site manager may have the option of selecting one of several implementations. The actual digital multimedia presentation which is selected at any given site can be monitored from the control and monitoring station 108 using the presentation tracking database 302. With appropriate interfaces to client point-of-sale data, this data can also be analyzed to monitor program effectiveness with respect to sales and to generate new digital multimedia presentations if a current presentation is not effective. Figure 5 describes an Entity-Relationship conceptual model of the presentation tracking database 302.

Local and Wide Area Networks

Figures 6A and 6B illustrate two examples of wide area networks 114 of Figure 1. It will be understood that many other examples of wide area networks may be used. As shown in Figures 6A and 6B, the central location may include a distribution server 106 for the central local area network 602. An ISDN/FR/ATM router 604 may be used to route messages to one or more wide area networks 114. Client routers 606 may be used to interface local area networks 608 for each site.

Figure 7 illustrates a local area network which may be used at a central location to develop, store and queue digital multimedia presentations. It will be understood that many other local area networks can be used. A plurality of content development stations 702 are shown, as well as a database server 704 to serve the presentation database and the client and site database.

Figure 8 illustrates an example of an on-site local area network which may be used at each of the stores. As shown, a plurality of on-site players 118 and a store administration station 120 may be included.

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The functions of an on-site player and store administration server may be combined into a single unit 802. Other on-site devices 804 such as point-of-sale devices may be included in the local area network.

5 In Figure 8, two types of digital multimedia displays are shown. A kiosk 806 is shown including two separate displays therein. The displays may also be tiled to form a single virtual display. A second on-site player 810 is shown with a five-display
10 operational menu board.

On-Site Players

 Referring now to Figure 9, operational details of on-site players 118 (Figure 1) will now be described. The on-site player includes a
15 CreativePartner agent 902, monitor software 904, cron software 906, movie mover software 908 and master player software 912. Each of Blocks 902, 904, 906, 908 and 912 may represent a single software process executing on the player computer. Preferably, each
20 player 118 includes a complete set of the player software to manage its operation.

 The player software is responsible for receiving digital multimedia presentation packages, verifying package content, processing packages to
25 schedule presentations and carry out utility maintenance, displaying scheduled presentations, and deleting expired presentations. Player software also monitors the state of the system, with regard to processes and programs that are currently running,
30 reports status to the central monitoring system 108, and may intervene automatically for certain simple error conditions. Initial implementation of the player software may be targeted for Macintosh OS, but the individual components can be portable to other
35 operating systems.

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The descriptions of the player software components below make reference to the player's directory structure:

```

5      HD:
      Player:
          Drop Box:    file packages arrive in the drop box
          Schedule:   holds cron, monitor, log & schedule files
          Movies:     subdirs hold cast/movie (CXT, DXR) files
10          Waiting:   movies not yet schedulable
          Now Playing: copy of the one movie now playing
          Playable:   all currently valid movies and casts
          Outdated:   expired movies/casts (deletable)
          Default:    one movie suitable to play anytime

```

```

15      The CreativePartner Agent 902 is the gateway
to the network for the player software. The monitor
20      904 registers with the CreativePartner Agent 902 to
receive notification of package arrival. The monitor
904 also interfaces with the CreativePartner Agent 902
to upload system status reports to the central
20      monitoring system 108.

```

```

When the monitor 904 is notified of a package
arrival, the package is verified and processed, or an
error report is generated if the package cannot be
verified. A package includes a set of files which may
25      include presentations, constituent media files, and
utility programs with any associated data files. A
package preferably includes a package description file,
or PKG file, which details the file set and includes
presentation scheduling information.

```

```

30      The PKG file format may be a simple,
extensible, line-oriented text format. PKG files may
be generated automatically by the central control
software, but may be hand-edited for testing or
exceptional circumstances. Below is a sample PKG file:

```

```

35      : Just in case we hand-edit these, any lines containing
: colon characters that aren't recognized are ignored.
: Any line with no colons is assumed to be a content-file
: name (no leading/trailing whitespace in filenames).
run: util00 HD:Player:Movies:outdated
40      start date: 1/15/97 00:00:00
expire date: 2/15/97 00:00:00
dayparts: *
files:
45      VALENTINE 97.DXR
      HEARTS 97.CXT
: This 'run' command happens after content files are
: processed, the other one runs before processing.
run: util00 HD:Evince:Movies:Waiting

```

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: A simple checksum for security/validation
checksum: 0xFF7C02A8

Packages are processed by monitor 904 as follows:

5 Package is validated, if files missing or checksum fails,
generate error report.
If package is OK, then:
10 ·Launch pre-run utilities
·Move content files to 'Waiting' area
·Modify crontab/schedule as needed
·Launch post-run utilities
·Delete PKG file (if no other PKG files, clean dir,
too)
·Log entry: files listing, PKG file name

15 Cron 906 may utilize a proven, robust UNIX
utility which has been ported to most common operating
environments. Cron 906 is driven by a standard format
text file, called the 'crontab'. It is especially
suited for scheduling repetitive tasks at fixed times.
20 The player software system also uses cron 906 to
schedule program changes that occur due to start date
and expiration date arrival. Below is a sample crontab
file:

25 // The fields of a crontab entry are:
// minute hour monthday month weekday user command...
45 3 * * * nobody reboot
00 4 * * * nobody timesync
15 4 * * * nobody disclean
30 0 0 15 1 * nobody moviemover "USPS VAL97.PKG"
0 0 15 2 * nobody moviemover "USPS VAL97.PKG"

When the monitor 904 processes a package
containing start and expire data directives, it makes
entries in the crontab that correspond to those dates,
which cause cron 906 to invoke the movie mover 908.
35 The movie mover 908 manages file moves from Waiting to
Playable, Playable to Outdated, selects a movie for Now
Playing, and removes entries from the crontab as they
are completed. It is also invoked at system startup
and by the monitor 904 whenever a package is processed.
40 The movie mover 908 uses a movie schedule file to
determine its actions. If a different program is
selected for Now Playing, then the movie mover 908
signals the master player 912 to synchronize the

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program movie changeover. Below is a sample movie schedule file:

5 01/15/97 00:00:00 playable * HEARTS 97.CXT
 01/15/97 00:00:00 playable * VALENTINE 97.DXR
 01/15/97 00:00:00 cleantab * USPS VAL97.PKG
 02/15/97 00:00:00 outdated * VALENTINE 97.DXR
 02/15/97 00:00:00 outdated * HEARTS 97.CXT
 02/15/97 00:00:00 cleantab * USPS VAL97.PKG

10 The master player 912 may be a custom
 Macromedia Director™ or other multimedia projector
 which implements the framework for program playback.
 The major components of that framework are a 'Send
 Pulse' routine, and routines which synchronize the
 changeover from one program to another. The 'Send
 15 Pulse' routine makes a timestamped entry in the monitor
 904 status log, which the monitor can then use to
 verify that a valid program is running. If the monitor
 904 fails to receive a pulse from the master player
 912, it schedules the default presentation for
 20 immediate playback and generates an error report. The
 master player 912 generally has one presentation 914
 playing. The presentation 914 may be a Macromedia
 Director movie which is displayed in a subwindow of the
 master player process. In other words, the
 25 presentation 914 is preferably not itself a projector
 (self-running movie).

Together, the processes of the on-site player
 118 ensure that there is always a valid promotional
 message displayed; manage presentation scheduling and
 30 expiration, report status information, and provide an
 extensible infrastructure for remotely managing the
 playback system without requiring intervention by on-
 site personnel.

Store Administration Servers (Central and On-Site)

35 Referring now to Figure 10, operational
 details for the central store administration server
 (112, Figure 1) and the on-site store administration
 server (120, Figure 1), will now be described. Although

the present invention preferably allows many digital multimedia presentations to be executed without any action on the part of on-site personnel, there are some functions for which it may be useful to provide control and management tools to the store manager.

For example, some presentations may have more than one implementation, which allows the store manager to select which presentation to execute at a particular site. Presentations may also have optional controls, especially in the case of operational presentations such as a menu board, which provide for proper configuration at each site. A schedule of store opening, closing, and division of a day into differing periods may also be used in the automated presentation playback process. Since this schedule is likely to vary by location, the store manager can use the administration software to modify the schedule from the default for the client enterprise. The administration software can also provide help, training and troubleshooting with respect to the on-site operation of the system, as well as a channel for feedback and non-urgent service requests.

The actions taken by a store manager using the control and monitoring station (on-site) 116 may result in communication with either a store administration server (Central) 112 or a store administration server (On-site) 120. The store administration server (Central) 112 communicates site administration input to the distribution server 106 where that input may affect presentation distribution or presentation configuration prior to distribution. When the administration input only affects post-distribution presentation configuration, it can be handled by the store administration server (On-site) 120 which can communicate directly with the On-site Players 118 to respond to the input.

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The control and monitoring station 116 can be implemented by a workstation which supports a typical world-wide web browser application, and is preferably a computer which is already in place in the store environment for administration use. Hosting the administration software using standard Internet protocols and tools such as HTTP, FTP, and HTML allows flexibility not only in the selection of the control and monitoring station 116 but also in the location of the administration functions. The store manager need not be aware of whether a particular function is implemented by a store administration server (central) 112 or a store administration server (on-site) 120. The distribution network can be used to update the content of the store administration server (on-site) 120 similar to presentation updates.

Fast-Food Restaurant Environment

Referring now to Figure 11, the use of the present invention in a fast-food restaurant will now be described. As shown in Figure 11, a fast-food restaurant includes a conventional fast-food restaurant counter 1100 including point-of-sale terminals and food and beverage dispensers. Above the counter 1100 is a menu board 1110. According to the present invention, the menu board comprises a digital multimedia menu board including a plurality of digital multimedia displays 1110a-1110d which are arranged in an array to form a virtual display. The digital multimedia menu board 1110 may include digital multimedia presentations of menu items and prices and advertisements for items which are presently being sold at the restaurant site.

Figure 11 illustrates one arrangement of a digital multimedia menu board 1110. However, it will be understood by those having skill in the art that many other arrangements may be provided. As shown in Figure 11, display 1110a illustrates a multimedia

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advertisement for a particular promotional meal. Displays 1110b and 1110c illustrate value meal promotions. Display 1110d illustrates individual menu items and their associated prices.

5 By providing animated movement, a consumer may be induced to try a featured special. The menu board 1110 may change constantly. For example, the menu board may also include advertisements relating to participation of the restaurant in a local charity
10 event for the next week.

Digital multimedia menu boards of the present invention may attract people to purchase selected items at a restaurant. Moreover, the concept-to-delivery cycle may be dramatically shortened. An idea may be
15 created, a prototype generated, revisions made, approval obtained and the message delivered to the environment in a short turnaround time and without costly and time-consuming printing and physical distribution of media. Moreover, the content can be
20 changed constantly and the customer can see a different message with each visit. Messaging can be targeted and refreshed at will. Moreover, testing of new menu boards can be done quickly and results can be evaluated and changes made rapidly to develop highly effective
25 messaging.

Well designed moving images can attract the consumer and deliver message effectively. The use of space can be optimized and multi-part messages can be shown over a short period of time on the same display.
30 Environments can respond to market conditions quickly. A restaurant can rapidly react with its own competitive offerings. Moreover, if a promotion is not effective, the creative agency can rapidly refine the messaging to be more effective.

35 Messaging can be targeted by the time of day and promotional cycle. Customers can see only the breakfast menu in the morning and only the lunch menu

at lunch time. Customer decision-making can therefore be faster and clutter may be reduced. Rush hour messaging can be quick and immediate, while off-peak messages can target a different customer.

5 Moreover, by delivering content digitally from a central location, with promotion parameters such as start and end dates automatically managed, execution can be nearly flawless and nearly effortless for the on-site staff. Resources can be managed more
10 efficiently, because managers no longer need to depend on employees to install and maintain signage throughout the restaurant. Staff mistakes can be reduced or eliminated, and stores do not need to use spare storage space for bulky promotional display materials.

15 Figure 12 illustrates an interactive kiosk which may interface to the system of the present invention. The kiosk may be used to attract customers into the restaurant or to provide interactive game playing for a family as they enjoy a meal. Thus, the
20 restaurant may become a center of family activities, rather than merely a location to eat.

Accordingly, the present invention provides systems, methods and computer program products which distribute and manage digital multimedia presentations
25 which typically function in a environment as promotional, operational or edutainment applications. The invention allows presentations to be delivered to all sites or to particular sites selected by region or specific address. Presentations are executed on-site
30 using computer systems capable of driving multiple digital displays to create a single virtual display of various sizes. These computer systems are referred to as "players". Since presentations are stored on the player, the site may be disconnected from the network
35 without impacting operations other than presentation distribution. A particular presentation may be static, or may be modified by integration of site-specific

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data. Data integration may occur dynamically or one
time only, and may be performed by an in-store computer
system or by a central computer system. Presentations
may be interactive, as in a touchscreen order-entry,
5 wayfinding, or game program, or passive, as in a simple
promotional display which the end-user just reads.
Presentations typically run without requiring any in-
store personnel action, but may include selection,
scheduling, or configuration options which allow on-
10 site personnel to customize the presentations.

In the drawings and specification, there have
been disclosed typical preferred embodiments of the
invention and, although specific terms are employed,
they are used in a generic and descriptive sense only
15 and not for purposes of limitation, the scope of the
invention being set forth in the following claims.

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THAT WHICH IS CLAIMED:

1: A method for generating store displays
for a plurality of stores, comprising the steps of:
assembling at a central location, digital
multimedia presentations for the plurality of stores;
5 assigning start and end times to the digital
multimedia presentations for the stores;
transmitting the digital multimedia
presentations and the assigned start and end times to
the plurality of stores;
10 receiving the digital multimedia
presentations and the assigned start and end times at
the stores;
storing the received digital multimedia
presentations in a digital multimedia player at the
15 store; and
upon occurrence of an assigned start time,
automatically playing the associated stored received
digital multimedia presentation on a digital multimedia
display in the store, until occurrence of the assigned
20 end time for the associated digital multimedia
presentation.

2. A method according to Claim 1 further
comprising the steps of:
generating at the central location, a digital
multimedia default presentation for the plurality of
5 stores, the digital multimedia default presentation
being free of a start time and an end time;
transmitting the digital multimedia default
presentation to the plurality of stores;
receiving the digital multimedia default
10 presentation at the stores;
storing the received digital multimedia
default presentation in the digital multimedia player
at the store;

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15 detecting at the store, that an assigned end
time for an associated digital multimedia presentation
has occurred, and that a start time for a second
digital multimedia presentation does not correspond to
the assigned end time; and

20 automatically playing the stored received
digital multimedia default presentation on the digital
multimedia display in the store, upon detecting that an
assigned end time for an associated digital multimedia
presentation has occurred and that a start time for a
second digital multimedia presentation does not
25 correspond to the assigned end time.

3. A method according to Claim 1 further
comprising the steps of:

5 generating at the central location, a digital
multimedia default presentation for the plurality of
stores, the digital multimedia default presentation
being free of a start time and an end time;

10 transmitting the digital multimedia default
presentation to the plurality of stores;
receiving the digital multimedia default
presentation at the stores;

15 storing the received digital multimedia
default presentation in the digital multimedia player
at the store;

20 detecting at the store, that termination of a
digital multimedia presentation has occurred prior to
the assigned end time; and

25 automatically playing the stored received
digital multimedia default presentation on the digital
multimedia display in the store, upon detecting that
termination of a digital multimedia presentation has
occurred prior to the assigned end time.

4. A method according to Claim 1:

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wherein the assigning step further comprises the step of assigning a start and end date to the digital multimedia presentations for the stores;

5 wherein the transmitting step further comprises the step of transmitting the digital multimedia presentations and the assigned start and end times and start and end dates to the plurality of stores;

10 wherein the receiving step comprises the step of receiving the digital multimedia presentations and the assigned start and end times and start and end dates at the stores;

15 wherein the automatically playing step comprises the step of, upon occurrence of an assigned start time between the assigned start date and the assigned end date, automatically playing the associated stored received digital multimedia presentation on a digital multimedia display in the store, until
20 occurrence of the assigned end time for the associated digital multimedia presentation; and

 wherein the method further comprises the step of deleting the stored received digital multimedia presentation from the digital multimedia player at the
25 store, after expiration of the assigned end date.

5. A method according to Claim 1 wherein the assembling step comprises the steps of:

 generating at the central location, a generalized digital multimedia presentation for the
75 plurality of stores; and

 customizing the generalized digital multimedia presentation for selected ones of the plurality of stores, to create a plurality of customized digital multimedia presentations for
10 selected ones of the stores.

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6. A method according to Claim 5 wherein the assigning step comprises the step of:

assigning start and end times and a store identification to the customized digital multimedia presentations for the stores; and

5

wherein the transmitting step comprises the step of:

transmitting the customized digital multimedia presentations and the assigned start and end times to the identified stores.

10

7. A method according to Claim 1 further comprising the steps of:

assembling at a central location, a default digital multimedia presentation for the plurality of stores;

5

transmitting the default digital multimedia presentation to the plurality of stores;

receiving the default digital multimedia presentation at the stores;

10

storing the received default digital multimedia presentation in a digital multimedia player at the store; and

wherein the step of automatically playing is followed by the step of:

15

automatically playing the stored received default digital multimedia presentation on the digital multimedia display in the store, upon occurrence of the assigned end time.

8. A method according to Claim 1 wherein the steps of transmitting and receiving are performed using at least one of a wired wide area network, a wireless wide area network and the internet.

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9. A method according to Claim 1 wherein the digital multimedia display is a virtual display comprising a plurality of display devices.

10. A method according to Claim 5 wherein the step of customizing is preceded by the step of:
accepting from the selected ones of the stores, customization data related to the selected ones
5 of the stores; and

wherein the customizing step comprises the step of:

customizing the generalized digital multimedia presentation for selected ones of the plurality of stores using the customization data, to
10 create a plurality of customized digital multimedia presentations for selected ones of the stores.

11. A method according to Claim 1 wherein the step of automatically playing is followed by the steps of:

measuring effectiveness of the digital multimedia presentation in the store; and

5 repeating the steps of assembling, assigning, transmitting receiving storing and automatically playing for second multimedia presentations, upon receipt of an indication that the digital multimedia
10 presentation is not effective.

12. A method according to Claim 1 wherein the step of automatically playing comprises the step of automatically playing the stored received digital multimedia presentations on a digital multimedia
5 display in the store in response to customer inputs, to provide interactive multimedia presentations.

13. A method according to Claim 1 wherein the step of storing is followed by the step of:

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5 customizing the stored received digital
multimedia presentations with customization data for
the store; and

wherein the step of automatically playing
comprises the step of:

10 upon occurrence of the assigned start time,
automatically playing the customized stored received
digital multimedia presentations on the digital
multimedia display in the store, until occurrence of
the assigned end time.

14. A method for generating menu boards for
an enterprise, including a plurality of sites,
comprising the steps of:

5 assembling at a central location, digital
multimedia menu presentations including a menu of items
which are sold at the enterprise, and digital
multimedia presentations for selected ones of the menu
items;

10 generating, for the sites, a site-specific
menu comprising selected ones of the items from the
menu of items which are sold at the enterprise, the
associated prices for the site, and specific multimedia
advertisements, to form a customized digital multimedia
15 menu board for the site including menu items offered at
the site, the associated prices, and multimedia
advertisements concerning the menu items;

transmitting the customized digital
multimedia presentations from the central location to
the associated sites;

20 receiving the customized digital multimedia
presentation at the associated site;

storing the received customized digital
multimedia presentation in a digital multimedia player
at the site; and

25 automatically playing the customized digital
multimedia presentation on a digital multimedia menu

board at the associated site, so that the digital
multimedia menu board indicates the menu items and
prices, and advertisements for items which are
30 presently being sold at the site.

15. A method according to Claim 14:

wherein the generating step further comprises
the step of assigning start and end times for the
digital multimedia presentations for the sites;

5 wherein the transmitting step comprises the
step of transmitting the customized digital multimedia
presentations and the assigned start and end times to
the associated sites;

10 wherein the receiving step comprises the step
of receiving the customized digital multimedia
presentation and the assigned start and end times at
the associated site; and

15 wherein the automatically playing step
comprises the step of, upon occurrence of an assigned
start time, automatically playing the customized
digital multimedia presentation on a digital multimedia
menu board in the site, until occurrence of the
assigned end time for the customized digital multimedia
20 presentation so that the digital multimedia menu board
indicates the menu items and prices, and advertisements
for items which are presently being sold at the site.

16. A method according to Claim 15 further
comprising the steps of:

5 generating at the central location, a digital
multimedia default menu presentation for the
enterprise, the digital multimedia default menu
presentation being free of a start time and an end
time;

transmitting the digital multimedia default
menu presentation to the plurality of sites;

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10 receiving the digital multimedia default menu
presentation at the sites;
storing the received digital multimedia
default menu presentation in the digital multimedia
player at the site;

15 detecting at the site, that an assigned end
time for an associated digital multimedia menu
presentation has occurred, and that a start time for a
second digital multimedia menu presentation does not
correspond to the assigned end time; and

20 automatically playing the stored received
digital multimedia default menu presentation on the
digital multimedia menu board in the store, upon
detecting that an assigned end time for an associated
digital multimedia menu presentation has occurred and

25 that a start time for a second digital multimedia menu
presentation does not correspond to the assigned end
time.

17. A method according to Claim 15 further
comprising the steps of:

generating at the central location, a digital
multimedia default menu presentation for the
5 enterprise, the digital multimedia default menu
presentation being free of a start time and an end
time;

transmitting the digital multimedia default
menu presentation to the plurality of sites;

10 receiving the digital multimedia default menu
presentation at the sites;
storing the received digital multimedia
default menu presentation in the digital multimedia
player at the site;

15 detecting at the site, that termination of a
digital multimedia menu presentation has occurred prior
to the assigned end time; and

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20 automatically playing the stored received digital multimedia default menu presentation on the digital multimedia menu board in the store, upon detecting that termination of a digital multimedia menu presentation has occurred prior to the assigned end time.

18. A method according to Claim 15:
wherein the assigning step further comprises the step of assigning a start and end date to the digital multimedia menu presentations for the sites;
5 wherein the transmitting step further comprises the step of transmitting the digital multimedia menu presentations and the assigned start and end times and start and end dates to the plurality of sites;
10 wherein the receiving step comprises the step of receiving the digital multimedia menu presentations and the assigned start and end times and start and end dates at the sites;
wherein the automatically playing step
15 comprises the step of, upon occurrence of an assigned start time between the assigned start date and the assigned end date, automatically playing the associated stored received digital multimedia menu presentation on a digital multimedia menu board in the store, until
20 occurrence of the assigned end time for the associated digital multimedia menu presentation; and
wherein the method further comprises the step of deleting the stored received digital multimedia menu presentation from the digital multimedia player at the
25 site, after expiration of the assigned end date.

19. A method according to Claim 15 further comprising the steps of:

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assembling at a central location, a default
digital multimedia menu presentation for the
5 enterprise;

transmitting the default digital multimedia
menu presentation to the plurality of sites;

receiving the default digital multimedia menu
presentation at the sites;

10 storing the received default digital
multimedia menu presentation in a digital multimedia
player at the site; and

wherein the step of automatically playing is
followed by the step of:

15 automatically playing the stored received
default digital multimedia menu presentation on the
digital multimedia menu board in the site, upon
occurrence of the assigned end time.

20. A method according to Claim 14 wherein
the steps of transmitting and receiving are performed
using at least one of a wired wide area network, a
wireless wide area network and the internet.

21. A method according to Claim 14 wherein
the digital multimedia menu board is a virtual display
comprising a plurality of display devices.

22. A method according to Claim 14 wherein
the step of generating is preceded by the step of:
accepting from the selected ones of the
sites, customization data related to the items and
5 prices of items which are sold at the selected site.

23. A method according to Claim 14 wherein
the step of automatically playing is followed by the
steps of:

5 measuring effectiveness of the digital
multimedia menu presentation in the store; and

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repeating the steps of assembling, generating, transmitting, receiving, storing and automatically playing for second multimedia menu presentations, upon receipt of an indication that the digital multimedia menu presentation is not effective.

24. A method according to Claim 14 wherein the step of automatically playing comprises the step of automatically playing the stored received digital multimedia menu presentations on a digital multimedia menu board in the store in response to customer inputs, to provide interactive menu board presentations.

25. A method according to Claim 14 wherein the step of storing is followed by the step of:
further customizing the stored received digital multimedia menu presentations with customization data for the store; and
wherein the step of automatically playing comprises the step of:
automatically playing the further customized digital multimedia presentation on a digital multimedia menu board at the associated site, so that the digital multimedia menu board indicates the menu items and prices, and advertisements for items which are presently being sold at the site.

26. A system for generating store displays for a plurality of stores, comprising:
a central system including means for assembling digital multimedia presentations for the plurality of stores and for assigning start and end times to the digital multimedia presentations for the stores;
a network which transmits the digital multimedia presentations and the assigned start and end times to the plurality of stores; and

-42-

a digital multimedia system at each of the stores, the digital multimedia system comprising:
means for storing the received digital multimedia presentations; and
15 digital multimedia displaying means,
responsive to occurrence of an assigned start time, for automatically playing the associated stored received digital multimedia presentation, until occurrence of
20 the assigned end time for the associated digital multimedia presentation.

27. A system according to Claim 26 wherein the central system further comprises:
means for generating a digital multimedia default presentation for the plurality of stores, the
5 digital multimedia default presentation being free of a start time and an end time; and
wherein the digital multimedia system further comprises:
means for storing the received digital
10 multimedia default presentation;
means for detecting that an assigned end time for an associated digital multimedia presentation has occurred, and that a start time for a second digital
15 multimedia presentation does not correspond to the assigned end time; and
wherein the digital multimedia displaying means further comprises means for automatically playing the stored received digital multimedia default
20 presentation on the digital multimedia displaying means, upon detecting that an assigned end time for an associated digital multimedia presentation has occurred and that a start time for a second digital multimedia presentation does not correspond to the assigned end time.

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28. A system according to Claim 26 wherein the central system further comprises:

5 means for generating a digital multimedia default presentation for the plurality of stores, the digital multimedia default presentation being free of a start time and an end time; and

wherein the digital multimedia system further comprises:

10 means for storing the received digital multimedia default presentation;

means for detecting that termination of a digital multimedia presentation has occurred prior to the assigned end time; and

15 wherein the digital multimedia displaying means further comprises means for automatically playing the stored received digital multimedia default presentation on the digital multimedia displaying means, upon detecting that termination of a digital multimedia presentation has occurred prior to the
20 assigned end time.

29. A system according to Claim 26 wherein the central system further comprises:

5 means for assigning a start and end date to the digital multimedia presentations for the stores; and

10 wherein the digital multimedia displaying means further comprises means, responsive to occurrence of an assigned start time between the assigned start date and the assigned end date, for automatically playing the associated stored received digital multimedia presentation on the digital multimedia displaying means, until occurrence of the assigned end time for the associated digital multimedia
15 presentation; and

-44-

wherein the digital multimedia system further comprises means for deleting the stored received digital multimedia presentation, after expiration of the assigned end date.

30. A system according to Claim 26 wherein the assembling means comprises:

means for generating a generalized digital multimedia presentation for the plurality of stores;
5 and

means for customizing the generalized digital multimedia presentation for selected ones of the plurality of stores, to create a plurality of customized digital multimedia presentations for
10 selected ones of the stores.

31. A system according to Claim 30 wherein the assigning means comprises:

means for assigning start and end times and a store identification to the customized digital
5 multimedia presentations for the stores.

32. A system according to Claim 26 wherein the central system further comprises:

means for assembling a default digital multimedia presentation for the plurality of stores;
5 wherein the digital multimedia system comprises:

means for storing the received default digital multimedia presentation; and

10 wherein the digital multimedia displaying means further comprises:

means for automatically playing the stored received default digital multimedia presentation on the digital multimedia displaying means, upon occurrence of the assigned end time.

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33. A system according to Claim 26 wherein the network comprises at least one of a wired wide area network, a wireless wide area network and the internet.

34. A system according to Claim 26 wherein the digital multimedia displaying means comprises a virtual display including a plurality of display devices.

35. A system according to Claim 30 wherein the central system further comprises:

means for accepting from the selected ones of the stores, customization data related to the selected ones of the stores; and

wherein the customizing means comprises:

means for customizing the generalized digital multimedia presentation for selected ones of the plurality of stores using the customization data, to create a plurality of customized digital multimedia presentations for selected ones of the stores.

36. A system according to Claim 26 wherein the central system further comprises:

means for measuring effectiveness of the digital multimedia presentation in the store; and

means for assembling second multimedia presentations, upon receipt of an indication that the digital multimedia presentation is not effective.

37. A system according to Claim 26 wherein the digital multimedia displaying means is further responsive to customer inputs, to provide interactive multimedia presentations.

38. A system according to Claim 26 wherein the digital multimedia system further comprises:

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means for customizing the stored received digital multimedia presentations with customization data for the store.

5

39. A system for generating menu boards for an enterprise including a plurality of sites, comprising:

a central system including means for assembling digital multimedia menu presentations including a menu of items which are sold at the enterprise, and digital multimedia presentations for selected ones of the menu items, and for generating, for the sites, a site-specific menu comprising selected ones of the items from the menu of items which are sold at the enterprise, the associated prices for the site, and specific multimedia advertisements, to form a customized digital multimedia menu board for the site including menu items offered at the site, the associated prices, and multimedia advertisements concerning the menu items;

10
15

a network which transmits the customized digital multimedia presentations from the central location to the associated sites; and

20

a digital multimedia system at each of the sites, the digital multimedia system comprising:

means for storing the received customized digital multimedia presentation; and

25

digital multimedia menu board displaying means, for automatically playing the customized digital multimedia presentation, so that the digital multimedia menu board displaying means indicates the menu items and prices, and advertisements for items which are presently being sold at the site.

40. A system according to Claim 39:

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wherein the central system further comprises means for assigning start and end times for the digital multimedia presentations for the sites; and

5 wherein the digital multimedia menu board displaying means comprises means, responsive to an assigned start time, for automatically playing the customized digital multimedia presentation on the digital multimedia menu board displaying means, until
10 occurrence of the assigned end time for the customized digital multimedia presentation so that the digital multimedia menu board displaying means indicates the menu items and prices, and advertisements for items which are presently being sold at the site.

41. A system according to Claim 40 wherein the central site further comprises:

 means for generating a digital multimedia default menu presentation for the enterprise, the
5 digital multimedia default menu presentation being free of a start time and an end time; and

 wherein the digital multimedia system further comprises:

 means for storing the received digital
10 multimedia default menu presentation;
 means for detecting that an assigned end time for an associated digital multimedia menu presentation has occurred, and that a start time for a second digital multimedia menu presentation does not
15 correspond to the assigned end time; and

 wherein the digital multimedia menu board displaying means further comprises means for automatically playing the stored received digital multimedia default menu presentation, upon detecting
20 that an assigned end time for an associated digital multimedia menu presentation has occurred and that a start time for a second digital multimedia menu

presentation does not correspond to the assigned end time.

42. A system according to Claim 40 wherein the central system further comprises:

5 means for generating a digital multimedia default menu presentation for the enterprise, the digital multimedia default menu presentation being free of a start time and an end time; and

wherein the digital multimedia system further comprises:

10 means for storing the received digital multimedia default menu presentation;

means for detecting that termination of a digital multimedia menu presentation has occurred prior to the assigned end time; and

15 wherein the digital multimedia menu board displaying means comprises means for automatically playing the stored received digital multimedia default menu presentation, upon detecting that termination of a digital multimedia menu presentation has occurred prior to the assigned end time.

43. A system according to Claim 40 wherein the central system further comprises:

5 means for assigning a start and end date to the digital multimedia menu presentations for the sites; and

10 wherein the digital multimedia displaying means further comprises means, responsive to occurrence of an assigned start time between the assigned start date and the assigned end date, for automatically playing the associated stored received digital multimedia menu presentation, until occurrence of the assigned end time for the associated digital multimedia menu presentation; and

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15 means for deleting the stored received
digital multimedia menu presentation from the digital
multimedia system, after expiration of the assigned end
date.

44. A system according to Claim 40 wherein
the central system further comprises:

means for assembling a default digital
multimedia menu presentation for the enterprise;

5 wherein the digital multimedia system
comprises:

means for storing the received default
digital multimedia menu presentation; and

10 wherein the digital multimedia menu board
displaying means further comprises:

means for automatically playing the stored
received default digital multimedia menu presentation
on the digital multimedia menu board displaying means
upon occurrence of the assigned end time.

45. A system according to Claim 39 wherein
the network comprises at least one of a wired wide area
network, a wireless wide area network and the internet.

46. A system according to Claim 39 wherein
the digital multimedia menu board displaying means
comprises a virtual display including a plurality of
display devices.

47. A system according to Claim 39 wherein
the central system further comprises:

5 means for accepting from the selected ones of
the sites, customization data related to the items and
prices of items which are sold at the selected site.

48. A system according to Claim 39 wherein
the central system further comprises:

-50-

means for measuring effectiveness of the digital multimedia menu presentation in the store; and

5 means for assembling second multimedia menu presentations, upon receipt of an indication that the digital multimedia menu presentation is not effective.

49. A system according to Claim 39 wherein the digital multimedia menu board displaying means is responsive to customer inputs, to provide interactive menu board presentations.

50. A system according to Claim 39 wherein the digital multimedia system further comprises:

5 means for further customizing the stored received digital multimedia menu presentations with customization data for the store.

51. A computer program product for generating store displays for a plurality of stores, the computer program product including a computer-readable storage medium having computer-readable program code means embodied in the medium, the computer-readable program code means comprising:

10 computer-readable program code means for assembling digital multimedia presentations for the plurality of stores and for assigning start and end times to the digital multimedia presentations for the stores; and

15 computer-readable program code means for automatically playing the associated stored received digital multimedia presentation on a digital multimedia display in the store upon occurrence of an assigned start time, until occurrence of the assigned end time for the associated digital multimedia presentation.

52. A computer program product according to Claim 51 further comprising:

-51-

computer-readable program code means for
generating a digital multimedia default presentation
5 for the plurality of stores, the digital multimedia
default presentation being free of a start time and an
end time;

computer-readable program code means for
detecting that an assigned end time for an associated
10 digital multimedia presentation has occurred, and that
a start time for a second digital multimedia
presentation does not correspond to the assigned end
time; and

computer-readable program code means for
15 automatically playing the stored received digital
multimedia default presentation on the digital
multimedia display, upon detecting that an assigned end
time for an associated digital multimedia presentation
has occurred and that a start time for a second digital
20 multimedia presentation does not correspond to the
assigned end time.

53. A computer program product according to
Claim 51 further comprising:

computer-readable program code means for
generating a digital multimedia default presentation
5 for the plurality of stores, the digital multimedia
default presentation being free of a start time and an
end time;

computer-readable program code means for
detecting that termination of a digital multimedia
10 presentation has occurred prior to the assigned end
time; and

computer-readable program code means for
automatically playing the stored received digital
multimedia default presentation on the digital
15 multimedia display, upon detecting that termination of
a digital multimedia presentation has occurred prior to
the assigned end time.

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54. A computer program product according to Claim 51 further comprising:

5 computer-readable program code means for assigning a start and end date to the digital multimedia presentations for the stores;

10 computer-readable program code means, responsive to occurrence of an assigned start time between the assigned start date and the assigned end date, for automatically playing the associated stored received digital multimedia presentation on the digital multimedia displaying means, until occurrence of the assigned end time for the associated digital multimedia presentation; and

15 computer-readable program code means for deleting the stored received digital multimedia presentation, after expiration of the assigned end date.

55. A computer program product according to Claim 51 wherein the computer-readable program code assembling means comprises:

5 computer-readable program code means for generating a generalized digital multimedia presentation for the plurality of stores; and

10 computer-readable program code means for customizing the generalized digital multimedia presentation for selected ones of the plurality of stores, to create a plurality of customized digital multimedia presentations for selected ones of the stores.

56. A computer program product according to Claim 55 wherein the computer-readable program code assigning means comprises:

5 computer-readable program code means for assigning start and end times and a store

identification to the customized digital multimedia presentations for the stores.

57. A computer program product according to Claim 51 further comprising:

5 computer-readable program code means for assembling a default digital multimedia presentation for the plurality of stores; and

10 computer-readable program code means for automatically playing the stored received default digital multimedia presentation on the digital multimedia display, upon occurrence of the assigned end time.

58. A computer program product according to Claim 55 further comprising:

5 computer-readable program code means for accepting from the selected ones of the stores, customization data related to the selected ones of the stores; and

wherein the computer-readable program code customizing means comprises:

10 computer-readable program code means for customizing the generalized digital multimedia presentation for selected ones of the plurality of stores using the customization data, to create a plurality of customized digital multimedia presentations for selected ones of the stores.

59. A computer program product according to Claim 51 further comprising:

5 computer-readable program code means for measuring effectiveness of the digital multimedia presentation in the store; and

computer-readable program code means for assembling second multimedia presentations, upon

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receipt of an indication that the digital multimedia presentation is not effective.

60. A computer program product for generating menu boards for an enterprise including a plurality of sites, the computer program product including a computer-readable storage medium having
5 computer-readable program code means embodied in the medium, the computer-readable program code means comprising:

computer-readable program code means for assembling digital multimedia menu presentations
10 including a menu of items which are sold at the enterprise, and digital multimedia presentations for selected ones of the menu items, and for generating, for the sites, a site-specific menu comprising selected
15 ones of the items from the menu of items which are sold at the enterprise, the associated prices for the site, and specific multimedia advertisements, to form a customized digital multimedia menu board for the site including menu items offered at the site, the
20 associated prices, and multimedia advertisements concerning the menu items; and

computer-readable program code means for automatically playing the customized digital multimedia presentation on a digital multimedia menu board display
25 at the associated site, so that the digital multimedia menu board display indicates the menu items and prices, and advertisements for items which are presently being sold at the site.

61. A computer program product according to Claim 60 further comprising:

computer-readable program code means for
5 assigning start and end times for the digital multimedia presentations for the sites; and

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wherein the computer-readable program code automatically playing means comprises computer-readable program code means, responsive to an assigned start time, for automatically playing the customized digital multimedia presentation on the digital multimedia menu board display, until occurrence of the assigned end time for the customized digital multimedia presentation so that the digital multimedia menu board display indicates the menu items and prices, and advertisements for items which are presently being sold at the site.

62. A computer program product according to Claim 61 further comprising:

computer-readable program code means for generating a digital multimedia default menu presentation for the enterprise, the digital multimedia default menu presentation being free of a start time and an end time;

computer-readable program code means for detecting that an assigned end time for an associated digital multimedia menu presentation has occurred, and that a start time for a second digital multimedia menu presentation does not correspond to the assigned end time; and

computer-readable program code means for automatically playing the stored received digital multimedia default menu presentation on the digital multimedia menu board display in the store, upon detecting that an assigned end time for an associated digital multimedia menu presentation has occurred and that a start time for a second digital multimedia menu presentation does not correspond to the assigned end time.

63. A computer program product according to Claim 61 further comprising:

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computer-readable program code means for
generating a digital multimedia default menu
5 presentation for the enterprise, the digital multimedia
default menu presentation being free of a start time
and an end time;

computer-readable program code means for
detecting that termination of a digital multimedia menu
10 presentation has occurred prior to the assigned end
time; and

computer-readable program code means for
automatically playing the stored received digital
multimedia default menu presentation on the digital
15 multimedia menu board in the store, upon detecting that
termination of a digital multimedia menu presentation
has occurred prior to the assigned end time.

64. A computer program product according to
Claim 61 further comprising:

computer-readable program code means for
assigning a start and end date to the digital
5 multimedia menu presentations for the sites;

computer-readable program code means,
responsive to occurrence of an assigned start time
between the assigned start date and the assigned end
date, for automatically playing the associated stored
10 received digital multimedia menu presentation on the
digital multimedia menu board display, until occurrence
of the assigned end time for the associated digital
multimedia menu presentation; and

computer-readable program code means for
15 deleting the stored received digital multimedia menu
presentation, after expiration of the assigned end
date.

65. A computer program product according to
Claim 61 further comprising:

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computer-readable program code means for assembling a default digital multimedia menu .

5 presentation for the enterprise; and

computer-readable program code means for automatically playing the stored received default digital multimedia menu presentation on the digital multimedia menu board display upon occurrence of the
10 assigned end time.

66. A computer program product according to Claim 60 further comprising:

computer-readable program code means for accepting from the selected ones of the sites,
5 customization data related to the items and prices of items which are sold at the selected site.

67. A computer program product according to Claim 60 further comprising:

computer-readable program code means for measuring effectiveness of the digital multimedia menu
5 presentation in the store; and

computer-readable program code means for assembling second multimedia menu presentations, upon receipt of an indication that the digital multimedia menu presentation is not effective.

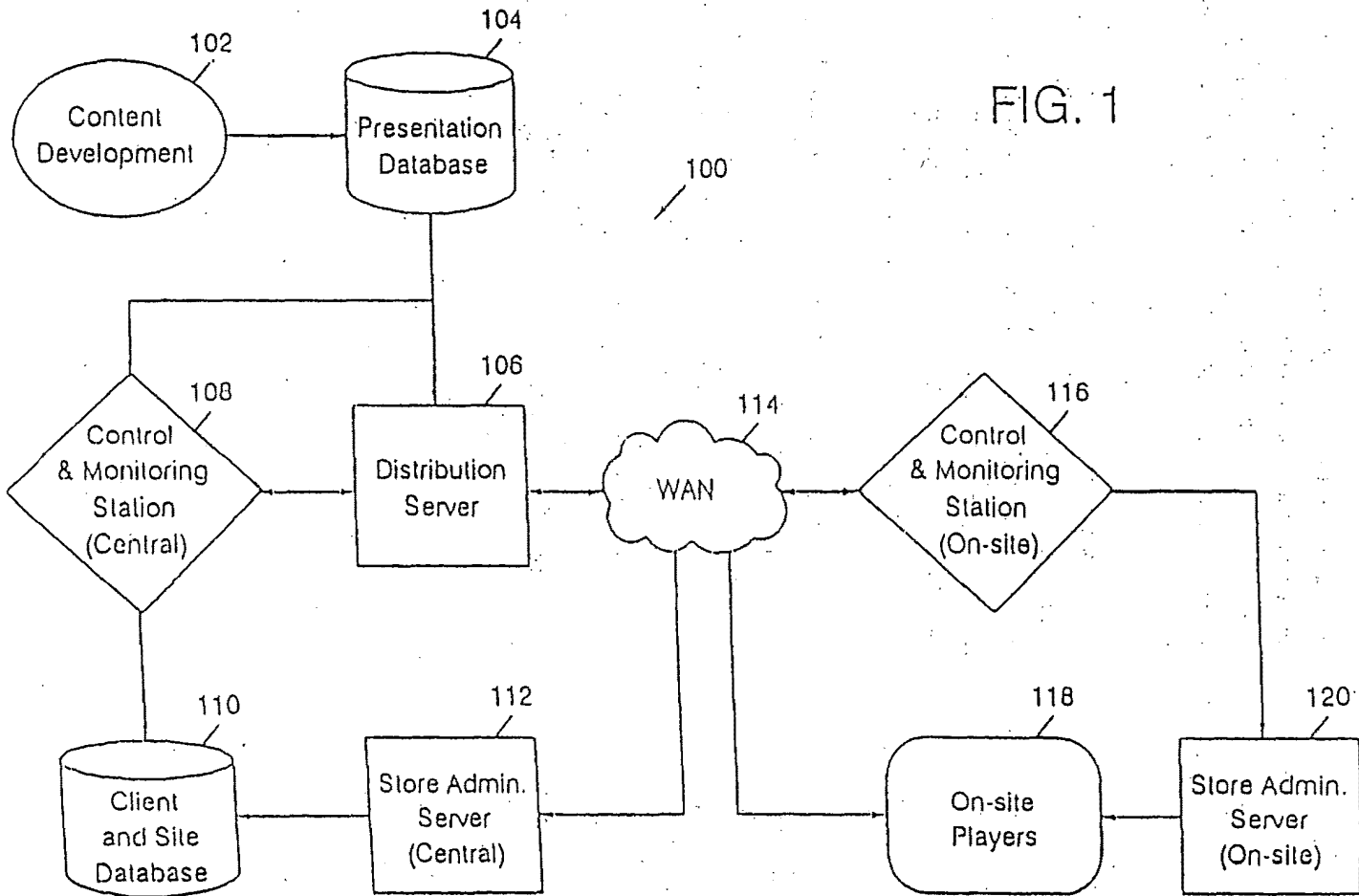
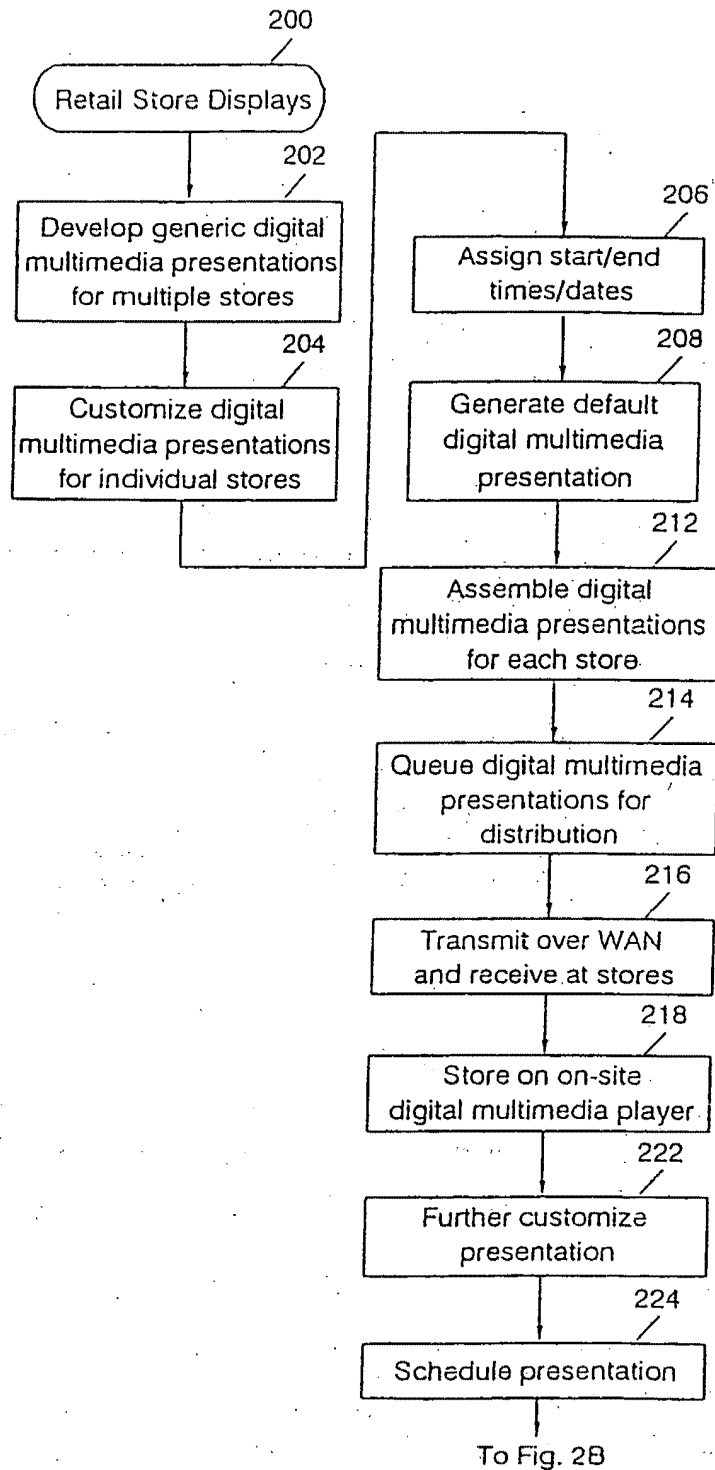


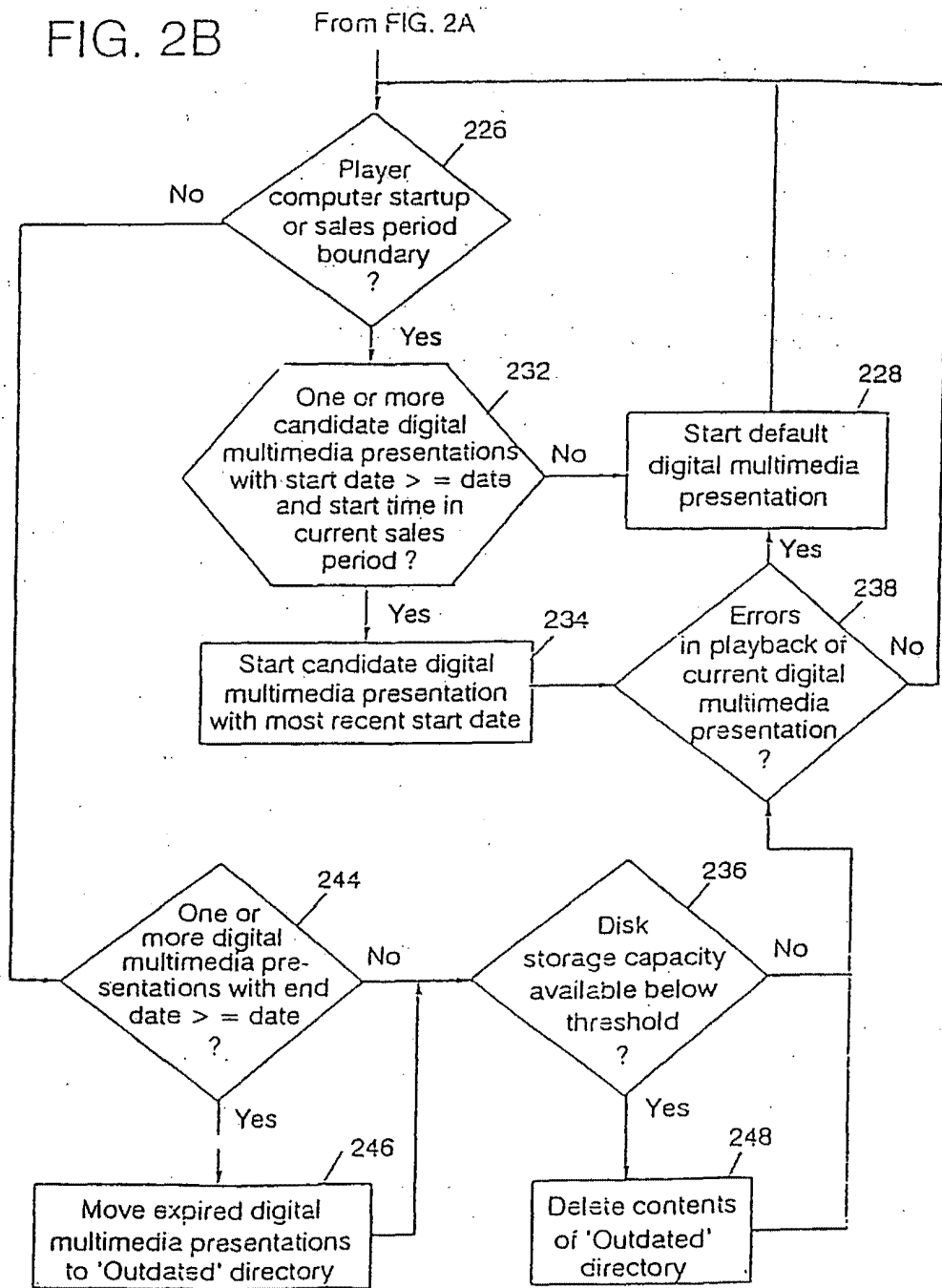
FIG. 1

FIG. 2A



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FIG. 2B



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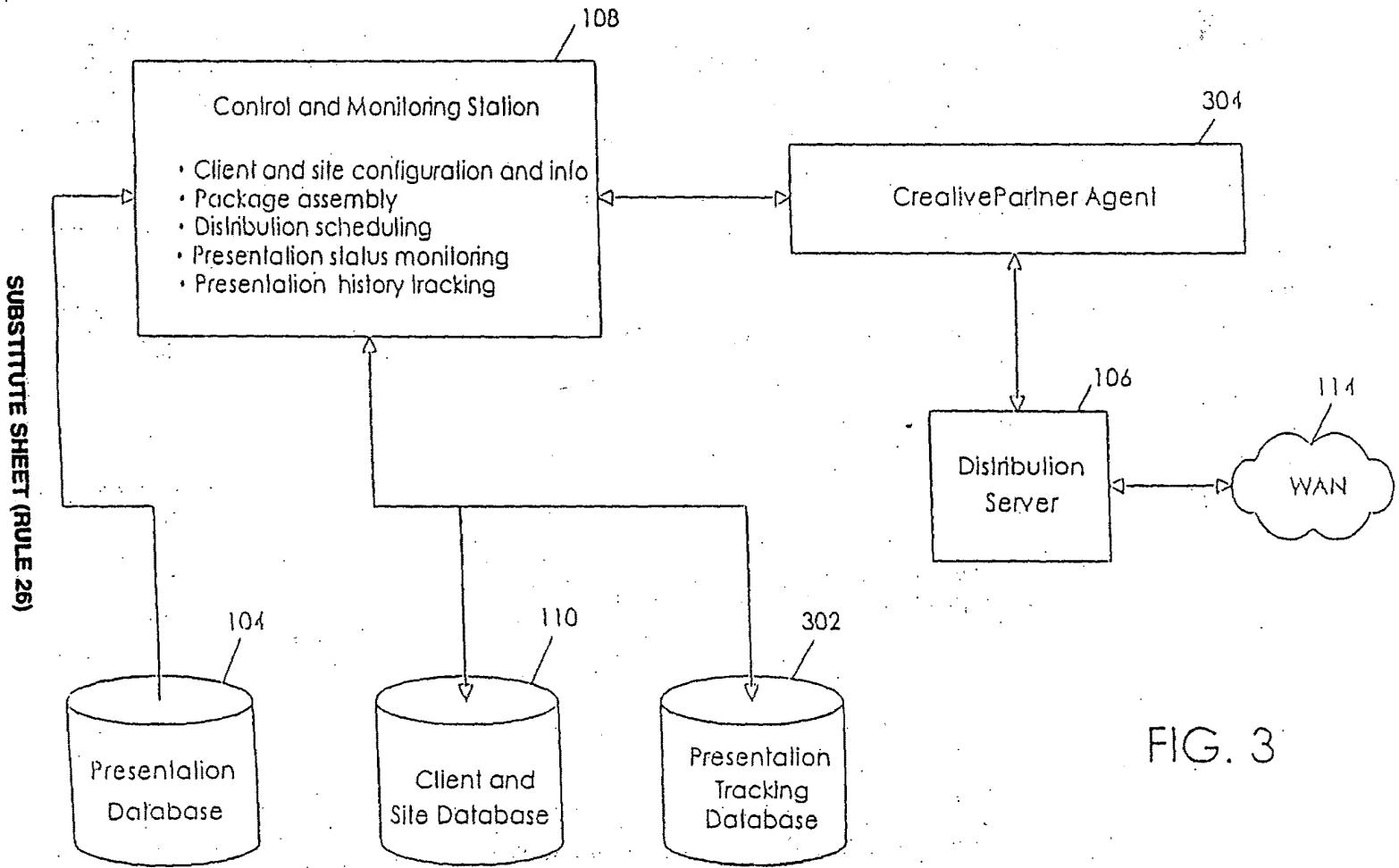


FIG. 3

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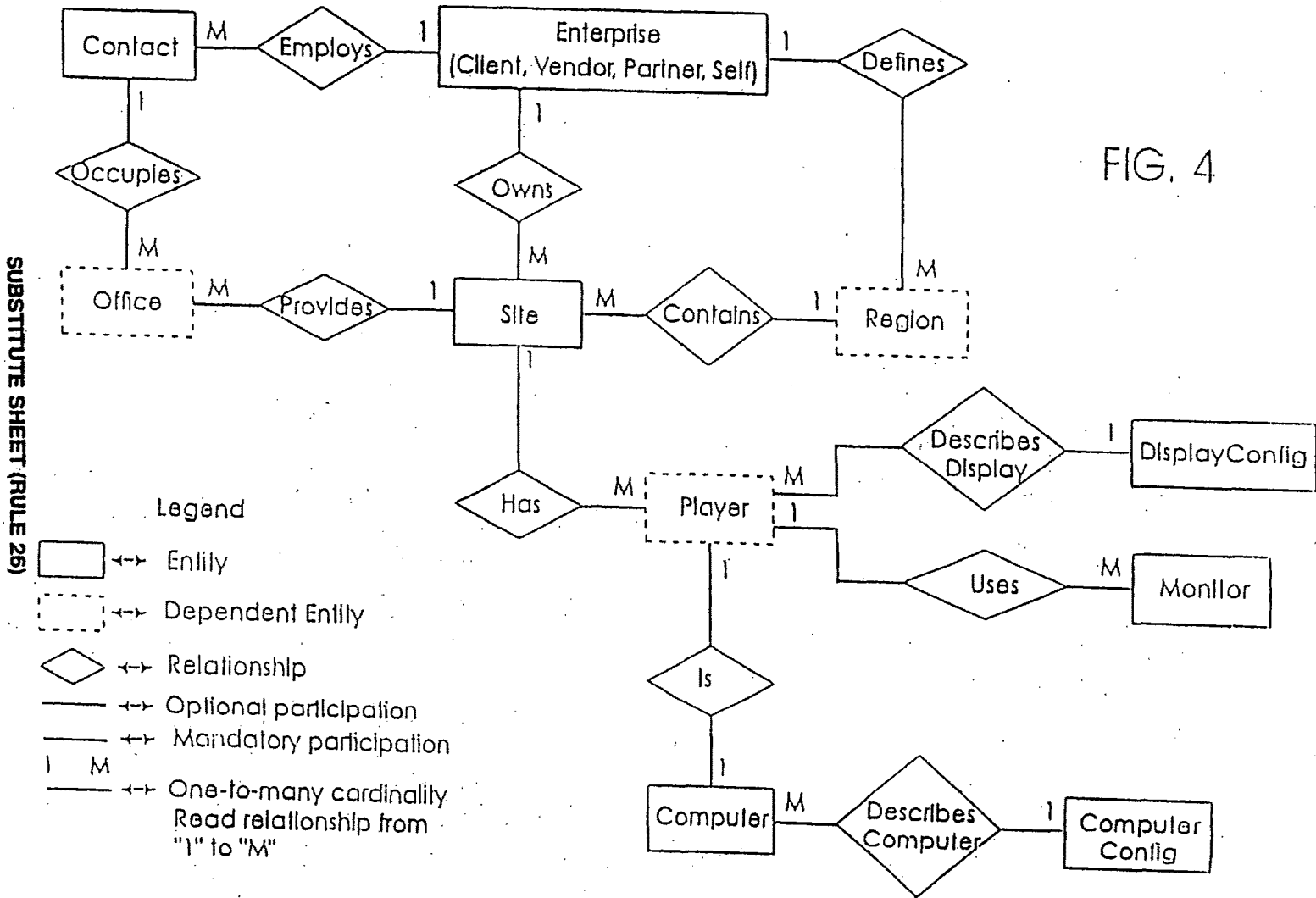


FIG. 4

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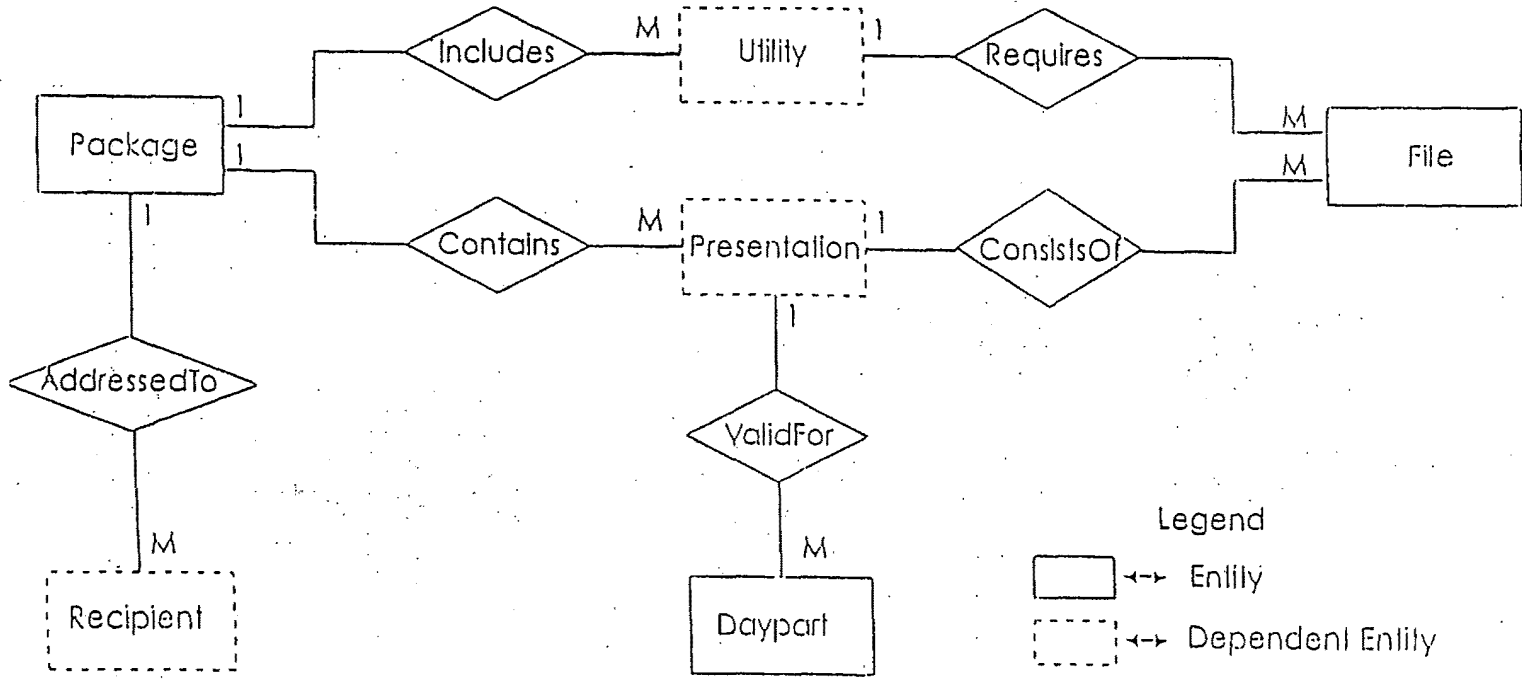
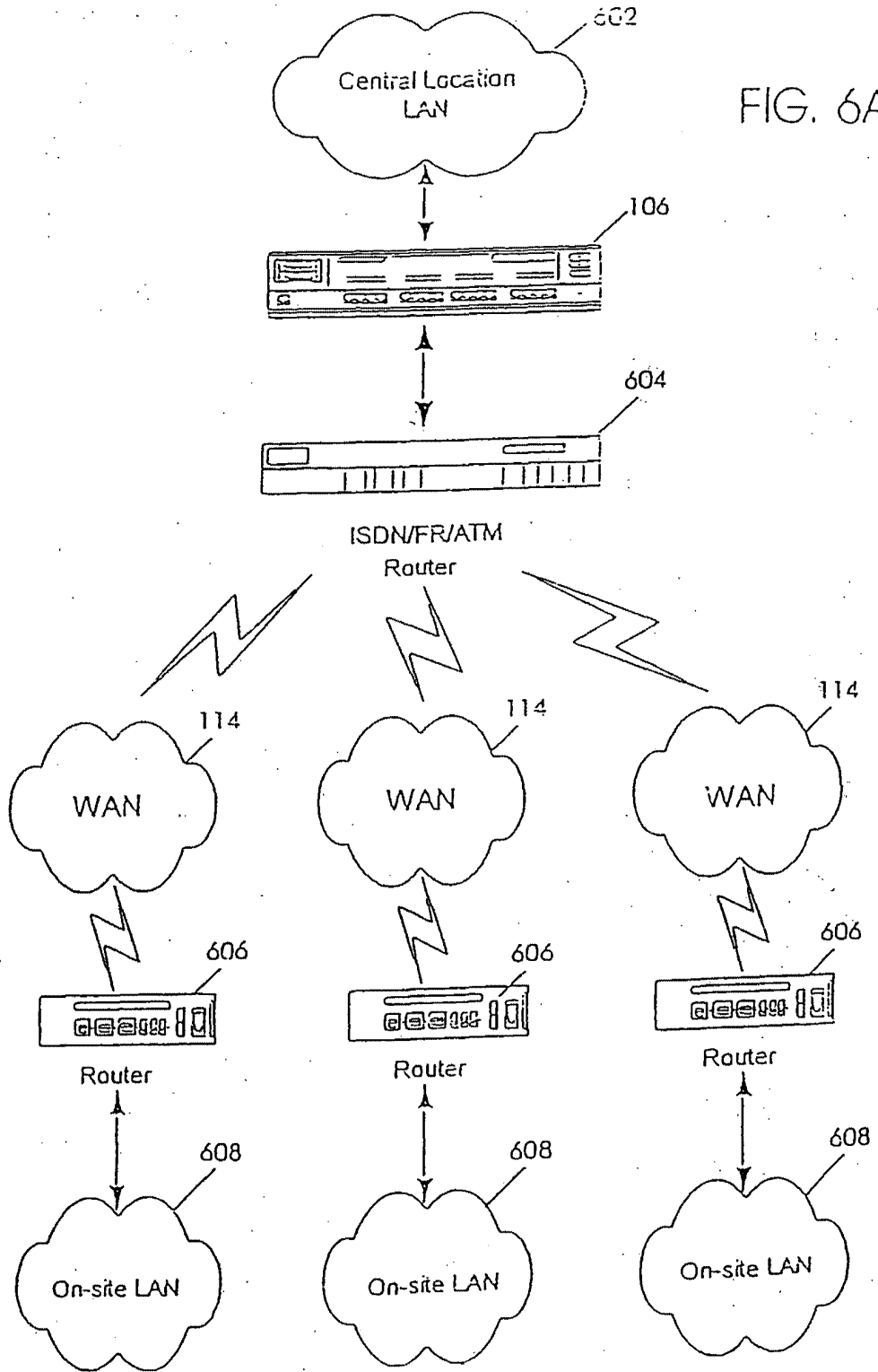


FIG. 5

- Legend
- Entity
 - Dependent Entity
 - Relationship
 - Optional participation
 - Mandatory participation
 - One-to-many cardinality
Read relationship from "1" to "M"

FIG. 6A



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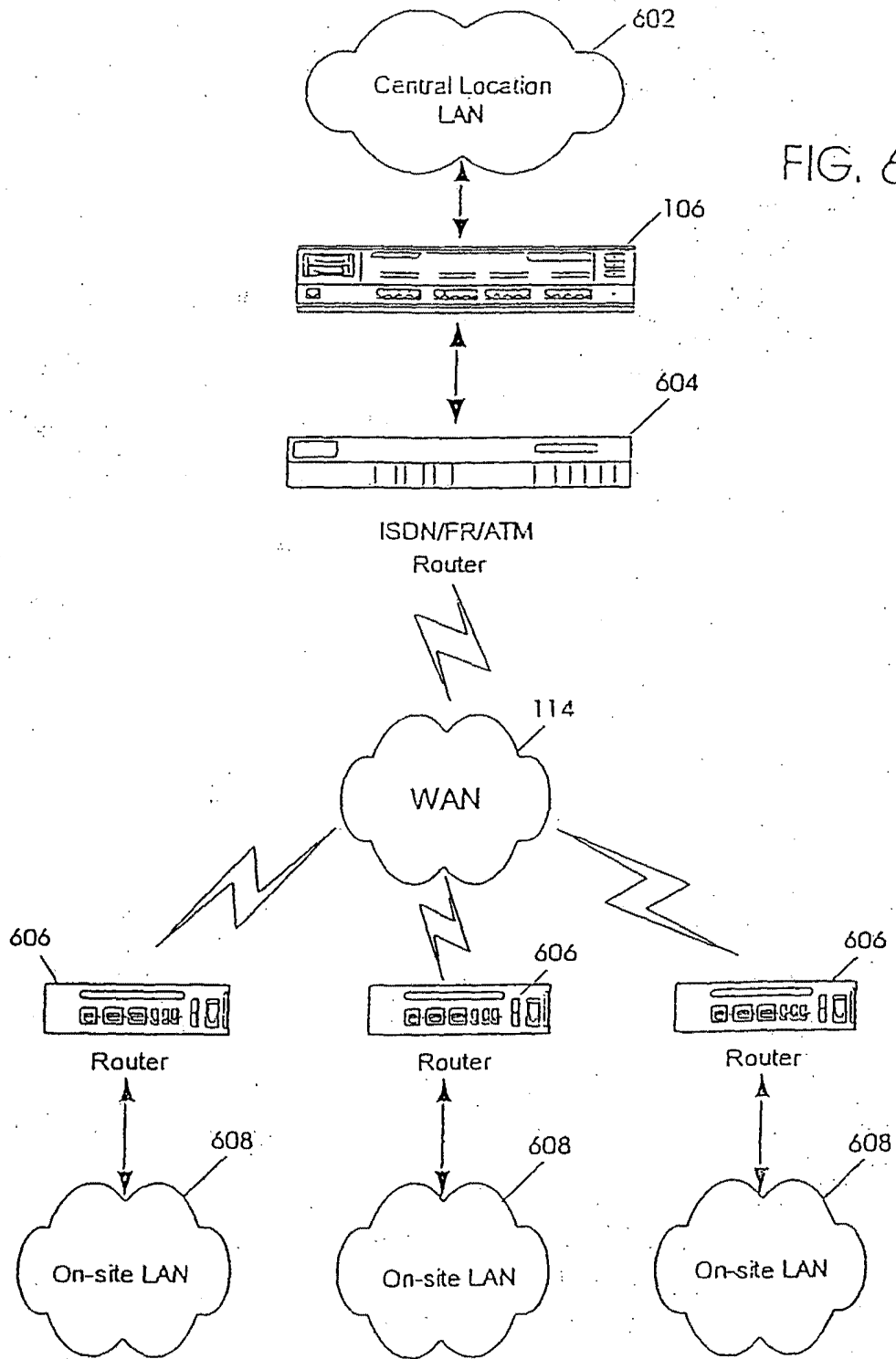
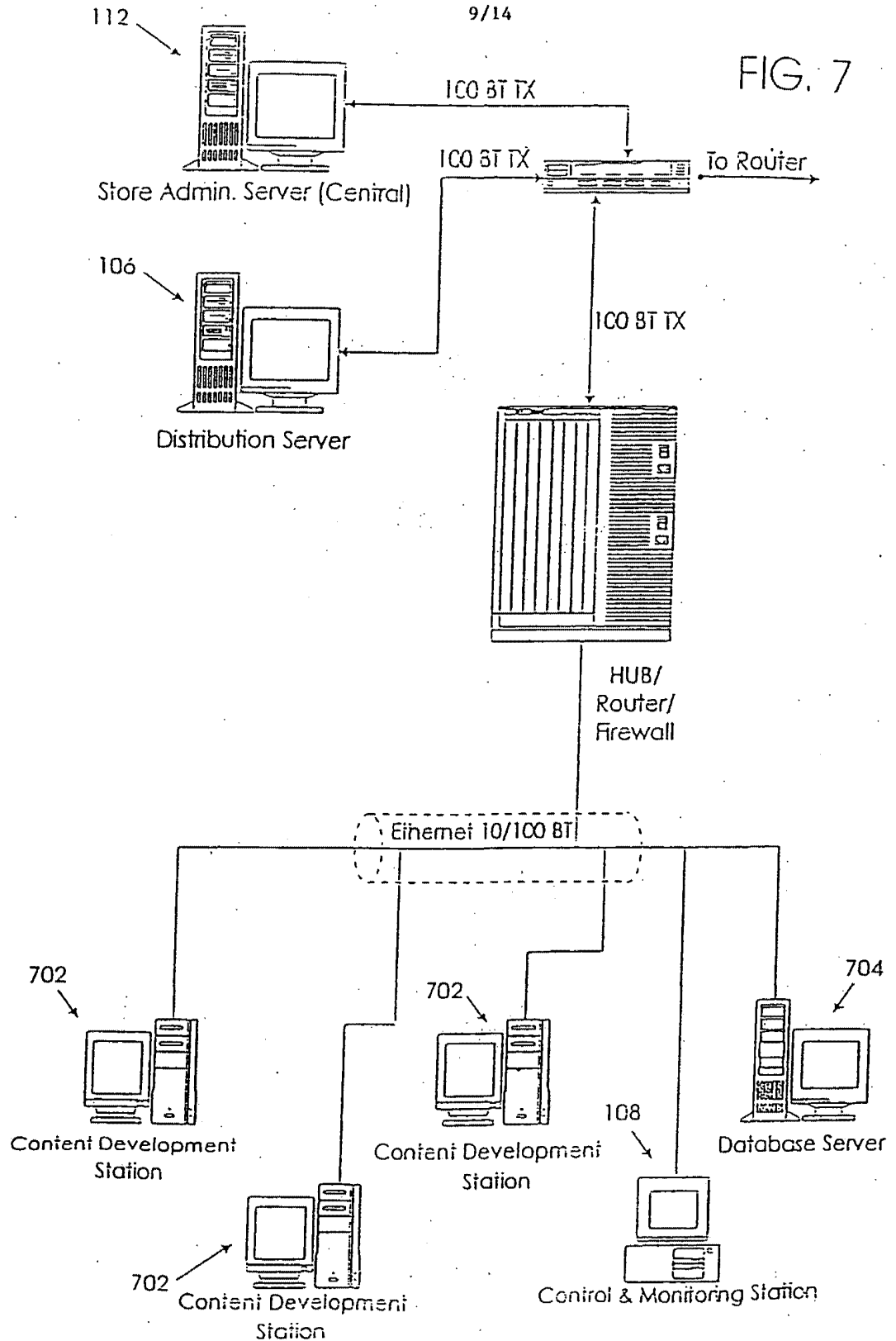


FIG. 6B

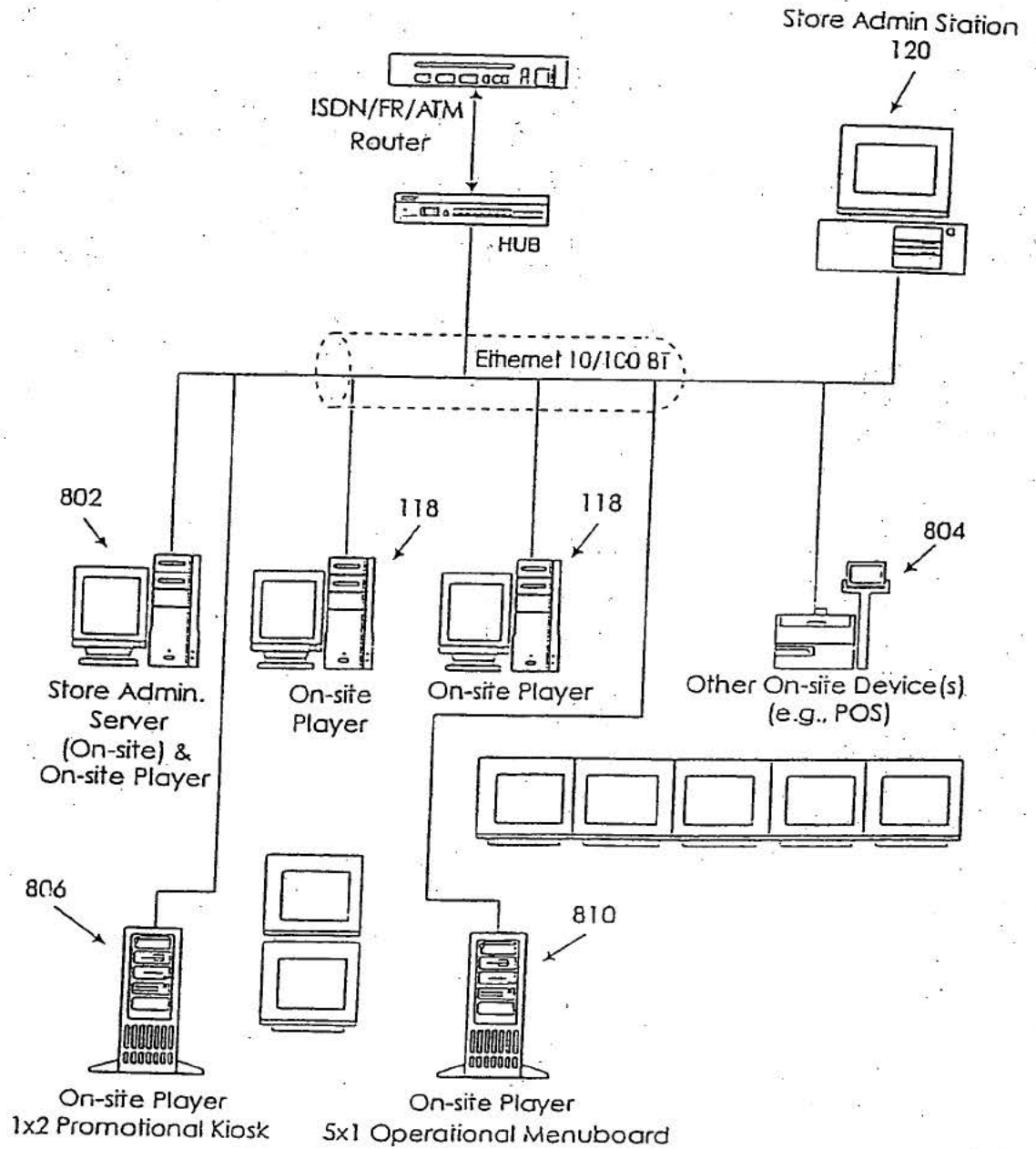
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FIG. 7



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FIG. 8



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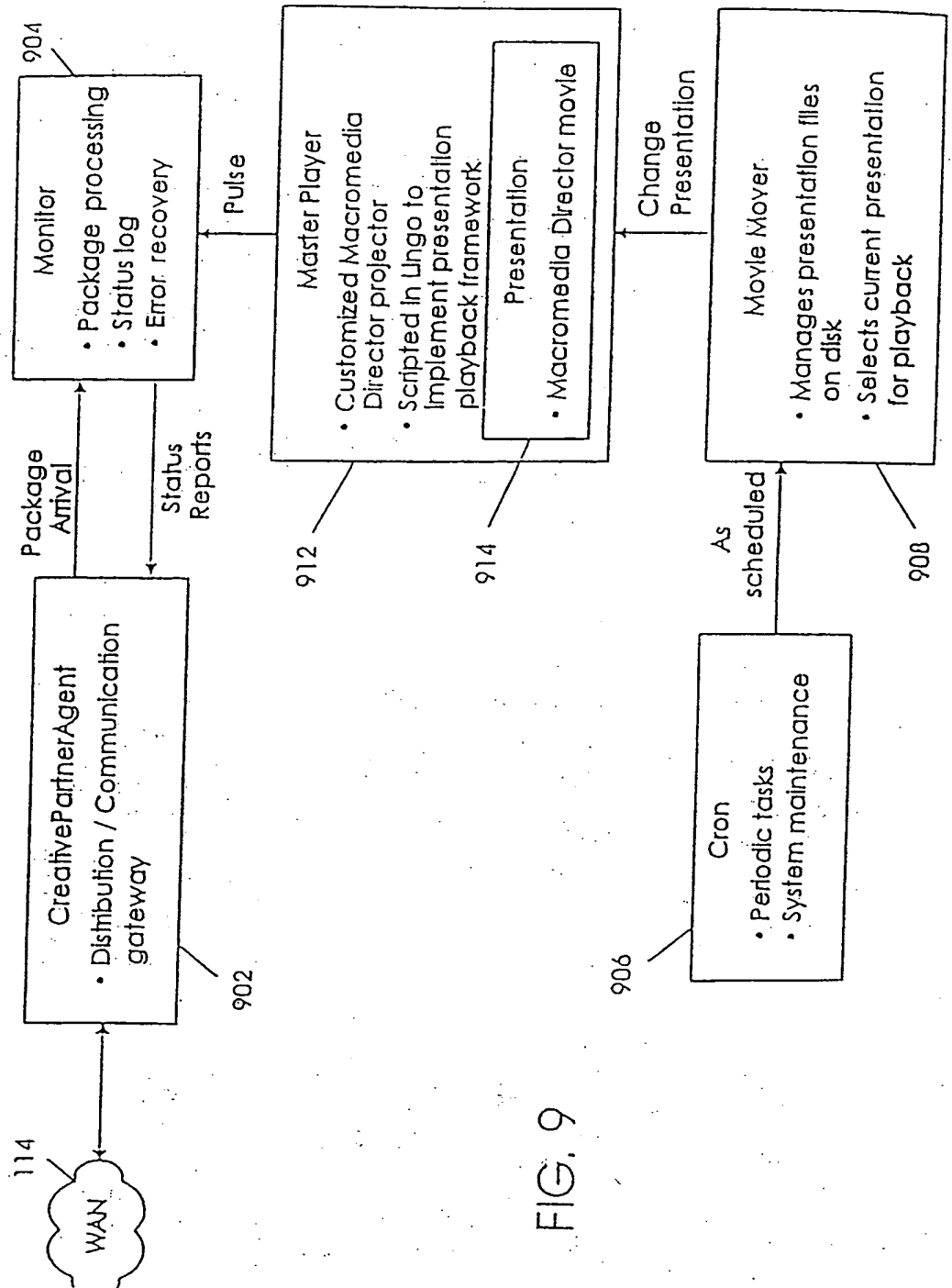
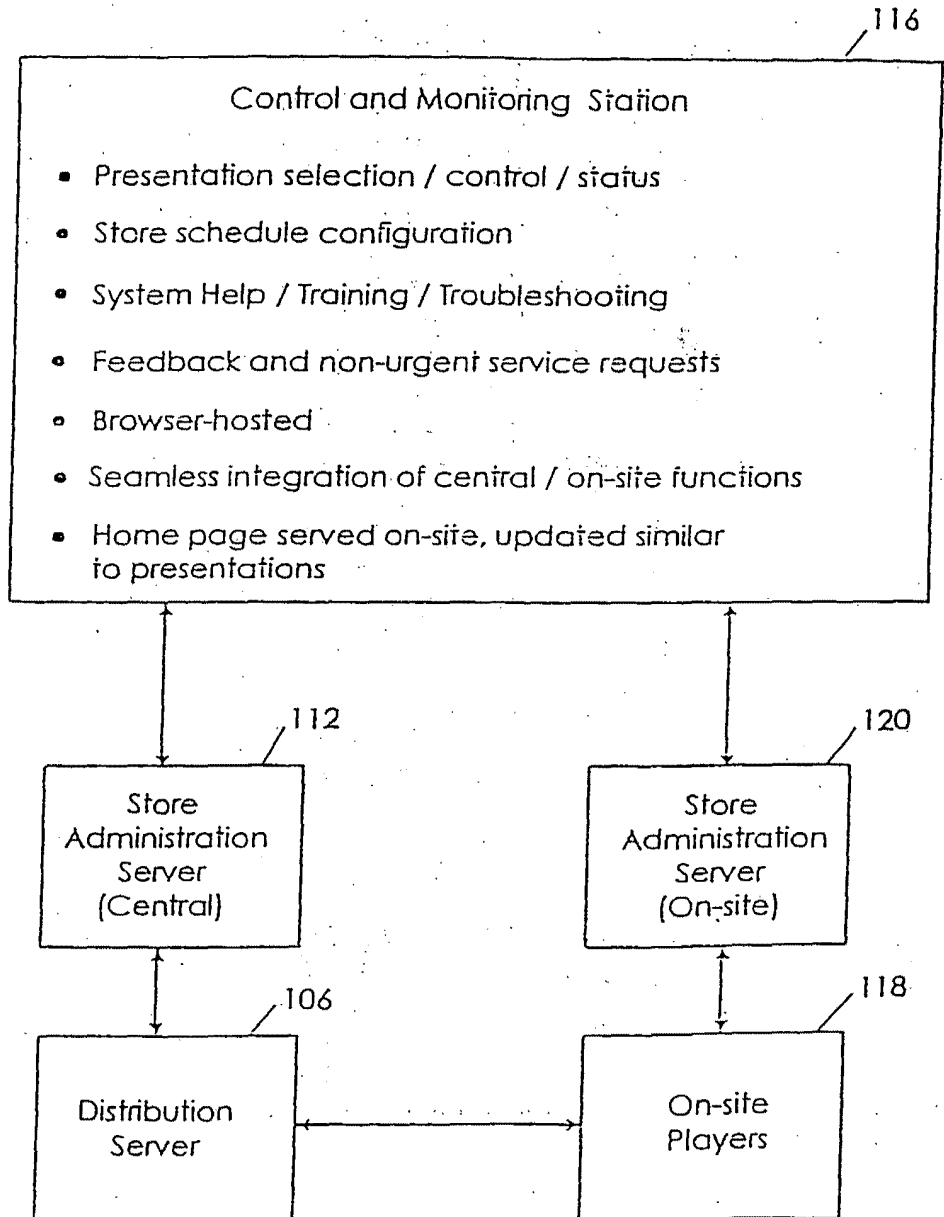


FIG. 9

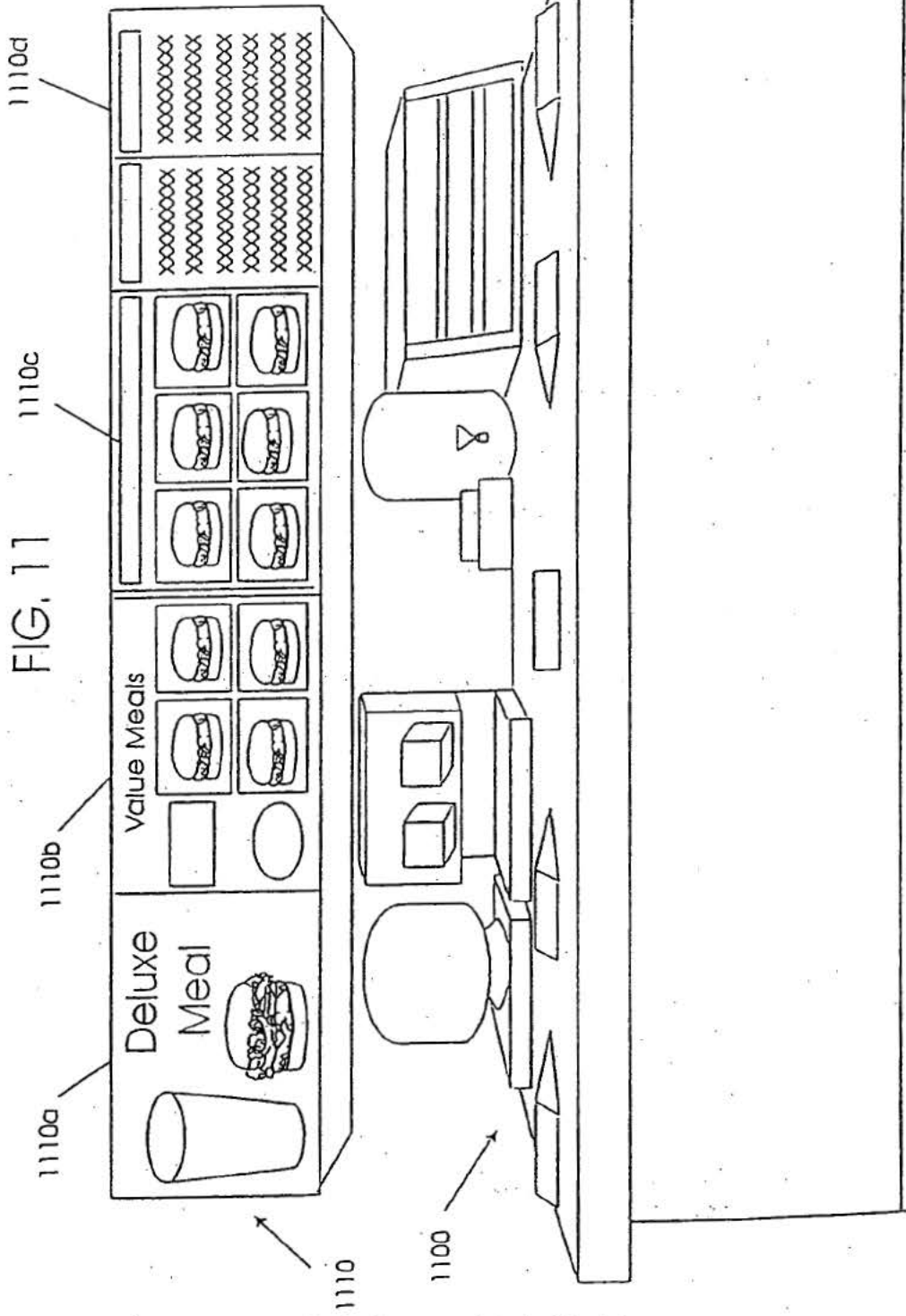
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12/14

FIG. 10

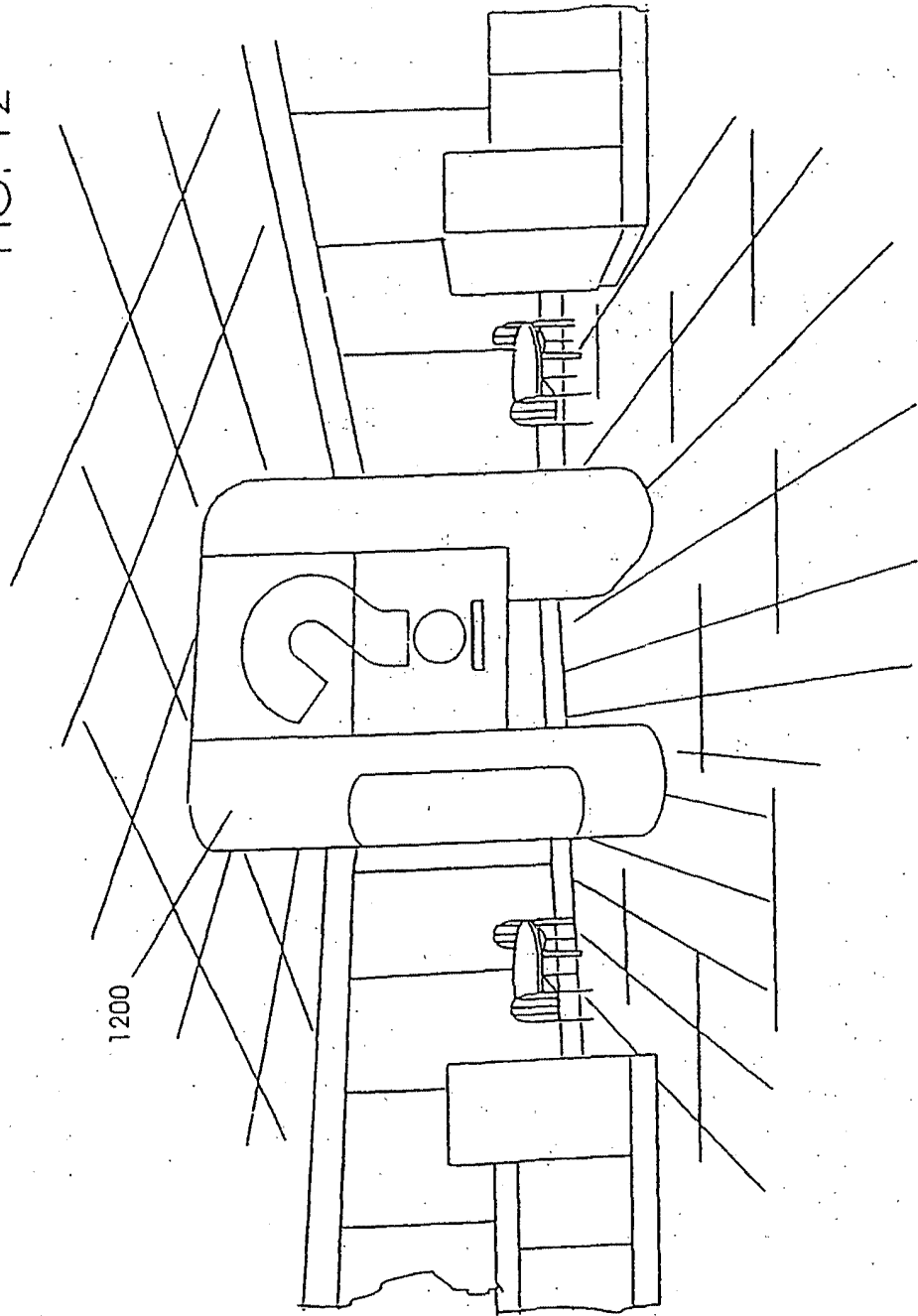


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FIG. 12



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INTERNATIONAL SEARCH REPORT

Inte. Jonal Application No
PCT/US 98/00513

A. CLASSIFICATION OF SUBJECT MATTER IPC 6 G06F17/30		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC 6 G06F H04N		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used)		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 96 08113 A (BYLON CO LTD ;CHO NACK Y (US); MAGILTON JERRY E JR (US)) 14 March 1996 cited in the application see claims 18-27 see page 4, line 1 - line 13 see page 5, line 3 - line 11 see page 7, line 26 - line 36 see page 15, line 20 - page 17, line 30	1-67
Y	FR 2 596 605 A (VANDAMME JACQUES) 2 October 1987 see page 5, line 14 - page 6, line 37 see page 8, line 19 - page 8, line 29	1-67
<input type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents :		
"A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed		"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family
2	Date of the actual completion of the international search <p align="center">12 May 1998</p>	Date of mailing of the international search report <p align="center">20/05/1998</p>
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer <p align="center">Gardiner, A</p>

Form PCT/ISA/210 (second sheet) (July 1992)

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 98/00513

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9608113 A	14-03-96	US 5566353 A AU 3508995 A GB 2307820 A	15-10-96 27-03-96 04-06-97
FR 2596605 A	02-10-87	NONE	

Form PCT/ISA210 (patent family annex) (July 1992)



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Zeichen/Ref./Réf. MNM/P33736EP-K	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°. 00965240.5-2201-US0025863
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire Ameranth Wireless, Inc.	

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

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If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent
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SUPPLEMENTARY
EUROPEAN SEARCH REPORT

Application Number
EP 00 96 5240

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	WO 98 41936 A (FRANKEL & COMPANY ;MANDEBERG RICHARD D (US); MOLESKI DESMOND C J () 24 September 1998 (1998-09-24) * the whole document *	1, 12, 20, 31	G06F17/30 G06F17/60 G06F9/44
X	"GRAPHIC USER INTERFACE BUILDER MENU CONSTRUCTION USING A TREE-VIEW CONTAINER" IBM TECHNICAL DISCLOSURE BULLETIN, IBM CORP. NEW YORK, US, vol. 38, no. 9, 1 September 1995 (1995-09-01), pages 65-66, XP000540186 ISSN: 0018-8689 * the whole document *	1, 12, 31	
X	EP 0 779 759 A (UNWIRED PLANET INC) 18 June 1997 (1997-06-18) * the whole document *	40-43	
Y	US 5 912 743 A (KINEBUCHI TADASHI ET AL) 15 June 1999 (1999-06-15) * the whole document *	1-39	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
Y	WO 98 20434 A (VAYU WEB INC) 14 May 1998 (1998-05-14) * page 8 - page 10 * * page 15 * * page 19 - page 23 *	1-39	G06F H04N H04M
-/--			
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			

3

EPC FORM 1503 03.92 (P04C04)

Place of search MUNICH	Date of completion of the search 29 March 2004	Examiner Herry, T
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<p>CATEGORY OF CITED DOCUMENTS</p> <p>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</p>	<p>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons</p> <p>..... & : member of the same patent family, corresponding document</p>
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DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
A	"ENTERTAINMENT INDUSTRY LEADER RICH FRANK TAKES HELM AT CYBERMEALS, WORLD'S LARGEST ONLINE MEAL ORDERING SYSTEM" FROM THE INTERNET, 15 September 1998 (1998-09-15), XP002946886 Retrieved from the Internet: <URL:HTTP://WWW.FOOD.COM/FOOD.SPH/SAISP...S/ABOUTUS/PRESSRELEASES.JSP?ID=228> 'retrieved on 2001-04-20! * the whole document *	1-43	
A	YOSHIKO HARA: "W3C putting Compact HTML, HDML to test for Net access- Mobile markup languages face off" FROM THE INTERNET, 6 April 1998 (1998-04-06), XP002114154 Retrieved from the Internet: <URL:http://www.techweb.com/se/directlink.cgi?EET19980406S0089> 'retrieved on 1999-09-02! * the whole document *	8,14,27	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			

TECHNICAL FIELDS SEARCHED (Int.Cl.7)

3

EPO FORM 1603 03.02 (P04C04)

Place of search MUNICH	Date of completion of the search 29 March 2004	Examiner Herry, T
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CATEGORY OF CITED DOCUMENTS
 X : particularly relevant if taken alone
 Y : particularly relevant if combined with another document of the same category
 A : technological background
 O : non-written disclosure
 P : intermediate document

T : theory or principle underlying the invention
 E : earlier patent document, but published on, or after the filing date
 D : document cited in the application
 L : document cited for other reasons

& : member of the same patent family, corresponding document

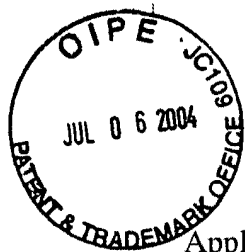
ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.

EP 00 96 5240

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

29-03-2004

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
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			WO	9820434 A2	14-05-1998



gfw 2173

Docket No. 3125-4002US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McNally et al.

Group Art Unit: 2173

Serial No.: 10/015,729

Examiner: TBA

Filed: November 1, 2001

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS
SYSTEM WITH MENU GENERATION

CERTIFICATE OF MAILING (37 C.F.R. §1.8(A))

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached:


1. Information Disclosure Statement;
2. Form PTO-1449;
3. Eleven (11) Cited References;
4. European Search Report; and
5. Return receipt postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: July 2, 2004

By: _____


Angus R. Gill
Registration No. 51,133

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile



Docket No. 3125-4002US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McNally et al.

Group Art Unit: 2173

Serial No.: 10/015,729

Examiner: TBA

Filed: November 1, 2001

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS
SYSTEM WITH MENU GENERATION

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

2. For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.

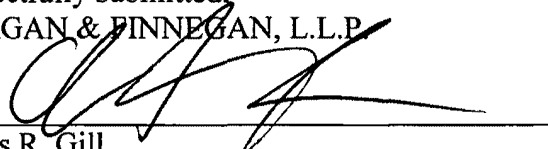
4. No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

- 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- A check in the amount of \$180.00 is enclosed in payment of the fee.
 - Charge the fee to Deposit Account No. 13-4500, Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. This Information Disclosure Statement is being filed in compliance with:
- a. 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
 - b. 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the

attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. This document is accompanied by a Search Report Communication which was cited in a corresponding PCT or Foreign counterpart application
11. A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3125-4002US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.



Dated: July 2, 2004

By:

Angus R. Gill
Registration No. 51,133

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile



FORM PTO-1449 INFORMATION DISCLOSURE CITATION	Attorney Docket: 3125-4002US1	Serial No.: 10/015,729
	Applicant: McNally et al.	
	Filing Date: November 1, 2001	Group Art Unit: 2173

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date
	5,912,743	Jun. 15, 1999	Kinebuchi et al.			
	5,802,526	Sep. 1, 1998	Fawcett et al.			
	5,991,739	Nov. 23, 1999	Cupps et al.			
	5,724,069	Mar. 3, 1998	Chen			
	6,107,944	Aug. 22, 2000	Behr et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation
	WO 98/41936	24 Sep. 1998	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No
	WO 98/20434	14 May 1998	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No
	EP 0 779 759 A2	18 Jun 1997	Europe			<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER DOCUMENTS (Including Author, Title, Date, etc.)

	European Search Report
	"Graphic User Interface Builder Menu Construction Using A Tree-View Container" IBM Technical Disclosure Bulletin, Vol. 38 No. 09 September 1995
	"Entertainment Industry Leader Rich Rank Takes Helm At Cybermeals, World's Largest Online Meal Ordering System" 15 September 1998, <URL:Http://www.food.com/food.sph/saisp...s/aboutus/pressrelease.jsp?id=228>, printed on 2001-04-20.
	"W3C Putting Compact HTML, HDML to Test for Net Access - Mobile Markup Languages Face Off", Yoshiko Hara, 6 April 1998, <URL:http://www.techweb.com/se/directlink.cgi?eet19980406s0089>, printed 1999-09-02.

Examiner	Date Considered
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

NOV 16 2004

Docket No. 3125-4002US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McNally, et al.

Group Art Unit: 2173

Serial No.: 10/015,729

Examiner: Kevin Nguyen

Filed: November 1, 2001

For: Information Management and Synchronous Communications System with Menu Generation

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(C)
TO OBVIATE PROVISIONAL DOUBLE PATENTING REJECTION

VIA FACSIMILE – 703-872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Identity of Assignee

The petitioner, Ameranth Wireless, Inc, having a business address at 5375 Mira Sorrento Place, Suite 150, San Diego, California 92121 is the owner of the entire right, title and interest in the above-identified application, Serial No. 10/015,729, by virtue of an assignment recorded in parent application Serial No. 09/400,413 (now U.S. Patent No. 6,384,850) on December 17, 1999, at Reel/Frame No(s) 010460/0511. The petitioner is also the owner of the entire, right, title and interest in U.S. Patent No. 6,384,850.

Identification of Person(s) Making This Disclaimer

Name of disclaimant: Angus R. Gill. Disclaimant represents that he is a Registered Patent Agent, Registration No. 51,133, and an Agent of Record for the above-identified application, and authorized to sign on behalf of the assignee identified above.

881267 v1

Docket No. 3125-4002US1
Serial No. 10/015.729

Extent of Interest

The extent of assignee's interest is in the whole of this invention.

Declaration Under 37 C.F.R. 3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

Disclaimer

The petitioner, through its Agent of Record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of United States Patent No. 6,384,850. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and United States Patent 6,384,850 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent 6,384,850, in the event that U.S. Patent 6,384,850 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Docket No. 3125-4002US1
Serial No. 10/015,729

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)

- large entity--fee \$110.00
- small entity--fee \$55.00

Fee Payment

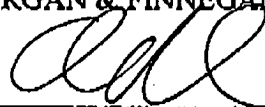
- Attached is a check in the sum of \$
- Charge Deposit Account 13-4500, Order No. 3125-4002US1 any fee required by this paper.

AUTHORIZATIONS:

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Terminal Disclaimer under 37 C.F.R. §§1.16 -§1.20 or credit any overpayment to Deposit Account No. 13-4500, Order No. 3125-4002US1. A

DUPLICATE COPY OF THIS DISCLAIMER IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.



Dated: November 16, 2004

By: _____
Angus R. Gill
Registration No. 51,133

Correspondence Address:

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3 World Financial Center
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(212) 415-8700 Telephone
(212) 415-8701 Facsimile

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FAX COVER SHEET

To	ORGANIZATION	FAX	PHONE
Examiner Kevin Nguyen Group 2173	Commissioner for Patents	(703) 872-9306	

FROM:	Angus Gill	DATE:	November 16, 2004
IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL:	212-415-8746	CLIENT/MATTER:	3125-4002US1
CONFIRMATION:		PAGES (INCLUDING COVER):	4

COMMENTS:

TRANSMITTING TERMINAL DISCLAIMER IN APPLICATION SERIAL NO. 10/015,729.

PLEASE CONFIRM PROPER RECEIPT BY CALLING 212-415-8746

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Missing pages
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881630 v1

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Docket No. 3125-4002US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McNally, et al.

Group Art Unit: 2173

Serial No.: 10/015,729

Examiner: Kevin Nguyen

Filed: November 1, 2001

For: Information Management and Synchronous Communications System with Menu Generation

**TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(C)
TO OBTAIN PROVISIONAL DOUBLE PATENTING REJECTION**VIA FACSIMILE – 703-872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Identity of Assignee

The petitioner, Ameranth Wireless, Inc, having a business address at 5375 Mira Sorrento Place, Suite 150, San Diego, California 92121 is the owner of the entire right, title and interest in the above-identified application, Serial No. 10/015,729, by virtue of an assignment recorded in parent application Serial No. 09/400,413 (now U.S. Patent No. 6,384,850) on December 17, 1999, at Reel/Frame No(s) 010460/0511. The petitioner is also the owner of the entire, right, title and interest in U.S. Patent No. 6,384,850.

Identification of Person(s) Making This Disclaimer

Name of disclaimant: Angus R. Gill. Disclaimant represents that he is a Registered Patent Agent, Registration No. 51,133, and an Agent of Record for the above-identified application, and authorized to sign on behalf of the assignee identified above.

881267 v1

Application Number 	Application No. 10/015,729	Applicant(s) MCNALLY ET AL.
TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Document Code - DISQ	This patent is subject to a Terminal Disclaimer	
INTERNAL DOCUMENT – DO NOT MAIL		

U.S. Patent and Trademark Office

Notice of References Cited	Application/Control No. 10/015,729	Applicant(s)/Patent Under Reexamination MCNALLY ET AL.	
	Examiner Cao (Kevin) Nguyen	Art Unit 2173	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-5,991,739	11-1999	Cupps et al.	705/26
*	B US-5,724,069	03-1998	Chen, Jack Y.	345/172
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


FOREIGN PATENT DOCUMENTS




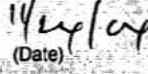
*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	V
	W
	X

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Issue Classification 	Application No. 10/015,729	Applicant(s) MCNALLY ET AL.
	Examiner Cao (Kevin) Nguyen	Art Unit 2173

ISSUE CLASSIFICATION														
ORIGINAL					CROSS REFERENCE(S)									
CLASS	SUBCLASS				CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)								
715	810				715	841								
INTERNATIONAL CLASSIFICATION														
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 (Assistant Examiner) (Date)					 CAO (KEVIN) NGUYEN PRIMARY EXAMINER (Primary Examiner)					Total Claims Allowed: 15				
 Bonnie Harris (Legal Instruments Examiner) (Date)					 (Date)					O.G. Print Claim(s) 1		O.G. Print Fig. 7		

<input 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	
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	8		38		68		128
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	12		42	4	72		132
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	19		49	11	79		139
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FORM PTO-1449 INFORMATION DISCLOSURE CITATION	Attorney Docket: 3125-4002US1	Serial No.: 10/015,729
	Applicant: McNally et al.	
	Filing Date: November 1, 2001	Group Art Unit: 2173

U.S. PATENT DOCUMENTS							
Examiner Initial	Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date	
Op	5,912,743	Jun. 15, 1999	Kinebuchi et al.	—	—		
W	5,802,526	Sep. 1, 1998	Fawcett et al.	—	—		
W	5,991,739	Nov. 23, 1999	Cupps et al.	—	—		
W	5,724,069	Mar. 3, 1998	Chen	—	—		
W	6,107,944	Aug. 22, 2000	Behr et al.	—	—		

FOREIGN PATENT DOCUMENTS							
Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation	
W	WO 98/41936	24 Sep. 1998	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No	
W	WO 98/20434	14 May 1998	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No	
W	EP 0 779 759 A2	18 Jun 1997	Europe			<input type="checkbox"/> Yes <input type="checkbox"/> No	
						<input type="checkbox"/> Yes <input type="checkbox"/> No	
						<input type="checkbox"/> Yes <input type="checkbox"/> No	

OTHER DOCUMENTS (Including Author, Title, Date, etc.)	
	European Search Report
W	"Graphic User Interface Builder Menu Construction Using A Tree-View Container" IBM Technical Disclosure Bullentin, Vol. 38 No. 09 September 1995
W	"Entertainment Industry Leader Rich Rank Takes Helm At Cybermeals, World's Largest Online Meal Ordering System" 15 September 1998, <URL:Http://www.food.com/food.sph/saisp...s/aboutus/pressrelease.jsp?id=228>, printed on 2001-04-20.
W	"W3C Putting Compact HTML, HDML to Test for Net Access - Mobile Markup Languages Face Off", Yoshiko Hara, 6 April 1998, <URL:http://www.techweb.com/se/directlink.cgi?eet19980406s0089>, printed 1999-09-02.

Examiner: <i>C. NG UICW</i>	Date Considered: <i>11/02/04</i>
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Notice of Allowability	Application No.	Applicant(s)	
	10/015,729	MCNALLY ET AL.	
	Examiner	Art Unit	
	Cao (Kevin) Nguyen	2173	

-- 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 11/01/01.
2. The allowed claim(s) is/are 69-83.
3. The drawings filed on 01 November 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All Some* 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.

5. 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.
6. 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).
7. 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)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>07/06/04</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|


CAO (KEVIN) NGUYEN
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Angus Gill§ on 11/12/04.

The application has been amended as follows:

Claims 1-68 and 84-93 have been cancelled.

Allowable Subject Matter

2. Claims 69-83 are allowed over the prior art of record.

Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination. They are an information management and synchronous communications system for generating and transmitting menus comprising a central processing unit, a data storage device connected to central processing unit, an operating system including graphical user interface, a first menu consisting of menu categories, menu categories consisting of menu items, first menu stored on said data storage device and displayable in a window of graphical user interface in a hierarchical tree format, a modifier menu stored on said data storage device and displayable in window of graphical user interface, a sub-modifier menu stored on said data storage device and displayable in a window of graphical user

Art Unit: 2173

interface, and application software for generating a second menu from first menu and transmitting second menu to a wireless handheld computing device or Web page, wherein the application software facilitates the generation on the second menu by allowing selection of categories and items from the first menu, addition of menu categories to the second menu, addition of menu items to the second menu and assignment of parameters to items in the second menu using the graphical user interface of operating system, parameters being selected from the modifier and sub-modifier menus, wherein second menu is applicable to a predetermined type of ordering. These features are not found or suggested in the prior art.

The present invention is directed to an information management and synchronous communications system for generating and transmitting menus. Each independent claim is identified the uniquely distinct features “wherein the application software facilitates the generation on the second menu by allowing selection of categories and items from the first menu, addition of menu categories to the second menu, addition of menu items to the second menu and assignment of parameters to items in the second menu using the graphical user interface of operating system, parameters being selected from the modifier and sub-modifier menus, wherein second menu is applicable to a predetermined type of ordering”. The closest prior art, Cupps (US Patent No. 5,991,739) and Chen (US Patent No. 5,724,069) discloses convention of user interactive interface providing an on-line ordering distribution, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2173


fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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).


Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

11/24/04



NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 12/07/2004
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053

EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 12/07/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/015,729 11/01/2001 Keith R. McNally 3125-4002US1 7758

TITLE OF INVENTION: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional YES \$685 \$0 \$685 03/07/2005

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 REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

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 should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. 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.

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 (703) 746-4000

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)

7590 12/07/2004

MORGAN & FINNEGAN, L.L.P.
 345 Park Avenue
 New York, NY 10154-0053

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 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 (703) 746-4000, 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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10/015,729	11/01/2001	Keith R. McNally	3125-4002US1	7758
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TITLE OF INVENTION: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional	YES	\$685	\$0	\$685	03/07/2005
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EXAMINER	ART UNIT	CLASS-SUBCLASS
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NGUYEN, CAO H	2173	345-810000
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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 _____

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 _____ (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

4a. The following fee(s) are enclosed:

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

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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 _____

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.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
10/015,729 11/01/2001 Keith R. McNally 3125-4002US1 7758

7590 12/07/2004
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053

EXAMINER
NGUYEN, CAO H

ART UNIT PAPER NUMBER
2173

DATE MAILED: 12/07/2004

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 706 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 706 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 (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Index of Claims



Application No.

10/015,729

Examiner

Cao (Kevin) Nguyen

Applicant(s)

MCNALLY ET AL.

Art Unit

2173

√	Rejected
=	Allowed

-	(Through numeral) Cancelled
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N	Non-Elected
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Bib Data Sheet

CONFIRMATION NO. 7758

Table with 5 columns: SERIAL NUMBER (10/015,729), FILING DATE (11/01/2001), CLASS (345), GROUP ART UNIT (2173), ATTORNEY DOCKET NO. (3125-4002US1)

APPLICANTS

Keith R. McNally, San Diego, CA;
William H. Roof, San Diego, CA;
Richard Bergfeld, Chatsworth, CA;

** CONTINUING DATA *****

This application is a CON of 09/400,413 09/21/1999 PAT 6,384,850

Yes NZ

** FOREIGN APPLICATIONS *****

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY **

** 01/03/2002

Table with 5 columns: Foreign Priority claimed, 35 USC 119 (a-d) conditions, Verified and Acknowledged, STATE OR COUNTRY, SHEETS DRAWING, TOTAL CLAIMS, INDEPENDENT CLAIMS


ADDRESS

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY
10154-0053

TITLE

Information management and synchronous communications system with menu generation

Table with 2 columns: FILING FEE RECEIVED (1695), FEES: Authority has been given in Paper No. to charge/credit DEPOSIT ACCOUNT No. for following: (List of fees: All Fees, 1.16 Fees (Filing), 1.17 Fees (Processing Ext. of time), 1.18 Fees (Issue))

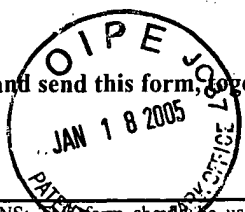
Application Number 	Application No. 10/015,729	Applicant(s) MCNALLY ET AL.	

TERMINAL DISCLAIMER	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Document Code - DISQ	This patent is subject to a Terminal Disclaimer	
INTERNAL DOCUMENT – DO NOT MAIL		

U.S. Patent and Trademark Office

1-21-05
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** **(703) 746-4000**



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.

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7590 12/07/2004

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 345 Park Avenue
 New York, NY 10154-0053

01/24/2005 YPOLITE2 00000102 10015729

01 FC:2501 700.00 OP
 02 FC:8001 9.00 OP

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 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 (703) 746-4000, on the date indicated below.

Please see the attached	(Depositor's name)
Express Mail Certificate.	(Signature)
	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,729	11/01/2001	Keith R. McNally	3125-4002US1	7758

TITLE OF INVENTION: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$685	\$0	\$685	03/07/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, CAO H	2173	345-810000

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, 1. Morgan & Finnegan, LLP
 (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. _____
 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 Ameranth Wireless, Inc. (B) RESIDENCE: (CITY and STATE OR COUNTRY) San Diego, CA

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 3
- 4b. Payment of Fee(s):
 A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized by charge the any additional fee(s), or credit any overpayment, to Deposit Account Number 13-4500 (enclose an extra copy of this form).

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 Angus R. Gill Date 1/18/05
 Typed or printed name Angus R. Gill Registration No. 51,133

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.



27123

CUSTOMER NUMBER ↑

Confirmation No.: 7758

Date of Notice of Allowance: December 7, 2004

Serial No.: 10/015,729

Attorney Docket No.: 3125-4002US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Keith R. McNally et al.

Group Art Unit: 2173

Serial No.: 10/015,729

Examiner: Cao H. Nguyen

Filed: November 1, 2001

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ISSUE FEE TRANSMITTAL LETTER

Sir:

In response to the Notice of Allowability mailed December 7, 2004, Applicants submit herewith the Issue Fee Transmittal Form and a check for \$709.00 to cover the Issue Fee Due (\$700.00) and an advance order of 3 copies of the patent (\$9.00).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over payment, to Deposit Account No. 13-4500, Order No. 3125-4002US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

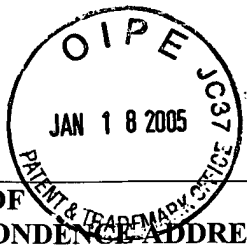
Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 18, 2005

By: _____


Angus R. Gill
Registration No. 51,133

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile



CHANGE OF CORRESPONDENCE ADDRESS <i>of Application</i> Address to: Mail Stop <u>Issue Fee</u> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/015,729
	Filing Date	November 1, 2001
	First Named Inventor	Keith R. McNally
	Group Art Unit	2173
	Examiner Name	Nguyen, Cao H.
	Attorney Docket No.	3125-4002US1

Please change the Correspondence Address for the above-identified application to:

Customer Number [27123]
Type Customer Number here

<input checked="" type="checkbox"/> Firm or Individual Name	MORGAN & FINNEGAN L.L.P.				
Address	3 World Financial Center				
Address					
City	New York	State	New York	ZIP	10281-2101
Country	USA				
Telephone	(212) 415-8700	FAX	(212) 415-8701		

I am the:

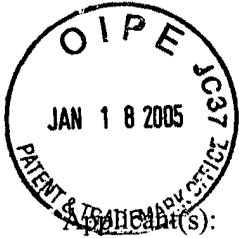
Applicant

Assignee of record of the entire interest.

Certificate under 37 CFR 3.73(b) is enclosed.

Attorney or agent of record.

Typed or Printed Name	Angus Gill	Registration No.	51,133
Signature			
Date	January 18, 2005		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Keith R. McNally et al.
 Group Art Unit: 2173
 Serial No.: 10/015,729
 Examiner: Cao H. Nguyen
 Filed: November 1, 2001
 For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION

EXPRESS MAIL CERTIFICATE

Mail Stop Issue Fee
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Express Mail Label No.: EV 455194602 US

Date of Deposit: January 18, 2005

Sir:

I hereby certify that the attached:

1. Fee(s) Transmittal (PTOL-85)- 1 page (in duplicate);
2. Issue Fee Transmittal Letter - 1 page (in duplicate);
3. Change of Correspondence Address of Application - 1 page;
4. Check for \$709.00 (issue fee & 3 adv. copies of patent); and
5. Postcard for Receipt Acknowledgement

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Albert Isles

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
 3 World Financial Center
 New York, NY 10281-2101
 (212) 415-8700 Telephone
 (212) 415-8701 Facsimile



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



Bib Data Sheet

CONFIRMATION NO. 7758

Table with 5 columns: SERIAL NUMBER (10/015,729), FILING DATE (11/01/2001), CLASS (345), GROUP ART UNIT (2173), ATTORNEY DOCKET NO. (3125-4002US1)

APPLICANTS

Keith R. McNally, San Diego, CA;

William H. Roof, San Diego, CA;
Richard Bergfeld, Chatsworth, CA;

** CONTINUING DATA *****

This application is a CON of 09/400,413 09/21/1999 PAT 6,384,850

** FOREIGN APPLICATIONS *****

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY **

** 01/03/2002

Table with 5 columns: Foreign Priority claimed, 35 USC 119 (a-d) conditions met, Verified and Acknowledged, STATE OR COUNTRY (CA), SHEETS DRAWING (6), TOTAL CLAIMS (93), INDEPENDENT CLAIMS (13)

ADDRESS

27123
MORGAN & FINNEGAN, L.L.P.
3 WORLD FINANCIAL CENTER
NEW YORK, NY
10281-2101

TITLE

INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION

Table with 2 columns: FILING FEE RECEIVED, FEES: Authority has been given in Paper No. to charge/credit DEPOSIT ACCOUNT No. for following: (All Fees, 1.16 Fees (Filing), 1.17 Fees (Processing Ext. of time))

1695

1.18 Fees (Issue)

Other _____

Credit

Electronic Acknowledgement Receipt

EFS ID:	1571216
Application Number:	10015729
International Application Number:	
Confirmation Number:	7758
Title of Invention:	INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS SYSTEM WITH MENU GENERATION
First Named Inventor/Applicant Name:	Keith R. McNally
Customer Number:	27123
Filer:	Angus Robert Gill/Jacqueline Revander
Filer Authorized By:	Angus Robert Gill
Attorney Docket Number:	3125-4002US1
Receipt Date:	07-MAR-2007
Filing Date:	01-NOV-2001
Time Stamp:	12:04:39
Application Type:	Utility

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	3125-4002US1_Certificate_of_Correction.pdf	64846	no	2

Warnings:

Information:	
Total Files Size (in bytes):	64846
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Keith McNally

Patent No.: 6,871,325 (Formerly U.S. Serial No. 10/015,729)

Issued: March 22, 2005

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS
SYSTEM WITH MENU GENERATION

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT

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

Sir:

Attached in duplicate is Form PTO-1050, with at least one copy being suitable for printing.

- The error was the fault of the Patent and Trademark Office, no fee is required.
- The error was not the fault of the Patent and Trademark Office, please charge the requisite fee of \$100 to Deposit Account No. **13-4500**, Order No. _____.
- The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. **13-4500**, Order No. 3125-4002US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: March 7, 2007

By: _____


Angus R. Gill
Registration No. 51,133

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,871,325
APPLICATION NO.: 10/015,729
ISSUE DATE : March 22, 2005
INVENTOR(S) : Keith R. McNally, William H. Roof and Richard Bergfeld

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

In the Claims:

In claim 7 (col. 15, line 57), please replace "device of Web page" with --device or Web page--.

In claim 8 (col. 16, line 22), please replace "device of Web page" with --device or Web page--.

In claim 9 (col. 16, line 56), please replace "device of Web page" with --device or Web page--.

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

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101

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.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,871,325 B1
APPLICATION NO. : 10/015729
DATED : March 22, 2005
INVENTOR(S) : Keith R. McNally, William H. Roof and Richard Bergfeld

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:

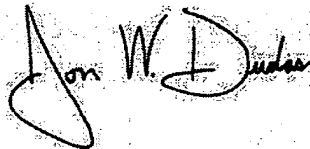
In claim 7 (col. 15, line 57), please replace "device of Web page" with --device or Web page--.

In claim 8 (col. 16, line 22), please replace "device of Web page" with --device or Web page--.

In claim 9 (col. 16, line 56), please replace "device of Web page" with --device or Web page--.

Signed and Sealed this

Seventeenth Day of April, 2007



JON W. DUDAS
Director of the United States Patent and Trademark Office



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
10/015,729	6871325	2173	9200



Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 85775 on 02/10/2009

- Correspondence Address
- Power of Attorney Address

The address of record for Customer Number 85775 is:

85775
Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:11-cv-01810-JLS -NLS	8/15/11	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Pizza Hut, Inc., et al.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6384850	6.	11.
2. 6871325	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK W. Samuel Hamrick, Jr.	(BY) DEPUTY CLERK	DATE
--	--------------------------	-------------

TO: <p style="text-align: center;">Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	<p>REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</p>
--	--

In Compliance with 35 § 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 Colorado on the following Patents

DOCKET NO. 11-cv-01710	DATE FILED 6/30/11	U.S. DISTRICT COURT FOR THE DISTRICT OF COLORADO
PLAINTIFF ProfitStreams LLC		DEFENDANT Ameranth, Inc.
PATENT OR	DATE OF PATENT	HOLDER OF PATENT OR TRADEMARK
1	6,384,850	Please see copy of Complaint attached hereto
2	6,871,325	
3	6,982,733	
4		
5		

In the above—entitled case, the following patent(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	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 GREGORY C. LANGHAM	(BY) DEPUTY CLERK	DATE
------------------------------------	-------------------	------

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.

PROFITSTREAMS LLC,

Plaintiff,

v.

AMERANTH, INC.,

Defendants.

**PROFITSTREAMS, LLC'S COMPLAINT FOR DECLARATORY RELIEF
(JURY TRIAL DEMANDED)**

ProfitStreams LLC ("ProfitStreams") for its Complaint for Declaratory Relief against Ameranth, Inc. ("Ameranth") alleges as follows:

PARTIES

1. ProfitStreams is a Colorado limited liability company. ProfitStreams maintains its offices at 1123 Auraria Parkway, Suite 300, Denver, CO 80204.

2. On information and belief, Ameranth is a Delaware corporation which maintains its offices at 5820 Oberlin Drive, Suite 202, San Diego, CA 92121.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.* and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202.

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

5. This Court has personal jurisdiction over Ameranth because Ameranth transacts business and/or offers to transact business within this judicial district (directly or through intermediaries) and because ProfitStreams is being damaged in the State of Colorado.

6. Venue is proper in the United States District Court for the District of Colorado pursuant to 28 U.S.C. § 1391(b)(2).

FACTUAL BACKGROUND

The Licensed Patents

7. On May 7, 2002, the United States Patent and Trademark Office issued United States Patent No. 6,384,850 (the “850 patent”), entitled *Information Management and Synchronous Communications System with Menu Generation* to Keith R. McNally, William H. Roof, and Richard Bergfeld. According to the information on the face of the patent, it was assigned to Ameranth Wireless. A copy of the ‘850 patent is attached hereto as **Exhibit A**.

8. On March 22, 2005, the United States Patent and Trademark Office issued United States Patent No. 6,871,325 (the “325 patent”), entitled *Information Management and Synchronous Communications System with Menu Generation* to Keith R. McNally, William H. Roof, and Richard Bergfeld. According to the information on the face of the patent, it was assigned to Ameranth Wireless, Inc. A copy of the ‘325 patent is attached hereto as **Exhibit B**.

9. On January 17, 2006, the United States Patent and Trademark Office issued United States Patent No. 6,982,733 (the “733 patent”), entitled *Information Management and Synchronous Communications System with Menu Generation, and Handwriting and Voice Modification of Orders* to Keith R. McNally, Ken Rogers, and Paul Rubin. According to the

information on the face of the patent, it was assigned to Ameranth Wireless, Inc. A copy of the '733 patent is attached hereto as **Exhibit C**.

10. On information and belief, Ameranth offered for sale products that are prior art, as defined by 35 U.S.C. §§ 102 and 103, to the '850 patent, the '325 patent, and/or the '733 patent.

11. On information and belief, in 1996, 1997, and 1998, Ameranth attended the Foodservice Technology Exposition ("FS/TEC").

12. On information and belief, in 1996, Ameranth publicly demonstrated, used, and offered for sale products, including "Intrapad™," that are prior art, as defined by 35 U.S.C. §§ 102 and 103, to the '850 patent, the '325 patent, and/or the '733 patent.

13. On information and belief, in 1997, Ameranth publicly demonstrated, used, and offered for sale products, including "TransPad™" and "PadLink™," that are prior art, as defined by 35 U.S.C. §§ 102 and 103, to the '850 patent, the '325 patent, and/or the '733 patent.

14. On information and belief, in 1998, Ameranth publicly demonstrated, used, and offered for sale products, including "21st Century Restaurant," that are prior art, as defined by 35 U.S.C. §§ 102 and 103, to the '850 patent, the '325 patent, and/or the '733 patent.

15. On information and belief, companies other than Ameranth, such as MICROS Systems, Inc., offered for sale products that are prior art, as defined by 35 U.S.C. §§ 102 and 103, to the '850 patent, the '325 patent, and/or the '733 patent.

16. On information and belief, the claims of the '850 patent, the '325 patent, and the '733 patent are invalid as anticipated by, among other things, the foregoing prior art, as defined by 35 U.S.C. §§ 102 and 103, as well as other prior art, and for obviousness.

The Texas Litigation

17. In July 2007, Ameranth sued Menusoft Systems Corporation (“Menusoft”) and Cash Register Sales & Service of Houston, Inc. (d/b/a CRS Texas) (“CRS”) in the United States District Court for the Eastern District of Texas, Marshall Division, Case No. 2:07-CV-271-CE (the “Texas Litigation”) for infringement of the Licensed Patents.

18. On or about September 4, 2007, Menusoft and CRS asserted counterclaims against Ameranth for, among other things, declaratory judgment that the ‘850 patent, the ‘325 patent, and the ‘733 patent are invalid.

19. On or about September 20, 2010, a jury found each claim of the ‘850 patent, the ‘325 patent, and the ‘733 patent asserted by Ameranth in the Texas Litigation to be invalid both as anticipated by prior art and for obviousness.

20. On May 26, 2011, Magistrate Judge Charles Everingham denied Ameranth’s motions in the Texas Litigation for a new trial and for judgment as a matter of law that the ‘850 patent, the ‘325 patent, and/or the ‘733 patent were not anticipated, not obvious and not invalid.

The License Agreement

21. On or about August 27, 2008, ProfitStreams and Ameranth entered into a Second Amended and Restated License Agreement (the “License Agreement”). The License Agreement was the latest in a series of agreements between ProfitStreams, which is headquartered in Colorado, and Ameranth.

22. Under the terms of the License Agreement, ProfitStreams received, among other things, licenses to the ‘850 patent, the ‘325 patent, and the ‘733 patent, and all reissues and

reexaminations of any of the foregoing patents, and all patents claiming priority from any application from which any of the foregoing patents issues.

23. ProfitStreams also received a licensed copy of the software code and related documentation for Ameranth's Magellan System product (the "Licensed Product"). Ameranth delivered a copy of the Licensed Product to ProfitStreams in Colorado. ProfitStreams paid to Ameranth all fees due under the License Agreement related to the Licensed Product.

24. The License Agreement calls for ProfitStreams to pay an annual fee on or before July 1 for its license to the '850 patent, the '325 patent, and/or the '733 patent.

25. To date, ProfitStreams has paid all patent license fees due under the License Agreement.

26. On or about June 7, 2011, Ameranth sent ProfitStreams an invoice for the annual patent license fee called for in the Agreement. A copy of the invoice and accompanying cover email are attached hereto as **Exhibit D**. In the covering email, Ameranth stated that payment was due no later than June 30, 2011.

27. On June 30, 2011, ProfitStreams provided Ameranth with written notice of its intention not to pay the annual patent license fee invoiced by Ameranth on the grounds that the '850 patent, the '325 patent, and the '733 patent are invalid.

28. Ameranth has demonstrated its intention to protect and enforce the '850 patent, the '325 patent, and the '733 patent through litigation, as evidenced by Ameranth's filing of multiple actions in Federal court related to the '850 patent, the '325 patent, and the '733 patent.

29. Upon information and belief, Ameranth believes that one or more products currently being developed by ProfitStreams may infringe the claims of the '850 patent, the '325 patent, and/or the '733 patent.

30. ProfitStreams reasonably believes and apprehends that Ameranth will file suit against ProfitStreams.

31. Based on (1) the existence of prior art, as defined by 35 U.S.C. §§ 102 and 103, to the '850 patent, the '325 patent, and/or the '733 patent., (2) the jury verdict invalidating claims of the '850 patent, the '325 patent, and the '733 patent in the Texas Litigation, (3) Judge Everingham's post-trial orders upholding the jury verdict, (4) Ameranth's demand for payment of the annual patent license fee called for in the Agreement, and (5) Ameranth's demonstrated litigiousness, an actual and justiciable controversy exists between ProfitStreams and Ameranth regarding the validity of the '850 patent, the '325 patent, and the '733 patent.

FIRST CLAIM FOR RELIEF
(Declaratory Judgment of Invalidity of the '850 Patent)

32. ProfitStreams hereby incorporates by reference each and every allegation set forth in paragraphs 1 through 31 of this Complaint.

33. The '850 patent, and each claim thereof, is invalid for failing to comply with the requirements of the patent laws of the United States, particularly with regard to one or more of the requirements specified in Sections 101, 102, 103, and/or 112 of Title 35 of the United States Code.

34. There exists an actual controversy between Ameranth and ProfitStreams regarding the validity of the '850 patent, and a judicial declaration of invalidity is necessary and appropriate at this time.

SECOND CLAIM FOR RELIEF
(Declaratory Judgment of Invalidation of the '325 Patent)

35. ProfitStreams hereby incorporates by reference each and every allegation set forth in paragraphs 1 through 34 of this Complaint.

36. The '325 patent, and each claim thereof, is invalid for failing to comply with the requirements of the patent laws of the United States, particularly with regard to one or more of the requirements specified in Sections 101, 102, 103, and/or 112 of Title 35 of the United States Code.

37. There exists an actual controversy between Ameranth and ProfitStreams regarding the validity of the '325 patent, and a judicial declaration of invalidity is necessary and appropriate at this time.

THIRD CLAIM FOR RELIEF
(Declaratory Judgment of Invalidation of the '733 Patent)

38. ProfitStreams hereby incorporates by reference each and every allegation set forth in paragraphs 1 through 37 of this Complaint.

39. The '733 patent, and each claim thereof, is invalid for failing to comply with the requirements of the patent laws of the United States, particularly with regard to one or more of the requirements specified in Sections 101, 102, 103, and/or 112 of Title 35 of the United States Code.

40. There exists an actual controversy between Ameranth and ProfitStreams regarding the validity of the '733 patent, and a judicial declaration of invalidity is necessary and appropriate at this time.

7

DEMAND FOR JURY TRIAL

ProfitStreams demands a trial by jury of any and all issues triable as of right by a jury in this action.

PRAYER FOR RELIEF

WHEREFORE, ProfitStreams asks the Court to enter judgment in its favor and grant the following relief:

1. Declare every claim of the '850, '325, and '733 patents invalid;
2. Find this an exceptional case and award ProfitStreams its costs, attorneys' fees, and expenses pursuant to 35 U.S.C. § 285; and
3. Grant such other and further relief as the Court may deem just and proper.

Respectfully submitted this 30th day of June, 2011.

KUTAK ROCK LLP

s/ Chad T. Nitta

Chad T. Nitta

Blair E. Kanis

1801 California St., Suite 3100

Denver, CO 80202

Tel: 303-297-2400

Fax: 303-292-7799

chad.nitta@kutakrock.com

blair.kanis@kutakrock.com

ATTORNEYS FOR PLAINTIFF

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-00858-H-MDD	4/6/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Agilysys, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY		
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>		
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.	
2.	7.	12.	
3.	8.	13.	
4.	9.	14.	
5.	10.	15.	

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01201-DMS-JMA	5/18/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		ChowNow, LLC
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
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In the above-entitled case, the following patents(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY		
	___ Amendment ___ Answer ___ Cross Bill ___ Other Pleading		
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	
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W. Samuel Hamrick, Jr.		

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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01656-DMS-NLS	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		ATX Innovation, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
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DATE INCLUDED	INCLUDED BY	
	Amendment	Answer
	Cross Bill	Other Pleading
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01654-CAB-RBB	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Expedia, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
4.	9.	14.
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In the above-entitled case, the following patents(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	__ Amendment __ Answer __ Cross Bill __ Other Pleading	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
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DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01650-CAB-BLM	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Usablenet, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment ___ Answer ___ Cross Bill ___ Other Pleading ___	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01652-JAH-DHB	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Wanderspot LLC
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
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DECISION/JUDGMENT

CLERK W. Samuel Hamrick, Jr.	(BY) DEPUTY CLERK	DATE
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01659-MMA-RBB	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		EMN8, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
4.	9.	14.
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DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01634-WQH-BLM	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Hotels.com, LP
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
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5.	10.	15.

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PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01633-LAB-JMA	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Hotel Tonight, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01633-LAB-JMA	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Hotel Tonight, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01627-LAB-KSC	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Hyatt Hotels Corporation, et al.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
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DATE INCLUDED	INCLUDED BY	
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PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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DECISION/JUDGMENT

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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01630-JAH-BGS	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Best Western International, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325	7.	12.
3. US 8,146,077 B2	8.	13.
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PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01631-JAH-JMA	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Marriott International, Inc., et al.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01655-AJB-WVG	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Micros Systems, Inc
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
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PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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W. Samuel Hamrick, Jr.		

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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01643-JAH-MDD	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		NAAMA Networks, Inc., et al.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
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PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
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DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01647-AJB-JMA	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Amermath, Inc.		Subtledata, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
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In the above-entitled case, the following patents(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK W. Samuel Hamrick, Jr.	(BY) DEPUTY CLERK	DATE
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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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01646-DMS-JMA	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Stubhub, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment	Answer
	Cross Bill	Other Pleading
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01644-AJB-BGS	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Orbitz, LLC
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01653-MMA-BGS	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Amernath, Inc.		Hotwire, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK W. Samuel Hamrick, Jr.	(BY) DEPUTY CLERK	DATE
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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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01651-DMS-WMC	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Fandango, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	___ Amendment ___ Answer ___ Cross Bill ___ Other Pleading	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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
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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 San Diego on the following Patents or Trademarks:

DOCKET NO. 12CV1642-BEN-BLM	DATE FILED 6/29/2012	U.S. DISTRICT COURT Southern District of California
PLAINTIFF Ameranth, Inc.		DEFENDANT Mobo Systems, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1 6,384,850	6	11
2 6,871,325	7	12
3 8,146,077	8	13
4	9	14
5	10	15

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.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	
1	6	11	
2	7	12	
3	8	13	
4	9	14	
5	10	15	

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT		
CLERK W. Samuel Hamrick, Jr.	(BY) DEPUTY CLERK	DATE

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
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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 San Diego on the following Patents or Trademarks:

DOCKET NO. 12CV1647-AJB-JMA	DATE FILED 6/29/2012	U.S. DISTRICT COURT Southern District of California
PLAINTIFF Ameranth, Inc.		DEFENDANT Subtldata, Inc.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1 6,384,850	6	11
2 6,871,325	7	12
3 8,146,077	8	13
4	9	14
5	10	15

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.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	
1	6	11	
2	7	12	
3	8	13	
4	9	14	
5	10	15	

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT		
CLERK W. Samuel Hamrick, Jr.	(BY) DEPUTY CLERK	DATE

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01648-WQH-JMA	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Ticketmaster, LLC, et al.
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

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

DATE INCLUDED	INCLUDED BY	
	Amendment <u> </u> Answer <u> </u> Cross Bill <u> </u> Other Pleading <u> </u>	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01649-JAH-WMC	6/29/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		Travelocity.com, LP
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. US 6,384,850 B1	6.	11.
2. US 6,871,325 B1	7.	12.
3. US 8,146,077 B2	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following patents(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.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.		

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
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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 Southern District of California on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court Southern District of California
3:12-cv-01201-DMS-IMA	5/18/12	San Diego, CA
PLAINTIFF		DEFENDANT
Ameranth, Inc.		ChowNow, LLC
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. 6,384,850	6.	11.
2. 6,871,325	7.	12.
3. 8,146,077	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following patents(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.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT	<i>Attached</i>
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CLERK	(BY) DEPUTY CLERK	DATE
W. Samuel Hamrick, Jr.	<i>[Signature]</i>	<i>7/4/2012</i>