

VII. A NUMBER OF DEPENDENT CLAIMS ARE SEPARATELY AND INDEPENDENTLY PATENTABLE OVER THE CITED REFERENCES

The dependent claims are believed to be allowable on the same bases as independent claims 103, 118 and 122 as discussed above. The Applicants also assert that various of the dependent claims are independently patentable as follows.

The Examiner cited the Micros '92 reference as purportedly describing the automatic generation and transmission of the "second menu" from the master menu as previously claimed in dependent claim 104. First, "second menu" has been replaced in the claims with "programmed handheld menu configuration." Further, the citation from page 8 of the Micros '92 reference relied on by the Examiner in no teaches or suggests the generation of a menu configuration from a master menu. As explained previously, a database is not synonymous with nor suggestive of a programmed menu configuration. Thus, the downloading of a database update is not the generation and transmission of a programmed handheld menu configuration, automatic or otherwise. Moreover, claim 104 has been amended to add the following recitation:

wherein the menu configuration software is further enabled to automatically generate the programmed handheld menu configuration for display using more screens than the number of screens configured to display the master menu and wherein the menu configuration software is also enabled to generate the programmed handheld menu configuration to facilitate user operations with and display of the programmed handheld menu configuration on the display screen of the handheld graphical user interface of the wireless handheld computing device such that the programmed handheld menu configuration as displayed on the handheld graphical user interface appears to a user to be substantially similar to the master menu as displayed on the first graphical user interface

The Applicants respectfully assert that these further amendments to claim 104 further distinguish over the references cited by the Examiner and that claim 104 is independently patentable.

Applicants thus request that this rejection be withdrawn.

The Examiner cited the Micros '97 reference as describing the additional subject matter recited by dependent claim 105, i.e., that the system is configured to automatically generate and transmit the "second menu" from the master menu in response to at least one of a predetermined time, or the occurrence of an event or a change in the master menu. First, "second menu" has been replaced in the claims with "programmed handheld menu configuration." Moreover, as discussed above, the Micros references do not teach or suggest generating a programmed handheld menu configuration from a master menu file structure for transmission to a wireless handheld computing device, and thus the Micros references do not teach or suggest the automatic generation and transmission of such a menu configuration in response to the recited criteria. Applicants therefore respectfully assert that claim 105 is independently patentable and that this rejection should therefore be withdrawn.

Claims 106 and 120 have been amended to further clarify that "information comprising at least a part of the programmed handheld menu configuration is synchronized in real time between multiple hospitality software applications." Claim 123 has been amended to further clarify that "the hospitality application information simultaneously synchronizes to and from at least two" types of hospitality application information systems. The Applicants respectfully assert that nothing in any of the cited references teaches or suggest this claimed aspect. The cited passage from Micros '97 relied on by the Examiner as teaching the recitations of claims 106, 120 and 123 is not applicable to the claimed subject matter. These dependent claims, as amended, further recite that the hospitality applications include at least two of point of sale systems, reservations, waitlists, frequent customer or ticketing programs. The passage from Micros '97 relates merely to database creation and editing, it does not relate to synchronization

of multiple hospitality applications in real time, or simultaneously, as presently claimed. Applicants therefore respectfully assert that claims 106, 120 and 123 are independently patentable and that this rejection should therefore be withdrawn.

Claim 107 has been amended to recite that the system is enabled to transmit user selections from the programmed handheld menu configuration via the internet. The wireless link recitation has been removed. Nothing in any of the cited references teaches or suggests the transmission of user selections from a handheld device via the internet. Applicants therefore respectfully assert that claim 107 is independently patentable and that this rejection should therefore be withdrawn.

Claims 108 and 121 have been amended to recite that the system is enabled to automatically reflect user selections from the programmed handheld menu configuration in “real time on two or more other different-type display elements of the system.” Applicants respectfully submit that nothing in any of the cited references taught or suggested this claimed aspect. The citation from Micros '97 relied on by the Examiner to reject these claims previous to the present amendments relates to ordering of limited availability items and in no way relates to the claims as amended. Applicants thus request that these claims be allowed.

Claim 109 has been amended to recite that the programmed handheld menu configuration is formatted for display as cascaded sets of linked graphical user interface screens appropriate for the display parameters of “at least two different wireless handheld computing device display sizes in the same connected system.” Applicants respectfully submit that nothing in any of the cited references taught or suggested this claimed aspect. As discussed above, there is no teaching or suggestion in any of the cited references of generating such a programmed handheld

menu configuration for even one size handheld display, let alone two different ones. Applicants therefore request that this rejection be withdrawn.

The cited passage from Micros relied on by the Examiner as teaching the recitation of claim 110 is not applicable to the claimed subject matter. This dependent claim further recites that the modifiers and sub-modifiers in either the master or programmed handheld menu configurations may be further configured to be either "required" or "not required." It is true that the Micros references relate to a POS system which, like most "fixed" POS systems, allowed for "required" or "not required" modifiers and sub-modifiers. However, these functions are special parameters which directly impact the logic flow and user interface linkages of a menu system, fixed or otherwise. Incorporation of such functionality in a handheld menu requires the creation of cascading links of a significantly greater number of smaller screen menus unique to the display characteristics of handhelds and thus the logic flow linkages and their associated rules have to be adapted in the "handheld menu" generation to reflect and maintain these new screen linkages and flows. Having this basic menu feature on a fixed POS system does not translate straightforwardly to handheld/smart phones since the particular menu pages and button links for the handheld menu are substantially different vis-à-vis the master menu. This rejection should therefore also be withdrawn.

The Examiner applied the Micros '97 reference against the recitations of claims 115 and 127 that the wireless computing device is a smart phone or other consumer wireless communications device. As discussed with the Examiner in the July 21, 2009 Interview, claims 115 and 127 have been amended to delete "or other consumer wireless communications device." This rejection should thus be withdrawn. Moreover, as discussed above, the Micros references

teach away from the claimed synchronous, real time system involving, e.g., programmed handheld menu configurations generated for handheld devices or the internet, by describing configuration and “programming” of displays on the device, not prior to transmission to the target device as presently claimed. Further, “smart phones” inherently require no “installer/programmer” and thus further negate any possible use of the Micros HHT limitations toward this dependent claim and, as previously stated, the aspects of the Micros '97 reference necessary to in combination support the rejection of this claim cannot be found in that reference. The Micros HHT was not a consumer wireless communication device but that rejection has nonetheless been obviated because claims 115 and 127 are now limited to a smart phone, which the HHT clearly was not. The rejections of claims 115 and 127 should thus be withdrawn.

Claim 117 has been amended to recite specifics as to the configuration of the programmed handheld menu configuration, i.e., that “wherein one or more of layout, views or fonts of the programmed handheld menu configuration are created in conformity with the display screen parameters of the wireless handheld computing device and wherein the system is enabled to generate the programmed handheld menu configuration for user review prior to transmission of the programmed handheld menu configuration” to the wireless handheld computing device. Applicants respectfully submit that nothing in any of the cited references taught or suggested these claimed aspects. Applicants thus request that this claim be allowed.

Claim 119 has been amended to recite that the system is further configured such that “multiple menu screens are capable of being displayed on the handheld graphical user interface simultaneously.” Nothing in any of the cited references teaches or suggests this claimed aspect.

Applicants therefore respectfully assert that claim 119 is independently patentable and that this rejection should therefore be withdrawn.

The Applicants respectfully disagree with the Examiner's citation of the transmission of order information to the base station from the HHT device as teaching the limitations of dependent claims 124 and 125. As discussed above, the HHT/Micros 8700 systems did not comprise, teach nor suggest a real time synchronous system involving selections made from handheld or web page menu configurations.

For the stated reasons, Applicants respectfully request that the above-discussed dependent claims be allowed for these additional reasons.

VIII. THE PRESENTLY SUBMITTED 1.132 DECLARATION PROVIDES SUBSTANTIAL EVIDENCE OF SECONDARY INDICIA OF NONOBVIOUSNESS OF THE PRESENTLY-CLAIMED INVENTION

Under long-standing Supreme Court precedent, the analysis of "secondary considerations" is a required part of any obviousness/nonobviousness determination:

Under § 103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background, the obviousness or nonobviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unsolved needs, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter sought to be patented.

KSR Int'l Co. v. Teleflex Inc. et al., 550 U.S. 398, 406 (2007) (quoting *Graham v. John Deere Co.*, 383 U.S. 1, 17-18 (1966)).

The Supreme Court stated further in *KSR*:

While the sequence of these questions might be reordered in any particular case, the factors continue to define the inquiry that controls.

KSR, 550 U.S. at 407 (emphasis added).

[O]f particular importance beyond the prima facie analysis, this court also detects evidence of objective criteria showing nonobviousness. Specifically, the record shows powerful unexpected results . . . The record also shows skepticism of experts and copying -- other respected sources of objective evidence of nonobviousness -- as well as commercial success. As this court has repeatedly explained, this evidence is not just a cumulative or confirmatory part of the obviousness calculus but constitutes independent evidence of nonobviousness.

Ortho-McNeil Pharm., Inc., v. Mylan Labs., Inc., 520 F.3d 1358, 1365 (Fed. Cir. 2008)

(following *KSR v. Teleflex*) (emphasis added).

Applicants believe the 37 C.F.R. 1.132 Declaration of Keith R. McNally submitted herewith provides particularly compelling evidence of secondary considerations which confirm the uniqueness and nonobviousness of this breakthrough invention. While “looking back” (a decade or more) at paper documents can provide one perspective on novelty and obviousness, such post-hoc analysis cannot be divorced from what really happened at the time of the invention and thereafter. The contemporaneous actions, decisions and technology/market adoptions (when subject to confirmation, as is the case with this invention) offers a compelling and, Applicants assert, dispositive conclusion of the uniqueness and breakthrough aspects of Ameranth’s invention as presently claimed. See *Ortho McNeil v. Mylan*, 520 F.3d at 1365 (following *KSR v. Teleflex*) (“this evidence is not just a cumulative or confirmatory part of the obviousness calculus but constitutes independent evidence of nonobviousness”).

It was extraordinary for the leading software and wireless computing companies in the entire world (Microsoft/Symbol) to not only have partnered with Ameranth (the assignee of the present application) but to have made strategic, multi-million dollar investments into Ameranth

(during 1999/2000). Likewise, it was a conclusive market confirmation of the value and uniqueness of Ameranth's solution that Food.Com (Cupps patent owner), the then leading internet food ordering company (having raised \$100M), as well as most of the leading point of sale companies (including Micros), and other related technology companies all partnered with, licensed or sought to license Ameranth's inventive technology in 1999 and 2000. Then, on top of these industry technology adoptions, Ameranth won three major, best product/technology awards for its 21st Century Restaurant System (the marketing name surrounding the core inventive concepts of the present application and claims), one of which was personally nominated by Bill Gates, Chairman of Microsoft. Further, Ameranth was universally recognized as the leading hospitality wireless systems integrator by the most prestigious and respected press and written publications - including both national publications (USA Today, Wall Street Journal, Time Magazine, The New York Times, The Chicago Sun Times and more) and the leading Hospitality Market Publications (Nations Restaurant News, Hospitality Technology, Franchise Times, Hotel Business and many more).

As detailed in the 37 C.F.R. 1.132 Declaration of Keith R. McNally submitted herewith, the unprecedented recognition and adoptions of Ameranth's inventions by the industry leaders, strategic partnering from and investing by the worlds most powerful technology companies, the widespread recognition of numerous major technology companies, the universal acclaim in best product technology awards and contemporaneously being recognized in almost all the leading press and publications leads to the undeniable conclusion that Ameranth's synchronous "menu generation" invention was entirely new, unique, nonobvious and a true breakthrough.

* * *

Neither of the cited references, either alone or in combination, describe or suggest the presently-claimed aspects of the Applicants' claimed information management and real time synchronous communications system, nor would a person of ordinary skill in the art have known to supply either of the aspects missing from the descriptions of the cited references. Moreover, for at least the reasons stated above, there is no basis for imputing knowledge of any of the presently-claimed aspects missing from the cited references to a person of ordinary skill in the art or for combining any such imputed knowledge with either of the cited references. Further, the art made of record but not relied on by the Examiner in making the claims rejections does not supply the claimed aspects which are missing from the descriptions of the applied references, nor would the knowledge of a person skilled in the art combined with the art made of record supply the aspects missing from the cited references for the reasons stated above. The Applicants therefore believe the claims as presently presented are patentably distinguishable over the references of record, either alone or in combination.

CONCLUSION

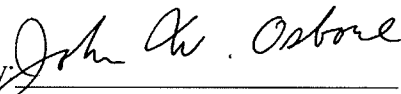
Based on the foregoing remarks and amendments, the Applicants respectfully request entry of the Amendment herein, reconsideration and withdrawal of the pending rejections and allowance of this application. The Applicants respectfully submit that claims 103-110 and 115-127 as amended are patentable and in condition for allowance. An early action passing this case to issue is therefore respectfully requested. Favorable and prompt consideration is requested.

AUTHORIZATION

Applicants believe that no additional fee is required as a result of the present Amendment. However, to the extent that any extension of time is necessary or any additional fees are required, Applicants hereby authorize the Commissioner to charge any additional fees, or credit any overpayment, to Deposit Account No. 504827 (Order No. 1004293.005US).

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL LLP

Dated: August 21, 2009

By: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	11/112,990	Confirmation No.:	7098
Applicant(s):	McNally, et al.	Group Art Unit:	2191
Filed:	April 22, 2005	Examiner:	Brophy, Matthew
		Customer No.:	27123

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS
SYSTEM WITH MENU GENERATION, AND HANDWRITING AND VOICE
MODIFICATION OF ORDERS

DECLARATION UNDER 37 C.F.R. § 1.132

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

Sir:

I, the undersigned, Keith R. McNally, declare and state that:

1. I am an inventor of the subject matter claimed in the above-identified patent application. I have first-hand knowledge as to all of the facts, all of the referenced Exhibits and all of the information contained herein.

2. I make this declaration providing evidence of secondary factors to further support and confirm the establishment of the uniqueness and breakthrough aspects of Ameranth's (the assignee of the present application) "menu wizard" and synchronous 21st Century Communications technology innovations (first introduced at the 1998 Food Service Technology show held in Atlanta, Georgia from November 14- 16, 1998 and then steadily advanced and introduced into the hospitality marketplace thereafter) which are encompassed

by the presently-amended claims of the above-identified application. These technology introductions and innovations marked Ameranth's transformation from its previous product focus on hardware/devices to software and systems integration, (which it has subsequently maintained). All of the attached and referenced enclosures; including business relationships, technology licenses, product announcements, press releases, strategic alliances and news reports all revolve around Ameranth's breakthrough technology innovations originally introduced at the November 1998 FSTEC show and then steadily commercialized by Ameranth on an on-going basis. The referenced Exhibits discussed herein and attached hereto supporting this Declaration primarily focus on the years immediately following the introduction of Ameranth's "menu wizard" and synchronous communications technology (since I believe that this is the pertinent time period in which the contemporaneous market reaction confirmed the novelty and nonobviousness of this innovation). This timeframe focus is certainly not intended to reflect that Ameranth did not continue to excel in subsequent years with additional technology awards and adoptions by the world's largest companies (e.g. Darden, the world's largest casual dining chain) and (Intercontinental Hotels Group, the worlds largest hotel company) and with two additional major technology awards achieved by Ameranth. Both of these subsequent awards were "best product" awards, for the entire hospitality/wireless world/marketplace, one for the most innovative wireless product and the other for the best customer service solution.

3. The collective actions and decisions made by the world's leading technology companies, hospitality focused companies, national press, regional press, hospitality press, major hospitality customers and the public alike clearly and indisputably confirmed that Ameranth had invented an entirely new and truly unique solution to a previously unsolved

problem and for which there was a very significant market need. Both Microsoft and Symbol Technologies, (the respective and recognized world leaders in software and rugged/mobile computing/LAN Wireless technology) not only partnered with Ameranth, but they both made strategic multi million dollar investments into Ameranth in 1999 and 2000 (their only ones in this market segment). Obviously, Microsoft and Symbol could have chosen any systems integrator in the world – yet they chose Ameranth, thus further confirming what the leading contemporaneous experts also confirmed, i.e., that Ameranth’s innovations were unique and breakthrough ones unavailable, at the time, from any other source. The totality of the evidence submitted herewith shows compelling industry recognition and adoption of Ameranth’s breakthrough technologies as encompassed by the claims of the present application.

4. Ameranth’s significant impact in this marketplace was succinctly captured and summarized by Bill Gates’ (Microsoft’s founder and Chairman at the time) testimonial in personally nominating Ameranth for the 2001 Computerworld Honors Program award, which it subsequently won:

[Ameranth] is one of the leading pioneers of the information technology revolution for the betterment of mankind.

5. Further, many of the leading Hospitality “point of sale” companies (including Micros Systems) as well as Food.com (the leading internet food ordering company) and many others also recognized the breakthrough innovations of Ameranth’s technology and either partnered with or sought to partner with Ameranth to obtain that technology. Ameranth was also recognized as the hospitality market wireless leader by numerous National (e.g., The New York Times, Wall Street Journal, USA Today, Time Magazine, Information Week and more) and Hospitality Market publications (Nations

Restaurant News, Hotel Business, Franchise Times, Hospitality Technology and more) for its many revolutionary breakthroughs and innovations encompassed by the claims of the present application.

6. Ameranth has also been repeatedly recognized with and awarded numerous “best product” technology awards as well as numerous technology grants/awards from the National Science Foundation.

7. Supporting materials confirming the above points are attached as Exhibits hereto and summarized in the following paragraphs.

8. Exhibit 1 is a November 14-16, 1998 photograph of Ameranth introducing its revolutionary “menu wizard” and data synchronization technologies as part of its 21st Century Restaurant™ product vision at the 1998 FSTEC (Food Service Technology Show held in Atlanta, Georgia). I am seated, second from the left at the front table, with representatives of several of Ameranth’s strategic customers/partners.

9. Exhibit 2 is a November 14-16, 1998 system diagram that was shown in the booth at the November 1998 FSTEC show in Ameranth’s booth as shown in Exhibit 1. This system diagram reflected Ameranth’s inventive breakthroughs and was shown in the center of the booth as well as being distributed to key strategic partners, such as Symbol Technologies. A working demonstration of Ameranth’s invention accompanied this diagram and was shown concurrently in the booth.

10. As detailed in my original and supplemental inventorship declarations under 37 C.F.R. 1.131, Ameranth’s display and demonstration at the November 1998 FSTEC show was of the subject matter encompassed by the claims of the present application. Moreover, the products displayed and demonstrated by Ameranth at the

November 1998 FSTEC show and thereafter were the same technology referred to in all of the Exhibits referenced herein. My 1.131 Declarations together with the present Declaration thus establish a nexus between the evidence submitted herein and the claimed invention, i.e., the objective evidence of nonobviousness presented herein is attributable to the claimed invention.

11. Exhibit 3 is another system diagram from December 1998/January 1999 further reflecting Ameranth's synchronous communications inventive aspects as part of Ameranth's trademark for its 21st Century Communications™. This was shown to and discussed with Symbol and John Major, the then CEO of Wireless Knowledge (the joint venture between Qualcomm and Microsoft).

12. Exhibit 4 is a February 3, 1999 signed Memorandum of Agreement between Ameranth and Symbol (who had seen Ameranth's inventions at the November 1998 FSTEC show and subsequently and who made this partnering decision and subsequently a major investment decision based largely on the value of Ameranth's inventive "menu wizard" and synchronous communications technology). At this time, Symbol was the world leader in mobile/rugged handheld devices and in 802.11 wireless technology. The fact that such a company would sign a strategic agreement with Ameranth less than 60 days after first seeing it at the FSTEC show is indisputable confirmation of industry recognition of the breakthrough aspects of Ameranth's inventions

13. Exhibit 5 is an April 19, 1999 press release formally announcing the formation of the Strategic Alliance between Symbol and Ameranth.

14. Exhibit 6 is a May 17, 1999 press release formally announcing the

formation of the Strategic Alliance between Ameranth and Comtec Information Systems. At this time, Comtec was the world leader in mobile printing devices.

15. Exhibit 7 is a May 22, 1999 press release formally announcing the formation of the Strategic Alliance between Ameranth and Hospitality Systems Inc (HSI) with HSI being designated as Ameranth's charter POS partner. At this time HSI was one of the top ten largest restaurant POS companies.

16. Exhibit 8 is a May 22, 1999 press release formally announcing the introduction of Symbol's new wireless devices as part of Ameranth's 21st Century Restaurant™ system at the Chicago, Illinois National Restaurant Association (NRA) show.

17. Exhibit 9 is a May 22, 1999 copy of the updated 21st Century Restaurant™ system brochure reflecting the addition of Symbol's new Windows CE handhelds and Comtec's mobile printers. This was demonstrated with the HSI POS software.

18. Exhibit 10 is a photograph of Ameranth's booth at the May 22, 1999 NRA show in Chicago taken on or about May 22, 1999.

19. Exhibit 11 is a set of photographs (Nos. 205, 206) from the 1999 NRA Show taken on or about May 22, 1999. In photos 205 and 206 I am shown with Manny Negreiro, President of Aloha POS and Bill Schwartz, President of Foodtrak, along with Larry Hausman, the then Publisher of Hospitality Technology magazine. Both Aloha and Foodtrak subsequently partnered with Ameranth to obtain the technology encompassed by the claims of the present application, further confirming industry recognition of the breakthrough aspects of Ameranth's claimed inventions.

20. Exhibit 12 is a second set of photographs (Nos. 201, 202, 226) from the

1999 NRA Show taken on or about May 22, 1999. In photos 201/202, Dan Drummond, an Ameranth executive, is shown on the left, with John Harker, Director of Hospitality for Symbol on the right and a Comtec executive in the center. In photo 226, Kathie Sanders, Ameranth's Director of Marketing, is shown on the left, I am shown in the center and various executives from other Ameranth partners/customers are standing with us.

21. Exhibit 13 is a May 24, 1999 daily publication from the May 1999 NRA show in which one of the restaurant owners clearly confirms that Ameranth's wireless point-of-sale system was "really cool." While not precisely the same wording used in other confirmations from leading technology companies, the fact that a "non technologist" would also recognize the breakthrough aspects of Ameranth's inventions is additionally compelling.

22. Exhibit 14 is a June 17, 1999 signed Strategic Alliance Agreement between Ameranth and Food.com. Food.com was the then leading internet food ordering company and had raised \$100M in venture funding. It too had seen Ameranth's inventive technology at the May 1999 NRA show and also concluded that it needed Ameranth's inventive technology. The fact that such a company would sign a strategic alliance agreement with Ameranth less than 30 days after first seeing it at the NRA show is yet another indisputable confirmation of the breakthrough aspects of Ameranth's inventions and shows conclusively the high degree of industry recognition and adoption of Ameranth's technology encompassed by the present patent claims.

23. Exhibit 15 is a June 22, 1999 formal press release of the introduction of Ameranth's 21st Century Hotel™ system at the June 1999 HITEC show in Atlanta,

Georgia. Ameranth again partnered with Symbol on this introduction.

24. Exhibit 16 is the June 22, 1999 system brochure for Ameranth's 21st Century Hotel™ System introduced at the June 1999 HITEC show. The 21st Century Restaurant™ and Ameranth's core inventive concepts were integral to all aspects of the hotel market expansion as well.

25. Exhibit 17 is a July/August 1999 article from Hospitality Technology Magazine highlighting the introduction of Ameranth's technology at the May 1999 NRA show and concluding that Ameranth had generated the most "buzz" from the convention floor at the NRA show, yet further confirming the industry recognition of the breakthrough nature of Ameranth's menu generation and synchronization inventions.

26. Exhibit 18 is a July 7-29 1999 article from Hotel Business about the introduction of Ameranth's 21st Century Restaurant™ wireless technology.

27. Exhibit 19 is a July 15, 1999 Food.com press release formally announcing their Partnership with Ameranth. Food.com's recognition of the power of Ameranth's technology (despite their having had a patent of their own, Cupps) is confirmed by the following statement from their then Chairman/CEO Rich Franks:

Our partnership with Ameranth fits perfectly into our plans for the delivery of online orders from a consumers keyboard to a restaurant kitchen.

This clearly confirmed that even the then world's largest online food ordering company had instantly recognized the breakthrough Ameranth inventions and immediately concluded that they needed it too.

28. Exhibit 20 is a July 26, 1999 formal press release announcing the Strategic Alliance between Ameranth and Aloha POS. Aloha POS was then one of the top ten

largest POS companies and it was the single largest Windows™ based POS company at that time. This further confirms the value, importance and breakthrough nature of Ameranth's inventions.

29. Exhibit 21 is an August 2, 1999 article from Nations Restaurant News (NRN) about the Food.com and Ameranth partnership. It is especially noteworthy that in this article it is confirmed that Ameranth was, at that time, in fact already targeting its technology and inventive concepts toward the "wirelessly enabled smart devices" market. This is yet another confirmation of Ameranth's unique systemic vision and innovations.

30. Exhibit 22 is an August 7-20, 1999 article from Hotel Business magazine confirming Ameranth's launch of its 21st Century Hotel™ system at the June 1999 HITEC show.

31. Exhibit 23 is a September 1999 article from Quick Service Restaurant (QSR) magazine about the Ameranth and Food.com Partnership and includes yet another confirmation of Ameranth' systemic vision including "wirelessly enabled smart devices."

32. Exhibit 24 is a Fall 1999 case study about Ameranth's 21st Century Restaurant included in the Microsoft Hospitality Solutions supplement and which focused on "Real World Solutions for the Hospitality Industry." Tony Barbargallo, then Group Product Manager Productivity Appliances Division for Micros stated "With Symbol's proven expertise in mobile computing and wireless networks, Ameranth's vision and integration skills and Microsoft's innovative family of software products and solutions, we share in their vision for the 21st Century Restaurant™." John Harker, Director of Hospitality for Symbol added, "[W]ith its 21st Century Restaurant Ameranth is providing a system solution that makes Symbol's wireless technology more accessible to the

foodservice industry so that restaurants can move away from fixed terminals and gain the benefits of wireless that other industries have enjoyed.” These two statements from recognized industry leaders clearly confirmed the breakthrough aspects of Ameranth’s inventions as presently claimed.

33. Exhibit 25 is a September 15, 1999 formal press release of Ameranth’s strategic alliance with Infogenesis, another one of the leading POS systems in the foodservice market and arguably the strongest POS company in the gaming/casino market area. This is yet another confirmation of the industry recognition and adoption of Ameranth’s inventions.

34. Exhibit 26 is a September 15, 1999 formal press release for the introduction of Ameranth’s 21st Century Casino™ System at the World Gaming Congress in Las Vegas.

35. Exhibit 27 is a September 15, 1999 copy of the 21st Century Casino™ system brochure, which also included the 21st Century Hotel™ and 21st Century Restaurant™ system concepts and the Ameranth core inventions as integral parts of the solution.

36. Exhibit 28 is an October 4, 1999 copy of the formal press release of Ameranth’s winning the prestigious “Innovation of the Year” award at the European Hospitality Technology Show. This is especially noteworthy in that it is rare for Europeans to provide their very top award to an American company and this award was not just for the technology area but rather for the most innovative new product in the entire foodservice market. This is summed up by the judges for the award stating:

The way that Ameranth has set out to service the individual needs of the consumer greatly impressed the judges. What Ameranth offers is a means

of simplifying many routine tasks for hospitality consumers and users and ultimately provide a superior guest service. With all of these factors in mind, the judges agreed that award for ‘*innovation of the year*’ belongs to Ameranth.

This industry recognition certainly confirmed the breakthrough aspects of Ameranth’s invention and validates many of the factors that clearly distinguished Ameranth’s invention from all prior solutions.

37. Exhibit 29 is an October 7, 1999 copy of the formal press release announcing the Partnership between Ameranth and Systems Concept Inc (SCI), the then leading foodservice company for inventory management with its Foodtrak product line.

38. Exhibit 30 is a November 1, 1999 copy of the formal press release from Squirrel Systems announcing their strategic alliance with Ameranth. Squirrel is yet another of the leading POS companies in the food service market and its desire to obtain Ameranth’s technology is yet another industry recognition and confirmation of the power of Ameranth’s inventions.

39. Exhibit 31 is a November/December 1999 article about Ameranth’s “new technology automates traditional processes” featured in Franchise Times (a leading Hospitality Publication). This is yet additional industry recognition.

40. Exhibit 32 is a November 6, 1999 article about Ameranth’s wireless 21st Century Hotel™ - that was shown at the International Hotel/Motel show in NYC in November 1999.

41. Exhibit 33 is a February 3, 2000 letter from Marriott International expressing that they were “very interested” in Ameranth’s 21st Century Restaurant™ system technology and that “they believed that many of its innovative features will enhance the efficiency of our operations, increase customer satisfaction and help increase

profitability in our operations.” This provides yet additional evidence of industry recognition for Ameranth’s solution which embodied the presently-claimed invention.

42. Exhibit 34 is an April 19, 2000 copy of the formal press release announcing the deployment of Ameranth’s Wireless Technology with Starwood Hotels.

43. Exhibit 35 is an April 19, 2000 copy of the formal press release announcing the deployment of Ameranth’s Wireless Technology with Jamba Juice restaurants.

44. Exhibit 36 is an April 19, 2000 copy of the formal press release announcing Ameranth’s wireless technology as having been selected by Microsoft to represent “Service Sector Automation” in the launch of its Pocket PC Based Solutions.

45. Exhibit 37 is a Spring 2000 Microsoft Case Study on the application of Ameranth’s wireless and internet technology to uniquely modernize the operations of the Improv Comedy Theatres.

46. Exhibit 38 is a May 22, 2000 copy of the formal press release announcing the integration of Ameranth’s 21st Century Communications™ solution with Microsoft’s Pocket PC. Doug Dedo, Group Product Manager of the Mobile Device Division at Microsoft stated:

Ameranth provides a total turnkey solution integrating PocketPC with wireless networks and linking them to PC servers and the internet. Through this integration, Ameranth’s customers are reducing costs and increasing productivity for their businesses and the customers they serve.

This is yet another confirmation of the power of Ameranth’s invention and its applicability in uniquely linking wireless, web and central servers through a synchronous real time system as claimed in the present application.

47. Exhibit 39 is a series of photographs taken during the Spring/Summer of

2000 of Ameranth demonstrating its 21st Century Restaurant™ System at various Hospitality Shows. Pictured are Kathie Sanders in the three photographs on the left and bottom right and Richard Bergfeld (co-inventor) in the upper right photo (with a customer).

48. Exhibits 40, 41 and 42 comprise a set of representative documents from Micros (then the world's largest POS company) from the Spring/Summer of 2000 which evidence that Micros sought the exclusive rights to Ameranth's inventive technology - in the Spring and Summer of 2000. This quest by Micros had followed my personal demonstration and detailed explanation of Ameranth's inventive technology to Ed Rothenberg and others from the Micros technology team in late 1999 and early 2000. Exhibit 40 is a contemporaneous memo memorializing an Ameranth phone conference with Ed Rothenberg conducted on May 9, 2000. From this call, among other points that were made, it is clear that Ed Rothenberg, then the Director of Software for Micros, stated that he "wants exclusivity" and to "leverage our IP." Exhibit 41 is a copy of a July 1, 2000 agreement which was "being negotiated" at the time between Ameranth and Micros (Micros/Ameranth Intellectual Property License, Development and Marketing Term Sheet). The key aspects of Exhibit 41 include the statement that Micros will be "Ameranth's exclusive reseller of Ameranth's Intellectual Property in the Hospitality industry." (emphasis added). Exhibit 42 is an email sent by Curt Mcleland (then Ameranth's CFO) to Ed Rothenberg on June 22, 2000 (shortly after another phone conversation with Ed Rothenberg) and which included Ameranth's pricing for Micros's proposed licensing of Ameranth's inventive software. Shortly after this, Ameranth decided that with the broad applicability and widespread acceptance of Ameranth's

inventions, that it would not make good business sense to pursue an exclusive deal with any company and Ameranth elected not to agree to an exclusive license of its intellectual property with Micros. With almost all of the other leading POS companies already partnered with Ameranth and the largest POS company (Micros) obviously seeking to “exclusively” license Ameranth’s intellectual property, this is yet further confirmation of the uniqueness, industry recognition and industry adoption of the presently-claimed inventions.

49. Exhibit 43 is a June 16, 2000 copy of the formal press release announcing Microsoft’s strategic investment in Ameranth, Inc. Despite its vast wealth, Microsoft did and does not make extensive investments in small companies and it very carefully chooses them. The fact that the world’s largest and most powerful software company chose Ameranth as its strategic wireless partner in the hospitality market and then elected to invest in Ameranth as well is very compelling confirmation of the uniqueness and innovative aspects of Ameranth’s technology.

50. Exhibit 44 is a July 21, 2000 San Diego Daily Transcript article about the founding of Ameranth and how the founders moved from their previous military backgrounds/experience to revolutionize the restaurant/hospitality business.

51. Exhibit 45 is a September 13, 2000 copy of the formal press release announcing Ameranth being selected for the prestigious Moby Award for its Wireless Mobile Computing Application.

52. Exhibit 46 is a November 13, 2000 article from Microsoft about the historic “Battle of the Century” in which the first ever public debate and face-to-face showdown between Microsoft and Palm (the still then leading handheld) occurred at the

Comdex Show in Las Vegas in November 2000. Each company could have chosen any software applications partner in the world to join them in this demonstration/debate. Microsoft chose me with the 21st Century Restaurant™ application to represent it, operating on the then Compaq Ipaq Pocket PC handheld devices. As this article confirms, the consensus was that Microsoft/Ameranth won the “battle” and many in the computing industry believe that this marked the turning point when the marketplace knew that Microsoft would soon overtake and displace Palm (which in fact did soon occur). Ameranth’s role in such a prestigious and historic event is yet another confirmation of its innovations and is an unassailable industry recognition of the importance of Ameranth’s technology encompassed by the present application.

53. Exhibit 47 is a November 13, 2000 Information Week article about various applications of wireless and bar code technology and significant mention of Ameranth and its inventive technology as deployed with the Improv Comedy Theatres is included in the right half of the article.

54. Exhibit 48 is a January 28, 2001 copy of the formal press release of the introduction of Ameranth’s wireless housekeeping/Room Inspection product to Starwood Hotels.

55. Exhibit 49 is an April 16, 2001 copy of the formal press release of Ameranth’s winning a Computerworld Laureate Medal (after having been personally nominated by Bill Gates/Microsoft).

56. Exhibits 50 and 51 further relate to Ameranth’s Computerworld Award. Exhibit 50 is a July 5, 2001 copy of the letter received from Computerworld’s “A search for new Heroes” confirming that Ameranth’s award was formally included in their

archives. Exhibit 51 is a copy of the archive award summary.

57. Exhibit 52 is an August 6, 2001 copy of a Wall Street Journal article about Ameranth's 21st Century Restaurant™ wireless innovations, yet further confirming the overwhelming industry recognition of Ameranth's technology encompassed by the present claims.

58. Exhibit 53 is an October 2001 copy of an article about Ameranth's 21st Century Restaurant in Time Magazine.

59. Exhibit 54 is a December 12, 2001 copy of a New York Times article about Ameranth's "brainstorm" to revolutionize restaurant operations with its wireless inventive technology and innovations.

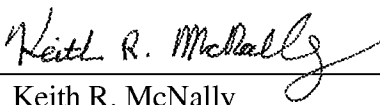
60. Exhibit 55 is a May 16, 2005 Memorandum for Record signed by John Major confirming that he had been briefed by me in January 1999 and shown a copy of Exhibit 3 at that time.

61. Exhibit 56 is a March 29, 2008 memorandum signed by John Harker of Symbol which confirmed all previous statements herein regarding Mr. Harker and the events and actions that occurred between Ameranth/Symbol arising from the November 1998 FSTEC show. Mr. Harker clearly confirms that he received a demonstration of Ameranth's 21st Century Restaurant "wizard" technology from me and Kathie Sanders and that this led him and Symbol to promptly partner with Ameranth. Several attachments to the signed memorandum are duplicative of previous exhibits, since this document was intended to be a "stand alone" document at the time of its signing.

62. I respectfully request that the Examiner consider this Declaration as rebuttal evidence of nonobviousness and that the presently pending claims as amended be allowed.

63. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: August 19, 2009



Keith R. McNally

EXHIBIT 1

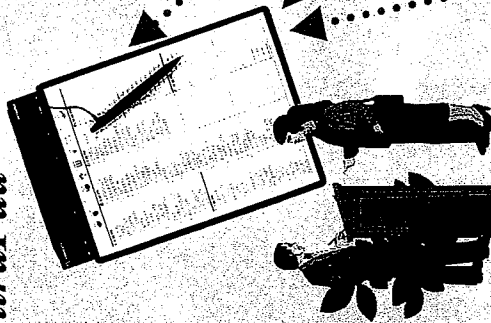


EXHIBIT 2

Absolute Hospitality

from @AMERANTH®

IntraPad™



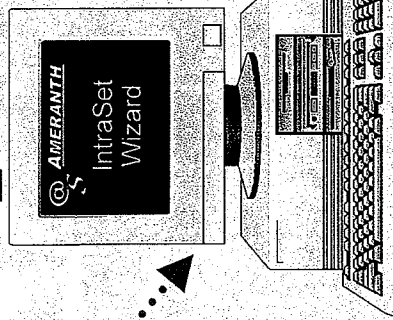
HOSTESS STATION

- Table Management
- Reservation Management
- Waitlist Management
- Customer Paging
- Valet Paging

Other Systems:
"The Customer Connection"



Wireless Communications Center

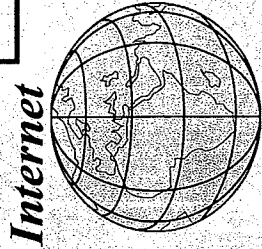


BACK OFFICE

- IntraPad™ Applications
- UltraPad™ Applications
- Database Management
- Menu Items
- Prices
- Orders
- Frequent Customers
- Kitchen Access
- POS Access
- Internet Gateway

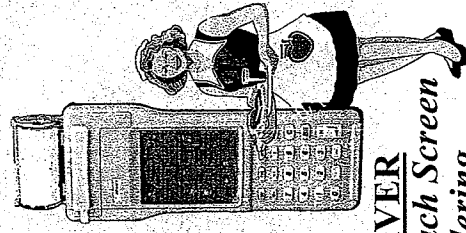
Legend

- Wireless Link
- Wired Link (i.e., LAN)



Internet

UltraPad™



SERVER

- Touch Screen
- Ordering
- Payment Processing

PadLink™

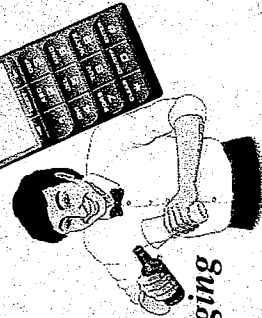


TABLE SETTER

- Table Status
- Real Time Messaging

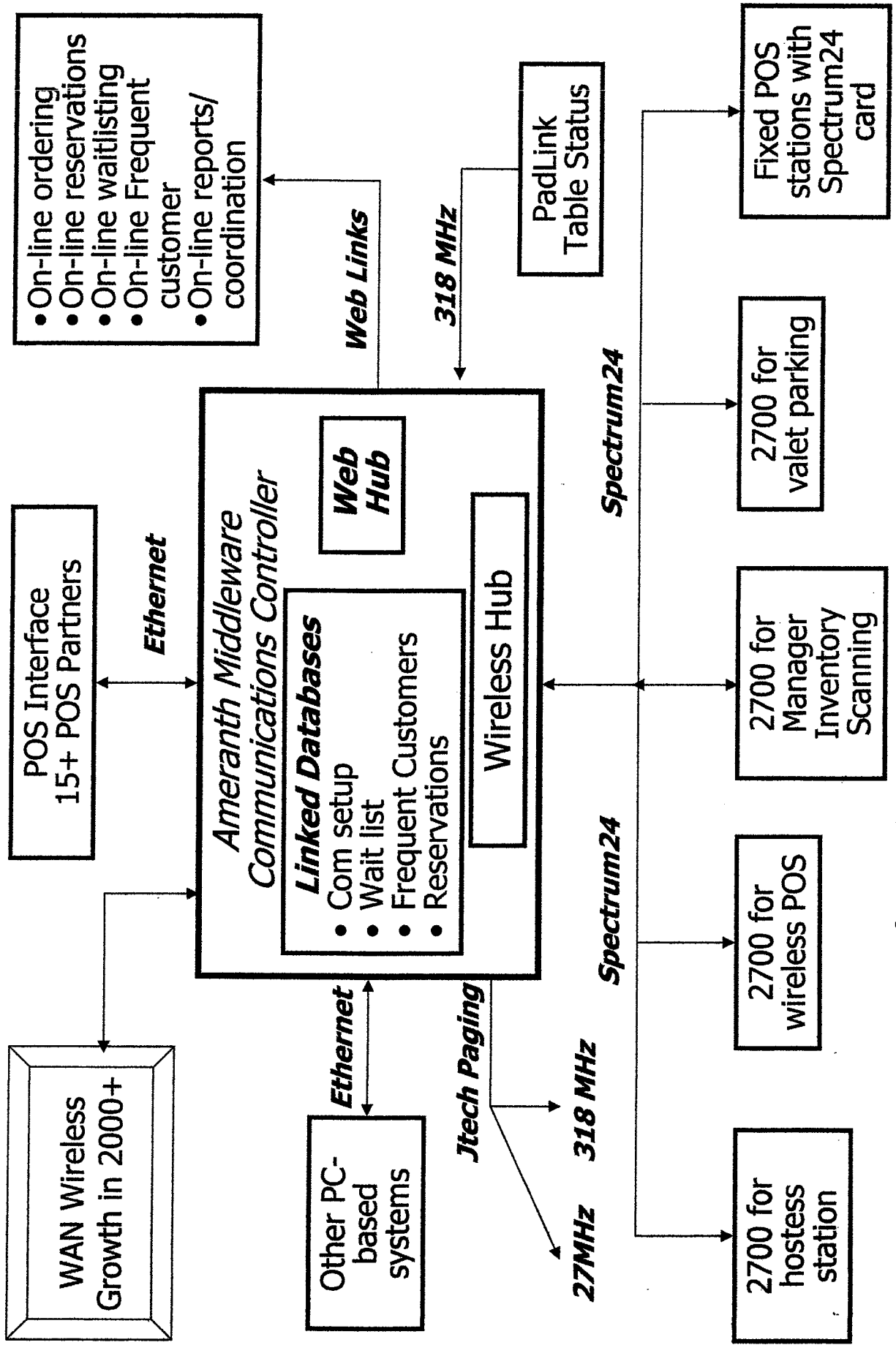
POS and Other Systems



1-888-AMERANTH
www.ameranth.com

EXHIBIT 3

Ameranth 21st Century Communications Integration



Ameranth Proprietary

EXHIBIT 4

PWRW&G Draft:

[[^]] 1/29/99

Memorandum of Agreement

This Memorandum of Agreement (the "Agreement") is entered into as of 3 February, 1999, between Symbol Technologies, Inc. ("Symbol"), having its corporate offices at One Symbol Plaza Holtsville, NY 11742, and Ameranth Technology Systems, [[^]] Inc. ("Ameranth"), having its corporate offices at 16079 San Dieguito Road, suite A-1, Rancho Santa Fe, CA.

WHEREAS, the parties believe that a mutually beneficial relationship should be established to leverage their respective capabilities toward the goal of maximizing sales of the parties' products in the Hospitality/Gaming and selected DOD/Law Enforcement markets (the "Markets"):

THEREFORE, the parties state and agree as follows:

1. The parties have signed a non-disclosure agreement that is in force and will survive this Agreement.
2. Attached as Exhibit A is a summary of the business agreement setting forth the respective responsibilities of the parties with respect to this Agreement.
3. Ameranth and Symbol will also execute a Symbol Distributor Agreement, substantially in the form of Exhibit B, [[^]] modified as the parties shall agree, and each party will adhere to all of the standard conditions [[^]] and obligations set forth in the agreement.
WITHIN 30 DAYS D. W. KEM KEM
4. The term of this agreement will be one year from the date first written above, renewable [[^]] automatically for successive one-year periods, unless written notice of termination is given under paragraph 5 of this Agreement.
5. This Agreement may be canceled upon six months written notice from either [[^]] party setting forth the details of a breach of this Agreement or a default of any obligations under this Agreement, provided, however, that the defaulting party shall have ninety (90) days to cure [[^]] the breach or default, unless the breach or default cannot be cured in ninety days, in which case, the Agreement shall not be canceled if the defaulting party shall have undertaken commercially reasonable efforts designed to cure the breach or default. If a cancellation of Ameranth's role as the "master distributor" for Symbol products in the Markets occurs, Ameranth shall retain the right to purchase and [[^]] use Symbol wireless products [[^]] within its products.
6. The nature of this agreement, the fluidity of technology, market evolution, the introduction of new products and related developments require an exceptional level of trust between the parties and flexibility in the implementation of

the Agreement to ensure that the relationship is fair and equitable to both parties. As the "master distributor" for Symbol in the Markets Ameranth will be committing assets and making investments to further the sales of Symbol products. In so doing, Ameranth will realize benefits in margins between the prices it pays for products and those offered to others in the distribution network, and enjoy collateral sales of its products through these efforts and opportunities. Ameranth's efforts in these markets and the benefits that it realizes will be directly related to the value that Ameranth brings to the efforts and in such cases where sales occur in the Markets for which Ameranth did not contribute (e.g. Symbol "exclusions" as indicated in [^] Exhibit A[^]), Ameranth will not realize any direct compensation. The parties will address and resolve any issues in this regard in an equitable and fair manner.

7. The parties will designate within 10 days of the signing of this agreement the official representative for each party through which all actions, changes and/or issues associated with the Agreement will be addressed.

8. Changes will be subject to mutual agreement. [^] The parties will cooperate closely on pricing strategies because it is expected that frequent changes will be required to accommodate competitor actions and market changes.

9. This Agreement will be governed by the laws of the State of New York applicable to contracts made and to be performed entirely in that state. [^]

10. This Agreement, Exhibit A, the non-disclosure agreement and the Symbol Distributor Agreement, as executed, comprise the entire agreement and understanding of the parties relating to the subject matter of this Agreement and supersede all prior agreements, arrangements and understandings, whether written or oral, relating to the subject matter of this Agreement. [^]

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on the date first written above.

SYMBOL TECHNOLOGIES, INC.

By: Mark Schratz
Name: MARK SCHRATZ
Title: V.P. WESTERN AREA

AMERANTH TECHNOLOGY SYSTEMS, INC.

By: Keith R. McNally
Name: Keith McNally
Title: Chief Executive Officer

1/29/99**Agreement to Synchronize Efforts in Selected Markets**

1. Symbol Technologies, Inc. ("Symbol") and Ameranth Technology Systems, Inc. ("Ameranth") have agreed to combine their efforts in the Hospitality/Gaming and selected DOD/Law Enforcement markets [^] with the expectation that the resulting cooperation will achieve better results for the companies than if they pursued these markets independently. The cooperation will primarily take the form of a product distribution agreement. To maximize results, however, the two companies will attempt to synchronize their development and marketing efforts in order to achieve the earliest and broadest market results possible.

2. Ameranth responsibilities/key actions:

A. Ameranth will establish the Symbol Spectrum 24™ wireless LAN network as its standard for its 21ST Century Restaurant™ System and other 21ST Century systems. Ameranth will also change its current product upgrade paths for the Intrapad™, Padlink™[^] and Ultrapad™ from previous wireless baselines to the Spectrum 24 [^]™ network products and ensure that these Ameranth products are interoperable with the Spectrum 24™ network. Ameranth will also seek to link the Spectrum 24™ backbone to/with its other emerging partner links (e.g. CDMA/CDPD) and with web based links designed to achieve a totally integrated solution around the Spectrum 24™ standard.

B. Ameranth will cancel its planned CE upgrade to the Ultrapad™ and switch to the 2700 product family as its future mobile computing device. This will also include switching its outstanding proposals to a 2700 baseline as soon as feasible. Ameranth will work with Symbol to develop a modified version of the standard 2700 (e.g., case color change or other minor changes) to enable Ameranth to market a unique, branded version. Ameranth also [^] reserves the right [^] to produce custom accessory options (e.g. a SMART Card reader, and/or a slightly more EMI robust case) and to offer these options to Symbol for possible broader application in non-Ameranth markets. Additionally, [^] having agreed that there is a mutual desire for broader cooperation, Ameranth will propose to align its future product developments (e.g. Bluetooth enabled devices) to leverage from and complement Symbol's strategic direction.

C. Ameranth will dedicate its resources to making the Spectrum 24™ wireless network and family of products [^] the industry standards within Ameranth's core markets as quickly and as broadly as possible.

D. Ameranth will develop and execute a comprehensive product launch strategy for the Spectrum 24™ network and the 1700/2700 mobile devices for the May[^] 1999 National Restaurant Association ("NRA") Show in Chicago. This strategy will include an advertising campaign, a complete upgrade of

brochures/handouts, a mailing campaign^[^], preparation of dealer/distributor packages, a press release, a state-of-the-art booth, pricing strategies, software development kits, and similar actions ^[^] designed to achieve maximum results. Additionally, Ameranth will, in cooperation with Symbol, select 5-10 leading POS companies ^[^](e.g., Infogenesis, HSI, Aloha, Squirrel, GEAC^[^] and Radiant) to have the products launched simultaneously in their booths at NRA. These POS companies and other partners will be under ^[^] non-disclosure agreements prior to the product launch. In parallel, ^[^] the parties will jointly select with the Symbol team other best-of-breed partners in additional key areas of the 21ST Century Restaurant™ system (e.g. IBM for servers/displays/integration), 1-2 frequent dining database suppliers, 1-2 paging companies (e.g., JTECH, Signologies)^[^] and 1-2 credit card authorization companies (e.g., NPC)₂ so that a totally integrated system solution is available for customers of ^[^] various sizes and needs, centered around the Spectrum 24™ wireless network and family of products.

E. Ameranth will modify its Software Wizard development environment to enable POS suppliers and/or the customers themselves to quickly develop hand-held POS applications for the CE screen of the 2700. ^[^] Ameranth will work with Symbol, Microsoft and others to offer a [very easy] ^[^] programming environment. ^[^] Ameranth will also provide a tailored version for the smaller screen of the 1700 and work with one or more software developers Symbol selects from its ongoing efforts with the Palm OS ^[^] as an option for the integrated 21ST Century Restaurant™ system.

F. Ameranth will prepare and present to Symbol management a detailed 1999/2000 business plan for this coordinated effort. A draft will be presented by March 1, 1999 (assuming the relationship is established not later than February 1, 1999) and it will be finalized approximately April 1, 1999. It is envisioned that the development of this plan will be a team effort leveraging from Symbol's experience in similar product/market launches. Subsequently, the plan will be reviewed at least quarterly and appropriate adjustments will be made to either exploit success or address any shortfalls.

G. Ameranth will initiate infrastructure and personnel expansion efforts in preparation for and in parallel with the product launch at NRA ^[^] so that the proper resources are in place/available not later than May 20, 1999 to ensure quality support for the expected large industry response to the product launch. This will include, but not be limited to, sufficiency of prototypes, software development kits, 1-800 call-in support, rapid repair and equipment support options, technical support, dealer kits, availability of supplies/accessories etc. Additionally, Ameranth will prepare a significant upgrade to its web-site to make all key specifications and product information available over the web and to ^[^] prepare for web commerce. The details of this structure will be coordinated with Symbol in advance and included in the overall business plan referred to in paragraph 2(F) above.

H. Ameranth will develop and support a comprehensive distribution/pricing strategy so that sufficient margin exists at the various channels to provide attractive margins/profits for the family of products to become the runaway success both companies wish them to be. This will require Ameranth to [[^]] work closely with the channel partners, and in coordination with Symbol, to make adjustments to maximize market share and to focus on optimizing the sales volume and market share.

I. Ameranth management will work closely with the Symbol management team to ensure that this cooperative effort is very successful and that problems/issues, if any, are dealt with quickly and through the cooperation of the respective management teams.

J. Ameranth [[^]] registers^{DESIRES TO} the following accounts as Ameranth's accounts: Litton, SAIC, Cache Box, HSI, WirelessKnowledge, Tangent, JTECH and 4-5 international military markets with an aggregate potential of approx 50,000 2700's, and many thousands of Spectrum 24 wireless cards/phones and Access Points during the period of Q499 to Q2 03. Note: these are markets/contracts that will be reached through/with Litton as opposed to direct sales. [[^]] Ameranth will respect the [excluded registered accounts] of which Symbol advises it. LEAD ^{KRM}

MO SELECTED ACCOUNTS

3. Symbol Responsibilities/key actions:

A. Symbol [[^]] has selected Ameranth as ^{PREFERRED} ~~its master distributor~~ ^{ADD OEM} and launch partner for the Spectrum 24™ and 1700/2700 products within the Hospitality/Gaming and [[^]] certain DOD/Law Enforcement markets. Ameranth will be authorized to brand a version of the 2700. Symbol will support Ameranth's 21st Century Restaurant™ System with the Spectrum 24™ family of products.

B. Symbol will assist Ameranth in achieving success through its experience, marketing networks, pricing incentives, engineering support and other appropriate actions that Symbol deems complementary to the overall objectives. Symbol will provide Ameranth a reasonable amount of no-cost loaners, demo units etc. to facilitate preparations for the NRA product launch.

C. Symbol will provide its Spectrum 24™ ^{APPROX. \$200} PC cards to Ameranth ^{OEM RADIO MODULE(S)} at very aggressive prices [[^]] (e.g., \$150.00) for those embedded applications only within Ameranth products so as to enable them to meet the requisite price points and to achieve a totally integrated Spectrum 24™ network. Ameranth will not disclose these special prices (nor will they be discernable to the market), except as required by law, and these specially priced cards will only be for Ameranth's embedded product use. ^{KRM}

^{1/} To be clarified.

SUCCESSFUL M/KBY

D. Symbol will make its Spectrum 24™ family of products available to Ameranth for overall distribution within Ameranth's markets and at price points that enable Ameranth to be profitable while distributing products to the channel partners/distributors/dealers.

E. Symbol will keep Ameranth reasonably apprised of its future product strategy so as to enable Ameranth to align its strategy to be complementary.

F. Symbol will, from time to time, offer Ameranth an opportunity to bid to provide hardware/software options supportive to the Symbol product line (e.g., a SMART Card reader option). It will be in Symbol's sole discretion to determine if Ameranth's bid provides the best-value solution for [^] Symbol's needs.

G. Symbol will share leads and cooperate on market strategy with Ameranth in areas supportive to the common goals and that do not conflict with Symbol's other partners, commitments and/or relationships.

H. After reviewing Ameranth's business plan in March/April 1999, Symbol will consider providing financial support and/or incentives (e.g., deferred payments, advances etc.) so as to enable Ameranth to achieve [^] greater market penetration and sales. It will be in Symbol's sole discretion to determine what support of this nature, if any, is provided depending on the merits of the business plan and the results achieved.

I. Symbol will assign an Ameranth account manager through which regular business arrangements will be transacted. Strategic actions/decisions will be coordinated with/through the Symbol Director of Hospitality/Gaming.

J. Symbol will support Ameranth's efforts in its registered accounts. Symbol will advise Ameranth of the [registered accounts] to be excluded from this Agreement. A mutually agreed upon list of [registered accounts] will be finalized within ninety (90) days of the date of the Memorandum of Agreement.

EXHIBIT 5

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

AMERANTH TECHNOLOGY SYSTEMS™ AND SYMBOL TECHNOLOGIES® REACH AGREEMENT ON FORMATION OF STRATEGIC ALLIANCE

RANCHO SANTA FE, California, April 19, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions to the hospitality industry, announced today agreement has been reached on the formation of a strategic alliance with Symbol Technologies, Inc. of Holtsville, New York.

Under terms of the agreement, Ameranth will be Symbol's launch partner for revolutionary new wireless computing products and Ameranth will incorporate Symbol's Radio technologies into Ameranth's family of products.

The first products of the Alliance, operating on Symbol's Spectrum24® Radio System, will be introduced at this year's National Restaurant Association Show in Chicago, May 22-25. These new products will put order taking, payment processing (credit card, debit card, smart card), inventory control, process control, management interface, short and long range communications, and other applications in the palm of the hand, operating on Symbol's Spectrum24 system.

Symbol Technologies Spectrum24 is an affordable, 2.4GHz spread spectrum, frequency hopping, wireless Local Area Network, which is 802.11 compliant and which provides robust, secure, data and voice communications. It communicates at 2 Mbps and handles data and real-time voice simultaneously over the same wireless LAN.

"Our mission is to work with Symbol to provide the world-wide-standard wireless systems solution," said Keith McNally, CEO of Ameranth. "The integration of Symbol's unparalleled technological advancements into our product line will allow our customers to deploy fully integrated software and hardware solutions that will provide for optimal service, efficiency, and profitability for years to come."

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

“As a world-leading supplier of mobile computing wireless local area networks and related technologies, Symbol already provides the standard wireless solution for many industries. Our Agreement with Ameranth will allow Ameranth to carry our standard of technological excellence into industries where they are already playing a leading role,” said Joe McCormick, Senior Director for Emerging Technologies at Symbol Technologies.

In addition to appearing at the National Restaurant Association Show, Ameranth will showcase its new products at HITEC in Atlanta, June 22-24; The Western Foodservice & Hospitality Expo in Los Angeles, August 21-23; MUFSO in Dallas, September 12-15; The World Gaming Congress & Expo in Las Vegas, September 14-16; FS/TEC'99 in Dallas, November 1-3; and the International Hotel/Motel & Restaurant Show in New York, November 6-9.

Ameranth Technology Systems, Inc. was founded in 1996 primarily to provide wireless computing solutions to the hospitality, gaming, defense, and law enforcement industries and markets. Ameranth's products include handheld computers, scanners, access points, printers, and related software.

Symbol Technologies, Inc. is a global leader in mobile data management systems and services with innovative customer solutions based on wireless local area networking for voice and data, application-specific mobile computing, and bar code data capture. Symbol's wireless LAN solutions are installed at more than 40,000 customer locations, and more than seven million Symbol scanners and application specific scanner-integrated mobile computer systems are in use worldwide. Symbol and its global network of business partners provide solutions for retailing, transportation and distribution logistics, parcel and postal delivery, healthcare, education, manufacturing, and other industries.

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For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

12230 El Camino Real, Suite 330
San Diego, CA 92130-2090
Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> HYPERLINK <mailto:info@ameranth.com>

EXHIBIT 6

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

**AMERANTH TECHNOLOGY SYSTEMS™
AND COMTEC INFORMATION SYSTEMS
ANNOUNCE THE FORMATION OF A STRATEGIC ALLIANCE**

RANCHO SANTA FE, California, May 17, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions™, announced today that an agreement has been reached on the creation of a new strategic alliance with Comtec Information Systems, Inc., Warwick, Rhode Island. The Ameranth-Comtec alliance will leverage Ameranth's existing strategic alliance with Symbol Technologies, which was announced on April 19, 1999, under terms of which, Ameranth is Symbol's launch partner for revolutionary wireless computer products.

Under terms of the Ameranth-Comtec agreement, Ameranth will make use of Comtec's advanced printing technology to launch a line of printers targeted at automating restaurants. These products will enable on-the-spot printing of customer receipts and other hard-copy records. Comtec will provide engineering, manufacturing, and technical support, thereby freeing Ameranth to concentrate its efforts on mobile computing and wireless communications technology, which are Ameranth's core strengths.

The first new product resulting from the alliance is a portable printer that will print receipts for handheld, point-of-sale applications. The new printer weighs only one pound, clips to the operator's belt, and has a clamshell design for easy paper loading. The printer is shock protected and weatherproofed so as to be usable outdoors in most conditions, and it has an optional bi-directional, dual track, magnetic card reader, which makes it ideal for hospitality applications.

"We are excited about the alliance with Comtec," said Keith McNally, CEO of Ameranth, "because Comtec provides the best portable printing solutions in the world and because Comtec is a first-rate engineering organization that focuses on portable printing and that can be counted on to provide industry leadership in that area for years to come. Comtec consistently delivers rugged, durable, easy-to-use, state-of-the-art products. They are an ideal partner for Ameranth, because we can depend on them to have their part of system development completely covered."

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

Robert Petteruti, Comtec's President and COO, echoed his counterpart's sentiments. "We strive to design and manufacture the finest portable printing solutions in the world," he explained, "but it takes an association such as this new alliance with Ameranth to really project our printers into new and explosive markets. Partners like Ameranth give us an extra dimension. They integrate our equipment into expert systems that profit business segments that are new to us. This helps us, it helps Ameranth, and I am especially impressed by the potential we now have to help a whole new class of customers in the Hospitality Industry."

The first of new products resulting from the Ameranth-Comtec alliance will be introduced at this year's National Restaurant Association (NRA) Show in Chicago, May 22-25. In addition to appearing at booth 6254 at the NRA Show, Ameranth will showcase its new products at the HITEC Exhibition in Atlanta, June 22-24; the Western Foodservice & Hospitality Expo in Los Angeles, August 21-23; the Multi-Unit Foodservice Operator Show (MUFSO) in Dallas, September 12-15; the World Gaming Congress & Expo in Las Vegas, September 14-15; the Foodservice Technology Show (FSTEC '99) in Dallas, November 1-3; and the International Hotel, Motel, and Restaurant Show in New York, November 6-9.

Ameranth Technology Systems, Inc., was founded in 1996 primarily to provide wireless portable computing solutions to the hospitality, gaming, defense, and law enforcement industries and markets. Ameranth's products include handheld computers, scanners, access points, printers, and related software.

Comtec Information Systems, Inc., is the industry leader in the design, manufacturing, and support of innovative portable and desktop thermal printing solutions. At the forefront in the development of short-range RF and infrared communications, Comtec offers the smallest and lightest portable printers available today. The company's in-house media department offers a variety of preprinted and custom-formatted media supplies.

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For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

12230 El Camino Real, Suite 330
San Diego, CA 92130-2090
Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> HYPERLINK <mailto:info@ameranth.com>

Ameranth Technology Systems, Inc., Wireless Systems Solutions

EXHIBIT 7



News Release

May 22, 1999

Contact: John Cavanaugh

Phone: (888)HSI-POS1

E-mail: johnc@hsi-pos.com

Embargoed Material
For Release May 22, 1999

Hospitality Solutions International Signs on as Charter POS Partner for Ameranth Technology System's *21st Century Restaurant System*

Hospitality Solutions International (HSI), total solution provider to the international hospitality community, has signed on as the charter POS partner for Ameranth Technology System's *21st Century Restaurant System™*, debuting this week at the National Restaurant Association Show in Chicago's McCormick Place. The *21st Century Restaurant System* features Ameranth's UltraPad™ 2700, a ¾ pound, wireless, handheld computer utilizing Microsoft Windows™ CE. Other key partners include Symbol® Technologies, Inc., IBM®, JTECHSM Communications, Inc., COMTEC Information Systems, Inc., and The Customer Connection, Inc. This state of the art wireless technology will be displayed at the two company's tradeshow exhibit booths, #5571 (HSI) and #6254 (Ameranth), located on the third level of McCormick Place. Hospitality Solutions International is a recognized leader in the development of technology solutions for the hospitality industry. The complete line of HSI products, **HSI POS™, Jaguar™ PMS, Falcon™ CRS and Cobra™ Sales and Catering** are designed utilizing the latest tools in the Microsoft Development Library and realize the inherent benefits of Windows NT™ 4.0 O/S and Microsoft SQL™ Server.

The *21st Century Restaurant System* utilizes the Microsoft's family of software products and Symbol Technologies Spectrum24 wireless network. Spectrum24 is an affordable, 2.4 Ghz spread spectrum, frequency hopping, wireless Local Area Network, which is 802.11 compliant and provides robust, secure, data and voice communications. It communicates at 2 Mbps and handles data and real-time voice simultaneously over the same wireless LAN. Microsoft Windows CE offers exceptional capabilities with seamless integration with the databases of information already in place throughout the hospitality industry.

6405 Congress Avenue, Suite 120 • Boca Raton, Florida 33487

Phone: (561) 241-9998 • Fax: (561) 241-8457 • Website: www.hsi-solutions.com

Hospitality Solutions International – Single Source, Single Platform, Total Solution
Petitioners' Exhibit 1012, Page 578

HSI recognizes the positive, long-term effects wireless communications will have on the hospitality technology industry. "HSI is particularly excited about the benefits that wireless communication provide to the end user," says George A. Zugmier, President of HSI. "When coupled with a comprehensive POS application like our own, the rewards for operators of restaurants, hotels, resorts and stadiums are endless. Ameranth and their partners have worked diligently to develop wireless technologies that will serve the hospitality community well into the next century," he adds.

"We are very excited that HSI has chosen to be our charter POS partner. HSI has a strong leadership position in the industry and enjoys a reputation as an innovator," said Keith McNally, CEO of Ameranth.

The 21st Century Restaurant System allows for wireless automation and integration of all restaurant processes including order taking, payment processing, inventory control, process control, wait-list management, table management, short and long range communications, and a host of other applications. Palm-in-hand control increases productivity, reduces costs and can dramatically improve customer service.

Ameranth Technology Systems, Inc. was founded in 1996 primarily to provide wireless computing solutions to the hospitality, gaming, Department of Defense, and law-enforcement industries and markets. Ameranth's products include handheld computers, scanners, access points, printers, and related software. You can view their entire line of products at the NRA Show, Booth #6254.

Hospitality Solutions International, a Microsoft Certified Solution Provider, maintains corporate offices strategically located in Scottsdale, Arizona and Boca Raton, Florida. Regional offices are established in Los Angeles and Chicago, with additional satellite offices located throughout the United States. International offices are located in Toronto and Vancouver, Canada as well as London, Paris, Stockholm, Hong Kong and Sydney. HSI is financially backed by GEOCapital Partners.

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EXHIBIT 8

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

**AMERANTH TECHNOLOGY SYSTEMS™
And SYMBOL TECHNOLOGIES® ANNOUNCE
21st CENTURY RESTAURANT SYSTEM™**

**Handheld Computer and Wireless LAN Technology
Automates Traditional Restaurant Processes**

CHICAGO, May 22, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions™ to the hospitality industry, and Symbol Technologies, Inc., (NYSE: SBL) a world leader in wireless mobile computing, today announced the 21st Century Restaurant System at this year's National Restaurant Association (NRA) show.

The 21st Century Restaurant System is a fully integrated system that provides a long-awaited hospitality industry solution for traditional restaurant processes. The centerpiece of the 21st Century Restaurant System is Ameranth's UltraPad™ 2700, a handheld computer that integrates Symbol's Spectrum24 wireless local-area network and the Microsoft (NSDQ: MSFT) Windows CE operating system.

The combination of the three technologies offers unprecedented benefits to restaurateurs and their clientele. The 21st Century Restaurant System allows restaurant processes, including order taking, payment processing (credit card, debit card, smart card), inventory control, process control, waitlist management, table management, personnel management, management interface, valet parking, frequent-diner program interface, short- and long-range communications, and other applications, to be managed and controlled from Ameranth's handheld computer, dramatically increasing productivity, reducing cost, and improving customer service.

The Ameranth handheld computer communicates to other restaurant computers and devices by the Symbol Spectrum24 wireless local area network. Symbol's wireless local area network is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

Other key partners in the 21st Century Restaurant™ System include IBM, for back-office server hardware and large-scale implementations; JTECH, the world leader in on-premise paging, for paging systems; Comtec Information Systems, a world leader in mobile printing, for portable printers; The Customer Connection, a leader in frequent dining-programs, for frequency programs; System Concepts, Inc., the developer of FOOD-TRAK®, the industry's first and foremost food and beverage management system for back-office inventory and recipe and menu management; and leading POS, companies, led by the charter POS partner, Hospitality Systems International HSI, a leading POS company for both restaurants and hotels. Additional partners will be announced.

Spectrum24, Symbol's open-architecture wireless network, provides high-performance data and voice-over-IP communications with excellent immunity to interference. Its frequency hopping technology ensures robust and reliable data throughout. Spectrum24 also features selectable power management for application optimization, as well as encryption capabilities to ensure data security. Spectrum24 is designed to support the IEEE 802.11 wireless LAN standard. Operating in the 2.4GHz band using spread-spectrum modulation, Spectrum24 allows fast, seamless roaming with load balancing among cells. Its capacity and range are expandable through the use of multiple access points.

Microsoft Windows CE offers exceptional capabilities with seamless integration with the databases of information already in place throughout the hospitality industry.

“Our mission is to work with Symbol and Microsoft to provide worldwide-standard wireless systems solutions,” said Keith McNally, CEO of Ameranth. “Ameranth's integration of Symbol's unparalleled technological advancements and the Microsoft Windows CE platform with the other capabilities of our partners will allow customers to deploy fully integrated software and hardware solutions that will provide optimal service, efficiency, and profitability for years to come”

“As a world-leading supplier of mobile computing wireless local area networks and related technologies, Symbol already provides the standard wireless solution for many industries. Our agreement with Ameranth and relationship with Microsoft will allow Ameranth to carry our standard of technological excellence into industries where they are already playing a leading role,” said Joe McCormick, Senior Director for Emerging Technologies at Symbol Technologies.

“We are pleased that Ameranth and Symbol have chosen Windows CE as the mobile-computing backbone for the introduction of their 21st Century Restaurant System,” said Tony Barbagallo, group product manager, Productivity Appliances Division, Microsoft Corp. “With Symbol's proven expertise in mobile computing and wireless networks,

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

Ameranth's vision and integration skills, and Microsoft's innovative family of software products and solutions, we share in their vision for the 21st Century Restaurant System."

In addition to appearing at the National Restaurant Association Show, Ameranth/Symbol will showcase their new products at HITEC in Atlanta, June 22-24; The Western Foodservice & Hospitality Expo in Los Angeles, August 21-23; MUFSSO in Dallas, September 12-15; The World Gaming Congress & Expo in Las Vegas, September 14-16; FS/TEC'99 in Dallas, November 1-3; and the International Hotel, Motel & Restaurant Show in New York, November 6-9.

Ameranth Technology Systems, Inc., was founded in 1996 primarily to provide wireless computing solutions to the hospitality, gaming, defense, and law-enforcement industries and markets. Ameranth's products include handheld computers, scanners, access points, printers, and related software.

Symbol Technologies, Inc., is a global leader in mobile data management systems and services with innovative customer solutions based on wireless local-area networking for voice and data, application-specific mobile computing, and bar-code data capture. Symbol's wireless LAN solutions are installed at more than 40,000 customer locations, and more than 7 million Symbol scanners and application-specific scanner-integrated mobile computer systems are in use worldwide. Symbol and its global network of business partners provide solutions for retailing, transportation and distribution logistics, parcel and postal delivery, healthcare, education, manufacturing, and other industries.

-30-

For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

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San Diego, CA 92130-2090
Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> HYPERLINK <mailto:info@ameranth.com>

EXHIBIT 9

Wireless Systems Integration

Valet Parking

- Remote wireless input of Frequent Dining card, name, license plate, etc.
- Auto-request car when finished dining

Hostess Station

- Table management
- Reservation management
- Wait-list management
- Frequent Dining tracking
- Customer paging
- Valet paging

Server

- Touch screen ordering
- Credit card/payment processing
- Signature capturing

Manager

- Notified of top customers
- Reports safety issues
- Manager functions

Waiting for Seating

- Pager lets customer relax in bar or garden while waiting
- Auto-page when table ready

JTECH

AMERANTH™ 21st Century Restaurant™

Kitchen

- Direct wireless server order input
- Wireless ready server notification
- POS system interface

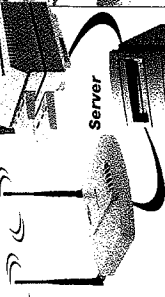
Bus Staff

- Table status
- Real-time messaging

POS Station

Monitor/Printer options

symbol
Spectrum24®
Access Point



Back Office

Microsoft

- Applications software
- Database management
- Menu items
- Prices
- Orders
- Frequent customers
- Kitchen access
- POS access
- Internet gateway

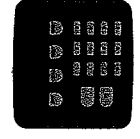
Frequent Dining, credit card processing, POS, Corporate and other systems

Real Time Web Access

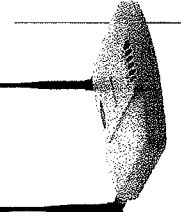
- Credit card approval
- Frequent Dining data updates
- Corporate data exchange
- Online reservations and waitlisting

The Customer Connection

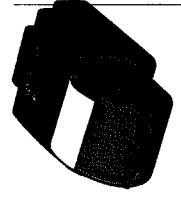
- Frequent Dining Program



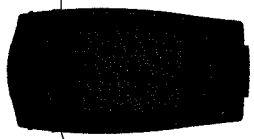
PadLink™ 100



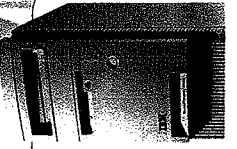
Spectrum24®
Access Point



AmPrint™ 2100



UltraPad™ 2700



IBM®
Server

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

1 (888) AMERANTH
www.ameranth.com

21st Century Restaurant™

AMERANTH™ 21st Century Restaurant™



The System Control Center is a high-tech blend of key software functions integrated to maximize restaurant efficiency. Imagine having, at your fingertips, real-time access to all critical information pertaining to restaurant operations. Wireless access to e-mail, reservations, frequent-customer data, food menus and the POS system, all at the touch of a button.

Let's walk through the workflow of a standard restaurant and describe how Ameranth's revolutionary system improves efficiency at each critical node.

Reservations

Ameranth's 21st Century Reservation System offers the restaurant manager a variety of means to process reservations. Diners can access the restaurant's reservation in-house reservation system online via *ameranth.com* to view table availability and reserve tables based on specific

With Ameranth's UltraPad™ 2700, the hostess can graphically review open tables and query table status for wait times for a given table configuration.

criteria. Diners can also phone in reservations. Office personnel can enter these reservations directly into the Control Center Server, or an employee can enter the data remotely using the UltraPad™ 2700 and wireless network.

Frequent Dining Program

Ameranth's Customer Select frequency application offers the restaurant a seamless way to enroll, track and manage frequent-customer programs. Ameranth's relational database, available both locally on the restaurant's Command Center Server and via the Internet from a central database, gives the restaurant manager access to key customer data. This data include table and dining preferences, anniversary dates and other information that provides the customer with a

higher level of service. Ameranth's Customer Select frequency application also interfaces seamlessly with existing customer frequency programs such as those available from The Customer Connection and Customer Knowledgey.

Waitlist and Table Management

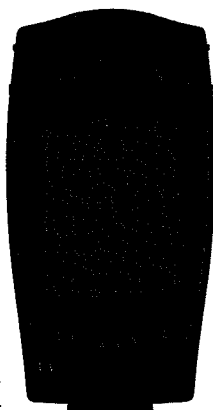
Ameranth's line-busting Waitlist Management application places key restaurant seating functions in the hands of the hostess and/or the restaurant manager. The integration of existing reservations and walk-in wait-listing is critical to customer satisfaction and maximum table turns per shift. With Ameranth's UltraPad™ 2700, the hostess can graphically review open tables and query table status for wait times for a given table configuration, e.g., table for six, non-smoking, by a window. Synchronized with the Command Center Server via the 2.4GHz wireless local area network, the hostess always knows reservation and wait status. The system calculates wait times based upon historical data and standard restaurant practices (day, time, table configuration, number in

party, etc.). The system automatically recommends the next available table for the waiting party and will page the party when the table is being prepared for seating.

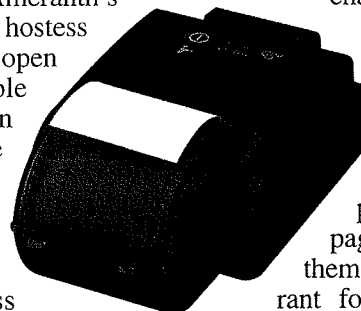
Table Status Application

How does the Command Center and, therefore, the hostess know the status of a table? Ameranth™ developed the low-cost PadLink™ as a means to send wireless messages indicating table status to the Command Center. Available table status messages include "table available," "table occupied," "bussing in process," "tables x and y connected" and others. For example, when the Waitlist and Table Management Function receives the PadLink™ message "bussing in process," the application identifies the table characteristics and matches

those characteristics to the party waiting the longest for that table. At that time, the hostess can prepare the party to occupy the table, or send a page to the party notifying them to return to the restaurant for seating. Wait times, notifications and other functions formerly performed by the hostess are automatic, allowing the hostess to focus on customer interaction and providing a higher level of service.



UltraPad™ 2700



AmPrint™ 2100

Key Features

Command Center PC Server

- 2.4GHz connectivity throughout restaurant
- Online reservations
- Frequent-customer application
- Restaurant statistics
 - table turns
 - sales per server
 - peak period analysis
 - other custom functions

Server Station

- UltraPad™ 2700 handheld computer communicates with hostess station and Command Center via 2.4GHz wireless LAN

Hostess Station

- UltraPad™ 2700 handheld computer talks to Command Center via 2.4GHz wireless LAN

- reservations
- waitlist management
- customer paging/valet parking
- UltraPad™ 2700 communicates with PadLink™ table status indicator via 2.4GHz wireless LAN
 - hostess station updated with table available, occupied or bussing status
 - hostess station updated with status of tables/chairs moved, connected or delete

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

AMERANTH TECHNOLOGY SYSTEMS, INC.

12230 El Camino Real, Suite 330

Petaluma, CA 94951-2090

www.ameranth.com

EXHIBIT 10

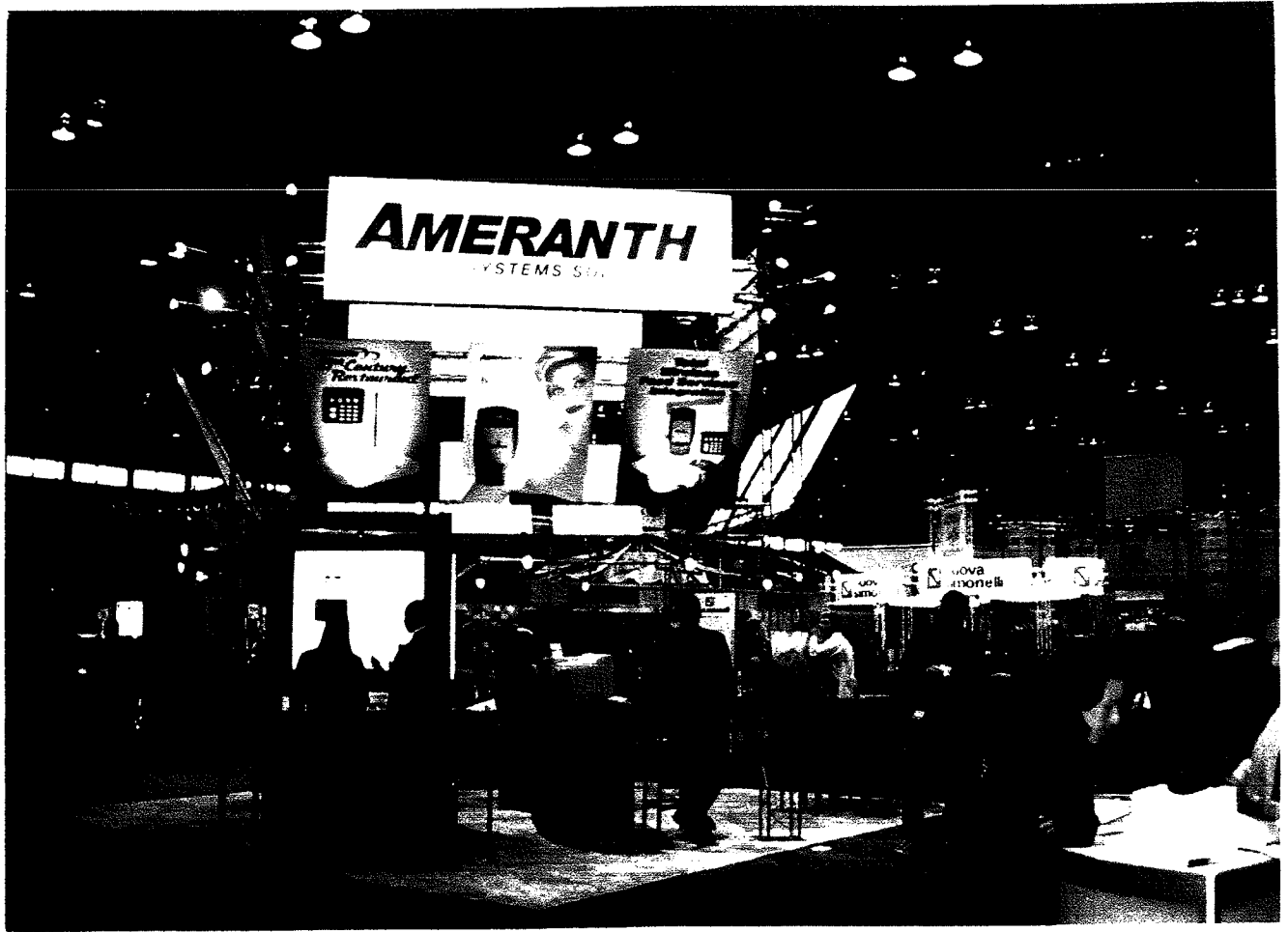


EXHIBIT 11

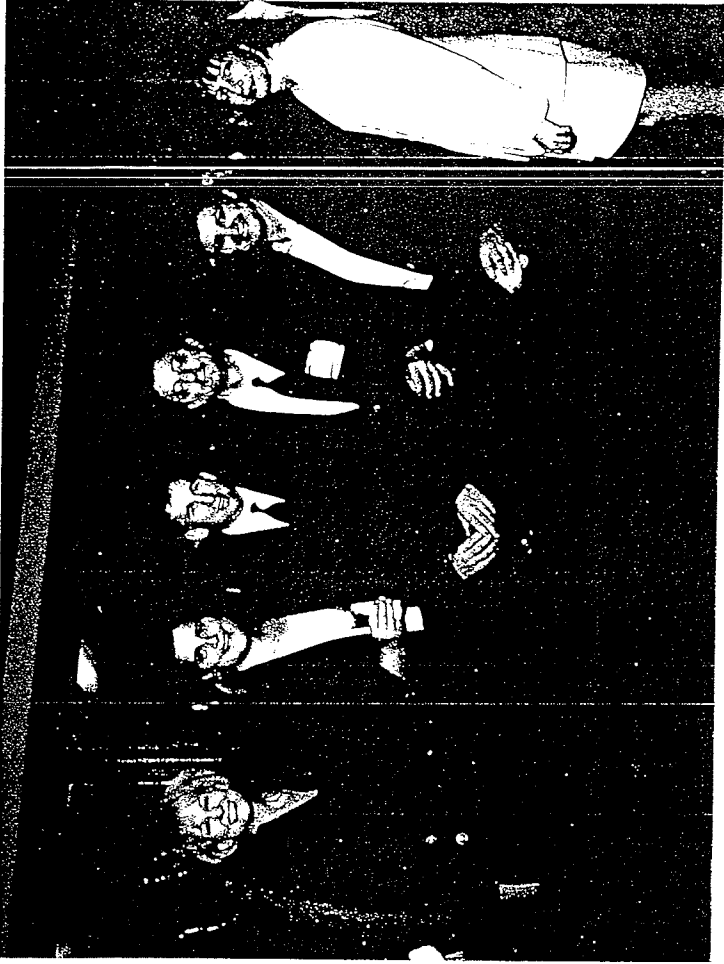
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206



EXHIBIT 12



#226

#202

#201

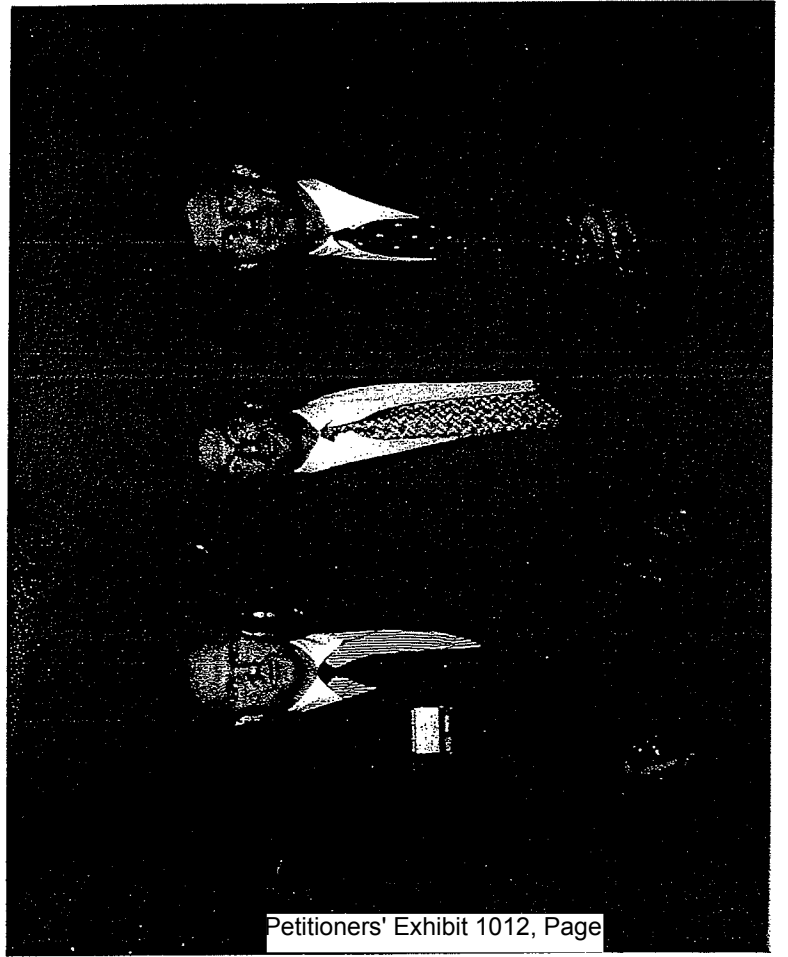
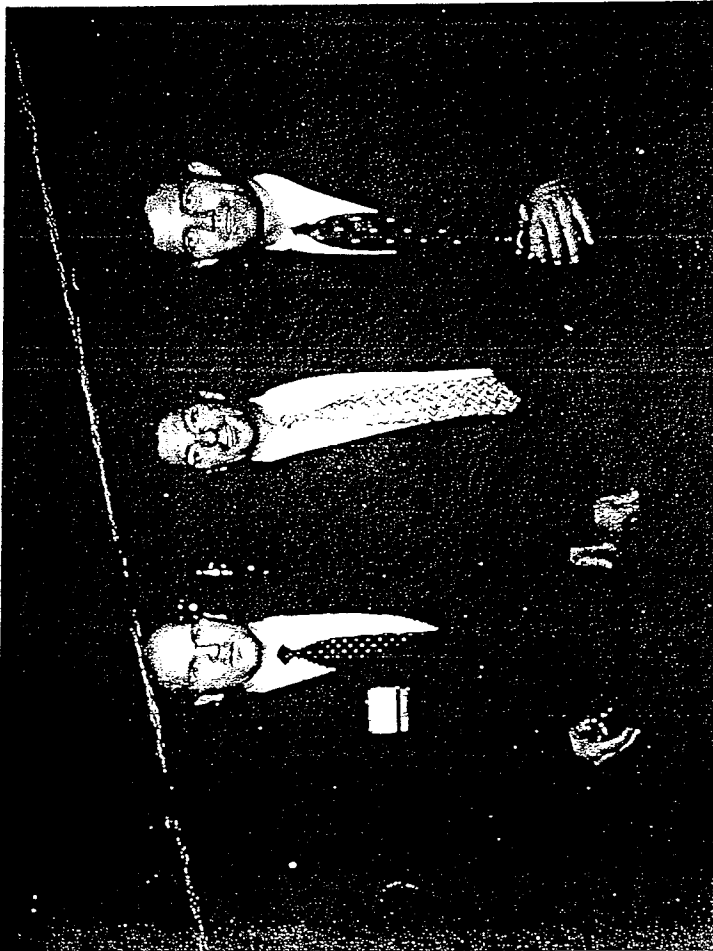


EXHIBIT 13

RESTAURANT SHOW

MONDAY

MAY 24, 1999

VOLUME 15 • NUMBER 3

PENTON FOODSERVICE NETWORK

2 Monday, May 24, 1999

RESTAURANT SHOW DAILY

What's the most interesting thing you've seen or heard during the Show?



"Tomorrow, the Women's Foodservice Forum will be announcing some important info from a study on women executives in the foodservice industry."

—David Winkel, executive vp business development, Marketing Strategy and Planning, Inc., Rocky Mount, NC



"What I thought was really cool was Smucker's Plate Scapers and Ameranth's wireless point-of-sale system. We're looking into it."

—Dean Langfitt, director of management information services, Grinders, Minerva, OH



"McFarland's Foods has an all-chicken bacon alternative. Nutrition is the way to go."

—Jeff Guilmette, command foodservice manager, Air Force, Hurlburt Field, FL



"There's a new French fry from Lamb Weston that doesn't need to be frozen. It can sit in the refrigerator for up to five days."

—Karen Roberts, marketing manager, Sodexho Marriott Services, Newark, DE



"Coconut breaded onion rings."

—Michael Dant Miller, Bob Marks, owners, Wilbert's Bar & Grille, Cleveland, OH

This issue courtesy of

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for
THE
BURGER CROWD™

Visit us at Booth 6237
See our ad on page 17

EXHIBIT 14

Food.com/Ameranth Strategic Alliance

GENERAL: Food.com and Ameranth have agreed to establish a strategic alliance to exploit their respective skills and capabilities to optimize the success and value of both companies.

NATURE OF RELATIONSHIP: Food.com intends to become the standard in internet food ordering and then to expand that base into other areas. Ameranth not only supports that goal but will assist Food.com in achieving it through its own initiatives as well as those of its other strategic partners. Ameranth will establish Food.com as the standard online food ordering system in its 21st Century Restaurant™ System, 21st Century Hotel™ System, the 21st Century Casino™ System and 21st Century Theme Park™ System. The latter two will be announced in Sept 99 and Q1 2000 respectively. Ameranth will aggressively pursue relationships and interfaces with all of the major POS suppliers and include Food.com ordering interfaces in its back-office software/Windows based communications module. Ameranth will also develop and market wireless links on its Ultrapad™ 2700 Windows CE terminal to the Food.com site through its relationships with Symbol, Microsoft and other partners. The interface between the Ameranth communications modules and Food.com ordering software will be jointly developed. Each side will fund its appropriate portion of the interface and testing. Ameranth will also seek to establish links with its frequent customer partners and customers to offer links to the Food.com site and thus accelerate the acquisition of new customers/partners for Food.com. Food.com will pay a nominal/reasonable payment for Ameranth providing these new customers to Food.com. In parallel, Food.com will establish the Ameranth reservations/wait-listing software as its standard for those functions, offer it to appropriate customers and the two companies will work to establish a seamless interface. Generally, the partner that has the relationship with the end customer will take the lead on a particular opportunity, however the team will work closely together and incorporate the Ameranth software modules into the Food.com web-site/GUI and leverage from that existing standard as much as possible. License fees and/or revenues will be shared based on the appropriate value of each side on the particular opportunity and both companies will be flexible and reasonable in costing to rapidly achieve major market penetrations. Both companies will make it a priority to achieve these interfaces quickly and will cooperate in selected beta-sites for the fall of 1999. Food.com will provide Ameranth reasonable assistance in gaining support from the venture capital community in the next round of financing. The companies will share leads where appropriate, leverage marketing costs and show attendance wherever possible and work toward an overall goal of greatly enhancing the values of the respective companies through this alliance.

TERM: The period of this agreement will be for two years from June 17, 1999. The agreement may be terminated by either party with six months notice, however the other side must be given thirty days to correct any issue and termination should be considered an extreme event in response to a major breach or unreasonable position from the other side.

DELIVERY/PAYMENT TERMS: These will be industry standard and established in individual purchase orders or financial agreements.

DISPUTES: Disputes, if any, will be resolved at the appropriate level if possible and brought to the President's attention for their resolution when not resolved at a lower level.

CHANGES: Changes will be made when required subject to mutual agreement.

GOVERNING LAW: The laws of the State of California will be in force.

FOR AMERANTH: Neil R. Kelly TITLE: PRESIDENT

FOR FOOD.COM: [Signature] TITLE: EVP

EXHIBIT 15

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

**AMERANTH TECHNOLOGY SYSTEMS™ and SYMBOL TECHNOLOGIES®
ANNOUNCE 21st CENTURY HOTEL™**

**Hand-Held Computer and Wireless LAN Technology
Allow Enterprise-wide Wireless Automation**

ATLANTA, June 22, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions™ to the hospitality industry, and Symbol Technologies, Inc., (NYSE: SBL) a world leader in wireless mobile computing, today announced the 21st Century Hotel™ at this year's Hotel Industries Technology Exposition & Conference (HITEC).

The 21st Century Hotel is a fully integrated system that provides a long-awaited hospitality industry solution for traditional hotel applications. The centerpiece of the 21st Century Hotel system is Ameranth's UltraPad™ 2700, a handheld computer that integrates Symbol Technologies Spectrum24® wireless local area network and the Microsoft Windows® CE operating system.

The combination of the three technologies offers unprecedented benefits to hotel operators and the guests they serve. ***For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all hotel applications:*** check-in; payment processing (credit card, debit card, smart card); valet parking; VIP and frequency program management; housekeeping management; mini-bar, fixed asset, and expendables inventory; management interface; remote order entry, including pool-side, court-side, and the eighteenth hole; personnel management; facilities maintenance and management; Ameranth's 21st Century Restaurant™ applications, including order entry, inventory control, process control, wait-list management and table management; event, meeting, and conference management and control; golf course check-in, management, and control; short- and long-range communications, and more. And with the 21st Century Hotel system's advanced systems integration, the UltraPad 2700 will work seamlessly with legacy and current applications so there is no need to change primary vendors.

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

The Ameranth handheld computer communicates to Ameranth's middleware and then with other hotel computers and devices by way of Symbol's Spectrum24 wireless local area network. Symbol's wireless local area network is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

Other key partners in the 21st Century Hotel system include JTECH, the world leader in on-premise paging, for paging systems; Comtec Information Systems, Inc., a world leader in mobile printing, for portable printers; The Customer Connection, a leader in frequency programs, for frequency and VIP programs; and leading hospitality systems providers, led by the charter hospitality systems partner, Hospitality Solutions International (HSI), a leading systems provider for both restaurants and hotels. Food.com "The Internet's Largest Takeout and Delivery Service and Future Food Portal" will be the standard on-line food ordering system for the 21st Century Hotel system as well as for the previously announced 21st Century Restaurant system, and Ameranth's reservations/waitlisting software will be incorporated into the Food.com solution. Additional partners will be announced.

Spectrum24, Symbol's open-architecture wireless network, provides high-performance data and voice-over-IP communications with excellent immunity to interference. Its frequency hopping technology ensures robust and reliable data throughput. Spectrum24 also features selectable power management for application optimization, as well as encryption capabilities to ensure data security. Spectrum24 is designed to support the IEEE 802.11 wireless LAN standard. Operating in the 2.4GHz band using spread-spectrum modulation, Spectrum24 allows fast, seamless roaming with load balancing among cells. Its capacity and range are expandable through the use of multiple access points.

Microsoft Windows CE offers exceptional capabilities with seamless integration with the databases of information already in place throughout the hospitality industry.

"Our mission is to work with Symbol and Microsoft to provide world-wide-standard wireless systems solutions," said Keith McNally, CEO of Ameranth. "Ameranth's integration of Symbol's unparalleled technological advancements and the Microsoft Windows CE platform with the other capabilities of our partners will allow customers to deploy fully integrated software and hardware solutions that will provide optimal service, efficiency, and profitability for years to come."

In addition to appearing with Symbol Technologies at booth 1353 at HITEC in Atlanta, June 22-24, Ameranth will showcase its new products at the Western Foodservice & Hospitality Expo, August 21-23, in Los Angeles; MUFSO, September 12-15, in Dallas; The World Gaming Congress & Expo September 14-16, in Las Vegas; FS/TEC'99, November 1-3, in Dallas; and the International Hotel/Motel & Restaurant Show, in New York, November 6-9.

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

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-30-

For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

12230 El Camino Real, Suite 330
San Diego, CA 92130-2090
Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> HYPERLINK <mailto:info@ameranth.com>

EXHIBIT 16

Wireless Systems Integration

Valet Parking

- Remote wireless input of name, license plate, VIP or frequency program card, parking ticket number, etc.
- Auto-request car during check-out
- Cost automatically added to bill
- Remote payment

Remote Check-in/ Check-out

- Airport
- In-route
- Curbside
- Clubhouse
- Conference/
Meeting/Event
- Restaurant (check-out)

Inventory Control

- Mini-Bar
- Fixed assets
- Expendables

Conference/ Meeting Room

- Remote registration/check-in
- Maintain rosters, agendas, and schedules
- Order/modify orders
- Instant access to event information
- Access to internet and E-mail

Remote Order Entry

- Poolside, courtyard, ninth and eighteenth holes

Manager

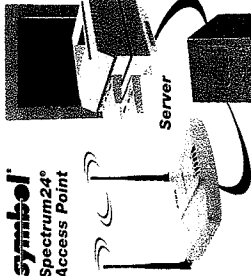
- Alerts
- Reports
- Communications
- Management applications

Mobile Communications

- Guest
- Manager
- Employee

Back Office Station

Monitor/Printer options



Microsoft

- Applications software
- Ameranth middle-ware
- Database management

VIP and frequency programs, credit card processing, PMS, POS, Corporate, and other systems

Real Time Web Access

- Golf, event, show, and facility reservations and waitlisting
- VIP and frequency program updates
- Corporate data exchange
- Online food ordering

Process Control

- Housekeeping
- Groundskeeping
- Maintenance
- Security

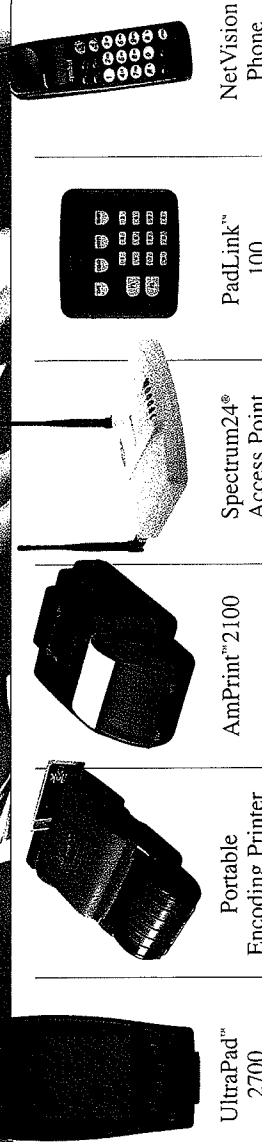
AMERANTH™ 21st Century Hotel

AMERANTH™
21st Century
Hotel

- Includes 21st Century Restaurant™ functionality

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

1 (888) AMERANTH
www.ameranth.com



UltraPad™
2700

Portable
Encoding Printer

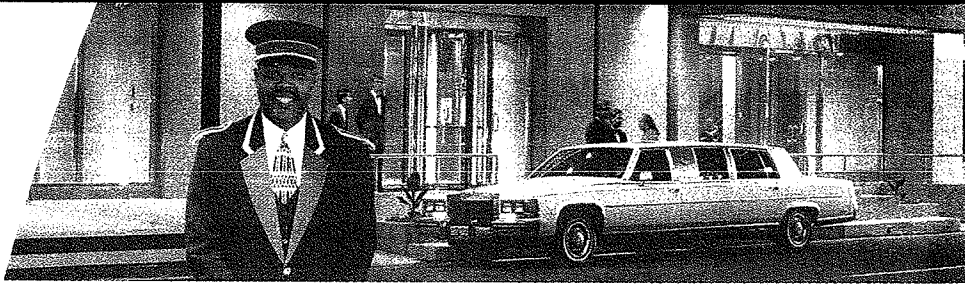
AmPrint™ 2100

Spectrum24®
Access Point

PadLink™
100

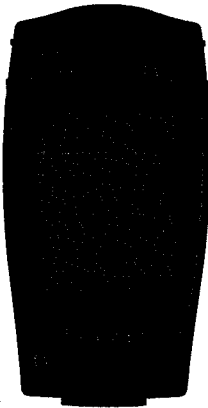
NetVision
Phone

AMERANTH™ 21st Century Hotel™



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The combination of the three technologies offers unprecedented benefits to hotel operators and the guests they serve. For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all hotel applications: remote check-in; payment processing (credit card, debit card, smart card); valet parking; VIP and frequency program management; housekeeping management; mini-bar, fixed asset, and expendables inventory; management interface; remote order entry, including pool-side, court-side, and the eighteenth hole; personnel management; facilities maintenance and management;



UltraPad™ 2700

For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all hotel applications

event, meeting, and conference management and control; golf-course check-in, management, and control; short- and long-range communications, Ameranth's 21st Century Restaurant™; and more.

And with the 21st Century Hotel system's advanced systems integration, the UltraPad 2700 will work seamlessly with legacy and current applications so that there is no need to change primary vendors. Ameranth handheld computers communicate to Ameranth's middleware, residing on the Command Center PC Server, and then with other hotel computers and applications by way of Symbol's Spectrum24 wireless local area network, which is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

Because Spectrum24 is an open-architecture wireless network that provides high-performance data and voice-over-IP communications with excellent immunity to interference, Spectrum24 is the perfect network to provide total voice and data communications coverage throughout the enterprise.

Remote Check-in/Check-out

Hotel guests can now be checked in and checked out anywhere on or off the facility. Using short-range communications, Ameranth's UltraPad 2700, and the portable encoding key printer, guests can be checked in or out curbside, in the lobby, at the clubhouse, at the conference registration desk or anywhere else in the facility. Using long-range communications, they can be checked in at the airport, or in transit from the airport to the hotel. And with

the 21st Century Hotel's advanced systems integration, guests can even check out of the hotel in the restaurant when they pay for breakfast, or as they finish breakfast on the concierge level, before rushing out on the last morning of their stay.

VIP and Frequency Programs

During check-in, the UltraPad 2700 card reader can read VIP and Frequency Program mag-stripe cards and interface directly with VIP and frequency applications.

Remote Ordering

With the UltraPad 2700 handheld and Ameranth's AmPrint™ 2100 one-pound portable printer, waiters, waitresses, and other skilled customer service personnel can spend more time with the customer because fewer trips are required and because less qualified personnel can run food and beverages out to the waiters' and waitresses' satellited areas.

21st Century Restaurant

In addition to providing wireless, remote ordering, the 21st Century Restaurant applications available in the 21st Century Hotel, provide table, wait-list, and reservation

management applications that extend from the guest's room via interactive television or telephone to the Command Center PC Server all the way to the handheld computer in the restaurant hostess' hand. Moreover, the 21st Century Restaurant can take inventory, catering, personnel, management, and other applications out of the back office and place them where the work is being done.

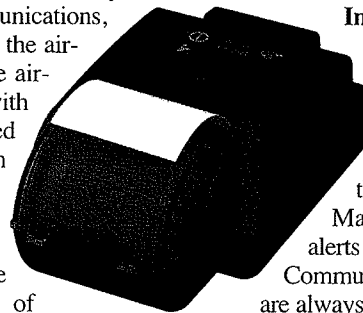
Event, Conference, and Meeting Management and Control

Registration for events, conferences, and meetings can now be handled remotely with ease. Information on attendees, schedules, events, and hotel services is always available and can be updated remotely. Communications with employees are always maintained.

Inventory Control

Mini-bar inventories, linen inventories, furniture inventories—as the inventory is being done, it is transmitted seamlessly to the controlling application.

Management reports and alerts are available immediately. Communications with employees are always maintained.



AmPrint™ 2100

Process Control

The progress of housekeeping, groundskeeping, security inspections, maintenance, and more can be immediately entered. Management reports and alerts are available immediately. Communications with employees are always maintained.

Management Interface

Management can access and use hotel applications from anywhere in the facility. Management alerts and reports are available immediately. Communications are always maintained.

Mobile Communications

Guests, management, and employees can all communicate on the same wireless LAN, using NetVision phone, UltraPads, and PCs via voice or data.

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

AMERANTH TECHNOLOGY SYSTEMS, INC.
12230 El Camino Real, Suite 330
San Diego, California 92130-2090

EXHIBIT 17



Left to right: Bill Schwartz, president of Systems Concepts Inc. (SCI, Scottsdale, AZ); Ameranth CEO and president Keith McNally; Larry Hausman, publisher of Hospitality Technology and Manny Negreiro, president of Ibertech (Bedford, TX).

Ameranth Debuts Handheld, Partnerships at NRA

CHICAGO—Ameranth Technology Systems (Rancho Santa Fe, CA) celebrated five partnerships and the launch of its Windows CE-based 21st Century Restaurant System at the 80th annual National Restaurant Association Show.

The Ameranth and Symbol Technologies (Holtsville, NY) strategic alliance has produced a wireless computing solution that marries the UltraPad 2700 Windows CE handheld with the Spectrum24 2.4 GHz data and voice communications system. Operators may process orders and payments, take inventory counts and manage guest-seating arrangements with the portable, handheld solution.

Comtec Information Systems (Warwick, RI) is on-board to produce a portable, POS receipt printer. Other partners with Ameranth include Hospitality Solutions International (HSI, Boca Raton, FL), IBM (Raleigh, NC), JTech Communications (Boca Raton, FL) and The Customer Connection (Escondido, CA).

An Ameranth-hosted cocktail party held at the Ritz Carlton Hotel culminated the most audible "buzz" heard on the show floor at McCormick Place.

Ameranth Technology Systems, infoNOW #200

Krystal-Lighthouse Union has Radiant Beaming

Atlanta—Quick service hamburger chain. The Krystal Company (Chattanooga, TN), will roll out the Lighthouse Site & Headquarters Management Solution from Radiant Hospitality Systems. The front- and back-of-the-house platform will be installed in about 350 sites company-wide. The Windows NT-based solution "puts information into the hands of store managers, providing them with powerful tools to make decisions that positively impact the business," said David Bibb, director of information systems for Krystal.

Radiant also landed similar installations at 470 owned and domestic-franchised locations of Ruby Tuesday's (Mobile, AL), the casual dining chain that includes three concepts: Ruby Tuesday's, American Café and Tia's Tex-Mex.

Radiant Hospitality Systems, infoNOW # 201

Foodservice ERP Deals for Lawson

Minneapolis—Lawson Software has added three restaurant chains to its growing list of foodservice operators that have purchased Lawson INSIGHT II, the company's ERP solution. Einstein, Noah Bagel (Golden, CO), a 536-unit chain, has purchased the financials, procurement and human resources process suites, as well as Lawson's Performance Indicator and Web Self-Service modules. Harrigan's Restaurants operator Pinnacle Restaurant Group (Irving, TX) will use INSIGHT II Financials through an implementation team that includes Stonebridge Technologies (Dallas) and Ernst & Young (New York).

Seattle Crab and Skipper's Seafood 'n Chowder franchisor Skipper's Inc. (Bellevue, WA) purchased INSIGHT Human Resources and Financials suites to process payroll and accounting on the operator's IBM AS/400 midrange system.

Lawson Software, infoNOW #202

Progressive Adds Distribution Trio

Charlotte, NC—Progressive Software has expanded its presence in the indirect reseller channel with the addition of three distributors for its foodservice technology solutions. Applied Technology Ventures (ATV, Cleveland and Irvine, CA) has 18 years of foodservice integration experience. ATV is providing store training services and installation for Progressive's IRIS POS/Back Office and Smart 2 for Windows NT solution at Krispy Kreme Doughnut Corporation. Century Data Systems (Raleigh, NC) will target mid- and large-sized franchisees from its nine east coast offices. Retail Data Systems (Omaha, NE) has been tabbed to represent Progressive in the small chain and franchisee market, through its 22 nationwide locations.

Progressive Software, infoNOW #203

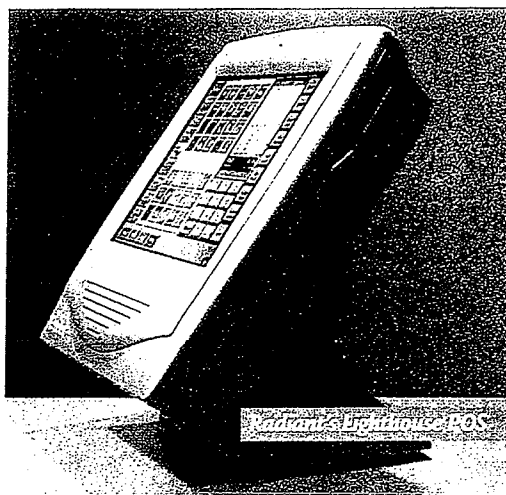


EXHIBIT 18

HOTEL BUSINESS[®]

THE NEWSPAPER FOR LODGING DECISION MAKERS

ICD
PUBLICATIONS

July 7-20, 1999 • HB • 13

HOTEL BUSINESS

TECHNOLOGY TRENDS

New Wireless Restaurant Technology Now Hitting Streets

RANCHO SANTA FE, CA—Ameranth Technology Systems and Symbol Technologies have a new line of 21st Century Restaurant wireless products. Ameranth's new line of products uses the 2.4Ghz frequency band and provides cost-effective, lightweight, ergonomic, multi-functional Microsoft Windows CE wireless handheld computing solution.

Ameranth's UltraPad 2700 is a lightweight, handheld, pen and/or touch screen, Microsoft Windows CE computer that will work for many hospitality applications such as order taking, payment processing, inventory control and table and wait-list management.

It is palm-sized and has a 1/4 VGA screen, optional integrated laser scanner, 4MB-16MB

RAM, 8MB-16MB Flash RAM, serial HotSync support, IrDA Port, long-life battery, printer support, adjustable backlight, and color screen option in a 12-ounce package that can withstand a four-foot drop and temperatures down to -20C. It also comes with an integrated Symbol, Spectrum24 2.4Ghz spread spectrum radio and optional laser scanner.

Symbol's Spectrum24 radio system is a frequency hopping, wireless local area network (LAN), which provides a solution for total restaurant automation.

The system offers robust, secure, data and voice communications, communicates at 24 Mbps and handles data and real-time voice simultaneously over the same wireless LAN. ☐

EXHIBIT 19



FOOD.COM
825 BATTERY STREET
THE ENTIRE THIRD FLOOR
SAN FRANCISCO, CA 94111
PH: 415.981.5505
FX: 415.981.4801

**FOOD.COM AND AMERANTH TECHNOLOGY ANNOUNCE PARTNERSHIP
TO DEVELOP LINK FROM FOOD.COM SITE WITH AMERANTH'S 21ST
CENTURY RESTAURANT SYSTEM**

Partnership Expected to Extend Transmission of Internet Takeout and Delivery Orders to Restaurant Kitchens and to Point of Sale Systems; Online Reservations and Wait-Listing Also Planned

SAN FRANCISCO AND SAN DIEGO, CA - July 15, 1999 - Food.com, the Internet's premiere online takeout and delivery service, and Ameranth Technology Systems, Inc., a leading provider of wireless systems solutions to the hospitality industry, today announced a partnership that company officials expect will extend the transmission of takeout and delivery orders placed online at www.food.com directly to restaurant kitchens and point of sale systems, thereby speeding transactions, reducing handling, and improving accuracy. Company officials also announced that the partnership will enable users to check wait times for restaurants, to place themselves on wait-lists before leaving for restaurants, and to make reservations online. Ameranth will also work closely with its strategic partners, such as Symbol Technologies, to enable the Food.com site to receive orders wirelessly from the emerging generation of wirelessly enabled smart devices.

"Our partnership with Ameranth fits perfectly into our plans for the delivery of online orders from a consumer's keyboard to a restaurant's kitchen," said Food.com's Chairman and CEO, Rich Frank. "Ameranth's technology will help us to increase both the speed and the efficiency in transmitting orders to our partner restaurants, and will significantly decrease our margin of error. The same capabilities that will allow for these improvements in online ordering will also enable users to make reservations, check wait times, and place themselves on wait-lists so that they don't have to spend endless hours waiting to get seated when they decide to dine out."

(more)

Ameranth introduced its 21st Century Restaurant(system in conjunction with Symbol Technologies, the world leader in mobile computing, at the National Restaurant Association tradeshow in Chicago on May 22, 1999. The 21st Century Restaurant system is a fully integrated hardware, software, mobile, and wireless architecture that provides the long-awaited hospitality industry standard for wireless automation and integration. The entire system employs the Microsoft(family of software products and Symbol Technologies Spectrum24 (wireless networks. The centerpiece of the 21st Century Restaurant system is Ameranth's UltraPad(2700, a 3/4 pound, wireless, handheld computer using Microsoft Windows CE, which provides state-of-the-art capabilities for wireless POS, table management, wait-list management, reservations, frequent dining, Web-based links, management interface, and communications.

"We believe that our partnership with Food.com will provide restaurateurs and their clientele with the most convenient, most efficient solution possible," said Keith McNally, President and CEO of Ameranth. "Orders placed at www.food.com will find their way directly into the kitchen and into the point of sale system through our relationships with our POS partners - wait times, wait-lists, and reservations will be accessible online to customers, and will be available over the wireless LAN to hosts/hostesses whose handheld terminals will be updated as soon as customers make a reservation or place themselves on a wait-list."

About Ameranth Technology Systems

Ameranth founders and principals have extensive experience in developing, producing and deploying innovative and totally integrated wireless products, mobile computing and software systems. Based in the San Diego, CA area, Ameranth has established a wide range of key strategic alliances with industry leaders and best-of-breed product suppliers that enable Ameranth to provide breakthrough solutions that optimize efficiency, bust lines and eliminate waits in a wide variety of applications. Ameranth's most important alliances are with Symbol Technologies(, a world leader in wireless, bar-code scanning and rugged terminals, and Microsoft who provides Windows CE and its comprehensive family of Windows(products around which Ameranth has built the backbone of its wireless system solutions.

About Food.com

Food.com was founded in December of 1996 and is the largest service of its kind offering home and business meals on the Internet. With over 12,000 restaurants on the service nationwide and over 550,000 members, Food.com is also the exclusive takeout and delivery partner of America Online. Food.com has been a leader in aggregating the highly fragmented restaurant industry in order to provide consumers with a one-stop shopping site on the web for food takeout and delivery ordering. Eventually, Food.com intends to expand its offerings to include restaurant reservations, restaurant reviews, sending meals as gifts, specialty food offerings, and news related to food and dining. Food.com can be found on the World Wide Web at www.food.com. Located in San Francisco, California, Food.com can also be contacted at (415) 981-5505.

(###)

EXHIBIT 20

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS
NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders, (703) 281-4995

**AMERANTH TECHNOLOGY SYSTEMS™ AND
IBERTECH®, CREATORS OF ALOHA POS®, ANNOUNCE
FORMATION OF A STRATEGIC ALLIANCE**

SAN DIEGO, California, July 26, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions™, announced today that an Agreement has been reached on the creation of a new Strategic Alliance with Ibertech, Inc., Bedford, Texas, creators of Aloha point-of-sale software. The Ameranth-Ibertech Alliance will leverage Ameranth's existing strategic alliance with Symbol Technologies that was announced on April 19, 1999 and will incorporate Ameranth's 21st Century Restaurant™ system into Aloha's offerings.

Under terms of the Ameranth-Ibertech Agreement, Ameranth and Ibertech will integrate Ameranth's 21st Century Restaurant solutions and products into Aloha's offerings, and Aloha will designate Ameranth's hardware as its "recommended" wireless products.

Ameranth's 21st Century Restaurant system is a fully integrated system that provides a long-awaited hospitality industry solution for traditional restaurant processes. The centerpiece of the 21st Century Restaurant system is Ameranth's UltraPad™ 2700, a handheld computer that integrates Symbol's Spectrum24 wireless local area network and the Microsoft Windows CE operating system.

The combination of the three technologies offers unprecedented benefits to restaurateurs and their clientele. The 21st Century Restaurant System allows restaurant processes, including order taking, payment processing (credit card, debit card, smart card), inventory control, process control, waitlist management, table management, personnel management, management interface, valet parking, frequent-diner program interface, short- and long-range communications, and other applications, to be managed and controlled from Ameranth's hand-held computer, dramatically increasing productivity, reducing cost, and improving customer service.

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

The Ameranth handheld computer communicates to other restaurant computers and devices by the Symbol Spectrum24 wireless local area network. Symbol's wireless local area network is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

"We are excited about the alliance with Aloha," said Keith McNally, CEO of Ameranth, "because Ibertech is a first-rate organization providing first-rate products. They have been looking for a handheld solution that offers functionality, reliability, and value that is consistent with their other offerings. We are pleased that they have found that solution in the 21st Century Restaurant system."

"All of us at Ibertech are pleased to enter into this alliance with Ameranth," said Manny Negreiro, president and CEO of Ibertech. "We are confident that this partnership will provide outstanding value to customers who seek the latest wireless technology in the new millennium. Ibertech believes that integrating Ameranth handheld computers into our solutions will bring even greater business opportunities for our customers."

Ameranth will showcase its new products at the Western Foodservice & Hospitality Expo in Los Angeles, August 21-23; the Multi-Unit Foodservice Operator Show (MUFSSO) in Dallas, September 12-15; the World Gaming Congress & Expo in Las Vegas, September 14-15; the Foodservice Technology Show (FSTEC '99) in Dallas, November 1-3; and the International Hotel, Motel, and Restaurant Show in New York, November 6-9.

Ameranth Technology Systems, Inc., was founded in 1996 primarily to provide wireless portable computing solutions to the hospitality, gaming, defense, and law enforcement industries. Ameranth's products include handheld computers, scanners, access points, printers, and related software.

Founded in 1992, Ibertech is an innovative software company that provides a comprehensive suite of point-of-sale solutions to the foodservice and hospitality industries. Ibertech's world-renowned products allow customers to implement hospitality systems that precisely meet their needs and demands. Ibertech's family of software products includes Aloha TableService, Aloha QuickService, Aloha Back Office Solutions, Aloha Customer Management Solutions, and aloha enterprise.com. Aloha can be contacted at (800) 79-ALOHA, or visit www.alohapos.com.

-30-

For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

12230 El Camino Real, Suite 330
San Diego, CA 92130-2090

Tel: (888) AMERANTH Fax: (858) 794-8222

<http://www.ameranth.com> HYPERLINK <mailto:info@ameranth.com>

Ameranth Technology Systems, Inc., Wireless Systems Solutions

EXHIBIT 21

NATIONS Restaurant News[®]

THE NEWSWEEKLY OF THE FOODSERVICE INDUSTRY

Vol. 33, No. 31

PUBLISHED EVERY MONDAY • A LEBHAR-FRIEDMAN PUBLICATION • \$5 PER ISSUE • <http://www.nrn.com>

AUGUST 2, 1999

56 • August 2, 1999

NATION'S RESTAURANT

TECHNOLOGY

NEWS DIGESTS

Food.com betting on wireless system

SAN FRANCISCO — A new partnership involving Internet takeout and delivery service Food.com and wireless systems provider Ameranth Technology Systems Inc., is expected to extend the transmission of takeout and delivery orders placed on-line directly to restaurant kitchens and point-of-sale systems, officials for both firms said.

Such a direct-transmission system should speed up transactions, reduce handling and improve order accuracy, the new partners reported. What's more, they said, the alliance could enable users to check wait times for specific restaurants, place themselves on the wait-list before leaving for restaurants and make reservations on line.

Sources at Ameranth said that company also would work with its strategic partner Symbol Technologies to enable the Food.com site to receive orders wirelessly from the emerging generation of wirelessly enabled smart devices.

Ameranth sells the 21st Century Restaurant system it developed in conjunction with Symbol Technologies.

The system uses Microsoft software, Symbol Technologies' Spectrum24 wireless networks and Ameranth's UltraPad 2700, a 12-ounce, handheld computer running Microsoft Windows CE.

Compaq teams with touch-screen maker

METHUEN, MASS. — MicroTouch Systems Inc., the world leader in computer touch-input technology, said giant Compaq Computer Corp. has selected MicroTouch Tek5 resistive touch screens for its first touch-enabled flat-panel monitors. In a separate announcement

Compaq introduced the TFT5000, a 15-inch touch-screen monitor.

Puck, partners pick Elo TouchSystems

FREMONT, CALIF. — Resistive technology touch-screen maker Elo TouchSystems Inc. said its products are part of the Squirrel Systems Inc. restaurant-management package now being used by the multiunit Spago fine-dining restaurant group.

TBT to grow, boosters say

NEW ORLEANS — Leading retailer and service company representatives attending a conference here indicated that they would accelerate their use of technology-based training, event organizers said.

The conference was staged by the Retail Industry Council for Interactive Instruction, which was created in 1996 to heighten awareness of both the successes and the best practices of Internet Web- and computer-based training.

ChefTec, Palm team for inventory chores

ATLANTA — Culinary Software Services Inc. has introduced a new tool for managing physical inventory: the Palm III pocket-sized organizer preloaded with the inventory application specifically designed to work with ChefTec and ChefTec Plus.

The customized Palm III application lets users move about their operation, entering inventory counts, and then upload the physical counts into the ChefTec application running on a desktop PC.

The Palm III has a backlit display. Packages including ChefTec and the Palm III, start at \$1,295, Culinary Software Services sources said.

<http://www.nrn.com>

EXHIBIT 22

VOL. 8 NO. 15 AUGUST 7-20, 1999

THE NEWSPAPER FOR LODGING DECISION MAKERS

HOTEL BUSINESS

ICD
PUBLICATIONS

34 • HB • August 7-20, 1999

HOTEL BUSINESS

TECHNOLOGY TRENDS

TECH BYTES

ATLANTA— Here's just a sampling of some of the products introduced at this year's HITEC 99 conference:

AMERANTH TECHNOLOGIES and **SYMBOL TECHNOLOGIES** launched the 21st Century Hotel, a single, handheld computer and a single wireless systems solution that can be used for a number of applications at

hotels, including check-in, payment processing (credit card, debit card, smart card), valet parking; VIP and frequency program management; housekeeping management; mini-bar, fixed asset, and expendables inventory; management interface; remote order-entry, including poolside, courtside and the 18th hole; personnel management; facilities main-

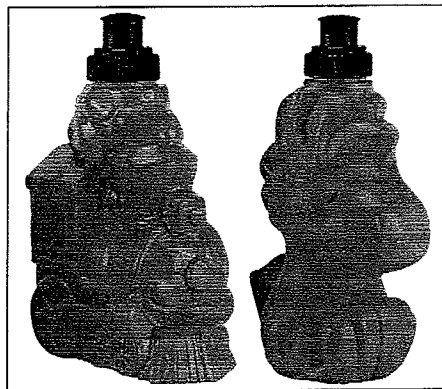
tenance and management. It also handles Ameranth's existing 21st Century Restaurant applications.

Circle Reader Action No. 200

EXHIBIT 23

Best New Products

New for Kids' Meals & Birthday Meals



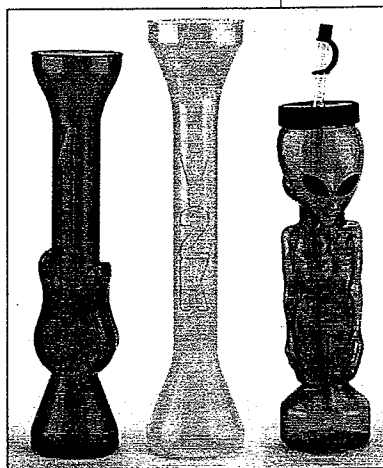
Tired of the same imported kids' meal toys? Try something new and exciting! Twelve-ounce Sippers can be sold empty—or fill them with your favorite beverage. They can be sold as a stand-alone drink or added to a kids' or birthday meal! Sippers are made in the U.S.A. with FDA-approved resins, available in a wide variety of characters and colors. Custom characters can be made to order.

For more information, contact Unique Container Corp. at (800) 796-9518 or (949) 646-3934, or visit www.uniquecontainer.com.

Y2K Containers!

Are your containers Y2K compliant? If not, it's time to put a little excitement into your drink sales! Don't be left out on one of the biggest promotions of the millennium!

For more information, contact Unique Container Corp. at (800) 796-9518 or (949) 646-3934, or visit www.uniquecontainer.com.



Food.com and Ameranth Technology Link Up

Food.com, the Internet's premiere online takeout and delivery service, and Ameranth Technology Systems, Inc., a leading provider of wireless systems solutions to the hospitality industry, announced a partnership to extend transmission of takeout and announced

delivery orders placed at www.food.com directly to restaurant kitchens and point-of-sale systems, thereby speeding transactions, reducing handling, and improving accuracy.

Ameranth, a leader in wireless technology, will also work closely with its strategic partners, Symbol Technologies and Food.com, to enable the Food.com site to receive orders wirelessly from the emerging generation of wirelessly enabled smart devices.

Ameranth's 21st Century Restaurant™ system is a fully integrated, hardware, software, mobile, and wireless architecture wireless automation and integration. The entire system employs the Microsoft® family of software products and Symbol Technologies Spectrum24® wireless networks. The centerpiece of the 21st Century Restaurant System is Ameranth's UltraPad 2700, a ¾ pound, wireless, handheld computer using Microsoft Windows CE, which provides state-of-the-art capabilities for wireless POS, table management, wait-list management, reservations, frequent dining, Web-based links, management interface, and communications.

Food.com (www.food.com) is the largest service of its kind offering home and business meals on the Internet, with more than twelve thousand restaurants on the service nationwide and more than half a million members.

For more information, e-mail Kathie Sanders at ksanders@ameranth.com or call (703) 281-4995.

National Marketing's Powertech™

National Marketing, Inc., a longtime supplier of innovative products to the food-service industry, has added to its line the newest tech-

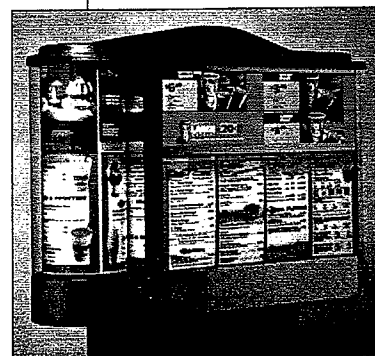


nology for thermal delivery bags—the Powertech™ heat retention element. The UL listed and patented Powertech element uses Microcore® technology and greatly exceeds the performance of the best insulated bags in terms of thermal food quality. Elements are available for all applications of catering, delivery, and in-store warming. This system can store heat for over one hour, which means fresher food and fewer cold food complaints.

Call NMI at (800) 994-4664 or (734) 266-2222, e-mail nmisales@nminc.com, or visit our Web site at www.nminc.com.

Ordermatic's Carousel Menu Display

Ordermatic offers an interactive menu graphic display for high impact on the drive-in/drive-thru buying experience. Stainless-steel unit is designed for exterior use and long life. Dis-



play interfaces with 3M, HME, and other communication systems. Its unique rotational nose highlights special menu offers, while superior backlit illumination brings a colorful snap to

your menu graphics. Color acrylic accents can be customized to match the color scheme of your brand. Whether you choose push-button or auto sensing for customer order placement, the Carousel Menu Display gives you the confidence of knowing that you are on the cutting edge of interactive order placement.

For more information, contact Ordermatic at (800) 767-6733 or (405) 672-1487, e-mail sales@ordermatic.com, or visit www.ordermatic.com.

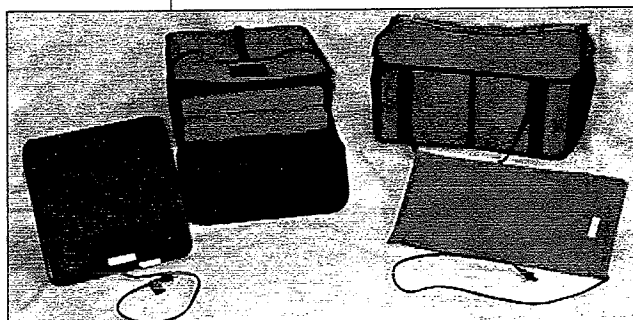


EXHIBIT 24

MICROSOFT HOSPITALITY SOLUTIONS



Real-World

Solutions for the

Hospitality Industry

Case Study Supplement

Fall 1999

Microsoft®

Ameranth and 21st Century Restaurant

By combining the power of Microsoft® Windows® CE software and Symbol Technologies Spectrum24® wireless devices in a hand-held computer that has the form factor, elegance, and durability that the foodservice industry needs, and by providing its 21st Century Restaurant system to the industry's solutions providers, Ameranth Technology Systems is changing the choreography of restaurant operations.

In the foodservice industry, information technology has always been like the "grandame" of the ball—someone with whom everyone has felt obliged to dance. Unfortunately, because the hardware platform has always been fixed terminals, the "grandame" hasn't been able to move too well, and her immobility has been central to how the foodservice industry has danced. The result has been that, for some applications, operators, customers, and employees have danced awkwardly around IT's fixed terminals; for other applications, such as inventory control, they have usually chosen not to dance with IT at all. With their introduction of the 21st Century Restaurant System, Ameranth Technology Systems is giving IT new legs—and forever changing the choreography of restaurant operations.

The 21st Century Restaurant System is a fully integrated system that provides a long-awaited hospitality industry mobile wireless solution for traditional restaurant processes. The centerpiece of the 21st Century Restaurant System is Ameranth's UltraPad™ 2700, a small, light, beautifully designed, hand-held computer that operates using the Microsoft Windows CE operating system and communicates by way of Symbol Technologies' Spectrum24® wireless technology. Small enough and light enough to be carried comfortably in the breast pocket of a suit or blazer, the UltraPad offers long battery life and is ruggedized to withstand the rigors of commercial use.

The combination of the UltraPad 2700, Spectrum24 wireless LAN technology, and Windows CE operating system in a hand-held with the form factor and elegance required for restaurant applications offers unprecedented benefits to restaurateurs and the clientele they serve. The 21st Century Restaurant System allows restaurant processes, including order taking, payment processing (credit card, debit card, smart card), inventory control, process control, waitlist management, table management, personnel management, management interface, valet parking, frequent-diner program interface, short- and long-range communications, and other applications, to be managed and controlled from Ameranth's handheld computer, so that customers, employees, and managers are no longer constrained by the need to work with fixed IT terminals.

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

AMERANTH
21st Century
Restaurant™

But the advantages of mobile IT terminals cannot be realized unless there is software that will project legacy, current, and future IT capabilities into the wireless, Windows CE environment. Working with Microsoft, Ameranth has developed a family of modules that allow its POS, back end and other systems providers to provide a seamless and elegant wireless interface to their existing and future software installations. Developed using standard Microsoft Windows NT® Server, Windows 98/95, and Windows CE toolsets and application modules, Ameranth's interface modules preserve the significant investment in existing fixed-terminal systems by projecting the capabilities of those systems into the wireless Windows CE environment and by enabling systems providers to create hand-held user interfaces that have a look, feel, and functionality similar to that of the

host fixed-terminal system. The use of the Microsoft toolsets and application software, along with Ameranth's modular approach to using these tools, makes the introduction of wireless a smooth, painless, affordable transition.

Ameranth's hand-held computers communicate with Ameranth's communications-control module and other interface modules and then with other restaurant computers and devices by way of Symbol's Spectrum24 wireless local area network. Symbol's wireless local area network is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

"Our mission is to work with Symbol and Microsoft to provide worldwide-standard wireless systems solutions," said Keith McNally, CEO of Ameranth. "Ameranth's integration of Symbol's unparalleled technological advancements and the Microsoft Windows CE platform with the other capabilities of our partners will allow customers to deploy fully integrated software and hardware solutions that will provide optimal service, efficiency, and profitability for years to come."

"With Symbol's proven expertise in mobile computing and wireless networks, Ameranth's vision and integration skills, and Microsoft's innovative family of software products and solutions, we share in their vision for the 21st Century Restaurant System," said Tony Barbagallo, group product manager, Productivity Appliances Division, Microsoft Corp.

"With its 21st Century Restaurant, Ameranth is providing a system solution that makes Symbol's wireless technology more accessible to the foodservice industry, so that restaurateurs can move away from fixed terminals and gain the benefits of wireless that other industries have enjoyed," said John Harker, Director, Hospitality and Gaming for Symbol Technologies.

Let the dance begin.

EXHIBIT 25

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

**AMERANTH TECHNOLOGY SYSTEMS™
AND INFOGENESIS, CREATORS OF REVELATION, ANNOUNCE
FORMATION OF A STRATEGIC ALLIANCE**

LAS VEGAS, Nevada, September 15, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions, announced today that an agreement has been reached on the creation of a new Strategic Alliance with InfoGenesis, Santa Barbara, California, creators of *Revelation* point-of-sale software. The Ameranth-InfoGenesis Alliance will leverage Ameranth's existing strategic alliance with Symbol Technologies that was announced on April 19, 1999 and will incorporate Ameranth's 21st Century Casino™ system into the InfoGenesis product line.

Under terms of the Ameranth-InfoGenesis Agreement, Ameranth and InfoGenesis will integrate Ameranth's 21st Century Casino solutions and products into the InfoGenesis product line, and InfoGenesis will designate Ameranth's hardware as its wireless products.

The 21st Century Casino is a fully integrated system that provides the long-awaited gaming industry standard for projecting casino applications into the mobile, wireless, handheld environment. The interface of the 21st Century Casino is Ameranth's UltraPad™ 2700, a small, light, beautifully designed, handheld computer that operates using Microsoft Windows® CE operating system and communicates using Symbol Technologies Spectrum24 wireless technology. The backbone of the 21st Century Casino is Spectrum24, which provides secure, reliable, casino-wide, voice and data connectivity to other casino management information and telecommunication systems.

-more-

Ameranth Technology Systems, Inc., Wireless Solutions Systems

The combination of the UltraPad 2700, Spectrum24 wireless LAN technology, and Windows CE operating system in a handheld with the form factor and elegance required for casino applications, offers unprecedented benefits to casino operators and the clientele they serve.

For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all casino applications: Ameranth's 21st Century Casino applications, including remote check-in; payment processing (credit card, debit card, smart card); valet parking; VIP and frequency program management; player tracking; Keno management; food and beverage; housekeeping management; mini-bar, fixed asset, and expendables inventory; management interface; remote order entry, including pool-side, casino floor; personnel management; facilities maintenance and management; Ameranth's 21st Century Restaurant applications, including order entry, inventory control, process control, waitlist management and table management; event, meeting, and conference management, and control; short- and long-range communications, and more. And with the 21st Century Casino's advanced systems integration, the UltraPad 2700 will work seamlessly with legacy and current-generation applications so that there is no need to change primary vendors.

The Ameranth handheld computer communicates to other casino computers and devices by the Symbol Spectrum24 wireless local area network. Symbol's wireless local area network is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

"We are excited about the alliance with InfoGenesis," said Keith McNally, CEO of Ameranth, "because InfoGenesis is a world-class organization providing state-of-the-art products. They have been looking for a handheld solution that offers the functionality, reliability, and value consistent with their offerings, and we are pleased that they have found that solution in the 21st Century Casino system."

Ameranth will showcase its new products at the World Gaming Congress & Expo in Las Vegas, September 14-15; the Foodservice Technology Show (FSTEC '99) in Dallas, November 1-3; and the International Hotel, Motel, and Restaurant Show in New York, November 6-9.

-more-

"Our mission is to work with Symbol and Microsoft to provide world-wide-standard wireless systems solutions," said Keith McNally, CEO of Ameranth. "Ameranth's integration of Symbol's unparalleled technological advancements and the Microsoft Windows CE platform with the other capabilities of our partners will allow customers to deploy fully integrated software and hardware solutions that will provide optimal service, efficiency, and profitability for years to come."

In addition to appearing at booth 4235 at The World Gaming Congress & Expo, September 14-16, in Las Vegas, Ameranth will also display its advanced products and solutions at FS/TEC'99 in Dallas, November 1-3; and at the International Hotel/Motel & Restaurant Show, in New York, November 6-9.

Ameranth Technology Systems, Inc. was founded in 1996 primarily to provide wireless computing solutions to the hospitality, gaming, defense, and law enforcement industries and markets. Ameranth's products include hand-held computers, scanners, access points, printers, and related software.

Symbol Technologies Inc., is a global leader in mobile data management systems and services with innovative customer solutions based on wireless local-area networking for voice and data, application-specific mobile computing, and bar-code data capture. More than 7 million Symbol scanners and application-specific scanner-integrated mobile computer systems are in use worldwide. Symbol and its global network of business partners provide solutions for retailing, transportation and distribution logistics, parcel and postal delivery, healthcare, education, manufacturing, and other industries.

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For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

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<http://www.ameranth.com> HYPERLINK <mailto:info@ameranth.com>

EXHIBIT 26

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

AMERANTH TECHNOLOGY SYSTEMS™ ANNOUNCES 21ST CENTURY CASINO™

Hand-Held Computer and Wireless LAN Technology Allow Casino-wide Wireless Automation

LAS VEGAS, September 15, 1999 – Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions™ to the hospitality industry, and Symbol Technologies, Inc., (NYSE: SBL) a world leader in wireless mobile computing, today announced the 21st Century Casino™ at this year's World Gaming Congress and Exposition.

The 21st Century Casino is a fully integrated system that provides the long-awaited gaming industry standard for projecting casino applications into the mobile, wireless, handheld environment. The interface of the 21st Century Casino is Ameranth's UltraPad™ 2700, a small, light, beautifully designed, hand-held computer that operates using Microsoft® Windows® CE operating system and communicates using Symbol Technologies Spectrum24 wireless technology. The backbone of the 21st Century Casino is Spectrum24, which provides secure, reliable, casino-wide, voice and data connectivity to other casino management information and telecommunication systems.

The combination of the UltraPad 2700, Spectrum24 wireless LAN technology and Windows CE operating system in a handheld with the form factor and elegance required for casino applications offers unprecedented benefits to casino operators and the clientele they serve. ***For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all casino applications:*** valet parking; curbside check-in; payment processing (credit card, debit card, smart card); VIP and frequency program management; electronic comping, Keno management, table reservations and waitlisting; security, management, and maintenance interface; Ameranth's 21st Century Hotel™

-more-

applications, including housekeeping management, mini-bar, fixed asset, and expendables inventory; remote order entry, including pool-side, court-side, and the eighteenth hole; personnel management; facilities maintenance and management; Ameranth's 21st Century Restaurant™ applications, including order entry, inventory control, process control, waitlist management and table management; event, meeting, and conference management and control; golf course check-in, management, and control; short- and long-range communications, and more. And with the 21st Century Casino's advanced systems integration, the UltraPad 2700 will work seamlessly with legacy and current-generation applications so that there is no need to change primary vendors.

The UltraPad 2700 communicates to Ameranth's middleware and then with other casino systems by way of Symbol's Spectrum24 wireless local area network. Spectrum24, Symbol's open-architecture wireless network, provides high-performance data and voice-over-IP communications with excellent immunity to interference. Its frequency hopping technology ensures robust and reliable data throughput. Spectrum24 also features selectable power management for application optimization, as well as encryption capabilities to ensure data security. Spectrum24 is designed to support the IEEE 802.11 wireless LAN standard. Operating in the 2.4GHz band using spread-spectrum modulation, Spectrum24 allows fast, seamless roaming with load balancing among cells. Its capacity and range are expandable through the use of multiple access points. Symbol's wireless network technology is based on industry standards and is deployed at more than 40,000 customer locations worldwide.

The UltraPad uses Microsoft's Windows CE operating system. CE offers extraordinary versatility, exceptional capabilities, and seamless integration with systems already in place throughout the gaming industry. "Within the world of gaming, Windows CE is the winning hand."

Ameranth's charter 21st Century Casino partner is InfoGenesis. InfoGenesis is a leading point-of-sale systems provider to the gaming industry. InfoGenesis customers are located throughout the U.S., Europe, Latin America and Asia.

Other key partners in the 21st Century Casino include: Comtec Information Systems, Inc., a world leader in mobile printing, for portable printers and portable encoding key printers; and other leading systems integrators, including Hospitality Solutions International (HSI). Additional partners will be announced.

-more-

Ameranth Technology Systems, Inc., was founded in 1996 primarily to provide wireless portable computing solutions to the hospitality, gaming, defense, and law enforcement industries. Amaranth's products include handheld computers, scanners, access points, printers, and related software.

Based in Santa Barbara, California, InfoGenesis is a leading developer and marketer of point-of-sale systems for the retail hospitality and food service industries. InfoGenesis customers are located throughout the U.S., Europe, Latin America, Asia, and Australia, and include Park Place Entertainment, Mandalay Resorts Group (Circus Circus Enterprises), House of Blues, Rio Suites Resort & Casino, House of Blues, Four Seasons, Six Flags Theme Parks, Warner Bros. Theme Parks, Starwood Hotels and Resorts Worldwide, and Royal Caribbean International. InfoGenesis can be reached via the internet at www.infogenesis.com

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EXHIBIT 27

Wireless Systems Integration

Remote Check-in/ Check-out

- Airport
- In-route
- Curbside
- Clubhouse
- Conference/ Meeting/Event
- Restaurant (check-out)

Electronic Comping

- Flexible comp configuration
- Seamless redemption
- Interface to player tracking systems

Table Reservations & Waitlisting

- Provide accurate wait times
- Maintain waitlists
- Automatically associate guest with open table

Conference/ Meeting Room

- Remote registration/check-in
- Maintain rosters, agendas, and schedules
- Order/modify orders
- Instant access to event information
- Access to internet and E-mail

VIP Management

- Player ID and status confirmation
- Instant secure access to player account
- Updates automatically

Keno Management

- Maximize runner efficiency
- Instant Keno tracking

Mobile Communications

- Guest
- Manager
- Security
- Employee

Valet Parking

- Remote wireless input of name, license plate, VIP or frequency program card, parking ticket number, etc.
- Auto-request car during check-out
- Cost automatically added to bill
- Remote payment

Real Time Web Access

- Golf, event, show, and facility reservations and waitlisting
- VIP and frequency program updates
- Corporate data exchange
- Online food ordering

Management/ Security

- Alerts
- Reports
- Communications
- Applications

AMERANTH 21st Century Casino™

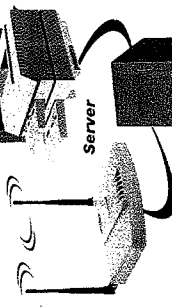
- Includes 21st Century Restaurant™ functionality
- Includes 21st Century Hotel™ functionality

AMERANTH™ 21st Century Casino™

Management Information System

Monitor/Printer options

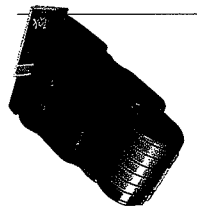
Symbol
Spectrum24®
Access Point



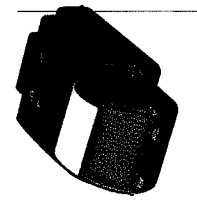
Microsoft

- Applications software
- Ameranth middle-ware
- Database management

VIP and frequency programs, credit card processing, PMS, POS, Corporate, and other systems



Portable
Encoding Printer



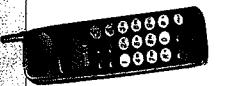
AmPrint™2100



Spectrum24®
Access Point



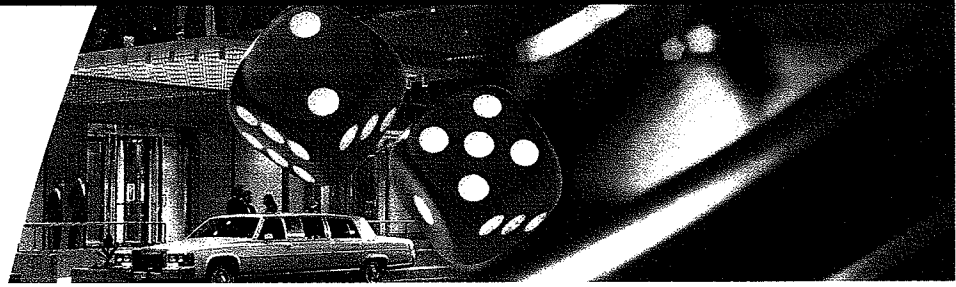
PadLink™
100



NetVision
Phone

AMERANTH™

AMERANTH™ 21st Century Casino™



The 21st Century Casino is a fully integrated system that provides the long-awaited gaming-industry standard for projecting casino applications into the mobile, wireless, handheld environment. The interface of the 21st Century Casino is Ameranth's UltraPad™ 2700, a small, lightweight, beautifully designed, handheld computer that operates using Microsoft® Windows® CE operating system and communicates using Symbol Technologies™ Spectrum24® wireless technology. The backbone of the 21st Century Casino is Spectrum24, which provides secure, reliable, casino-wide, voice and data connectivity to other casino management information and telecommunication systems.

The combination of the UltraPad 2700, Spectrum24 wireless LAN technology and Windows CE operating system in a handheld computer with the form factor and elegance required for casino applications offers unprecedented benefits to casino operators and the clientele they serve. For

For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all casino applications...

the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all casino applications: valet parking; curbside check-in; payment processing (credit card, debit card, smart card); VIP and frequency program management; electronic comping; Keno management; table reservations and waitlisting; security, management, and maintenance interface; Ameranth's 21st Century Hotel™ applications, including housekeeping management, mini-bar, fixed asset, and expendables inventory; remote order-entry, including pool side, court-side, and the eighteenth hole; personnel management; facilities maintenance and management; Ameranth's 21st Century Restaurant™ applications, including order entry, inventory control, process control, wait-list management and table management; event, meeting, and conference management and control; golf-course check-in, management, and control; short- and long-range communications, and more. And with the 21st Century Casino's advanced systems integration, the UltraPad 2700 will work seamlessly with legacy and current-generation applications, so there is no need to change primary vendors.

The UltraPad 2700 communicates to Ameranth's middle-ware and then with other casino systems by way

of Symbol's Spectrum24 wireless local-area network. Spectrum24, Symbol's open-architecture wireless network, provides high-performance data and voice-over-IP communications with excellent immunity to interference. Its frequency-hopping technology ensures robust and reliable data throughput. Spectrum24 also features selectable power management for application optimization, as well as encryption capabilities to ensure data security. Spectrum24 is designed to support the IEEE 802.11 wireless LAN standard. Operating in the 2.4GHz band using spread-spectrum modulation, Spectrum24 allows fast, seamless roaming with load balancing among cells. Its capacity and range are expandable through the use of multiple access points. Symbol's wireless network technology is based on industry standards and is deployed at more than 40,000 customer locations worldwide.

The UltraPad uses Microsoft's Windows CE operating system. CE offers extraordinary versatility, exceptional capabilities, and seamless integration with systems already in place throughout the gaming industry. "Within the world of gaming, Windows CE is the winning hand."

Valet Parking

When a guest arrives, valet parking swipes his or her VIP or frequency card or inputs guest information and parking voucher number. When guests are departing, guest relations, wait staff, bellman, valets, etc., can call guest cars forward.

Remote Check-in/Check-out

Hotel guests can now be checked in and checked out anywhere on or off the facility. Using short-range communications, Ameranth's UltraPad 2700, and portable encoding key printer, guests can be checked in or out curbside, in the lobby, at the conference registration desk, or anywhere else in the facility. Using long-range communications, they can be checked in at the airport, or in transit from the airport to the casino. And with the 21st

Century Casino's advanced systems integration, guests can even check out of the hotel in the restaurant when they pay for breakfast, or even from the casino, before leaving on the last morning of their stay.

VIP and Frequency-Programs

VIP and frequency-program members no longer have to wait to be treated with special respect. The UltraPad 2700 card reader can read VIP and Frequency Program mag-stripe cards and interface directly with VIP and frequency applications within the casino player-tracking system. Player identification and status can be confirmed immediately. Account information is available instantly and is updated automatically.

Electronic Comping

Provides connectivity between V I P , Frequency, player-tracking system and floor personnel.

Comps are provided to the guest and immediately entered into the MIS, making redemption and accounting seamless.

Keno Management

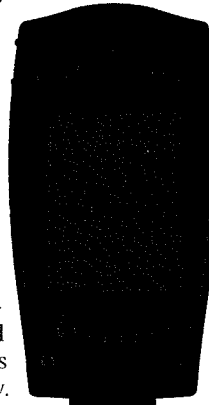
Runners stop running and handle more wagering. Keno wagers are entered into the system immediately and tracked automatically.

Table Reservations and Waitlisting

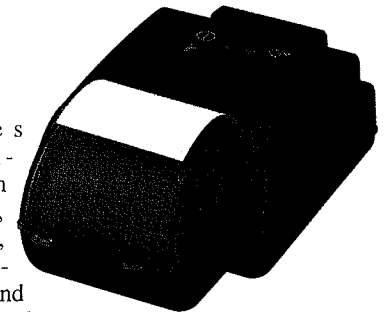
Guests are provided accurate wait times. Reservations and waitlist are tracked automatically. When a table opens, the system automatically pages the guest who should be seated. It can be tied to VIP, Frequency, and player-tracking systems.

Event, Conference, and Meeting Management and Control

Registration for events, conferences, and meetings can now be handled remotely with ease, and coordinators can carry the same application used for registration, planning, and control on the UltraPad, so all the information on attendees, schedules, events, and hotel services is always



UltraPad™ 2700



AmPrint™ 2100

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

AMERANTH TECHNOLOGY SYSTEMS, INC.

12230 El Camino Real, Suite 330
San Diego, California 92130-2090

Petitioners' Exhibit 1012, Page 633

www.ameranth.com

EXHIBIT 28

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

**AMERANTH TECHNOLOGY SYSTEMS™ AWARDED
INNOVATION OF THE YEAR AWARD AT EUROPEAN HOSPITALITY
SOLUTIONS TECHNOLOGY AWARDS**

**Handheld Computer and Wireless Systems
Solutions™ Win Prestigious Award**

LONDON, October 4, 1999—Ameranth Technology Systems, Inc., a leading provider of Wireless Systems Solutions to the hospitality industry, was announced as the winner of the *Innovation of the Year* award at this year's Hospitality Solutions Technology Show.

Accepting the award at the European hospitality industry awards gala, was Keith McNally, Chief Executive Officer of Ameranth, along with John Harker, Director, Hospitality and Gaming, of Ameranth-partner Symbol Technologies. The *Innovation of the Year* award was the highlight of Hospitality Solutions '99, which is the showcase for information technology for the European hospitality industry. The award recognizes the most innovative hospitality technology product launched during the preceding year.

Ameranth captured this honor with its UltraPad™2700, a small, light, beautifully designed, handheld computer that operates using Microsoft®Windows® CE operating system and communicates using Symbol Technologies Spectrum24 wireless technology. The UltraPad is the interface of Ameranth's 21st Century Restaurant™, 21st Century Hotel™, and 21st Century Casino™ systems, each of which provide long awaited industry standards for projecting hospitality applications into the mobile, wireless, handheld environment. The combination of the UltraPad 2700 and Ameranth's advanced systems integration offer unprecedented benefits to hospitality operators and the clientele they serve. ***For the first time, there is a single handheld computer and a single wireless systems solution that is ideal for all hospitality applications:*** valet parking; curbside check-in; payment processing (credit card, debit card, smart card); VIP and frequency program management; security, management, and maintenance interface; housekeeping management; mini-bar, fixed asset, and expendables inventory; personnel management; facilities maintenance and management; order entry; process control; event, meeting, and conference management; golf course check-in, management, and control; short- and long-range communications, and more.

-more-

Ameranth Technology Systems, Inc., Wireless Systems Solutions

Page 2- Ameranth/Innovation of the Year Award

Judges for the award commented, "The way that Ameranth has set out to service the individual needs of the consumer greatly impressed the judges. What Ameranth offers is a means of simplifying many routine tasks for hospitality consumers and users, and ultimately provide a superior guest service. With all these factors in mind, the judges agreed that the award for *Innovation of the Year* belongs to Ameranth."

Ameranth Technology Systems, Inc. was founded in 1996 primarily to provide wireless computing solutions to the hospitality, gaming, defense, and law enforcement industries and markets. Partnered with Microsoft, Ameranth has developed a family of software modules that will project legacy, current, and future generation IT capabilities into the wireless CE environment. Ameranth's products include handheld computers, scanners, access points, printers, and related software.

Ameranth will display its advanced products and solutions at HFTP Annual Convention and Tradeshow in San Antonio, October 21-23; FS/TEC'99 in Dallas, November 1-3; and at the International Hotel/Motel & Restaurant Show in New York, November 6-9.

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EXHIBIT 29

FOR GENERAL RELEASE:

October 7, 1999

**SYSTEM CONCEPTS, INC. AND AMERANTH TECHNOLOGY SYSTEMS, INC.
ANNOUNCE OFFICIAL PARTNERSHIP**

Scottsdale, AZ—System Concepts, Inc. (SCI) and Ameranth Technology Systems, Inc. officially announced their professional alliance this week, after negotiating a long-term mutual business goal. The two companies have signed an agreement to exclusively promote each other's products in a combined effort to provide the foodservice, gaming, and hospitality industry with an integrated solution to pairing hardware and software.

SCI is the developer of FOOD-TRAK® Food and Beverage Management Software, the first and most widely used PC-based inventory management system for the foodservice and hospitality industry. Since 1980, SCI's unparalleled expertise has steadily permeated the foodservice market from fast food, grocery, and catering to hotels, clubs, fine dining, and the institutional market. FOOD-TRAK's modular design allows the system to be tailored to fit the needs of any operation, from a single restaurant to a complex multi-unit corporation. Additionally, the FOOD-TRAK Enterprise Information System provides multi-store operators with a powerful resource for consolidating multi-unit food and beverage inventory, sales, costs, and performance at the corporate level. FOOD-TRAK systems provide the most current computing technologies, such as internet-enabled features and an open architecture, giving users the option of designing their own reports with standard SQL queries or off-the-shelf report writers.

Ameranth Technology Systems, Inc., which was founded in 1996, provides wireless computing solutions such as hand-held computers, scanners, access points, printers, and related communications and applications software. Ameranth's 21st Century Systems™ line of products supplies restaurants, hotels, and casinos with industry-standard tools that work in concert with legacy and current-generation systems, so their clients have no need to change primary vendors.

"We are very excited about the alliance with Systems Concepts, Inc.," says Keith McNally, CEO of Ameranth Technology Systems. "Systems Concepts, Inc. is the world leader in food and beverage management software. They are an ideal partner for Ameranth because together we are able to provide restaurateurs with the very best of breed computer technology for all of their business needs."

The best of breed solution, referred to by McNally, is one the key philosophies advocated by both Ameranth and SCI. In this environment, users select the individual components of their business systems from highly specialized providers, who've agreed to work under a unified policy regarding their integrated products. To promote this concept, SCI and Ameranth now offer the industry's most comprehensive software system teamed with the industry's most advanced hardware, and not as totally separate entities. Their alliance focuses on the benefits of combining components in order to achieve the optimum product for the end-user.

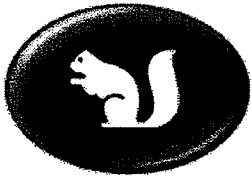
Bill Schwartz, President of SCI, says of the partnership, "We see the alliance between SCI and Ameranth as a true best of breed relationship. The FOOD-TRAK System has been used in conjunction with hand-held scanners for many years, but the Ameranth alliance results in a standardized hardware and software platform from which numerous applications can be run. The integration of the FOOD-TRAK System with many of Ameranth's POS and other application partners further enhances the value of this solution for the client."

Using SCI/Ameranth hand-held devices, larger multi-property and multi-profit center users will be able to perform mobile receiving, purchase order, transfer/requisition, and shopping list functions, in addition to inventory scanning features, all without having to duplicate the data entry tasks at a computer workstation. The portability of these products offers never before seen possibilities for on-site control of key inventory and sales locations within expansive, multi-profit center environments.

The newly formed partnership between these companies serves as a milestone for the way current hardware and software technologies can and should be provided to the foodservice and hospitality industries. And, the close relationship between the development staffs of both companies insures a steady stream of innovations and capabilities for years to come.

For more information contact Mary Ritter from System Concepts, Inc. at (480) 951-8011 or Kathie Sanders from Ameranth Technology Systems, Inc. at (703) 242-0137.

EXHIBIT 30



squirrelsystems.com

News Release

November 1, 1999

FOR IMMEDIATE RELEASE

SQUIRREL & Ameranth Technology Systems Announce Strategic Partnership

SQUIRREL® Companies Inc., a subsidiary of Eltrax Systems, Inc. (NASDAQ: ELTX), announced today a new Strategic Partnership with Ameranth Technology Systems™. Ameranth Technology Systems is a leading provider of Wireless Systems Solutions™ based in San Diego, California.

Under the terms of the SQUIRREL/Ameranth Alliance Agreement, SQUIRREL and Ameranth will integrate Ameranth's 21st Century Restaurant Solutions with SQUIRREL for Microsoft® Windows NT®. SQUIRREL will designate Ameranth's hardware as its "recommended" wireless products. The centerpiece of the 21st Century Restaurant system is Ameranth's UltraPad™ 2700, a handheld computer that integrates Symbol's Spectrum24 wireless local-area network and the Microsoft Windows CE operating system.

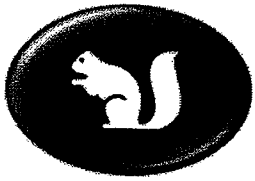
The combination of the three technologies offers unprecedented benefits to restaurateurs and their clientele. The 21st Century Restaurant System allows restaurant processes, including order taking, payment processing (credit card, debit card, smart card), inventory control, process control, wait-list management, table management, personnel management, management interface, valet parking, frequent-diner program interface, short- and long-range communications, and other applications, to be managed and controlled from Ameranth's handheld computer. This will dramatically increase productivity, reducing cost, and improving customer service.

The Ameranth handheld computer communicates to restaurant computers and devices by the Symbol Spectrum24 wireless local area network. Symbol's wireless local area network is based on industry standards and is the technology of choice at more than 40,000 customer locations in a number of global markets.

"Ameranth is extremely pleased to be partnering with Squirrel Systems. They are a great company. Our wireless products coupled with Squirrel POS Solutions will uniquely meet the considerable market demand for 21st Century Restaurant™ products well into the new millennium." said Keith McNally, Ameranth Technology Systems, Inc., CEO & President.

"SQUIRREL is delighted to bring robust, industry standard mobile hand-held solutions to our restaurant and hotel customers who have selected the SQUIRREL for Windows NT solution," said

An ELTRAX Company



squirrelsyste.ms.com

David Atkinson, Vice President, Sales & Marketing for SQUIRREL. "Ameranth and Symbol are clearly the leading hand-held solution for the hospitality industry."

Ameranth Technology Systems, Inc., was founded in 1996 primarily to provide wireless portable computing solutions to the hospitality, gaming, defense, and law enforcement industries. Ameranth's products include handheld computers, scanners, access points, printers, and related software.

Founded in 1984, SQUIRREL revolutionized the restaurant industry with the first touchscreen restaurant management system. SQUIRREL's newest offering, SQUIRREL for Windows NT was a recent winner of the Microsoft Retail Application Developer Award. SQUIRREL Companies Inc. is a wholly owned subsidiary of Eltrax Systems, Inc. Eltrax provides Internet and network-based applications and services to enterprises worldwide. Eltrax is a global leader in the design, development and management of technology solutions used to improve the quality and availability of business-critical information and data. The company is headquartered in Atlanta with offices, distributors and agents worldwide. The Company's shares are traded on the NASDAQ SmallCap market under the symbol ELTX.

For more information, contact Linda Gillis at 604.412.3300 or visit the web site at www.squirrelsyste.ms.com.

An **ELTRAX** Company

EXHIBIT 31

Franchise TimesTM

Continental Franchise Review®

The News and Information Source for Franchising

www.franchisetimes.com

November/December 1999

TECHNOLOGY

In an effort to make you, our readers, more techno-savvy, we present a new addition to our magazine—the Technology section. Industry experts are unanimous in their opinion that research and development are imperative for progress. On this page we will present cutting edge technology, sure to benefit companies that embrace it. Every attempt is made to write the story in English, not “technoese.”

New technology automates traditional processes

By Manali Shah

The scene: It's a Friday evening and you are in the mood to unwind and have a little fun. You head to your favorite watering hole, TGI Friday's. You won't be alone, however. People will be crowding the bar and idly standing in every available corner, awaiting their turn to be seated. The hostess will smile a warm welcome and guesstimate that your wait for a table will be 60 minutes, while handing you a pager that will activate when your name is called. Her grease pencil puts you on page four of her clipboard.

Unwind, eh?

The Solution: Enter Ameranth Technology Systems. Here's how Keith McNally, CEO, approaches your situation. McNally logged onto ameranth.com, reached TGI Friday's in-house reservation system and reserved his table 55 minutes



Keith McNally,
Ameranth
Technology
Systems

ago. (He could have called in, too.) His name was entered into the waiting list and he will be seated soon after he arrives. The restaurant manager knows McNally, a busy executive, will want that corner table near the window. It will be ready when he is. And even as he is being seated, the server will fetch his favorite glass of wine.

The server returns, carrying the UltraPad 2700. She punches buttons to enter his order which is instantly relayed to the kitchen. She saves at least three minutes, since she doesn't need to write the order on her notepad and then reenter it at the stationary POS system, where she

would have to wait for two other servers ahead of her to finish.

After a satisfying meal, McNally pays the server at his table. She simply swipes his credit card on her UltraPad. The transaction is complete in 10 seconds. The time saved is seven minutes ordinarily. Today being Friday, it would have taken longer for the server to return with the credit card printout. She can serve a meal and take an order in between.

After McNally leaves, the busboy clears the table and documents the completed task on his PadLink, which costs a couple hundred dollars extra. The UltraPad in the hostess' hand is automatically updated, and finds the longest-waiting customer matching that criteria. Lucky you. Your beeper suddenly stirs. Weary, you are seated at the table McNally vacated—a full 65 minutes after you arrived.

That scenario compares the traditional way restaurants operate today and how things can dramatically improve for restaurant and customer alike with the installation of Ameranth's 21st Century Restaurant System, a fully integrated wireless system consisting of the UltraPad, handheld printer, Spectrum Access Point, PadLink and IBM server.

The technology

The UltraPad, a lightweight handheld device, is the key to the system. It is completely wireless and holds the memory for up to, get this, a million customers. All one needs to do is swipe a card or enter a phone number. Ameranth's regional database gives the restaurant manager access to key customer data, including table and dining preferences and anniversary dates.

The UltraPad works seamlessly with Legacy and current applications so there

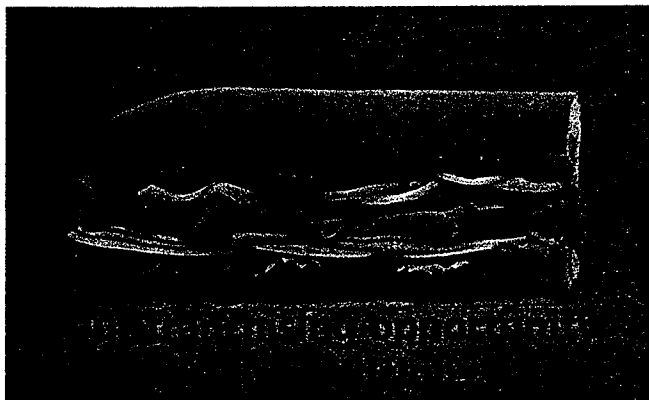
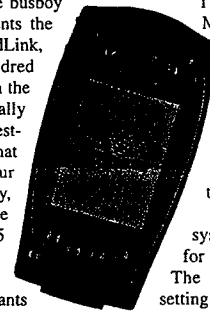
is no need to change primary vendors. Ameranth's handheld computers communicate to Ameranth's communication and integration software through Symbol Technologies' Spectrum 24 wireless local area network. Spectrum 24 is a 2.4 gigahertz spread spectrum, frequency hopping wireless local area network that links Ameranth's handheld devices with the POS, inventory, back-office and other applications.

The UltraLink operates on Microsoft's Windows CE system, just like your PC at home works on Microsoft's Windows 95 operating system. If an operating system is standardized, it is very easy for software vendors to write the software for the system.

Similar to its restaurant system, Ameranth has systems for hotels and casinos, as well. The company is working on setting up Web sites that will allow restaurant customers to put their name on restaurant waiting lists and hotel guests to check into a hotel as soon as they land at the airport.

The cost for the package varies substantially based on size of the restaurant. A large casual dining restaurant with 60 tables using the complete system would need to spend \$30,000. "Since the system is very reliable, it will last for three years or 1,000 operating days. Cost per day is \$30. If the restaurant turns one more table and the average tab per person is \$15 for a four-person table, the cost savings realized are \$60," he explained.

McNally added that the efficiency of his system can cut down by two the restaurant's need for employees. "The bottom line is that it dramatically improves efficiency," he said. In a time when labor is hard to find, that feature of the system is a big plus. PT



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TECH TALK

Golden Corral signs with Cyntergy

GAITHERSBURG, Md.—Cyntergy has announced that it signed a three-year contract with Golden Corral Corporation to provide technical help desk services for more than 290 corporate and franchise locations in the United States. Golden Corral Corporation (Golden Corral) is a Raleigh, N.C.-based chain of family style restaurants. Cyntergy provides technology

services to the foodservice and other industries including implementation and training, computer-based training, technical help desk, software documentation and project management.

Cyntergy will provide Level 1 and Level 2 operational support for Golden Corral's back office, labor scheduling and point-of-sale software. Cyntergy also will install a duplicate of each system being supported in its in-house lab.

EXHIBIT 32



Log In

Sign Up



Membership

- Member Log In
- Member Benefits
- E-News Sample
- Sign Up - Free

Features

- Home Page
- Article Library
- Member Polls
- Event Calendar
- Member Feedback
- Contact Us

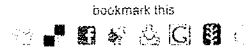
Channels

- Buyer Interactive
- Manage & Develop
- BITAC



Email Article Printable Version

Technology
Wireless '21st Century Hotel' Introduced at IH/M&RS
 An exciting wireless system was introduced today at the IH/M&RS show by Ameranth Technology Systems, Symbol Technologies and Comtec Information Systems.
 Saturday, November 06, 1999
 Brendan Manley



NEW YORK – Hotel wiring nightmares and long lines at hotel front desks, f&b establishments and retail outlets may soon be a thing of the past, due to a promising new handheld wireless solution created through a joint venture between several leading industry systems vendors.



The multi-dimensional system, called the "21st Century Hotel", was introduced today at the IH/M&RS show here by project partners Ameranth Technology Systems, a major systems integrator and leader in wireless systems solutions, Symbol Technologies, a huge player in wireless mobile computing and Comtec Information Systems, specialists in mobile printing solutions. The product combines essential elements from each of those three vendors, as well as products from several other industry suppliers, on highly versatile, standardized handheld computers running the Microsoft Windows CE operating system (OS). The product will be sold to hospitality PMS and POS vendors seeking a consistent wireless component to said vendors' existing and future hotel systems.

"What is unique is that for the first time there are wireless and mobile computing standards that tie together hotel systems," said Keith McNally, CEO of Ameranth. "We've pulled together the best-of-breed solutions and can now offer raw technology to our POS and PMS systems partners, who are our conduits to the marketplace."

The core of the solution is comprised of Ameranth's UltraPad 2700, a handheld computer, Symbol's Spectrum24 wireless local area network (LAN) technology and Microsoft's Windows CE OS. But the real power lies in the system's ability to make practically all hotel systems accessible through this single point of access.

Some of the applications that can be utilized through the system include: check-in; payment processing (credit, debit and smart cards); valet parking; VIP and frequency program management; housekeeping management; mini-bar, fixed asset and expendables inventory; management interfaces; remote order entry, including pool-side, court-side and the 18th hole; personnel management; facilities maintenance and management; Ameranth's 21st Century Restaurant applications, including order entry, inventory control, process control, wait-list management and table management; event, meeting and conference management and control; golf course check-in, management and control; and short- and long-term communications.

The system has also been designed to work seamlessly with both current and legacy hotel applications, so there is no need for hotels to change vendors or replace existing systems. Ameranth's handheld device communicates with the company's middleware and then with other hotel computers and devices through the Symbol wireless LAN, a product built on the open 802.11 wireless standard and widely accepted in virtually every industry. Symbol has been a trailblazer in technologies such as barcode and laser scanning devices and has now set its sights on the hospitality industry as a major source of future business.

"You're going to see a big proliferation of wireless and handheld technologies in restaurants and hotels," said John Harker, Director of Hospitality & Gaming at Symbol. "There are four key reasons: First, we are no longer dealing with proprietary technologies...second, handhelds are no longer big, bulky devices...third, the technology keeps getting cheaper, and fourth, there are now world-class manufacturers creating hospitality-specific wireless technology."

Comtec, another player in the project, provides the capability to print receipts easily from the handheld devices, and also adds another major value-added feature. The Ultrapad devices contain a magnetic stripe reader/writer, so hotel staff can encode room keys for guests from virtually any location on the property. Lock vendors VingCard, TESA Entry Systems, TimeLox and Saflok have all signed-on for integration with the product.

"It all just makes the hospitality experience easier," said Mark Zaccaria, Channel Marketing Manager at Comtec.

Since the product will be brought to market by way of the systems vendors that choose to incorporate the "21st Century Hotel" solution into their product lines, said vendors will also install, support and provide training for the solution. The product's charter systems partner is technology conglomerate Hospitality Solutions International (HSI).

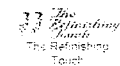
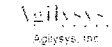
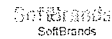
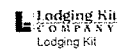


EXHIBIT 33



Marriott International, Inc.

Room 701 West Wing, New World Office Building
20 Salisbury Road, Tsimshatsui
Kowloon, Hong Kong
Tel : (852) 2192 6000
Fax : (852) 2192 6060

February 3, 2000

Mr. Keith R. McNally
CEO & President
Ameranth Technology Systems, Inc.
12230 El Camino Real Suite 330
San Diego, CA 92130, USA

VIA FAX: 858 794-8222

Dear Keith:

Marriott International Interest in your products

As you are aware, Marriott International is very interested in your 21st Century Restaurant™ System technology and we believe that many of its innovative features will enhance the efficiency of our operations, increase customer satisfaction and help increase profitability in our operations.

Wolfgang Lindlbauer, our Director of International Food and Beverage Development has been involved to source your technology and to introduce that technology into our market later this year. We are also closely monitoring your progress with the domestic side of Marriott and hope that your efforts in establishing a relationship with our POS partner, Micros turns out successfully.

We believe that Windows CE™ wireless terminals linked with laser bar-code scanning of customer frequency cards and an integrated customer database will enable us to provide a leap forward in our level of service, sales and profitability. These features combined with your table and wait-list management functions operating in unison over the web and wireless can take us to the level Marriott needs to be at to maintain a leadership position. We are also aware of your close relationship with Microsoft and Symbol and hope that they will continue to work with you to deliver the breakthrough solutions that we are seeking.

Please keep Wolfgang Lindlbauer informed of your progress with Micros and on the domestic side of the company. We will do all we can to support your progress so that you will be in the position to deliver the extra features we need to meet our objectives starting this summer.

.../P. 2



Page 2

Our selected first test site in the Asia Pacific region would be our JW Marriott in Seoul Korea. If your products deliver the capabilities we envision them to have and you establish the interface with Micros we will be most pleased to recommend you throughout our markets.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Glen".

Steve Glen
Vice President of Operations, Asia Pacific
Marriott International

cc: Wolfgang Lindlbauer

EXHIBIT 34

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

Ameranth Technology Systems and Starwood Hotels Announce Revolutionary Wireless System to Improve Service

New York, April 19, 2000—Starwood Hotels & Resorts Worldwide, Inc. has chosen Ameranth Technology Systems®, to design a customized wireless solution which will be used during housekeeping inspections to track the overall cleanliness of hotel guestrooms. Ameranth will integrate applications from Ameranth's 21st Century Hotel™ system, Symbol Technologies wireless local area network, and the Pocket PC-enabled UltraPad™2700 handheld computer.

Ameranth, a Microsoft Pocket PC launch partner, is developing an innovative room inspection application on the UltraPad, for Starwood. Ultimately, Starwood sees the wireless system as a tool that will help them pinpoint ways in which they can improve housekeeping service in their guestrooms. Using a wireless communication solution, the management will have the most current information concerning each room to ensure that the highest possible standards are maintained for each Starwood guest, which is a critical service point because room cleanliness consistently rates as one of the things guests care most about during hotel stays.

The new inspection system will be beta tested this spring at the Sheraton New Orleans, and ultimately rolled out to the entire Sheraton brand. Based upon its success within Sheraton, the Pocket PC-enabled UltraPad will then be introduced in Starwood's other hotel brands.

"Ameranth made an early decision to align its own products and vision with the entire suite of Microsoft products," said Ameranth Vice President and founder, Keith McNally. "The introduction of the new Windows-powered Pocket PC platform validates that decision and will enable us to extend Ameranth's systems well into the 21st Century. We are excited to be launching this solution with Starwood."

AMERANTH® Technology Systems Inc. (www.ameranth.com), founded in 1996 and headquartered in San Diego, California, is a leading systems integrator facilitating data exchange between mobile wireless computers and fixed information systems via Wireless Local Area Networks (WLAN), Local Area Networks (LAN) and/or the World Wide Web. As the leading innovator in the routing and synchronization of data moving between mobile wireless computers, fixed information systems, and the Internet, Ameranth's 21st Century Restaurant™, 21st Century Hotel™, 21st Century Casino™, 21st Century Retail™ and 21st Century Healthcare™ products are set to become the industry standards in enterprise wireless systems.

Starwood Hotels & Resorts Worldwide, Inc., through its St. Regis, Luxury Collection, Westin, Sheraton, Four Points and W brands, is one of the leading hotels and leisure companies in the world with more than 700 hotels in 80 countries and 120,000 employees at its owned and managed properties.

-30-

For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

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Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> mail to: info@ameranth.com

EXHIBIT 35

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

Ameranth Technology Systems and Jamba Juice Announce Revolutionary Wireless System to “Bust Lines” in Stores, Improve Customer Service

New York, April 19, 2000—Ameranth Technology Systems® and Jamba Juice Company, are working closely together to finalize a Pocket PC application to enable Jamba Juice to “bust lines” during peak periods using the UltraPad™ 2700 mobile computer, and Symbol Spectrum® 24 wireless network. This innovative solution allows Jamba Juice managers to add mobile Point-of-Sale (POS) stations during busy periods without having to make changes to the store’s infrastructure.

Jamba Juice has chosen Ameranth, a Microsoft Pocket PC launch partner, to design a customized wireless solution integrating Jamba Juices’ Aloha-by-Ibtech POS system, Ameranth’s 21st Century Communication Middleware™, Symbol Technologies wireless local area network, and the Pocket PC-enabled UltraPad handheld computer.

“We are excited to work with Ameranth,” said Jamba Juice CIO, Manoj Tripathi, “because they understand that reducing the time to serve each customer is our primary goal and using the wireless-enabled Pocket PCs are a key component in reaching that customer service goal.”

“Ameranth made an early decision to align its own products and vision with the entire suite of Microsoft products,” said Ameranth Vice President, Keith McNally. “The introduction of the new Windows-powered Pocket PC platform validates that decision and will enable us to extend Ameranth’s systems well into the 21st Century. We are excited to be launching this solution with Jamba Juice.”

AMERANTH® Technology Systems Inc. (www.ameranth.com), founded in 1996 and headquartered in San Diego, California, is a leading systems integrator facilitating data exchange between mobile wireless computers and fixed information systems via Wireless Local Area Networks (WLAN), Local Area Networks (LAN) and/or the World Wide Web. As the leading innovator in the routing and synchronization of data moving between mobile wireless computers, fixed information systems, and the Internet, Ameranth’s 21st Century Restaurant™, 21st Century Hotel™, 21st Century Casino™, 21st Century Retail™ and 21st Century Healthcare™ products are set to become the industry standards in enterprise wireless systems.

San Francisco-based Jamba Juice Company (www.jambajuice.com) is the industry leader in blended-to-order smoothies, fresh squeezed juices, hot nutritious soups, and healthy breads. The fast growing restaurant company currently has more than 275 locations throughout California, Arizona, Nevada, New Mexico, Texas, Washington, Massachusetts, Wyoming, Oregon, Hawaii, Utah, Illinois, Idaho, Oklahoma, and Washington D.C.

-30-

For additional information you may e-mail
Kathie Sanders at ksanders@ameranth.com

12230 El Camino Real, Suite 330, San Diego, CA 92130-2090
Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> mail to: info@ameranth.com

Ameranth Technology Systems, Inc., Wireless Systems Solutions

EXHIBIT 36

AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 703-281-4995

Ameranth's Groundbreaking Pocket PC-Based Solutions to Revolutionize Service-Sector Automation

Wireless Systems Integrator Realizes New Products, New Clients Using Pocket PC Advances

New York, April 19, 2000—Ameranth Technology Systems®, a Microsoft Pocket PC launch partner, announced today that they have integrated the Microsoft Windows-powered Pocket PC platform and handheld computing devices from Symbol Technologies (NYSE:SBL) and other vendors with the company's 21st Century Communications™ middleware. The numerous advantages of Pocket PC such as great color screens, a full-featured Web browser, security and integration with Microsoft Office and Microsoft BackOffice products are allowing Ameranth to expand its business opportunities and increase the range of products and services that it can offer customers. As a result, Ameranth has already broken new ground in the field of wireless systems integration by pioneering the use of Pocket PCs in integrated solutions for the hospitality, retail, and healthcare industries.

"Ameranth made an early decision to align its own products and vision with the entire suite of Microsoft products," said Ameranth Vice President and founder, Keith McNally. "The introduction of the new Windows-powered Pocket PC platform validates that decision and will enable us to extend Ameranth's systems well into the 21st Century."

"Developing end-to-end mobile computing solutions is new to many industries, including the hospitality and healthcare industries," said Doug Dedo, Group Product Manager of the Mobile Devices Division at Microsoft Corp. "Ameranth provides a total turnkey solution integrating Pocket PCs with wireless networks and linking them to PC servers and the Internet. Through this integration, Ameranth's customers are reducing costs and increasing productivity for their businesses and the customers they serve."

Pocket PC is more versatile than other platforms; it is superior in terms of its ability to integrate into other systems; and it will provide access to a wider variety of top quality commercial applications. These advantages of Pocket PC have been the determinant for Ameranth and its coterie of early adopters:

Starwood Hotels & Resorts Worldwide, Inc.

Ameranth is developing a room inspection application on the Pocket PC-enabled UltraPad™ handheld computer, for Starwood, which will be used during housekeeping inspections to track the overall cleanliness of hotel guestrooms. Ultimately, Starwood sees the wireless system as a tool that will help them pinpoint ways in which they can improve housekeeping

service in their guestrooms. Using a wireless communication solution, the management will have the most current information concerning each room to ensure that the highest possible standards are maintained for each Starwood guest, which is a critical service point because room cleanliness consistently rates as one of the things guests care most about during hotel stays. Starwood, through its St. Regis, Luxury Collection, Westin, Sheraton, Four Points and W brands, is one of the leading hotels and leisure companies in the world with more than 700 hotels in 80 countries and 120,000 employees at its owned and managed properties.

Jamba Juice Company

Ameranth and Jamba Juice Company, the industry leader in blended-to-order smoothies, fresh squeezed juices, hot nutritious soups, and healthy breads, are working closely together to finalize a Pocket PC application to enable Jamba to "bust lines" during peak periods using the UltraPad 2700 handheld and Symbol Spectrum 24 wireless network.

The increased computing speed of the Pocket PC is essential for Ameranth's clients in the hospitality and retail sectors where the time required to serve a customer is inversely proportional to the level of customer satisfaction. "We are excited to work with Ameranth," said Jamba Juice CIO, Manoj Tripathi, "because they understand that reducing the time to serve each customer is our primary goal and using wireless-enabled Pocket PCs are a key component in reaching that customer service goal."

"We've built our company providing cutting-edge technology to large enterprises and we know what they want," commented Tomo Razmilovic, President and COO of Symbol. "The Pocket PC is perfect for hotels, restaurants, casinos and healthcare facilities because it provides the speed, memory and screen-readability necessary for highly mobile workers moving quickly in hectic environments. Ameranth is our master distributor and preferred partner in the hospitality arena, and we are extremely pleased that they are developing software solutions based on both Symbol's Spectrum 24 wireless network and the Pocket PC and the range of products from Microsoft."

About Pocket PC

Windows-powered Pocket PCs, the next-generation PDAs from Microsoft and its partners, offer customers the best way to connect to their most essential information while away from their desk, yet are versatile enough to satisfy the personal needs of today's busy mobile lifestyle. Pocket PCs already include a broad range of native business, personal productivity, and entertainment applications, yet can easily be expanded to adapt to each customer's changing needs through a continually growing number of industry standard hardware and software expansion options.

About AMERANTH TECHNOLOGY SYSTEMS

AMERANTH® Technology Systems Inc., founded in 1996 and headquartered in San Diego, California, is a leading systems integrator facilitating data exchange between mobile wireless computers and fixed information systems via Wireless Local Area Networks (WLAN), Local Area Networks (LAN) and/or the World Wide Web. As the leading innovator in the routing and synchronization of data moving between mobile wireless computers, fixed information systems, and the Internet, Ameranth's 21st Century Restaurant™, 21st Century Hotel™, 21st Century Casino™, 21st Century Retail™ and 21st Century Healthcare™ products are set to become the industry standards in enterprise wireless systems.

For additional information you may e-mail Kathie Sanders at ksanders@ameranth.com

EXHIBIT 37

Seating 260 people, three times a night is a lot easier since the Dallas Improv installed Ameranth Technology Systems, Inc.'s 21st Century Restaurant™. Running on the Microsoft® Distributed interNet Architecture, the solution boasts a commerce-enabled Web site hosted by Microsoft Windows® 2000 Advanced Server that's boosting ticket sales. Ameranth 21st Century Communications™ middleware facilitates integration of customer data from the Web site with Windows CE ticketing software used to wirelessly assign tables.



AMERANTH™
WIRELESS SYSTEMS SOLUTIONS

symbol®

Every joke is a tiny revolution, says George Orwell, and if the reverse is true for the kind of revolution that signals progress, everyone must be laughing at the Dallas Improv Comedy Club. Going from phones, pens, paper, and a single laminated seating chart to installing a Web, PC, and wireless system to handle all the ticketing, food ordering, table management, and payment processing for three 260-seatings a night has undoubtedly made owner Tom Castillo a happy man.

And the fact that the Ameranth Technology Systems, Inc. 21st Century Restaurant™ solution he chose for the Dallas Improv is built using 100 percent Microsoft products

and runs on the Microsoft Distributed interNet Architecture (DNA) platform, gave Castillo the security to enjoy his leap into the 21st century.

"I am comforted that Ameranth uses the Microsoft suite of products to provide their integrated solution," he says. "I know that with Microsoft, we will have the flexibility to integrate other software products in the future."

The Ameranth Advantage

Castillo first came across Ameranth Technology Systems, Inc. last year in Chicago at the National Restaurant Association's annual tradeshow. At that point he told Ameranth that, "the Improv needs to move its systems into 21st Century technology," and he was "won over by the company's demonstration." Looking for a total solution, Castillo was particularly impressed with the fact that Ameranth could develop and install the entire Web, PC, and wireless system—something no other company could match. Because Castillo was

Solution Overview

Company Profile

The Improv Comedy Clubs showcase live performances by top, nationally known comedians. The Dallas Improv, located in the Dallas metropolitan area, is one of ten locations across the United States. The Dallas Improv has a full drink and dinner menu, and on the weekends runs a comedy-infused traffic school.

Situation

Before Improv Comedy Club owner Tom Castillo went looking for a way to automate the ticketing, food ordering, table management, and payment processing at the Dallas Improv, the operation was making do with pens, paper, and a laminated seating chart. The resulting inefficiency compromised customer service and didn't help the bottom line.

Business Solution

The Improv solution integrates Ameranth Technology Systems, Inc.'s software for Windows CE-based wireless handheld computers (Ameranth UltraPad™ 2700), Microsoft® Windows® NT® Server, and SQL Server™ 7.0 with Ameranth's 21st Century Communications middleware and a Symbol 802.11 FH Wireless LAN. The solution, called 21st Century Restaurant, provides Internet ticketing and payment processing, traffic school reservations and food ordering, phone-based ticketing and payment processing, and wireless handheld ticket authorization and seating assignments. The entire solution is built according to the Microsoft Distributed interNet Architecture and takes advantage of Microsoft Windows 2000 Server to power a new e-commerce enabled Web site. Ameranth has just inked a deal to install the same system in the Phoenix and Washington DC Improvs.

Benefits

Immediate improvements in efficiency and speed of service increased revenue and dramatically enhanced the customer experience at the Dallas Improv. A new interactive Web site allows customers to pre-order and pre-pay for food and tickets for faster service at the theatre, where staff can quickly process their reservations and assign tables using a wireless handheld computer. Meanwhile the kitchen already has their food prepped and it comes to the table on time—definitely the best time in show business.

basically starting from scratch, this provided a great advantage.

"At the time, the Improv was a very low-tech and inefficient operation, where phone-based reservations were noted with pencil and paper and the table management was done with a grease pencil and a laminated seating chart," Castillo recalls. The company did have a Macintosh for accounting and running an antiquated POS system, as well as a promotional Web site with no interactive capabilities. And there was no database housing customer information.

Castillo immediately saw Ameranth as a way to increase sales by ramping up the

company's efficiency and speed of service throughout the entire customer cycle and e-commerce enabling the Web site. The solution would also provide a way to create a customer database. "Using Ameranth's 21st Century Restaurant, I believe the Improv will be able to increase sales and increase both the efficiency and speed of service," he says. "We are predicting costs will be recovered within a year."

Microsoft Scales to the Solution

Ameranth's core technology is the 21st Century Communications™ middleware which routes data, regardless of programming language, across a variety of platforms, facilitating the data synchronization required for integrating different systems, including Web-based, Wireless LAN and PC-based client/server systems.

The Improv solution integrates Ameranth's software for Windows CE wireless handheld computers, the UltraPad™ 2700, and the Microsoft Windows NT® Server operating system and Microsoft SQL Server™ 7.0 with Ameranth's 21st Century Communications middleware and a Symbol Technologies 802.11 FH WLAN. This total solution provides

Internet ticketing and payment processing, traffic school reservation and food ordering, phone-based ticketing and payment processing with instant database input, and wireless handheld ticket authorization and seating assignments. A new self-service Web site enables customers to pre-order and pre-pay for tickets and food.

Given that the Improv's Ameranth solution spans the range from Web-based, to client/server to wireless technologies running on the Microsoft Windows CE operating system, it's no wonder that Castillo was happy that his solution adheres to Microsoft Windows DNA architecture that provides exceptional interoperability on a comprehensive, scalable platform for building and hosting distributed Web-based applications. "We wanted to use the Microsoft BackOffice® family of technologies and the Windows DNA platform because they are dependable and interoperable with many hardware and software technologies," says Castillo.

And by taking advantage of Microsoft Windows 2000 Advanced Server and its built-in Web server, Internet Information Server 5.0, to host the Improv's new self-service Web site, the Improv can Internet-enable its entertainment business model and set the stage for an enhanced customer experience.

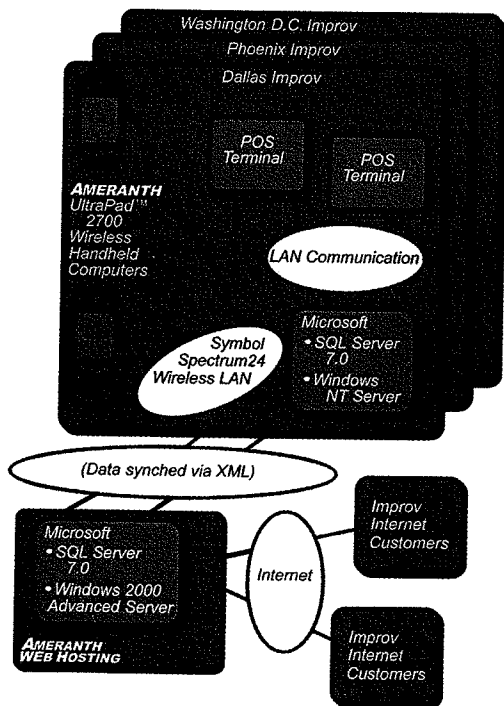
Front Row Center

The best seat in the house is where everyone likes to sit, but it's not the only thing that contributes to a great evening out. Patrons at the Dallas Improv benefit from the Ameranth solution from the moment they pick up the phone, or log on to the Web site to

Improv Comedy Clubs System Architecture

w/ Internet Ticketing and Food Ordering

AN AMERANTH
21st Century
Restaurant
SOLUTION



The Improv Comedy Clubs system architecture featuring Ameranth's Technology's 21st Century Restaurant

For more information

"Thanks to the database system we now know who our customers are. Thanks to the wireless integration, the ticketing system, and the Web site, we now have a few minutes to get to know our customers."

Tom Castillo, Owner, The Improv

book their tickets. Over the phone, the Ameranth Desktop Ticketing/Reservations software enables staff to process orders more efficiently with automated table seating assignments. Now that agents can also enter customer information directly into the SQL Server database, management can track sales, implement a frequent customer program and produce mass e-mails.

Both online and phone orders are the first step in speeding up table management at the theater. Using Ameranth's UltraPad 2700 wireless computers and the Symbol Spectrum 24 Wireless LAN Access Point, staff can wirelessly process each customer either through scanning the bar code on tickets they printed out when purchasing online, or by inputting the authorization code they received over the phone. Using the UltraPad 2700 computer to access the database, table assignments are quickly and efficiently given to customers. Internet-ordered food expedites the wait staff's job as orders can be started upon the customer's arrival, leaving them more time to sell revenue-generating drinks and desserts.

Theater management also benefits from the use of Ameranth's 21st Century Database Wizard for updating the Web site prices, menus, show listings, and comedian bios and photos — without any knowledge of HTML.

About Microsoft

Call the Microsoft Sales Information Center at (800) 426-9400. In Canada, call the Microsoft Canada Information Centre at (800) 563-9048. Outside the 50 United States and Canada, please contact your local Microsoft office.

For more information about Microsoft BackOffice-based hospitality solutions, visit the Microsoft hospitality industry home page on the World Wide Web, at <http://www.microsoft.com/industry/hospitality>.

About Ameranth

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E-mail address: info@ameranth.com
Web site: www.ameranth.com

Ameranth Technology Systems Inc., founded in 1996, is a systems integrator facilitating data exchange between mobile wireless computers and fixed information systems. Through routing and synchronizing data moving between Wireless Local Area Networks and fixed information systems, including Internet servers, Ameranth's systems integration, software products and related services increase the speed, scope and efficiency of information processing for various industries, including hospitality and healthcare. Ameranth's customized products, solutions, and services are revolutionizing the way these industries operate by introducing them to the extraordinary benefits that mobile, wireless communications have to offer. Along with its strategic partner, Symbol Technologies, Ameranth is dedicated to establishing the wireless system standards around Symbol's Spectrum24 802.11 Wireless Local Area Network and Microsoft's Windows CE operating system.

Database Information

Version Used: Microsoft SQL Server 7.0
Size of Total Database: 1.5 GB
Size of Largest Database: 1.5 GB

Microsoft Software Used

Microsoft Visual Studio®
Windows CE Toolkit
Microsoft SQL Server 7.0
Microsoft Windows 2000 Advanced Server
Microsoft Windows NT Server
Microsoft Office 2000

EXHIBIT 38

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 858-794-8282

Ameranth Announces Integration of Pocket PC with Ameranth's 21st Century Communication™ Middleware

Chicago, May 22, 2000—Ameranth® Technology Systems, a Microsoft Pocket PC launch partner, is announcing their integration of the Microsoft Windows-powered Pocket PC platform and handheld computing devices from Symbol Technologies (NYSE:SBL) and other vendors with Ameranth's 21st Century Communication™ middleware. The numerous advantages of Pocket PC—such as color screens, a full-featured Web browser, security and integration with Microsoft Office and Microsoft BackOffice products—are allowing Ameranth to expand its business opportunities and increase the range of products and services. As a result, Ameranth has already broken new ground in the field of wireless systems integration by pioneering the use of Pocket PCs in integrated solutions for the restaurant, hospitality, retail, and healthcare industries. The Company will make the formal announcement at a press conference today, May 22nd, at 11:30 a.m. at The National Restaurant Association Show, Room N230A.

"Ameranth made an early decision to align its own products and vision with the entire suite of Microsoft products," said Ameranth Executive Vice President of Business Development and founder, Keith McNally. "The introduction of the new Windows-powered Pocket PC platform validates that decision and will enable us to extend Ameranth's systems well into the 21st Century."

"Developing end-to-end mobile computing solutions is new to many industries, including the hospitality and healthcare industries," said Doug Dedo, Group Product Manager of the Mobile Devices Division at Microsoft Corp. "Ameranth provides a total turnkey solution integrating Pocket PCs with wireless networks and linking them to PC servers and the Internet. Through this integration, Ameranth's customers are reducing costs and increasing productivity for their businesses and the customers they serve. "

Pocket PC is more versatile than other platforms; it is superior in terms of its ability to integrate into other systems; and it will provide access to a wider variety of top quality commercial applications. These advantages of Pocket PC have been the determinant for Ameranth and its coterie of early adopters, that includes:

Jamba Juice Company

Ameranth and Jamba Juice Company, the industry leader in blended-to-order smoothies, fresh squeezed juices, hot nutritious soups, and healthy breads, are working closely together to finalize a Pocket PC application to enable Jamba Juice to "bust lines" during peak periods using Ameranth's UltraPad 2700 handheld and Symbol Spectrum 24 wireless network.

proportional to the level of customer satisfaction. "We are excited to work with Ameranth," said Jamba Juice CIO, Manoj Tripathi, "because they understand that reducing the time to serve each customer is our primary goal and using wireless-enabled Pocket PCs is a key component in reaching that customer service goal."

"We've built our company providing cutting-edge technology to large enterprises and we know what they want," commented Tomo Razmilovic, President and COO of Symbol. "The Pocket PC is perfect for hotels, restaurants, casinos and healthcare facilities because it provides the speed, memory and screen-readability necessary for highly mobile workers moving quickly in hectic environments. Ameranth is our master distributor and preferred partner in the hospitality arena, and we are extremely pleased that they are developing software solutions based on both Symbol's Spectrum 24 wireless network and the Pocket PC and the range of products from Microsoft."

About Pocket PC

Windows-powered Pocket PCs, the next-generation PDAs from Microsoft and its partners, offer customers the best way to connect to their most essential information while away from their desk, yet are versatile enough to satisfy the personal needs of today's busy mobile lifestyle. Pocket PCs already include a broad range of native business, personal productivity, and entertainment applications, yet can easily be expanded to adapt to each customer's changing needs through a continually growing number of industry standard hardware and software expansion options.

About Ameranth Technology Systems

AMERANTH® Technology Systems Inc., founded in 1996 and headquartered in San Diego, California, is a leading systems integrator facilitating data exchange between mobile wireless computers and fixed information systems via Wireless Local Area Networks (WLAN), Local Area Networks (LAN) and/or the World Wide Web. As the leading innovator in the routing and synchronization of data moving between mobile wireless computers, fixed information systems, and the Internet, Ameranth's 21st Century Restaurant™, 21st Century Hotel™, 21st Century Casino™, 21st Century Retail™ and 21st Century Healthcare™ products are set to become the industry standards in enterprise wireless systems.

About Symbol Technologies

SYMBOL TECHNOLOGIES, INC. is a global leader in mobile data management systems and services with innovative customer solutions based on wireless local-area networking for voice and data, application-specific mobile computing, and bar-code data capture. More than 7 million Symbol scanners and application-specific, scanner-integrated mobile computer systems are in use worldwide. Symbol and its global network of business partners provide solutions for retailing, transportation and distribution logistics, parcel and postal delivery, healthcare, education, manufacturing, and other industries.

For additional information you may e-mail info@ameranth.com or call (858) 794-8282

EXHIBIT 39

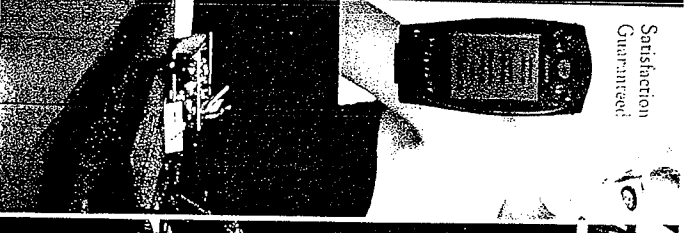


EXHIBIT 40

Ed Rothenberg Phone Call, 09MAY00

1. hardware price is the most critical (price to customer needs to be less than \$ 1000 w/ RF)
2. everything oriented toward joint marketing
3. wants exclusivity
4. response time
5. requirements to keep development team focused on hospitality
6. negotiable margins
7. want to sell new POS systems as a whole that include handheld terminals
8. don't want to sell to currently installed base (this only represents value to Ameranth, not to Micros)
9. many of Micros' customers own the interface to their product
10. development conditions: use current tools, etc.
11. leverage our IP
12. Micros has relationship with HP to resell their products
13. Hardware is a cutthroat business, Micros knows because they are in the business
14. Expect large sales overseas (difficult sales, VAT calculations, foreign languages, etc.)
15. Technical resources are earmarked to begin in 30 to 45 days.

EXHIBIT 41

MICROS-AMERANTH
INTELLECTUAL PROPERTY LICENSE, DEVELOPMENT AND
MARKETING TERM SHEET

INTELLECTUAL PROPERTY LICENSE AND DEVELOPMENT

1. License of Ameranth Intellectual Property: Ameranth shall license to MICROS certain software (the "Ameranth Intellectual Property") for use by MICROS and sublicense to end-users of MICROS's products ("End Users"). During the term of the Agreement for so long as Micros meets its sales objectives as set forth in Exhibit A, Micros will be Ameranth's exclusive reseller of Ameranth Intellectual Property in the hospitality industry. As Ameranth's exclusive reseller of Ameranth Intellectual property in the hospitality industry, Micros shall have the right to resell Ameranth Intellectual property to other hospitality-system vendors and to end-user customers. However, any reseller contract entered into by Ameranth prior to June 15, 2000 will be allowed to run its course. ALOHA. IMPLICATIONS TO CONTROL OF A PROTOCOL.
2. License Fees for Ameranth Intellectual Property: MICROS shall pay Ameranth the license fees set forth in Exhibit B within thirty days of the last day of the month in which the particular license or sublicense was granted.
3. Hardware Sales: MICROS may purchase hardware products from Ameranth at the most favored rates offered by Ameranth in the hospitality industry, taking into account all the terms and conditions of sale.
4. Custom Development: Ameranth shall be the subcontractor for all development work based on the Ameranth Intellectual Property. Ameranth shall have a right of first offer and first refusal to serve as the subcontractor of MICROS with respect to all custom development for the hospitality industry related to those areas in which Ameranth then has those development capabilities.

MICROS will submit requests for proposals for custom development services, to which Ameranth will have ten business days in which to respond with a binding proposal for a customer. A proposal shall be binding for a period of ninety days. Upon acceptance of a proposal, Ameranth shall commence work no greater than twenty days after acceptance by MICROS, unless otherwise noted in the proposal. Each proposal shall be subject to the terms and conditions contained therein.
5. Feature Releases: Ameranth will maintain a development team focused on producing and enhancing software products for the hospitality industry and interfaced to MICROS products, producing Feature Release of various handheld solutions on a mutually agreed time-frame as defined on an annual basis by Ameranth and MICROS. Ameranth and MICROS will jointly develop the Applicable Requirement for these Feature Releases. A "Feature Release" is one that provides new functionality to the

marketplace. Intellectual property rights for Feature Releases will reside with Ameranth and will be licensed to MICROS according to the terms of the standard Ameranth/Micros Licensing and Distribution Agreements.

6. Enhancements & Modifications: Ameranth shall provide, at its own expense, initially two dedicated developers and additional developers based upon agreed sales metrics as set forth in Exhibit C, who will work with MICROS on any and all enhancements or modifications. Additionally, Ameranth will develop the modifications and enhancements contained in and according to the schedule in Exhibit D. Intellectual property rights for Enhancements and Modifications will reside with Ameranth and will be licensed to MICROS according to the terms of the standard Ameranth/Micros Licensing and Distribution Agreements.
7. System Requirements: All Custom Development, Feature Releases, and Enhancements & Modifications as integrated with MICROS software products and peripherals shall: (i) satisfy all applicable international translation, taxation, and reporting requirements; and (ii) operate properly with the then current version of the target operating systems environment, compilers, and other associated development tools.
8. Testing and Reliability: MICROS and Ameranth shall strive for 100% availability and reliability of all integrated solutions. Ameranth shall provide the responsiveness to reported problems during pre-release testing (alpha and beta) and post release customer support, as stipulated in Exhibit E. MICROS will train no fewer than 3 Ameranth personnel on MICROS products. MICROS will provide test equipment for Ameranth to use to test, evaluate and troubleshoot the Intellectual Property.

MARKETING

9. Ameranth Marketing: Ameranth shall continue efforts to market wireless solutions in the hospitality marketplace.
10. Marketing Support to MICROS: Based on a first year mutually agreed upon static budget and (ii) as a percentage of MICROS Hospitality Industry generated sales thereafter as set forth in Exhibit E. Ameranth shall provide to MICROS sales and marketing support, as reasonably requested by MICROS. If MICROS requests that Ameranth support a sales meeting or presentation, Ameranth shall make good faith efforts to make available a qualified person at no cost to MICROS.
11. Referral Fee: Micros shall pay Ameranth a Referral Fee as set forth in Exhibit F for all referrals that lead to a sale. If the parties determine that a customer will be better served if Ameranth take the lead for a particular account and if the account is obtained through a Micros referral to Ameranth, then Ameranth shall pay Micros a Referral Fee as set forth also in Exhibit F.

MISCELLANEOUS

11. Training Support to MICROS: Ameranth shall reasonably participate in MICROS sales training in the form of product training classes and updates on product development efforts.
13. Product Support: Ameranth shall provide Level II technical support. Shall pay Ameranth a portion of the support revenues associated with any installation/license of Ameranth Intellectual Property according to the schedule set forth as Exhibit H.
12. Demo-Systems Support: Ameranth shall provide MICROS with demo software free of charge and demo hardware at cost, and assist in routinely maintaining the demo systems in their most current embodiment.
13. Coordination Meetings: Ameranth and MICROS shall meet face to face as needed, but at a minimum on a monthly basis, alternating location of the meeting between the two companies' respective offices or a mutually agreed location, for the purpose of reviewing and updating development, test, and marketing efforts. Each company shall maintain senior representatives in the areas of development, marketing, and support, who will need to be represented at this meeting.
14. Microsoft Participation: Ameranth shall use commercially reasonable efforts to support and coordinate meetings between MICROS and Microsoft for purposes of having Microsoft assist MICROS.
15. Non Disclosure: The existence and terms of this proposal will not be disclosed to any third party (other than each party's professional advisors and such third parties as may be required to consent to a transaction) without the prior written consent of the other party.
16. Non Binding Effect: The provisions of this term sheet reflect a non-binding expression of interest except for those contained under the Non Disclosure Provision, which shall be binding.

EXHIBIT 42

W.J. Kitchen

From: Curt Mcleland [cmcleland@ameranth.com]
Sent: Thursday, June 22, 2000 6:21 PM
To: Ed Rothenberg (E-mail)
Cc: WJ Kitchen (E-mail)
Subject: Updated license structure



MICROS licenses
#2.xls

Dear Ed,

Thanks for getting back to me regarding the license schedule. As discussed, I have updated the format to break out the middleware from the per handheld charge so that we can move towards a \$1,000 per handheld solution. There are two tabs in the excel workbook that outline the software licenses and overall configuration. The first spreadsheet summarizes the per handheld cost structure and the recommended MSRP. As you can see, the MSRP is higher than the \$1,000. However, there is \$149 per handheld gross profit using the current cost structure if MICROS was to price each handheld at \$1,000. The biggest cost of the solution is clearly the hardware which should come down in price by the time MICROS and Ameranth would be ready to deliver the wireless solution in late 2000. There is also estimated pricing for the access point so that you can estimate the cost of the full wireless solution.

The second tab basically breaks down the license minimums for the handhelds and the middleware. This is very similar to the last spreadsheet you received earlier this past week. As you can see, I've proposed price breaks for middleware depending on the number of handhelds as discussed. I've taken a ratio of 10 handhelds per 1 installation to determine the number of respective licenses for the handheld and the middleware. I've calculated the minimum on the middleware using the > 10 handhelds per installation. However, any combination of the different configurations could equal the minimum as long as the revenue number equals the monthly \$ minimum. For example, you could meet the minimum by selling 100 (10 unit installs) or 200 (5 unit installs) or any combination thereof.

Ultimately, I believe that MICROS/Ameranth can work towards a \$1,000 handheld solution. We are very sensitive to what the market is looking for in a handheld solution and that is why we have been moving towards a non-ruggedized solution to compliment our ruggedized solution.

We are very excited about the prospect of working with MICROS. I realize that both of us will be on vacation next week, however, we are dedicated to moving this process forward ASAP. If you have a chance to review this and could call us tomorrow morning it would be greatly appreciated. This would then give us the opportunity to make any necessary changes to the pricing and license structure and finalize our legal review next week so that when you and I return from vacation we haven't lost any time. WJ will be here all next week and he has your cell phone number to ensure we maintain communication. I will also check in periodically during the week to assist in any way I can.

Thanks again.

Curt

System Configuration		
Handheld	Current MSRP	Cost
Software License	399	200
Compaq Hardware	499	400
Radio Card	395	251
Total	1,293	851

← **Estimate**

If sold for \$1,000 MICROS would realize an estimated \$149 per handheld Gross Profit

Other items:	Current MSRP	Cost
Access point	1,495	1,050

Middleware(see next spreadsheet for license breakdown).

Other Software items to be discussed that are not included in the middleware or per handheld license examples:

- Valet Parking**
- Hostess/Table management**
- Frequent Diner**

Ameranths internet and ASP solutions

The information presented above is for informational purposes only and does not constitute any contractual obligations by Ameranth.

EXHIBIT B

SOFTWARE LICENSE PER HANDHELD (Avg 10 per installation)

	Year 1	Year 2	Year 3	Year 4	Year 5 and after
Minimum Monthly Per handheld Licenses	1,000	2,000	4,000	7,500	10,000
Per handheld license fee due AMERANTH POS Extension - Per handheld (MSRP \$399)	\$200	\$200	\$200	\$200	\$200
Total Monthly Minimum \$	\$200,000	\$400,000	\$800,000	\$1,500,000	\$2,000,000
Annual Minimum \$	\$2,400,000	\$4,800,000	\$9,600,000	\$18,000,000	\$24,000,000

MIDDLEWARE LICENSE PER INSTALLATION

	Year 1	Year 2	Year 3	Year 4	Year 5 and after
Minimum Monthly Per Install Licenses	100	200	400	750	1,000
Per Installation license fee due AMERANTH Middleware - Per Installation (MSRP \$495 for sites with < 5 handhelds) Middleware - Per Installation (MSRP \$995 for sites with 5 -10 handhelds) Middleware - Per Installation (MSRP \$1,995 for sites with 10 - 15 handhelds) Middleware - Per Installation (MSRP \$1,995 for sites with > 20 handhelds)	\$250 \$500 \$1,000 \$1,500	\$250 \$500 \$1,000 \$1,500	\$250 \$500 \$1,000 \$1,500	\$250 \$500 \$1,000 \$1,500	\$250 \$500 \$1,000 \$1,500
Total Monthly Minimum \$ (Minimum based on > 10 handhelds per site)	\$150,000	\$300,000	\$600,000	\$1,125,000	\$1,500,000
Annual Minimum \$	\$1,800,000	\$3,600,000	\$7,200,000	\$13,500,000	\$18,000,000
Total Annual \$ Minimum for Handheld software and Middleware	\$4,200,000	\$8,400,000	\$16,800,000	\$31,500,000	\$42,000,000

Information presented above is for informational purposes only and does not constitute any contractual obligations by Ameranth.

EXHIBIT 43

NEWS

FOR IMMEDIATE RELEASE
Contact: Kathie Sanders 858-794-8282

Ameranth Technology Systems™ Inc. Announces Investment by Microsoft

San Diego, June 16, 2000—Ameranth Technology Systems Inc. today announced that Microsoft Corp. is making an undisclosed investment in their company. Ameranth is a San Diego-based wireless software development company specializing in the integration of wireless handheld computers, back office systems and the Internet. Ameranth's products and solutions allow service providers to take automation directly to the customer via Internet and wireless, thereby improving service and reducing cost. As a Microsoft Pocket PC launch partner, Ameranth recently announced the integration of its revolutionary 21st Century Communication™ middleware with Microsoft's Pocket PC platform handheld computing devices. The investment was exchanged for an undisclosed amount of equity in the privately held Ameranth.

"We are very pleased with the Microsoft investment," said Ameranth CEO, Dr. W.J. Kitchen. "From the beginning, Ameranth made a unilateral decision to align its products and vision with the entire suite of Microsoft products. We are extending this integration to the Microsoft Windows-powered Pocket PC platform because the platform will enable us to offer the handheld computer interfaces and systems integration our customers are demanding."

"Ameranth is occupying a critical space in information technology, and we are confident it has the wherewithal to exploit this space to great end," said Doug Dedo, group product manager of the Mobile Devices Division at Microsoft Corp. "Ameranth provides a total turnkey solution integrating Pocket PCs with wireless networks and linking them to PC servers and the Internet. Through this integration, Ameranth's customers are reducing costs and increasing productivity for their businesses and the customers they serve."

Ameranth has recently announced a number of wins:

- Pyxis Corporation and Ameranth developed the PyxisVeri5™ Medication Verification and Documentation System for healthcare facilities. This application will allow healthcare professionals to use the Symbol PPT 2740 with Pocket PC to access patient records—via Ameranth's 21st Century Communication middleware—in order to verify prescriptions and check for allergies and interactions prior to administering medications.

- Starwood Hotels & Resorts Worldwide, Inc. and Ameranth have developed a room inspection application on Ameranth's Pocket PC-enabled UltraPad™ handheld computer, which will be used during housekeeping inspections to track the overall cleanliness of hotel guestrooms.
- The Jamba Juice Company and Ameranth are working closely together to finalize a Pocket PC application to enable Jamba Juice to "bust lines" during peak periods using the UltraPad 2700, a Symbol Spectrum 24 wireless network., and Ameranth's 21st Century Communication middleware.
- The Improv Comedy Clubs is currently using Ameranth developed software for their wireless, Internet and box office ticketing system.

About AMERANTH TECHNOLOGY SYSTEMS AMERANTH® Technology Systems Inc., founded in 1996 and headquartered in San Diego, California, is a leading systems integrator facilitating data exchange between mobile wireless computers and fixed information systems via Wireless Local Area Networks (WLAN), Local Area Networks (LAN) and/or the World Wide Web. As the leading innovator in the routing and synchronization of data moving between mobile wireless computers, fixed information systems, and the Internet, Ameranth's 21st Century Restaurant™, 21st Century Hotel™, 21st Century Casino™, 21st Century Retail™ and 21st Century Healthcare™ products are set to become the industry standards in enterprise wireless systems.

For additional information you may e-mail info@ameranth.com.

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Webmaster: webmaster@ameranth.com

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EXHIBIT 44

Ameranth Serves Up Customer Friendly Cold War Technology

By JENNIFER DAVIES
San Diego Daily Transcript

When the Cold War ended, many a San Diego defense company had to take its technology and re-apply it to the new peace-time reality.

Keith McNally, a co-founder of San Diego-based Ameranth Technologies and a former Litton and SAIC employee, said he surveyed the post-Cold War landscape and determined that in spite of the geopolitical shifts, one thing would remain unchanged.

"When peace broke out, I thought about it and decided that, no matter what, people will be eating for the foreseeable future," McNally said.

So with two former Army buddies, Daniel Drummond and Bill Roof, McNally started Ameranth Technologies, a company that aims to use wireless technology to improve the efficiency of the notoriously inefficient restaurant industry.

Working as a middleware product with a variety of point-of-sale computerized restaurant systems, Ameranth's technology

allows servers to enter in orders on wireless devices as well as provide a whole host of functions from automatic valet service to table side check-out. In addition, the system can also provide real-time analysis of table turnover so managers can pinpoint problems quickly and also allow busboys to alert the host station wirelessly when a table is clean.

Ameranth's technology works with Microsoft's Pocket PC operating system and uses a co-branded handheld technology developed with Symbol Technologies, both of which are investors in the company.



W.J. Kitchen, a former Motorola executive who came on board four

Please Turn to Page 8A

Ameranth

Continued From Page 1A
months ago, said by wirelessly automating restaurant processes, Ameranth's technology allows eating establishments to turn tables at much faster rates, both improving the diners' experiences and bolstering the bottom line.

"The restaurant business is really a real estate business, and that real estate is the table," Kitchen said. "With our technology, during peak hours, restaurants can turn one-and-a-half to two times the numbers of tables they would have without it."

The promise of efficiency is not limited to the restaurant industry, Kitchen said. Ameranth is also targeting hotels, casinos and cruise ships as part of its market share, as

well as sports stadiums.

Aside from high-profile investors like Microsoft, Ameranth recently was awarded close to \$200,000 through the San Diego Regional Technology Alliance. Cliff Numark, the CEO of the SDRTA, said Ameranth was one of 25 companies statewide to receive the grant and is a classic example of San Diego's successful push to retool its defense industry.

"They epitomize the conversion of the San Diego economy from one that was focused on the defense industry to a commercially focused economy," Numark said.

But aside from the company's ability to morph defense technology into practical applications, Numark said Ameranth is also impressive

because it is working to build a niche in a potentially huge market.

Ameranth has inked a number of deals to provide its technology to hospitality companies such as Jamba Juice, a purveyor of fruit smoothies, and Starwood Hotels & Resorts Worldwide Inc. In addition, The Improv Comedy Clubs has also signed with Ameranth to use its software to bundle its wireless, Internet and box office ticketing system to allow patrons to preorder seats, food and drinks.

"They are really working the business development side of things," Numark observed. "They are making the right partnerships and with the right companies."

jennifer.davies@sddt.com
Source Code: 20000720tba

EXHIBIT 45

NEWS

FOR IMMEDIATE RELEASE

Contact: Kathie Sanders 888-AMERANTH

Ameranth Receives Moby Award™ For Wireless Mobile Computer Application

LAS VEGAS, NV, September 13, 2000—Ameranth Technology Systems Inc. has received the entertainment sector Moby Award™ for its mobile computer software applications. This award, from Mobile Insights, honors “the best and finest implementations of mobile computing and wireless data communications” and specifically recognizes the wireless handheld computer ticket authorization and seating assignment application created for the Improv Comedy Club in Dallas.

“We are honored to receive this recognition for our wireless computer software applications,” commented Dr. W.J. Kitchen, Ameranth’s CEO. “Mobile Insights is the leading authority on mobile computing, and we are privileged to receive this prestigious award.”

Ameranth’s wireless handheld computer ticket authorization and seating assignment application for the Dallas Improv Comedy Club is part of an Ameranth created Internet and site-based ticketing system. The Ameranth mobile computer software application runs on a Symbol Technologies PPT 2740 wireless mobile computer and is integrated with the ticketing database via the Ameranth 21st Century Communication™ Controller server. With this system, customers with ticketing reservations can bypass the ticketing office and proceed directly to the theater entrance for ticket verification and seating assignments.

The Moby Awards™ were presented at the Mobile 2000 conference, held from September 10-12 at the Bellagio hotel in Las Vegas, Nevada. Mobile Insights, Inc., a professional services firm focused on mobile computing and data communications, received several nominations for thirteen categories, which ranged from education, field services and transportation, to healthcare, manufacturing and entertainment. Vendor nominations were reviewed by the Mobile Insights analyst team, which included, Gerry Purdy, Craig Mathias, Theresa Barry Nozick, and Tim Scannell.

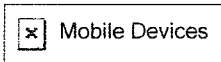
AMERANTH® Technology Systems Inc. (www.ameranth.com) is a leading provider of wireless system software to the hospitality industry. The Company’s software applications, which run on PocketPC wireless handheld computers, communicate with legacy back office systems over wireless LANs—moving the point of activity from fixed terminals to where it belongs—by the customer’s side. Ameranth’s 21st Century Restaurant™ system is set to become the industry standard for wireless ordering and payment processing in restaurants.

-30-

For additional information you may e-mail
Kathie Sanders at info@ameranth.com

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<http://www.ameranth.com> mail to: info@ameranth.com

EXHIBIT 46



Mobile Devices Home | Site Map | Newsletters | Worldwide

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Pocket PC

Pocket PC

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Developer

Enterprise

News & Events

Battle of the Century: Palm versus Pocket PC

By Dale Coffing, Nov 13, 2000

This exciting session was a classic debate between three panelists representing Palm versus three representing Microsoft. Microsoft is in an unfamiliar role of David taking on Palm, the Goliath of the PDA market industry. Who comes out the winner?

I got to this session early because I have learned very quickly at COMDEX that parking and traffic may be the biggest battle you may encounter during this week in Las Vegas. The real battle I came to witness though wasn't out on the streets but down in the conference halls of the Venetian Hotel.

J. Gerry Purdy of Mobile Insights, Inc., who came up with this popular session's idea, moderated the debate. The "David" in this battle complete with a sling filled with the Windows® Powered Smartphone 2002 (code-named Stinger) was Phil Holden of Microsoft who headed a team for the Pocket PC of Ted Clark, Compaq, and Keith McNally, Amerath. They were pitted against the "Goliath" with his armor of historical market dominance slides by Michael Mace of Palm, Inc. and his team of Joe Sipher; Handspring, and Greg Zerkis; Motorola.

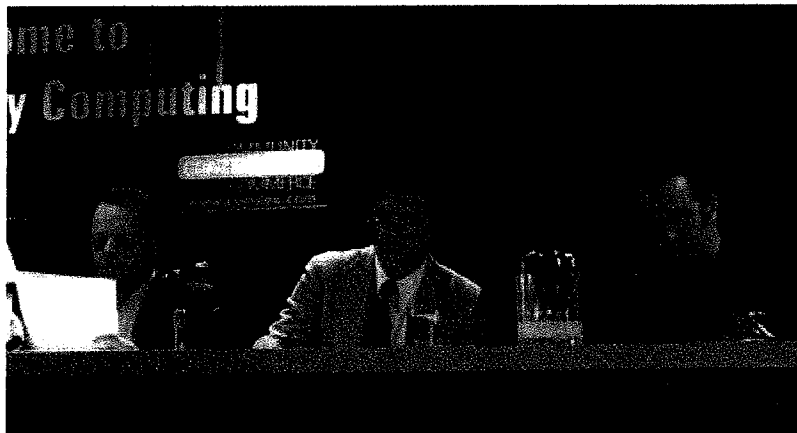


Figure 1: The Pocket PC panelists of Ted Clark, Keith McNally, and Phil Holden.

Gerry opened up the session by giving everyone the intended format for the session. Each side would be timed as they spoke and have opening remarks that would then follow with each team responding and have rebuttal comments. Closing comments of each team wrapped up the debate. This format and topic was apparently popular as the room filled to capacity, which I would estimate at around 1,000 people.

Question Posed About the Future of These Devices

Phil opened the debate with some humbling comments about the poor product that had been the initial release of Windows CE and how Palm had done it right and has a great installed base to prove it. "Palm is clearly the market leader" Phil acknowledged. He then shifted his comments to have the debate not center on the history of the PDA but instead focus on the future of it. He brought up topics to cover, such as telephone, e-mail with attachments, games, multi-tasking, connectivity, readability of eBooks. Phil asked, "What is the right path for the future?" as he wanted to hear where Palm was

going in the future to meet customers needs.

Michael opened up with an impressive set of slides showing the market dominance of Palm devices over Windows-powered devices over the last several years. The slides detailed everything from the relatively small user base of product for Windows Powered Pocket PCs compared to the large quantity of available software for Palm. He started throwing the first arrows, as Gerry put it later, with a counter comment about how it is possible to grow a business quickly when he showed the fast-paced growth of Handspring as evidence. This drew us in with some light humor and was a sign of the good times to come for the audience. Michael mentioned, "People don't buy the most features, they buy the best solution."

Palm's Demonstration and Pocket PC Team Rebuttal

Michael drew some audience laughter when he joked a couple of times that in line with the presidential debates they would ignore the charges made by the other side. Unfortunately for the Palm team, it became apparent over the course of the session that this was more of a prepared presentation from Palm rather than to confront and debate many of the questions and issues brought up by the Pocket PC team.

Keith for the Pocket PC team brought out concerns of BackOffice connectivity and screen resolution. He also provided one of the biggest laughs of the session with his comment comparing the Palm solution to that of a VW automobile's small size, light weight, and inability to carry a big load.

Joe countered very well for the Palm team showing prepared slides with the theme of "Simple doesn't mean Simplistic." His example was how people only want to hit one button to get to their today information. The attendee sitting next to me commented immediately with "When I power on my Pocket PC I get the Today screen without pressing *any* button."

Palm Shortcomings Pointed Out

Greg brought out specific shortcomings of the Pocket PC such as short battery life, AvantGo being hard to implement and cost being prohibitive to the corporate environment.

Ted Clark had comments around the need for a true enterprise side solution complete with tools. He also responded to an earlier remark from the Palm team about a joke that the iPAQ with its large expansion sleeves could pull down your pants if you put it in your pocket, compared to Palm. Ted drew one of the largest laughs when he inferred that given the choice some would choose to have their pants fall down.

Palm showed several accessories with the comments that the user can choose what he wants and is not forced to buy it. The MP3 player was shown for the Handspring Visor and when someone in the audience asked "How much?" the response was that it was around U.S.\$249. Phil quickly chimed in with "Do the math! Do the math!" which drew another laugh. The audience was treated to fun jabs back and forth by both teams like this throughout the session that made it exciting and entertaining.

Wireless Demo to Connect to the Internet -- Inconclusive

During the closing remarks Michael did something for Palm that I thought was very ingenious. He planted two Palm employees in the front row with the intent to demonstrate wireless connection speed. One had a Palm VII and the other had the iPAQ. He gave them a few things to pull up live off the Internet such as stock performance and commanded them to "Go!" The Palm VII with its' quick flip of the antenna was off and running while the poor iPAQ guy was there fumbling around unable to slide the Pocket PC in its expansion pack or insert in the wireless PC Card with any ease.

I thought Michael had hit a home run with this demonstration until Phil countered with a quick wit remark along the lines of "Now, pull up COMDEX.com!" Unfortunately the signal strength wasn't strong enough in the recesses of this building to pull off the

speed comparison test. Earlier in the session Phil even pulled out a Smartphone 2002 mobile phone to try and call the Handspring with its expansion slot mobile phone that had been brought but the lack of signal prevented it.

Deciding the Winner

I asked Phil later what he thought. Overall he felt the debate was good for the industry and would like to see it happen again with maybe a demo challenge shoot out. He believes Microsoft offers a solution that meets the people's needs today and doesn't lack any of the power or functionality required for the future. Although the Pocket PC is not perfect it will continue to improve. On the other hand, Palm never responded to the questions to show what they are going to do to get better.

This was the most fun and entertaining session I have been able to attend. I think both sides presented very well and the audience was most certainly pulled in to it. Gerry asked at the very end for a show of hands to see who preferred Palm or Pocket PC. He estimated about 60 percent Palm and 40 percent Pocket PC. Then he asked who the crowd felt "won" this debate and he estimated about 70 percent Pocket PC and 30 percent Palm. I would conclude with the vote of the audience that little "David" with his Smartphone 2002 phone from his pocket slew the over-confident "Goliath" with his large Palms.

Related Articles:

- Display Pocket PC Screens on a PC with Virtual CE
- ActiveSync Network Connection
- Wireless P2P Gaming
- Printing with PocketClipPrint
- Give Your Pocket PC a New Look with PocketBlinds
- Use Your Pocket PC as a Console Terminal
- Common Queries about the Pocket PC
- Using the Remote Display Control to Create Screen Shots of Your Pocket PC
- Pocket PC User Group of the Month
- Attracting Vendors
- Enlisting Members
- Setting Goals for Your Group
- Finding a Meeting Site
- Developing a Web Site and Newsletter
- The IT World Meets in Germany at CeBIT
- Securing Information in Pocket Excel
- New Gear & Rich Media
- Meet Your New Best Friend: Microsoft's Smartphone Solution
- Security, Storage, and Real-Time Rendering for the Pocket PC
- Adventures in the Wireless Jungle
- Raider of the Lost Today Banner
- Pocket PC Goes Extreme
- Palmax's Coming Out Party
- Dale's Diary
- Data Streaming to Pocket PC
- It's Not Just Technology!
- Dale's Diary
- Fall COMDEX 2000: Talk to the Pocket PC!
- Dale's Diary
- Team Votes for Best of COMDEX ... for the Pocket PC!
- Fall COMDEX 2000: If It's Tuesday, It Must Still Be COMDEX
- Welcome to the Las Vegas Pocket PC Fan Fest!

EXHIBIT 47

Here's My Order—And Don't Forget The Milk

BAR-CODE SCANNING TECHNOLOGY EASES GROCERY SHOPPING, SPEEDS COMEDY-CLUB RESERVATIONS

Bar coding, traditionally a dull, behind-the-scenes technology, is coming out of the warehouse as Safeway Inc. and the Improv Comedy Club in Dallas add wireless capabilities and high-quality printing to create unique customer applications.

Safeway supermarkets in the United Kingdom plan to expand a program that lets customers scan bar codes of the foods in their refrigerators and pick them up—all packaged and ready to go—at their local store. Also, the Improv Comedy Club said last week that it plans to use bar codes to automate reservations, ticketing, seating, and food ordering, as well as to create a customer database.

Safeway is giving British customers free Palm Pilots equipped with scanners from Symbol Technologies Inc. Each week, users can scan bar codes of products in their homes that they'd like to buy, check off the time they'll be at the store, and send the information via dial-up lines to Safeway. At the store, customers go to a reserved aisle to pick up their orders. Safeway is also considering delivering the groceries or letting customers pick up their orders at central sites, such as train stations.

About 1,000 customers at two U.K. Safeways use the Easi-Order system; six more stores will come on board after New Year's. Of those, about 600 regular customers generate 4,000 orders a month—figures that back up Safeway's claim that Easi-Order has generated customer loyalty.

"One of our main concerns was losing the incremental business of customers making impulse purchases as they walk through the aisles," says IT systems director Tony Mather. "But we actually found that people give themselves a finite amount of time to shop, and they forget things." Customer purchases actually increased by 15% to 20%, he says.

One reason for the growth may be the new database Safeway uses to push items such as dip to people who already buy chips. Customers receive a personalized shopping list each week

based on their buying patterns. Included in that list is an ideas section that lists other items they may want. Safeway also provides a loyalties section that tracks points customers can redeem for purchases. There's also a recipes section that will soon be automated. Customers will be able to click on a specific recipe, and all the ingredients needed would automatically be added to their shopping cart.

Easi-Order runs on an OS/390 IBM mainframe hosted and maintained by IBM Global Services. The mainframe collects and mines customer data and delivers to the Palm Pilots the personalized shopping lists. Customers then can indicate the items they want, in addition to scanning bar codes.

Safeway will add more front-end options, so consumers can enter their orders in more ways. In February, it will link Easi-Order to a Web site, and it's looking to offer interactive TV access as well. IBM is exploring the feasibility of a speech-recognition system that would let Safeway customers call in orders by phone.

The Improv also is relying on bar-code technology to improve customer service. The new program is the brainchild of Tom Castillo, owner of the Dallas Improv and an investor in two other Improv clubs. Earlier this year, he realized that the need for technology in a business focused on speed was no laughing matter. Unable to find a solution for the time-and-motion problems

inherent in seating and feeding 230 customers in 90 minutes three times every Saturday night, Castillo hired Ameranth Wireless to create one.

Ameranth's solution includes a Web site on which customers can order and pay for tickets and dinner, then print out bar-coded receipts that contain their seating and menu selections. At the club, customers bypass the box office altogether and are seated by personnel who scan the bar codes with Symbol PPT2740 pocket PCs, connected wirelessly to the LAN.

Information from online sales also downloads into a customer database that can track who shows up for Jerry Seinfeld, for example, and E-mail them the next time he's doing a show in town. "It's not just getting people in and out, but [tracking] the enormous amount of customer data of who's showing up and when," says Doug Lloyd, Symbol's hospitality business development director.

Castillo declined to disclose costs but says he expects a full return on investment within six months.

The Improv bar-code system will be available to clubs in Hollywood, Dallas, and Irvine, Texas, by year's end. Copeland Industries, the majority investor in the Improv chain, also will install the system in 12 Improvs currently open and another dozen that are scheduled to be built within four years. —CHERYL ROSEN

Old Technology With New Uses

Two very different kinds of companies are relying on bar-code technology in combination with wireless and printing technologies to provide better customer service.

Improv Comedy Club

- **Problem:** Processing, seating, and feeding 230 people in less than 90 minutes, three times every Saturday night

- **Solution:** Customers order and pay for dinner and a show on the Web site, print bar-coded tickets at home, and bypass the Improv box office; workers use a wireless device to scan tickets at their seats

Safeway

- **Problem:** Providing an easier way for customers to shop that builds loyalty and increases sales

- **Solution:** Customers use handheld devices to scan bar codes on groceries in their homes, transmit orders, then pick groceries up at the store; also provides personalized shopping lists and offers

More on bar coding and wireless: informationweek.com/812/improv.htm

For company Web addresses, see p. 374

EXHIBIT 48

AMERANTH®
WIRELESS AT WORK™
NEWS

FOR IMMEDIATE RELEASE

Contact: Laura Smith 888-AMERANTH

Ameranth Wireless™ Introduces the 21st Century Hotel™ Room Inspection System to Starwood Hotels & Resorts Worldwide, Inc.

Waltham, Massachusetts, January 28, 2001--Ameranth Wireless™ is demonstrating its 21st Century Hotel™ Room Inspection System at the Starwood Housekeeping Conferences for Westin and W Hotels. The conferences, which are scheduled to take place on January 28th, February 1st, and February 8th in Waltham, MA, Cincinnati, OH, and Los Angeles, CA respectively, will give hotel operators the first opportunity to purchase and view the room inspection system that Ameranth® has developed.

Ameranth's 21st Century Hotel Room Inspection System was developed according to Starwood's specifications for a housekeeping inspection survey program. The software, which runs on Microsoft® Windows® powered Pocket PC handheld computers, allows room inspectors to follow a prefabricated survey that leads them through all the necessary items to check. The data is then downloaded to Ameranth back office software, which compiles and offers reports based upon inspector, housekeeper, or other cleanliness issues.

"The Room Inspection System is the first step towards Ameranth's vision for the 21st Century Hotel," says WJ Kitchen, CEO and Chairman of Ameranth Wireless. "Ameranth Wireless expects handheld software to improve a variety of hotel operations in the future...everything from room inspection surveys, to wireless ordering in the restaurants, to wireless check in and check out modules."

"Starwood is very excited to be able to offer Ameranth's software to our hotels in North America," said Tina Edmundson, Vice President, Rooms, Starwood Hotels and Resorts Worldwide. "The handheld room inspection system will help us to ensure that our guests receive the quality and service that they have come to expect from the Starwood name."

Ameranth's strategic partner, Symbol Technologies will supply their Microsoft® Windows® powered Pocket PC terminals for those Starwood Hotels requiring rugged computers.

About Ameranth

AMERANTH Technology Systems, Inc. (<http://www.ameranth.com>) is a leading provider of wireless system software to the hospitality industry. The Company's software applications, which run on PocketPC wireless handheld computers, communicate with legacy back office systems over wireless LANs—moving the point of activity from fixed terminals to where it belongs—by the customer's side. Ameranth's 21st Century Restaurant system is set to become the industry standard for wireless ordering and payment processing in restaurants.

About Starwood

Starwood Hotels & Resorts Worldwide Inc. (NYSE:HOT) is one of the leading hotel and leisure companies in the world with more than 725 properties in 80 countries and 120,000 employees at its owned and managed properties. With internationally renowned brands, Starwood is a fully integrated owner, operator and franchiser of hotels and resorts including: St. Regis, The Luxury Collection, Sheraton, Westin, Four Points by Sheraton and W brands, as well as Starwood Vacation Ownership Inc., one of the premier developers and operators of high quality vacation interval ownership resorts.

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For additional information you may e-mail
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<http://www.ameranth.com> mail to: info@ameranth.com

*Ameranth Wireless and 21st Century Hotel are trademarks of Ameranth Technology Systems, Inc.
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EXHIBIT 49

NEWS

FOR IMMEDIATE RELEASE

Contact: Laura Smith 888-AMERANTH

Ameranth Wireless™ awarded Computerworld Honors 21st Century Achievement Laureate Medal

San Francisco, C.A. April 16, 2001--- Ameranth Wireless became part of the Computerworld Honors Archive on Information Technology for its innovative work on the Improv Comedy Club Solution.

"The Computerworld Honors are presented on an annual basis to men and women around the world who have achieved outstanding progress for society through visionary use of information technology" said Patrick J. McGovern, Chairman of the Computerworld Honors Chairmen's Committee and the Founder of International Data Group.

Nominated by William H. Gates: Chairman of Microsoft Corporation, in the Media Arts & Entertainment category, Ameranth Wireless's work is now part of a collection that includes over 300 of the year's most innovative applications of technology and will be housed in the archival institutions of the Academic Council across the world.

Utilizing Ameranth's software, Improv patrons can not only book their tables online, they can also enter their meal orders, dramatically improving service in an environment where patrons all arrive at the same time for a show.

"Each year, The Computerworld Honors Program identifies and honors men and women from around the world whose visionary use of Information Technology produces and promotes positive social, economic and educational change," said Alan Guibord, President, Computerworld. "The innovators represented in this Collection are true revolutionaries in their industry and have been recognized by the leading chairmen of the industry as such".

"The Class of 2001 continues an outstanding tradition of IT innovation in which service to real people doing important work in the real world takes precedence over anything else," according to Dan Morrow, Executive Director. "The 2001 Laureates are a source of pride and inspiration."

"We are honored to be included with such a prestigious class of innovators and IT creators," said WJ Kitchen, Chairman and CEO of Ameranth Wireless. "We believe Ameranth's software positively affects the lives and jobs of hospitality and foodservice employees, increasing their efficiency while decreasing their workloads. This means improvements in customer service as well as bottomline profits."

Case studies from the 2001 Computerworld Honors Collection will be available at <http://www.cwheroes.org>, the official internet site of the Computerworld Honors Program, where the entire Collection is available to scholars, researchers and the general public worldwide.

Each year, the Computerworld Honors Chairmen's Committee nominates organizations who are using information technology to improve society for inclusion in the Computerworld Honors online Archive and the Collections of the Academic Council. The Academic Council represents the forty plus countries with case studies in the Collection. Founded in 1988/89, the Computerworld Honors Program searches for and recognizes individuals who have demonstrated vision and leadership as they strive to use information technology in innovative ways across ten categories: Business and Related Services; Education and Academia; Environment, Energy and Agriculture; Finance, Insurance and Real Estate; Government and Non-Profit Organizations; Manufacturing; Media, Arts and Entertainment; Medicine; Science; and Transportation. For further information please contact: Simone Ross Computerworld Honors Program 617.357.1977.

About Ameranth®

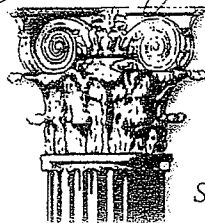
AMERANTH WIRELESS, INC. (<http://www.ameranth.com>) is a leading provider of wireless system software to the hospitality industry. The Company's software applications, which run on PocketPC wireless handheld computers, communicate with legacy back office systems over wireless LANs—moving the point of activity from fixed terminals to where it belongs—by the customer's side. Ameranth's 21st Century Restaurant® system is set to become the industry standard for wireless ordering and payment processing in restaurants.

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Tel: (888) AMERANTH Fax: (858) 794-8222
<http://www.ameranth.com> mail to: info@ameranth.com

EXHIBIT 50

A Search for New Heroes



HONORING THOSE WHO USE INFORMATION TECHNOLOGY TO BENEFIT SOCIETY
A COMPUTERWORLD HONORS PROGRAM

Serial Number: 2001473

Ms. Laura M. Smith
Marketing Coordinator
Ameranth Wireless
12230 El Camino Real
Suite 330
San Diego, CA 92130
USA

July 5, 2001

The Chairmen's Committee

Patrick J. McGovern,
International Data Group
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- Telcordia Technologies
- Texas Instruments
- Tivoli • Toshiba America
- Unisys • Verizon
- WorldCom • Wyse Technology
- Xerox • Yahoo!

Dear Ms. Smith,

Please accept this record of the 2001 Computerworld Honors Program and Collection with my personal thanks and sincere congratulations.

The Case Study of your exceptional use of information technology —Ameranth Wireless's Improv Comedy Club Solution— has been included in the Computerworld Honors Online Archive as an example of the revolutionary change you have created at the commencement of a new century. It is now available to researchers, scholars, and the public, at www.cwheroes.org. We are grateful to you for sharing your story for future generations.

For the past 13 years the Program has worked to help document, preserve, and disseminate some of the most important and interesting stories of the information-technology revolution. In pursuit of this goal, we would also like to present a copy of your case study to another museum, research institute, or library of your choice. If there is a particular one that you would like to see your case study presented to, please e-mail complete contact information to Michael Cooper, our Director of Research and Scholarship, at mcooper@cwheroes.org by August 31, 2001.

We would also be most grateful if you would share with us any media coverage garnered by your achievement and recognition. In return, we promise to make certain we send you any coverage of your achievement which crosses our desks.

I hope we will have the opportunity in the future to connect you with your peers from the Collection to share your creativity, insights, and vision. In the mean time, if I may be of any assistance to you, please do not hesitate to contact me, and if you have ideas about how we might improve our services to nominees and Laureates, I would appreciate your recommendations.

Once again, congratulations and thank you.

Yours sincerely,

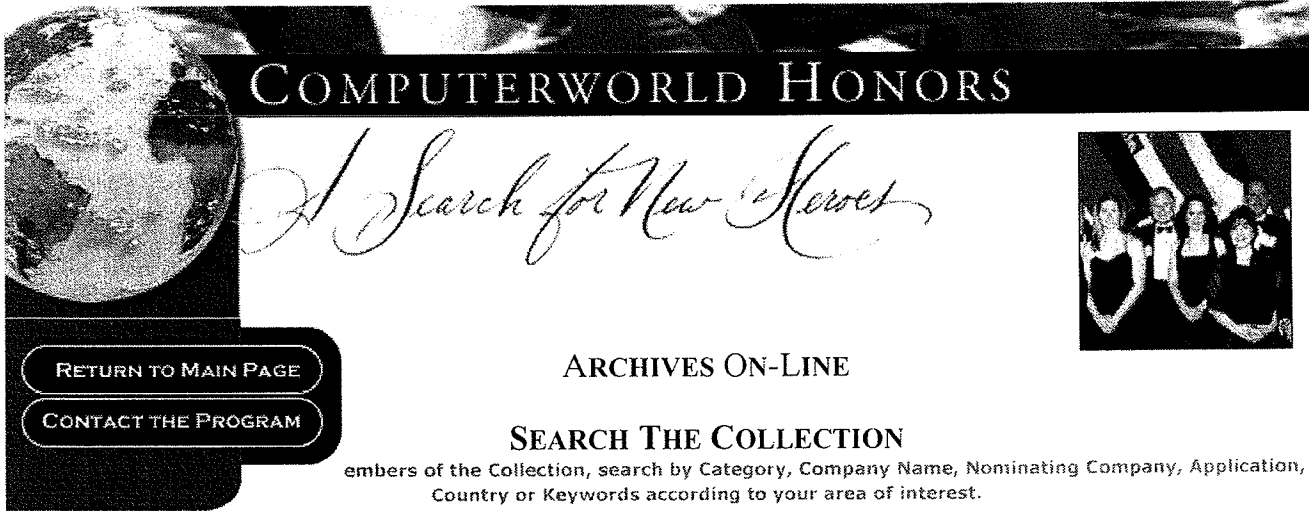
Daniel S. Morrow
Executive Director

Enclosure

Computerworld • The Academic Council • The Chairmen's Committee

CAPTURING THE HISTORY OF A REVOLUTION IN PROGRESS

EXHIBIT 51



COMPUTERWORLD HONORS
A Search for New Heroes

ARCHIVES ON-LINE

SEARCH THE COLLECTION

Members of the Collection, search by Category, Company Name, Nominating Company, Application, Country or Keywords according to your area of interest.

[RETURN TO MAIN PAGE](#)

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<p>GENERAL INFORMATION</p>	<p>Ameranth Wireless Ameranth Wireless's Improv Comedy Club Solution Carmel, Ny USA</p> <p>Year: 2001 Status: Laureate Category: Media Arts & Entertainment Nominating Company: Microsoft Corporation</p>
<p>SUMMARY</p>	
<p>LONG SUMMARY</p>	<p>The Improv solution integrates Ameranth's software for Windows CE 3.0 wireless handheld computers, Windows NT Server, and SQL 7.0 Server with Ameranth's 21st Century Communications middleware and a Symbol 802.11 FH Wireless LAN. The solution, based on Ameranth's 21st Century Restaurant vision, provides Internet ticketing and payment processing, traffic school reservations, food ordering, phone-based ticketing and payment processing, and wireless handheld ticket authorization and seating assignments. By integrating the Web, the Wired, and the Wireless, the Improv Comedy Clubs are able to take full advantage of the benefits of cutting edge technology.</p> <p>Immediate improvements in efficiency and speed of service have increased revenue and dramatically enhanced the customer experience at the Dallas Improv. A new interactive Web site allows customers to pre-order and pre-pay for food and tickets for faster service at the theater since staff can quickly process their reservations and assign tables using a wireless handheld computer. When the customers arrive for the show, the kitchen has already prepped their food and it comes to the table on time.</p> <p>The Ameranth Advantage Tom Castillo, owner of the Improv Comedy Clubs, first came across Ameranth in Chicago at the National Restaurant Association's annual tradeshow. At that point he told Ameranth that, "the Improv needs to move its systems into 21st Century technology," and he was "won over by the company's demonstration." Looking for a total solution, Castillo was particularly impressed with the fact that Ameranth could develop and install the entire Web, PC, and wireless system—something no other company could match. Because Castillo was basically starting from scratch, this provided a great advantage.</p> <p>"At the time, the Improv was a very low-tech and inefficient operation, where phone-based reservations were noted with pencil and paper and the table management was done with a grease pencil and a laminated seating chart," Castillo recalls. The company did have a Macintosh for accounting and running an antiquated POS system, as well as a promotional Web site with no interactive capabilities. And there was no database housing customer information.</p>

Castillo immediately saw Ameranth as a way to increase sales by ramping up the company's efficiency and speed of service throughout the entire customer cycle and e-commerce enabled the Web site. The solution would also provide a way to create a customer database. "Using Ameranth's 21st Century Restaurant, I believe the Improv will be able to increase sales and increase both the efficiency and speed of service," he says. "We are predicting costs will be recovered within a year."

Ameranth's core technology is the 21st Century Communications™ middleware, which routes data, regardless of programming language, across a variety of platforms, facilitating the data synchronization required for integrating different systems, included Web-based, Wireless LAN and PC-based client/server systems. The Improv solution integrates Ameranth's software for Windows CE wireless handheld computers, Microsoft back office servers, and an interactive web site with Ameranth's 21st Century Communications middleware over an 802.11 FH Wireless LAN. This total solution provides Internet ticketing and payment processing, traffic school reservation and food ordering, phone-based ticketing and payment processing with instant database input, and wireless handheld ticket authorization and seating assignments. A new self-service Web site enables customers to pre-order and pre-pay for tickets and food.

Show Biz. Benefits
The best seat in the house is where everyone likes to sit, but it's not the only thing that contributes to a great evening out. Patrons at the Dallas Improv benefit from the Ameranth solution from the moment they pick up the phone, or log on to the Web site to book their tickets. Over the phone, the Ameranth desktop ticketing/reservations software enables staff to process orders more efficiently with automated table seating assignments. Now that agents can also enter customer information directly into the SQL Server database, and management can track sales, implement a frequent customer program and produce mass e-mails.

Both on-line
and phone orders are the first step in speeding up table management at the theater. Using wireless computers and the Symbol Spectrum 24 Wireless LAN Access Point, staff can wirelessly process each customer either through scanning the bar code on tickets they printed out when purchasing online, or by inputting the authorization code they received over the phone. Using the handheld computer to access the database, table assignments are quickly and efficiently given to customers. Internet-ordered food expedites the wait staff's job as orders can be started upon the customer's arrival, leaving them more time to sell revenue-generating drinks and desserts. Theater management also benefits from the use of Ameranth's 21st Century Database Wizard for updating the Web site prices, menus show listing and comedian bios and photos - without any knowledge of HTML.

"Thanks to the database system, we now know who our customers are. Thanks to the wireless integration, the ticketing system, and the Web site, we now have a few minutes to get to know our customers"
-Tom Castillo, Owner

BENEFITS

The Improv project has helped customers receive better service, has helped the Improv managers to run their clubs more efficiently, and has helped club staff members to better handle the busy periods of the night. The Improv Comedy Clubs differ from restaurants in that all their customers arrive and place food orders at the same time. This places a huge burden on the club's staff. Now, reservations and food orders can be placed online, allowing the kitchen to prepare the food in advance. Ticketing is automated and done faster at the door with a handheld computer, and the manager is able to change menu items or show schedules and arrange seating intuitive back office software, which communicates with the Web site and the handhelds computers in real time.

We believe that the Improv system has significantly increased efficiency and improved the customer experience. At each stage of the customer's evening, from planning what show to see, to making reservations, to buying and presenting tickets, to ordering drinks and food, the process has become automated and less susceptible to errors. In addition, service is faster and the burden placed upon

employees is lessened.

Let's walk through a typical experience using the Ameranth system:

- 1) Planning the evening: Previously, customers logged on to the Improv Web site to find outdated information and no method for making reservations. With Ameranth's integrated system in place, customers can not only see current scheduling (as it is integrated with the manager's own scheduler,) but they can also make online reservations, print tickets, and even pre-order and pay for their meal.
- 2) Arriving at the Improv: The night of the show is an exciting one, but previously it also meant waiting on a long line despite having purchased a ticket in advance. Now, thanks to Ameranth's software and the Symbol PPT 2740 handheld computer, attendants at the door can either scan customers' tickets or look up their reservation by name or code number and present the customer with their seating assignment. This efficient way of accessing the database gets people to their tables faster and "busts the line" at the front door.
- 3) Placing an order: With the whole restaurant sitting down to eat at one time, competition for a server's attention could be fierce. Savvy customers have already ordered their meal online and have gotten their order into the kitchen before others have even opened their menus.

From the owner's point of view, by increasing the efficiency of club operations, he is able to 1) decrease labor needs, 2) improve customer service, and 3) keep track of valuable customer data.

The Improv project helped seed Ameranth's new product, the 21st Century Restaurant®. The 21st Century Restaurant product integrates legacy point-of-sale systems in restaurants with wireless handheld software. This system, which will roll out in March 2001, will give restaurants the ability to use handhelds for tableside ordering and payment processing. This will revolutionize the way that data is recorded and communicated within restaurants. Typically, restaurant staff has to record each order twice—once at the table on paper, and then again at the computer touch screen terminal. This inefficiency leads to inputting errors (resulting in unhappy customers,) an unnecessarily long delay before the order reaches the kitchen, and a poor allocation of labor resources (servers should be on the restaurant floor, not standing in front of a computer.) Ameranth believes that wireless ordering and payment processing will be an inevitable improvement in restaurants across the world.

IMPORTANCE

As new technology continues to be developed, integration becomes an ever-growing concern. The Improv owner, Tom Castillo, had looked around for a company that could provide his clubs with online ticketing, reservations, and food ordering in such a way that the Web site would actually interact with his back office software. Furthermore, he wanted to incorporate some of the new handheld technology into the system. Ameranth was the only company that could accomplish such reasonable goals.

The integration of Web/Wireless/and Wired is a natural evolution of technology, which Ameranth has brought into the workplace. The Improv project is just the beginning...with the 21st Century Restaurant system, wireless, wired and Web integration will become accessible to virtually every restaurant in the nation.

The technology behind the Improv's innovative ticketing solution is a combination of e-commerce Web design, back office database management, and a wireless interface to the databased information. The project is unique in its ability to route and synchronize data across the three platforms—from the Web site (running on Microsoft Distributed InterNetwork Architecture) to the Windows CE handhelds to the back office server (Microsoft Windows NT Server or Microsoft SQL Server 7.0.)

ORIGINALITY

As stated above, Ameranth's Improv project is unique in its ability to route and synchronize data across the three Web/Wireless/Wired platforms—from the web site (running on Microsoft Distributed InterNetwork Architecture) to the Windows CE handhelds to the back office server (Microsoft Windows NT Server or Microsoft SQL Server 7.0.) This is the only application of its kind.

	<p>The Improv project continues to evolve into Ameranth's vision of the 21st Century Restaurant. Ameranth now offers wireless ordering and payment processing through the wireless handheld computers. This system interfaces with a restaurant's legacy point-of-sale system, and is set for full-scale rollout in March 2001.</p>
<p>SUCCESS</p>	<p>Tom Castillo, owner and manager of the Dallas Improv Comedy Club, described the club's old way of doing business. "The Improv was a very low-tech and inefficient operation, where phone-based reservations were noted with pencil and paper and the table management was done with a grease pencil and a laminated seating chart." There was a promotional Web site, with no interactive capabilities. There was no database housing customer information, and the long lines at the door were indicative of the inefficiencies behind the greeting station.</p> <p>"Using Ameranth's 21st Century Restaurant, I believe the Improv will be able to increase sales and increase both the efficiency and speed of service," he goes on to say. "We are predicting costs will be recovered within a year." The value of this integrated system goes beyond simply improving customer service. With orders placed ahead of time, the Improv is able to increase the capacity of the kitchen. Internet reservations provide access to a whole new customer market, and the increased knowledge of the Improv's customer base lets manager Castillo target his events and promotions.</p> <p>"Thanks to the database system, we now know who our customers are. Thanks to the wireless integration, the ticketing system, and the Web site, we now have a few minutes to get to know our customers." -Tom Castillo, Manager/Owner</p>
<p>DIFFICULTY</p>	<p>Working with emerging technologies always provides its share of difficulties. As the hardware and operating systems developed, not only did Ameranth have to keep up with the changes, but also we were placed in a position of testing, not only our software, but outside hardware as well. Plus, the system is dependant upon this emerging hardware, which places many of the difficulties outside of Ameranth's realm of control. This, in itself can be extremely frustrating. Luckily, Ameranth's strong partnerships and the excellent quality of the technology used, reduced these difficulties to a minimum.</p>

EXHIBIT 52

The Wireless Waiter: A Tasty Gadget Spreads

By LEILA JASON
Staff Reporter of THE WALL STREET JOURNAL

RESTAURATEUR JIMMY LU fell in love with the wireless hand-held gadgets waiters were using when he first saw them while on vacation in Paris several years ago.

Rather than spending a lot of time entering orders into the point-of-sale systems, or POS, back in the kitchen, waiters used the gadgets to record orders, and then were free to schmooze with patrons, providing them with better service and, one hopes, earning bigger tips.

The owner of an Asian bistro in Dallas that bears his name, Mr. Lu set out to find someone who made the device in the U.S. That someone turned out to be Keith McNally.

Mr. Lu bumped into the founder and senior vice president of Ameranth Wireless Inc. at a technology-industry conference in Dallas two years ago and immediately volunteered his restaurant as a test site for a new device.

Ameranth has developed wireless hand-held software called 21st Century Restaurant, which allows a waiter to exchange a classic pen and notepad for a wireless hand-held device. The software connects waiters to wireless hand-held terminals, enabling them to plug in orders that are then instantaneously fired off to, and checked up in, the kitchen.

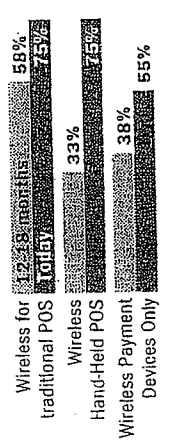
With multimillion-dollar funding from Microsoft Corp. and Springboard Capital Inc., a venture-capital firm, San Diego-based Ameranth has partnered with POS companies Allahah Technologies Inc. and InfoGenesis Inc.; wireless-device maker Symbol Technologies Inc.; and Microsoft's Pocket PC, a mobile operating system that provides the hand-held gadget.

Unlike other companies developing similar technology, 21st Century Restaurant works with existing POS systems. Since its debut last year, the system is now be-

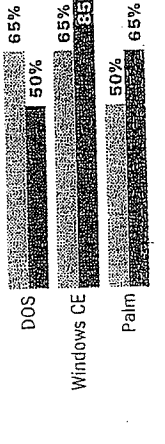
Serving Up Wireless

Suppliers to restaurants believe that the use of wireless technology tied to point-of-sale systems (POS) will continue to grow in that sector.

When will you support wireless for POS?

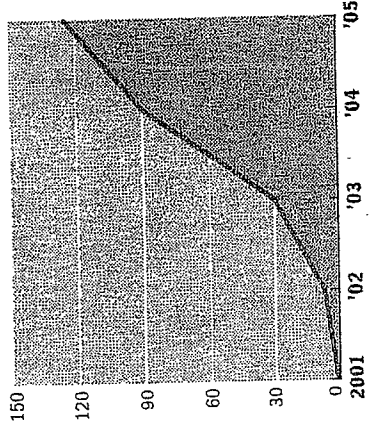


Which operating system will you support for hand-held POS?



Note: May 2001 survey of 25 POS suppliers

Forecast of annual shipments of wireless hand-held POS units to restaurants



Source: IHL Consulting Group, Retail Systems Reseller

"Other hand-holds aren't as flexible. Ameranth has adapted technology to easily work with any POS system, making it more desirable. Their competitors can only integrate their hand-holds with their own POS system," says Rob Grimes, chairman and chief executive of Maryland-based CynterCon Technology Advisors Inc., a consulting and publishing company specializing in food-service technology.

Ameranth has a patent pending on its technology. One of its features, Advance Ordering, allows waiters to order drinks and appetizers or get meals cooking before patrons waiting for a table are seated. The software also allows restaurants to e-mail regular customers with special announcements or on special dates.

When paying the bill, the server swipes a credit card on the stripe meter of the hand-held gadget that prints out a receipt, like car-rental return stations at airports. Patrons sign their name, and the

transaction is complete. The devices can also send a message to retrieve a patron's car from valet parking.

The system also allows a restaurant to store and update multiple menus on the hand-held. For instance, a lunch menu will change to a "Happy Hour" menu, at exactly 5 p.m. "Restaurants can track down every slice of tomato if they want to," said Mr. McNally, who notes that even a small increase in sales can increase a restaurant's profits.

But the key difference between Ameranth and its competitors is the company's decision to partner with existing POS companies. Closely held Ameranth claims it has the only product on the shelves that talks to all major POS systems.

"We've come up with a technical solution that works with virtually everyone," explains Mr. McNally, who is no relation to the prominent New York restaurateur with the same name. He is hoping Ameranth's system will become the industry standard.

With 80% of restaurants in the U.S. hooked up with POS systems, hand-held devices are on the brink of taking off, industry analysts say. "Hand-holds haven't taken off as quickly in the U.S. because the earlier versions were very expensive, and the software running on the POS system was proprietary. What has changed is that prices have come down and you no longer need custom development," said Mr. Grimes.

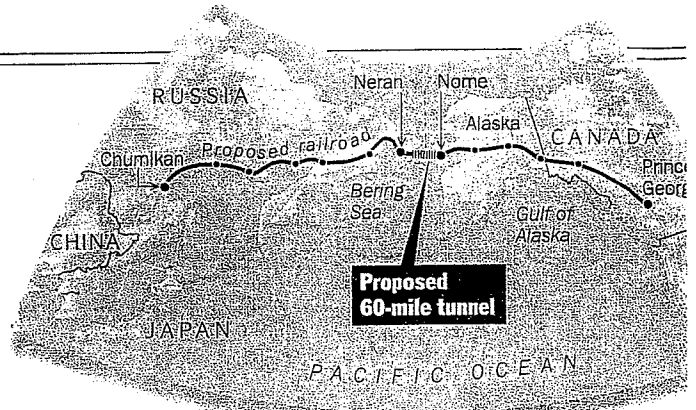
The hand-held devices aren't completely free of upkeep. The battery has to be recharged for an hour after five hours of use. And glitches do occur. At Big Jim's, a Dallas restaurant now testing the system, waiters have had to temporarily switch back to pen and paper on a couple of occasions.

But even they say the gadget makes their jobs much easier. "There are no order mistakes with the hand-held. You plug in the order at the table and it's sent right then to the kitchen," says Mike Benner, a waiter at Big Jim's. "It frees my mind up."

EXHIBIT 53

g o a BRIEFING

BY DESA PHILADELPHIA



THE WIRELESS WAITRESS



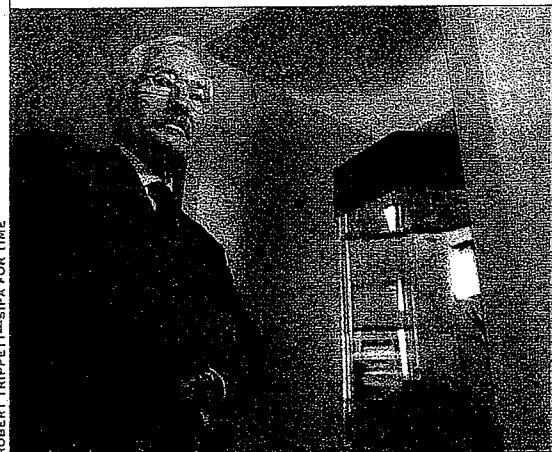
BILL KALIS FOR TIME

In some European restaurants, waiters have abandoned their pencils and pads for handheld devices on which they message orders directly to the bar and the kitchen. Initially, the system didn't transfer well to the U.S. Most restaurants here offer many more choices, and prices change more often. San Diego software company Ameranth Technology may have solved the problem. Its wireless system allows communication between handhelds and fixed computers, so menus are instantly updated. Waiters can also process credit-card payments and print receipts right at the table—and even signal valet parking to fetch your car when you're ready to leave. Ameranth says the technology can be adapted to any service industry. It is launching a system to help hospitals dispense medicine.

A U.S.-Russia Rail Link?

Business and political leaders in the U.S., Canada and Russia are mulling a plan to build a railroad tunnel beneath the Bering Strait. A rail link, they say, could carry 30 billion tons of cargo a year and cut shipping time from Los Angeles to Vladivostok as much as two weeks. It's an attainable feat: the strait is only 60 miles wide at its narrowest point (twice as wide as the English Channel Tunnel, which took seven years and \$15 billion to construct). But to make the Bering tunnel accessible on the North American side, connecting lines would have to be laid from the strait to Fairbanks, Alaska (about 750 miles of track), and then to British Columbia, Canada (an additional 900 miles). On the Russian side, at least 2,000 miles of track would have to be connected. All that track could cost as much as \$60 billion.

>> From Our Readers: A CEO Responds



ROBERT TRIPPETT—SIPA FOR TIME

MICHAEL ELLIOTT'S COLUMN "HOW TO TALK TO PROTESTERS" (Aug. 13) focuses on the pluses of corporations seeking accommodation with protest groups but neglects the minuses. Many radical protest groups don't want accommodation. They are driven by intense hatred of corporations, free enterprise and technology, and by a need to keep collecting money from corporations to fund more protests. Corporations should reject the idea of surrender to these extremists. Instead, they should tell the world some basic truths. Free enterprise and trade help millions get jobs. Animal research saves human lives. Chemicals eradicate pests that spread diseases. Biotechnology increases crop yields and prevents starvation.

—By Nick Nichols, Nichols-Dezenhall

EXHIBIT 54

Brainstom eases restaurant ordering process

By SARAH E. MORAN
Staff Writer

Keith McNally had a nifty brainstorm when he invented a way for waiters and waitresses to toss out their pads and pens in favor of hand-held ordering devices.

Called 21st Century Restaurant, McNally's new integrated system uses hand-held wireless ordering gadgets from Symbol Technologies that resemble Palm Pilots.

With a stylus, restaurant employees plug in orders on the hand-held keypad, which immediately transmit to terminals through existing point-of-sale equipment to kitchen and bar.

No fuss, no fuss — and certainly less of a wait than what patrons have come to expect for that medium-rare hamburger with provolone or Bombay Plini, shaken not stirred.

Americans are always in a hurry, here more vociferously than when it goes out to eat.

McNally estimates that the technology shaves 10 minutes of waiting and retrieving time from each table, which translates into more table turns and potentially, more profits for the industry whose profits are often thin.

Eighty percent of U.S. restaurants already use some type of POS system, so the fit of existing technology with special software and handheld devices is an apt one.

Center City's The Plow & the Stars, a popular Irish bar and restaurant, will be the first Philadelphia-area spot to test the new technology.

Donovan said that the system will allow for more efficient food and drink service at his restaurant, often packed at night with a lively singles crowd.

"Waiters can be on the floor the whole time, taking orders and plugging them in," said Donovan, who will invest \$2,000 each in two handheld units and their supporting software early next month. "Then runners bring food and drink from the bar and kitchen much faster and more efficiently."

Donovan expects that the system will allow him to hire fewer wait staff, and keep better track of orders.

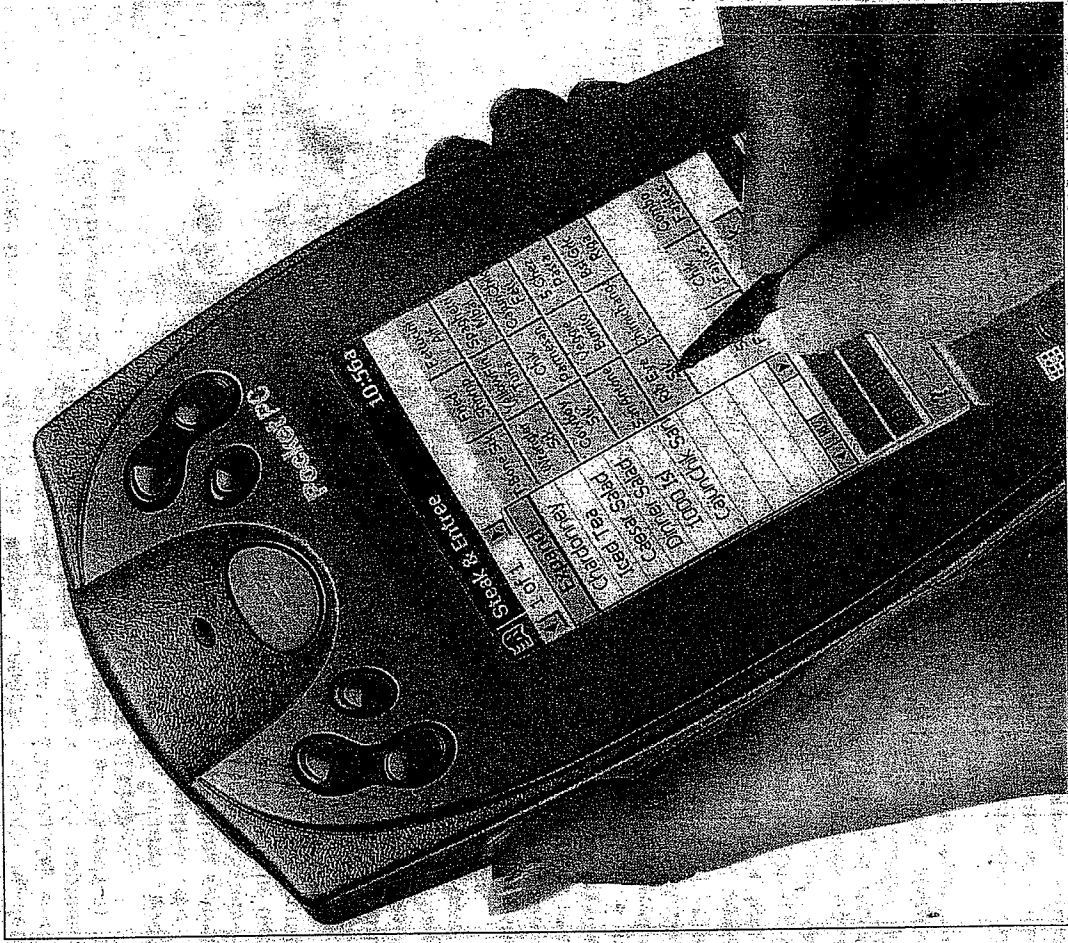
Another advantage: On the spot, the server can swipe a credit card along the gadget's stripe meter and print out an instant receipt, much like the express checkout service that car rental companies have used for several years at airports.

The gadget can also be programmed to send a message that a customer's car should be retrieved from valet parking.

Philadelphia restaurateur Stephen Starr, who owns such fabled upscale Center City spots as Buddakan, Tangerine, Pod, Alma de Cuba and the new Morimoto, is interested in the new technology, said Stephen Passas, president of Advanced Hospitality Systems of Voorhees, N.J., a regional distributor of the point-of-sale systems that Ameranth uses.

Microsoft is a big investor and part owner of Ameranth, as is Springboard Capital, a venture capital firm.

A U.S. patent is pending for the



21st Century Restaurant uses hand-held wireless systems to make ordering a meal in a restaurant easier and accurate.

Cheat

(From Page B9)

One phrase in particular stuck out: "tragedy in the classical sense of the word." Wyatt ran the string of words through an Internet search engine and instantly found an article on the topic that used the same phrase.

"I'm new to the Internet, and it took me a total of about 20 minutes," he said.

When he asked the student to explain what the phrase meant, the student began talking in circles. Ultimately, the student admitted to asking a roommate for some help, which included downloading part of the paper off the Internet.

The student ended up dropping the class rather than have the professor give him a failing grade for the assignment.

While the Internet makes plagiarism easier, there's more to the issue of plagiarism than ease of access to information.

"The Internet is not the problem," said Dr. Neil Browne, an economics professor at Bowling Green State University in Ohio and academic honesty committee member. "The Internet isn't doing the plagiarizing."

Part of the issue involves the fact that some professors

For example, many sites offer large amounts of information on the writings of Mark Twain, Browne said.

"But suppose I was to say, 'Which of Mark Twain's novels seems most relevant to the Bush-Gore conflict?' What are they going to find on the Internet?"

Another thing professors can do is assign frequent writing exercises so they get to know their students' writing styles, said Becky Bolander, assistant director of the UT writing center.

Too many students, she said, find themselves in higher education without a firm base in paper writing and without a good idea about what constitutes plagiarism.

"I think some students are really, really naive," Bolander said. "I don't think it's explained very well in high school."

What concerns some experts is the next generation of college students who have been using the Internet since elementary school.

A study in progress by McCabe appears to show very high levels of Internet-assisted plagiarism by high school students — about 20 percent hoisting entire papers or large parts of them from the Internet and about 50 percent stealing smaller snippets.

"My concern is those kids are going to graduate into

Order

(From Page B9)

Ameranth technology; the 47-year-old McNally expects it to be issued by year-end.

Advanced Hospitality's Passas described Ameranth as the "integrator of the various systems needed to make the technology work."

Less sophisticated systems are already up and running in Europe.

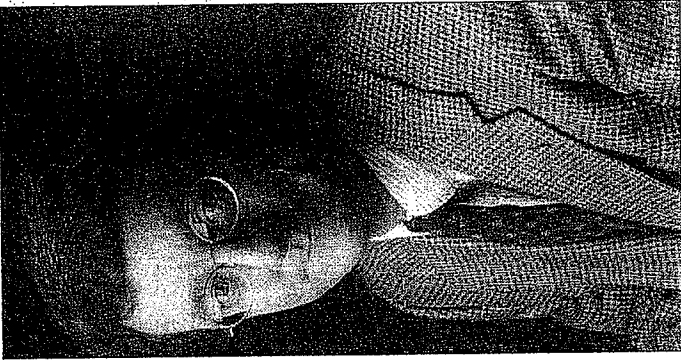
Besides Microsoft, which provides the Pocket PC operating system, participants include Symbol Technologies, maker of the hand-held device, and POS companies Aloha Technologies Inc. and InfoGenesis Inc.

Annual maintenance fees per gadget total \$250. And the hand-held's battery must be charged an hour for every five hours of use.

Darden Restaurants Inc., which owns Olive Garden and Red Lobster, wants to give the Ameranth system a try. And Schlotski's, a chain of 800 quick-serve restaurants, is also interested, McNally said.

The only type of eatery where the system probably wouldn't be apropos is at the likes of Center City's Le Bec Fin, where waiters pride themselves on remembering whether a customer ordered the *quenelles de saumon* or the *filet mignon au poivre* without ever touching pen to pad.

The system is already up and running at restaurants in the American Airlines Center in Dallas, where the Mavericks and Stars play, as well as at Jimmy Lu's and Big Jim's in Dallas and a handful of other



KEITH MCNALLY

McNally, who said he always had an entrepreneurial bent, started Ameranth five years ago after working for Litton Industries and the U.S. military.

A graduate of West Point, McNally developed wireless computers for the U.S. Army, Marine Corps and the Air Force in the late 1980s and early 1990s.

One of his inventions: A computerized maintenance instructions for the B-2 bomber, eliminating the need to cart around hundreds of thousands of pages.

Down the road, the Ameranth technology could also be used in hospitals to help nurses keep drugs and dosages straight. Hospitals in New Orleans and St. Louis are already testing the system,

Video cassette an endgame!

By MARK WOLF

Scripps Howard News Service

Mike Vester doesn't have to look far to see the future of home video.

All it takes is a glance around Theater Video, the rental store he owns in Denver, Colo. While a few hundred VHS cassettes, mainly of new movies, are on display, the place is packed with more than 3,000 DVDs.

"A year from now I doubt if I'll have any VHS," said Vester, who opened the store in 1997.

As DVD claims an increasing share of home video sales and rentals, neighborhood stores as well as chains such as Blockbuster are increasingly tilting their inventory away from tapes and toward shiny discs.

Vester got ahead of the DVD curve because three other video stores were nearby when he opened. Rather than try to compete head-on, he stocked a large inventory of laser discs, then moved to DVDs when the laser market died.

Today, his store has a deep DVD inventory that includes not only the newest titles but foreign films and older movies. And the other three video stores are gone.

"If I'm out of a title on DVD, my customers won't take a tape. They'll wait," he said.

Although many DVDs offer an array of special features, including documentaries about the films and commentaries by directors and actors, Vester said most of his customers are drawn

EXHIBIT 55

DATE: May 16, 2005

SUBJECT: Memorandum for Record

Keith McNally and I met in 1998. In December 1998, I was appointed as CEO of Wireless Knowledge - a new, joint venture between Qualcomm and Microsoft to pursue the emerging synergy between cell phone technology and mobile/fixed software applications. Previously, I had been the EVP of Qualcomm.

Keith and I met for lunch at the Inn of Rancho Santa Fe, California in January, 1999 to privately discuss his company, Ameranth Wireless and possible synergy with Wireless Knowledge and to seek my support in his links with Microsoft. Keith had already initiated the discussions with Microsoft - which would lead to Microsoft making a strategic investment in Ameranth a year later. Ameranth's primary focus was the Hospitality Market- defined as restaurants, hotels, casinos etc.

Keith presented the attached "21st Century Communications Chart" to me and discussed how the WAN links (as shown in the diagram) e.g. the cell phones would ultimately be linked in to all of the hospitality systems and how he saw that Ameranth's plans to synchronize the data between these various media, protocols, nodes etc would ultimately provide a new, totally synchronized solution for the marketplace-

Signed: _____

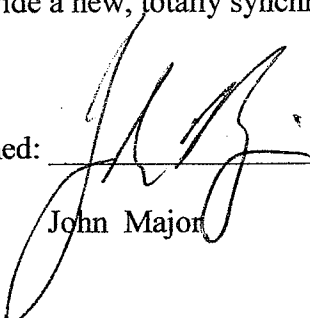

John Major

EXHIBIT 56

DATE: March 29, 2008

SUBJECT: MEMORANDUM FOR RECORD:

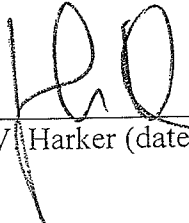
In 1998, I was appointed as the Director of Hospitality/Gaming for Symbol Technologies, Inc. of Holtsville, NY. At that time, Symbol had historically focused on other markets e.g. Retail/Warehouses etc, but was seeking to expand into new markets. This new market thrust led to my appointment to this new position for Symbol. At this time, Symbol was the world leader in rugged and wireless computing and it was developing two new mobile, handheld computers, (one for the Palm OS and the others for Microsoft's Windows CE OS). These were 'unannounced' products at that time.

As I began to study the Hospitality/Gaming market and assess the opportunities, it became clear to me that Symbol needed a systems integrator and partner - to enable its new family of handheld products to be easily and seamless integrated with the Point of Sale (POS) and other hospitality market companies that I knew we would need to partner with for actual distribution into these markets. I was uncertain as to exactly what the solution would be and whom the partner would be, yet I did appreciate that I needed a solution that would overcome the limitations of interfacing such systems, then presently available in 1998. I decided to attend the November 1998 Food Service and Technology Show (FSTEC) and seek a potential strategic software partner there. Not only did I find one in Ameranth, but they were even more than I had hoped for, since they had just developed an innovative new solution - that they called their 21st Century Restaurant 'software wizard' - which had the capability to interface existing 'point of sale' (POS) systems (with their intensive graphical user interfaces and complex databases) to the mobile wireless devices that we were preparing to introduce to the market in 1999. This breakthrough Ameranth innovation solved a previously major hurdle as to how the hospitality 'point of sale' and property management system' (PMS) system user interfaces could easily be ported and transferred to wireless devices. Without this new solution, the 'barriers to entry' would have remained enormous and prohibitive to allow wireless devices to move from 'niche areas' of the market - to the mainstream. I saw Ameranth in the booth (as shown in the attached photo/figure) and I was briefed and shown Ameranth's 21st Century Restaurant system and 'wizard' interface technology - (as shown in the attached system graphic) - by Keith McNally and Kathie Sanders of Ameranth (both shown in this photo). I expressed great interest to Keith at this FSTEC show in my intentions for Symbol to partner with Ameranth and I advised him that I would be in touch the following month with proposed next steps.

Subsequent to this technology show and meeting, I contacted Ameranth by phone during November and December 1998 and then I followed this up with a series of written correspondence as are attached - dated December 30, 1998, January 15, 1999 and January 16, 1999. This then led to meetings between Keith and the senior management of Symbol at our office in Holtsville, NY in January 1999 - which led to the signing of a long term strategic alliance agreement (attached) . In this agreement dated February 3, 1999 , on page 4, (para 2e) the exceptional importance of Ameranth's innovative software 'wizard' technology was duly noted.

Subsequent to the signing of the February 1999 alliance agreement , Ameranth did, in fact (with Symbol's support) introduce its breakthrough software wizard technology on Symbol's Windows CE devices, (integrated with/to numerous leading POS systems/companies) and Ameranth was arguably recognized as the overall most innovative company/technology at the May 1999 NRA show in Chicago with hundreds of customers coming to its booth, which I personally attended as well as the Fall 1999 Gaming and FSTEC shows. In addition to this, Keith McNally and I introduced the 21st Century Restaurant system at the October 1999 European Restaurant Show in London and Ameranth's 21st Century Restaurant was awarded the 'Innovation of the Year" award for the entire European Hospitality Technology market. Ameranth was selected from first ahead of hundreds of different technology companies and this special and prestigious award further validated the uniqueness of Ameranth's technology and its innovative vision.

Symbol then followed this up with a strategic, multi million dollar investment in Ameranth in late 1999, which was then followed by a strategic investment by Microsoft and thus with the world's leading mobile computing and software companies placing multi million dollar investments into Ameranth, this too further validated that Ameranth's technology was truly unique and that it had developed and owned a new and an unprecedented technology solution to solve a very important market need.



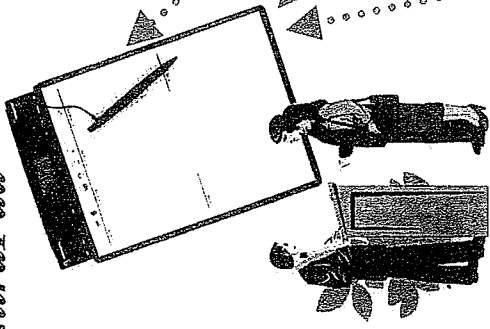
John V. Harker (dated as above) 3/29/08



NEW

21st Century Hospitality

IntraPad™



HOSTESS STATION

- Table Management
- Reservation Management
- Waitlist Management
- Customer Paging
- Valet Paging

PadLink™



TABLE SETTER

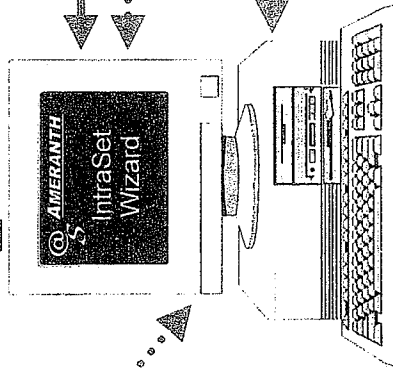
- Table Status
- Real Time Messaging

from **@AMERANTH®**

**Other Systems:
"The Customer Connection"**



Wireless Communications Center



BACK OFFICE

- IntraPad™ Applications
- UltraPad™ Applications
- Database Management
- Menu Items
- Prices
- Orders
- Frequent Customers
- Kitchen Access
- POS Access
- Internet Gateway

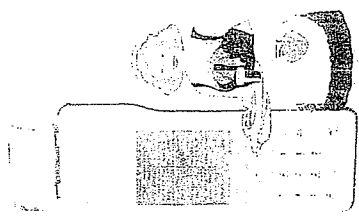
Internet



Legend

- Wireless Link
- Wired Link (i.e., LAN)

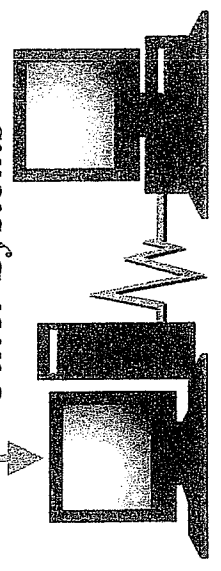
UltraPad™



SERVER

- Touch Screen
- Ordering
- Payment Processing

POS and Other Systems



**1-888-AMERANTH
www.ameranth.com**

**Symbol Technologies, Inc.**

72 Colonel Enoch
Carmel, NY 10512

December 30, 1998

Keith McNally

Ameranth Technology Systems
16079 San Dieguito Road
Rancho Santa Fe, CA 92067

Dear Mr. McNally:

I want to thank you for your time the other day. Per our conversation, Symbol Technologies would like to have the opportunity to work with Ameranth. Symbol's Spectrum 24 Wireless LAN Technology, I believe, would be a great compliment to your 21st Century Restaurant System.

On January 18 - 20th, in New York City will be the National Retail Federation Show (NRF). Symbol will be exhibiting and will have conference rooms available to meet. I want to extend to Ameranth the opportunity to meet with Symbol Technologies, review our Mobile and Wireless products, and discuss how we might possibly work together. It would be a great opportunity to meet with Symbol Senior Executives and address your concerns of working with a Billion dollar company.

I look forward to meeting with you. I would like to target the 19th at Jacob Javitz to get together. Please call me to schedule a time convenient to you.

Very truly yours,

John V. Harker
Symbol Technologies

January 2, 1999

Mr. John Harker
Director of OEM Sales
Symbol Technologies
72 Colonel Enoch
Carmel, NY 10512

Subject: Possible Symbol/Ameranth Alliance

Dear John:

Happy New Year! I hope that you had a wonderful holiday season. We have given a lot of thought to your offer of a relationship between Symbol and Ameranth and we would like to pursue this on the timeline and in the manner you suggested.

As I conveyed to you in our last discussion, we have considerable trepidation in establishing an alliance with a company of your size, breadth of products/technology and the wherewithal to "push us aside" if we open up our market and product strategy/technology baseline to you. That being said; I do admit that Symbol has a good reputation for both supplying its key components to industry partners and competing fairly at the terminal/systems level as well. Your assurances that this would be so in a relationship with Ameranth resulted in our decision to attempt to go forward with you.

I was actually surprised that you apparently recognized from the FS/TEC Show the imminent impact we are going to have in the Hospitality and other markets with our unique products and systems solutions. I believe that your assessment of us will prove itself by mid 1999 and that our impact in the markets will grow from there. We have numerous unannounced products, technology innovations, and key relationships with major partners that will be known in the coming months and will enable us to truly set numerous standards. We also just closed a major financing deal.

There are a few key factors that will influence our decision to move to Symbol technology and away from our current technology baseline in wireless and scanning technology:

- Your ability to make quick decisions and to consummate a strategic relationship at or near to the proposed January 19, 1999 meeting at NRF. This is key as we will barely have enough time to change and still meet our required product roll-out dates and major launch at NRA in May 99. We can not afford months or even weeks of legal/contractual negotiations normal for major corporations.
- Assurances that our niche will not be overwhelmed by Symbol when and if we establish your wireless network as the baseline for our various 21ST Century system solutions. Details TBD.
- Pricing that is truly competitive for our lower level requirements. Thus, many of our niche and product/system solutions only require short messages of a few hundred bytes and do not need 4MBPS data rates and as such can not afford high RF prices. An alternative might be to link our lower rate/cost network to Spectrum 24 and offer hybrid solutions to our customers, but it would be better if we only had to integrate a single wireless system.
- An aggressive offer from Symbol to assist our 1999 launch with reduced pricing, loans of beta-site equipment, extra engineering support to recover schedule if we shift to your baseline, reduced pricing for the first 1000, and 5000 quantity orders to assist us in achieving early profitability and as a sign of your desire for a strategic and long term relationship with Ameranth.

January 15, 1999

Mr. John Harker
Director of OEM Sales
Symbol Technologies
72 Colonel Enoch
Carmel, NY 10512

Subject: Request for ROM Quote on Symbol 1700

Dear John:


We look forward to meeting with you on Tuesday. As we discussed, Ameranth urgently needs a ROM quote for 2000 Symbol 1700 units to support a government bid. Approximate program schedule would be 100 units/month starting 9/99 and 200 units/month starting 01/00. We are interested in the CE version; in that we are developing a relationship with Microsoft and envision their software as the backbone for our various 21ST Century System implementations.

Questions?

- 1.) Can we get a demo unit for 1-2 days in February to support a briefing to the customer?
- 2.) When can we get software development kits?
- 3.) When can we get 10 prototypes?
- 4.) When can we get the first 100 production units?
- 5.) Will the unit operate at -20C?
- 6.) Approximate size/weight? Not to exceed is OK.
- 7.) Can we brand the units Ameranth? If yes, what is required? NOTE: obviously this would be under the assumption that we made the unit our standard for much greater quantities than this initial order and as part of a broader alliance.
- 8.) If enhancements to the unit are needed, e.g. integration of SMART Card reader, will we be allowed to make them and will you provide us access to the necessary data to make changes e.g. pin-outs, firmware data etc?
- 9.) What is the ROM pricing for the unit with scanner? With Spectrum 24 card included? Assume 8MB RAM/ROM .
- 10.) Does the unit have an IRDA port?
- 11.) Which Microprocessor?

John, sorry for the short notice, if you can not provide a written ROM by the end of your day..... please at least call and provide your best verbal estimate , to be followed by a written ROM as soon as feasible.

Thanks,


Keith R. McNally
Chief Executive Officer
Ameranth Technology Systems, Inc.

LOTTALR B

**Symbol Technologies, Inc.**72 Colonel Enoch
Carmel, NY 10512

January 16, 1999

Keith McNally
Ameranth Technology Systems
16079 San Dieguito Road
Rancho Santa Fe, CA 92067

Dear Keith:

Thank you for the letter detailing the question that need to be resolved. Below, I have answered what I can. At our meeting on the 20th, I should have all the answers.

1700: Batch Palm 1740: Spect 24 Palm 2700: CE Batch 2740: Spec 24

- 1) My suggestion is to demo the SPT 1500 and display the mock up of the 1700 and 2700.
- 2) Yes, Symbol can provide application development kits for the 1740 and 2700 (CE) 3)
Beta units will be available in May, production in June/July.
- 4) Production units June and July
- 5) Both 1700 and 2700 will operate at-20C.
- 6) I will have spec sheets at NRF
- 7) Branding issues can be discussed Tuesday.
- 8) Smart Card integration is vital for Symbol moving forward. Will discuss on Tuesday.
- 9) All units will have scanner, options for Spectrum 24, multiple RAM, NVRAM configs.
- 10) All units have IRDA
- 11) Dragonball 68328 for the 1700.

I have requested list pricing and cost from my Mobile Computing organization. As you requested, my best guest pricing can be plus or minus 15%. We should sharpen pencil and get more details for you on Tuesady. The 1740 w/ scanner / 24 Radio will be around \$ 1200. The 2740 w/ clscanner / 24 radio and 8MB RAM & 8MB NVRAM should be around \$ 1500.

Please look for me at booth on Monday, I can be reached by cell at 914-643-0788 and pager at 888-360-3471. See you soon.

Very truly yours,

John V. Harker
 Symbol Technologies

OEM Scanner Sales ♦ Phone: 914-277-2234 ♦ Fax 914-277-2235 ♦ Internet: Harker@symbol.com
 KEITH2.DOT

[] 1/29/99

Memorandum of Agreement

This Memorandum of Agreement (the "Agreement") is entered into as of 3 February, 1999, between Symbol Technologies, Inc. ("Symbol"), having its corporate offices at One Symbol Plaza Holtsville, NY 11742, and Ameranth Technology Systems, [] Inc. ("Ameranth"), having its corporate offices at 16079 San Dieguito Road, suite A-1, Rancho Santa Fe, CA.

WHEREAS, the parties believe that a mutually beneficial relationship should be established to leverage their respective capabilities toward the goal of maximizing sales of the parties' products in the Hospitality/Gaming and selected DOD/Law Enforcement markets (the "Markets"):

THEREFORE, the parties state and agree as follows:

1. The parties have signed a non-disclosure agreement that is in force and will survive this Agreement.

2. Attached as Exhibit A is a summary of the business agreement setting forth the respective responsibilities of the parties with respect to this Agreement.

3. Ameranth and Symbol will also execute a Symbol Distributor Agreement, substantially in the form of Exhibit B, [] modified as the parties shall agree, and each party will adhere to all of the standard conditions [] and obligations set forth in the agreement. WITHIN 30 DAYS W/ DEMO FROM

4. The term of this agreement will be one year from the date first written above, renewable [] automatically for successive one-year periods, unless written notice of termination is given under paragraph 5 of this Agreement.

5. This Agreement may be canceled upon six months written notice from either [] party setting forth the details of a breach of this Agreement or a default of any obligations under this Agreement, provided, however, that the defaulting party shall have ninety (90) days to cure [] the breach or default, unless the breach or default cannot be cured in ninety days, in which case, the Agreement shall not be canceled if the defaulting party shall have undertaken commercially reasonable efforts designed to cure the breach or default. If a cancellation of Ameranth's role as the "master distributor" for Symbol products in the Markets occurs, Ameranth shall retain the right to purchase and [] use Symbol wireless products [] within its products.

6. The nature of this agreement, the fluidity of technology, market evolution, the introduction of new products and related developments require an exceptional level of trust between the parties and flexibility in the implementation of

the Agreement to ensure that the relationship is fair and equitable to both parties. As the "master distributor" for Symbol in the Markets Ameranth will be committing assets and making investments to further the sales of Symbol products. In so doing, Ameranth will realize benefits in margins between the prices it pays for products and those offered to others in the distribution network, and enjoy collateral sales of its products through these efforts and opportunities. Ameranth's efforts in these markets and the benefits that it realizes will be directly related to the value that Ameranth brings to the efforts and in such cases where sales occur in the Markets for which Ameranth did not contribute (e.g. Symbol "exclusions" as indicated in [^] Exhibit A[^]), Ameranth will not realize any direct compensation. The parties will address and resolve any issues in this regard in an equitable and fair manner.

7. The parties will designate within 10 days of the signing of this agreement the official representative for each party through which all actions, changes and/or issues associated with the Agreement will be addressed.

8. Changes will be subject to mutual agreement. [^] The parties will cooperate closely on pricing strategies because it is expected that frequent changes will be required to accommodate competitor actions and market changes.

9. This Agreement will be governed by the laws of the State of New York applicable to contracts made and to be performed entirely in that state. [^]

10. This Agreement, Exhibit A, the non-disclosure agreement and the Symbol Distributor Agreement, as executed, comprise the entire agreement and understanding of the parties relating to the subject matter of this Agreement and supersede all prior agreements, arrangements and understandings, whether written or oral, relating to the subject matter of this Agreement. [^]

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on the date first written above.

SYMBOL TECHNOLOGIES, INC.
 By: Mark Schratz
 Name: MARK SCHRATZ
 Title: V.P. WESTERN AREA

AMERANTH TECHNOLOGY SYSTEMS, INC.
 By: Keith R. McNally
 Name: Keith McNally
 Title: Chief Executive Officer

1/29/99Agreement to Synchronize Efforts in Selected Markets

1. Symbol Technologies, Inc. ("Symbol") and Ameranth Technology Systems, Inc. ("Ameranth") have agreed to combine their efforts in the Hospitality/Gaming and selected DOD/Law Enforcement markets [^] with the expectation that the resulting cooperation will achieve better results for the companies than if they pursued these markets independently. The cooperation will primarily take the form of a product distribution agreement. To maximize results, however, the two companies will attempt to synchronize their development and marketing efforts in order to achieve the earliest and broadest market results possible.

2. Ameranth responsibilities/key actions:

A. Ameranth will establish the Symbol Spectrum 24™ wireless LAN network as its standard for its 21ST Century Restaurant™ System and other 21ST Century systems. Ameranth will also change its current product upgrade paths for the Intrapad™, Padlink™[^] and Ultrapad™ from previous wireless baselines to the Spectrum 24 [^]™ network products and ensure that these Ameranth products are interoperable with the Spectrum 24™ network. Ameranth will also seek to link the Spectrum 24™ backbone to/with its other emerging partner links (e.g. CDMA/CDPD) and with web based links designed to achieve a totally integrated solution around the Spectrum 24™ standard.

B. Ameranth will cancel its planned CE upgrade to the Ultrapad™ and switch to the 2700 product family as its future mobile computing device. This will also include switching its outstanding proposals to a 2700 baseline as soon as feasible. Ameranth will work with Symbol to develop a modified version of the standard 2700 (e.g., case color change or other minor changes) to enable Ameranth to market a unique, branded version. Ameranth also [^] reserves the right [^] to produce custom accessory options (e.g. a SMART Card reader, and/or a slightly more EMI robust case) and to offer these options to Symbol for possible broader application in non-Ameranth markets. Additionally, [^] having agreed that there is a mutual desire for broader cooperation, Ameranth will propose to align its future product developments (e.g. Bluetooth enabled devices) to leverage from and complement Symbol's strategic direction.

C. Ameranth will dedicate its resources to making the Spectrum 24™ wireless network and family of products [^] the industry standards within Ameranth's core markets as quickly and as broadly as possible.

D. Ameranth will develop and execute a comprehensive product launch strategy for the Spectrum 24™ network and the 1700/2700 mobile devices for the May[^] 1999 National Restaurant Association ("NRA") Show in Chicago. This strategy will include an advertising campaign, a complete upgrade of

brochures/handouts, a mailing campaign^[^], preparation of dealer/distributor packages, a press release, a state-of-the-art booth, pricing strategies, software development kits, and similar actions ^[^] designed to achieve maximum results. Additionally, Ameranth will, in cooperation with Symbol, select 5-10 leading POS companies ^[^] (e.g., Infogenesis, HSI, Aloha, Squirrel, GEAC^[^] and Radiant) to have the products launched simultaneously in their booths at NRA. These POS companies and other partners will be under ^[^] non-disclosure agreements prior to the product launch. In parallel, ^[^] the parties will jointly select with the Symbol team other best-of-breed partners in additional key areas of the 21ST Century Restaurant™ system (e.g. IBM for servers/displays/integration), 1-2 frequent dining database suppliers, 1-2 paging companies (e.g., JTECH, Signologies)^[^] and 1-2 credit card authorization companies (e.g., NPC), so that a totally integrated system solution is available for customers of ^[^] various sizes and needs, centered around the Spectrum 24™ wireless network and family of products.

E. Ameranth will modify its Software Wizard development environment to enable POS suppliers and/or the customers themselves to quickly develop hand-held POS applications for the CE screen of the 2700. ^[^] Ameranth will work with Symbol, Microsoft and others to offer a [very easy] ^[^] programming environment. ^[^] Ameranth will also provide a tailored version for the smaller screen of the 1700 and work with one or more software developers Symbol selects from its ongoing efforts with the Palm OS ^[^] as an option for the integrated 21ST Century Restaurant™ system.

F. Ameranth will prepare and present to Symbol management a detailed 1999/2000 business plan for this coordinated effort. A draft will be presented by March 1, 1999 (assuming the relationship is established not later than February 1, 1999) and it will be finalized approximately April 1, 1999. It is envisioned that the development of this plan will be a team effort leveraging from Symbol's experience in similar product/market launches. Subsequently, the plan will be reviewed at least quarterly and appropriate adjustments will be made to either exploit success or address any shortfalls.

G. Ameranth will initiate infrastructure and personnel expansion efforts in preparation for and in parallel with the product launch at NRA ^[^] so that the proper resources are in place/available not later than May 20, 1999 to ensure quality support for the expected large industry response to the product launch. This will include, but not be limited to, sufficiency of prototypes, software development kits, 1-800 call-in support, rapid repair and equipment support options, technical support, dealer kits, availability of supplies/accessories etc. Additionally, Ameranth will prepare a significant upgrade to its web-site to make all key specifications and product information available over the web and to ^[^] prepare for web commerce. The details of this structure will be coordinated with Symbol in advance and included in the overall business plan referred to in paragraph 2(F) above.

H. Ameranth will develop and support a comprehensive distribution/pricing strategy so that sufficient margin exists at the various channels to provide attractive margins/profits for the family of products to become the runaway success both companies wish them to be. This will require Ameranth to [^] work closely with the channel partners, and in coordination with Symbol, to make adjustments to maximize market share and to focus on optimizing the sales volume and market share.

I. Ameranth management will work closely with the Symbol management team to ensure that this cooperative effort is very successful and that problems/issues, if any, are dealt with quickly and through the cooperation of the respective management teams.

J. Ameranth [^] registers the following accounts as Ameranth accounts: Litton, SAIC, Cache Box, HSI, WirelessKnowledge, Tangent, JTECH and 4-5 international military markets with an aggregate potential of approx 50,000 2700's, and many thousands of Spectrum 24 wireless cards/phones and Access Points during the period of Q499 to Q2 03. Note: these are markets/contracts that will be reached through/with Litton as opposed to direct sales. [^] Ameranth will respect the [excluded registered accounts] of which Symbol advises it.

MO
SELECTED
ACCOUNTS

DESIRES TO [^] KRM

LEAD [^] KRM

3. Symbol Responsibilities/key actions:

A. Symbol [^] has selected Ameranth as ~~its master distributor~~ and launch partner for the Spectrum 24™ and 1700/2700 products within the Hospitality/Gaming and [^] certain DOD/Law Enforcement markets. Ameranth will be authorized to brand a version of the 2700. Symbol will support Ameranth's 21st Century Restaurant™ System with the Spectrum 24™ family of products.

Processed by KRM
ADA OEM

B. Symbol will assist Ameranth in achieving success through its experience, marketing networks, pricing incentives, engineering support and other appropriate actions that Symbol deems complementary to the overall objectives. Symbol will provide Ameranth a reasonable amount of no-cost loaners, demo units etc. to facilitate preparations for the NRA product launch.

C. Symbol will provide its Spectrum 24™ ~~PC~~ PC-cards to Ameranth at very aggressive prices [^] (e.g., \$150.00) for those embedded applications only within Ameranth products so as to enable them to meet the requisite price points and to achieve a totally integrated Spectrum 24™ network. Ameranth will not disclose these special prices (nor will they be discernable to the market), except as required by law, and these specially priced cards will only be for Ameranth's embedded product use.

~~ATTN: [^] KRM~~ OEM RADIO MODULE(S) [^] KRM

1/ To be clarified.

Successor MD K&H

D. Symbol will make its Spectrum 24™ family of products available to Ameranth for overall distribution within Ameranth's markets and at price points that enable Ameranth to be profitable while distributing products to the channel partners/distributors/dealers.

E. Symbol will keep Ameranth reasonably apprised of its future product strategy so as to enable Ameranth to align its strategy to be complementary.

F. Symbol will, from time to time, offer Ameranth an opportunity to bid to provide hardware/software options supportive to the Symbol product line (e.g., a SMART Card reader option). It will be in Symbol's sole discretion to determine if Ameranth's bid provides the best-value solution for [^] Symbol's needs.

G. Symbol will share leads and cooperate on market strategy with Ameranth in areas supportive to the common goals and that do not conflict with Symbol's other partners, commitments and/or relationships.

H. After reviewing Ameranth's business plan in March/April 1999, Symbol will consider providing financial support and/or incentives (e.g., deferred payments, advances etc.) so as to enable Ameranth to achieve [^] greater market penetration and sales. It will be in Symbol's sole discretion to determine what support of this nature, if any, is provided depending on the merits of the business plan and the results achieved.

I. Symbol will assign an Ameranth account manager through which regular business arrangements will be transacted. Strategic actions/decisions will be coordinated with/through the Symbol Director of Hospitality/Gaming.

J. Symbol will support Ameranth's efforts in its registered accounts. Symbol will advise Ameranth of the [registered accounts] to be excluded from this Agreement. A mutually agreed upon list of [registered accounts] will be finalized within ninety (90) days of the date of the Memorandum of Agreement.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	11/112,990	Confirmation No.:	7098
Applicant(s):	McNally, et al.	Group Art Unit:	2191
Filed:	April 22, 2005	Examiner:	Brophy, Matthew
		Customer No.:	27123

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS
SYSTEM WITH MENU GENERATION, AND HANDWRITING AND VOICE
MODIFICATION OF ORDERS

SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. § 1.131

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

Sir:

I, the undersigned, Keith R. McNally, declare and state that:

1. I am an inventor of the subject matter claimed in the above-identified patent application. I have first hand knowledge as to all of the facts, all of the referenced exhibits and all of the information contained herein.

2. I make this supplemental declaration following my originally submitted declaration dated January 22, 2009 and respond with the attached additional Exhibits 21-32 and clarifications that address the issues raised by the Examiner in the Office Action of June 26, 2009. Note that, in parallel with submission of this 37 C.F.R. 1.131 Declaration, I am also submitting contemporaneously herewith (at the examiner's suggestion) a secondary considerations declaration under 37 C.F.R. 1.132 detailing and confirming the widespread

market recognition and adoption of Ameranth's invention reflected in the present claims of the application. Some of the documents referenced in my 1.132 Declaration are duplicates of documents referenced in my original and this supplemental 1.131 Declaration so that the 1.132 Declaration is complete without reference to the 1.131 Declarations. Additionally, I respectfully assert that some of the documents in the 1.132 Declaration further confirm conception and reduction to practice of the claimed invention in the 1998/1999 timeframe - since the actions and announcements in the time period immediately following the inventive activities reflect what customers/partners saw and had demonstrated/briefed to them in this time period (due to the natural time lag of corporate decision-making).

3. In the introduction and demonstration of Ameranth's 21st Century Restaurant System at the November 1998 FSTEC show, I led numerous demonstrations of our newly conceived and first publicly introduced "menu wizard" technology to numerous potential partners and customers. I was assisted in these demonstrations by Kathie Sanders, an Ameranth employee. I specifically led a demonstration and numerous partnering discussions with John Harker of Symbol Technologies. These demonstrations of Ameranth's "menu wizard" technology included generation of computerized menus for wireless handheld devices which included categories, items, modifiers and sub modifiers - as well as real time communications.

4. Exhibit 21 is an August 6, 2009 Declaration of Kathie Sanders (shown in the center of the photo in Exhibit 1 to my January 22, 2009 Declaration and attached again here) confirming that she assisted me in demonstrating the complete working prototype of the invention to Mr. Harker of Symbol and others at the November 1998 FSTEC show. Exhibits 1 and 2 attached to Ms. Sanders Declaration are duplicates of those in my initial

1.131 Declaration reflecting the system graphic shown at the November 1998 FSTEC show and the photograph of the Ameranth booth. Note that “real time” appears in the lower left corner of the system diagram.

5. Exhibit 22 is the reverse side of Exhibit 12 (Ameranth’s 21st Century Restaurant System Brochure) as it was distributed at the May 1999 National Restaurant Show in Chicago, Illinois. This reverse side of the brochure was inadvertently omitted in the scanning process for the prior submission of Exhibit 12. The text description on the reverse side that went along with the front graphical representation of Ameranth’s system vision includes the following statement about the system:

Ameranth 21st Century Restaurant: The System Control Center is a high tech blend of key software functions integrated to maximize restaurant efficiency. Imagine having at your fingertips, “real time” access to all critical information pertaining to restaurant operations

Thus, “real time” communication was central and integral to Ameranth’s inventive concept and further “real time communications” is also shown in the lower right portion of the front side of this brochure (Exhibit 12 from my first 1.1.3.1 Declaration and which is attached again here) and in the lower left portion of the November 1998 brochure previously submitted as Exhibit 3 to my January 22, 2009 Declaration.

6. Exhibits 23-27 are a series of letters between myself and John Harker of Symbol detailing Ameranth’s and Symbol’s ongoing activities to advance Ameranth’s technology in the marketplace via our partnering activities in December 1998 and January 1999, leading up to the signing of a strategic alliance agreement on February 3, 1999. Of particular note is the reference in my January 2, 1999 letter to John Harker, Director of Hospitality for Symbol Technologies (the world leader in rugged mobile handheld devices).

This letter confirmed that Symbol had recognized the uniqueness of Ameranth's inventive "menu wizard" technology and the subsequent actions and partnering between our companies detail the initial actions and events between Symbol and Ameranth subsequent to our meeting at the November 1998 FSTEC show (in which the inventive "menu wizard" technology was demonstrated to John Harker). Symbol's rapid partnering decision with Ameranth further confirms that Mr. Harker/Symbol were shown the complete working prototype of the invention by Keith McNally and Kathie Sanders at the November 1998 FSTEC show. Mr. Harker is also shown in the photos in Exhibit 15 attached to my January 22, 2009 Declaration. Further, Mr Harker detailed his summary of this time period and the associated events in his statement in the document referenced as Exhibit 56 in my "secondary factors" Declaration under 37 C.F.R. 1.132 submitted herewith. That statement clearly confirms and corroborates that Ameranth's "menu wizard" invention was operational, shown and demonstrated at the November 1998 FSTEC show, leading Symbol to execute a rapid strategic alliance with Ameranth.

7. Exhibit 28 is an April 19, 1999 press release establishing and formally and publicly announcing the strategic alliance with Symbol Technologies as well as announcing that the product suite would be shown at the upcoming NRA show in May 1999.

8. Exhibit 29 is a May 17, 1999 press release of a strategic relationship formed between Ameranth and Comtec Information Systems – (which included a mobile printer in the system) and also confirming that the product suite would be announced at the upcoming NRA Show in May 1999.

9. Exhibit 30 is a series of photos from the May 1999 NRA Show in which Ameranth further exhibited and demonstrated its full working "menu wizard" technology.

In these photos, along with Mr. McNally is Rich Hausman (Editor of Hospitality Technology magazine) and Manny Negreiro (President of Aloha POS) and Bill Schwartz (President of Systems Concept Inc), all of whom had been shown Ameranth's "menu wizard" technology by me at the May 1999 NRA Show. Both Aloha POS and Systems Concept Inc strategically partnered with Ameranth in the months following the May 1999 NRA show.

10. Exhibit 31 is two photos of the actual Ameranth booth at the May 1999 NRA Show in Chicago where Ameranth again showed its "menu wizard" technology.

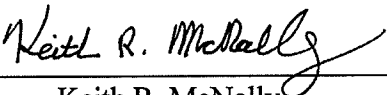
11. Exhibit 32 is the signed June 17, 1999 Strategic Alliance Agreement between Food.com (original assignee of Cupps USP 5,991,739) and Ameranth. Food.com had also met Ameranth at the May 1999 NRA show and also had seen a demonstration of Ameranth's "menu wizard" technology and immediately concluded that it too needed Ameranth's technology, leading it to the signing of this strategic agreement within less than 30 days of the NRA show. This June 17, 1999 agreement was then followed with the previously provided Exhibit 17 (the July 15, 1999 public press release of the Ameranth/Food.com alliance) and which was then followed by previously provided Exhibit 20 in which Food.com further clearly acknowledged that they needed Ameranth's "menu wizard" technology for the generation and transmission of programmed/configured menus and to achieve a fully real time and synchronous communication system with/to restaurants (both which were completely unavailable in the Food.com system as reflected in/by the Cupps patent).

12. I respectfully request the Examiner to accept my January 22, 2009 Declaration and this Supplemental Declaration as establishing conception and reduction to

practice of the claimed invention as early as the FSTEC show in November 1998 based on the additional exhibits and clarifications provided herein.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: August 19, 2009



Keith R. McNally

SUPPLEMENTAL DECLARATION

EXHIBIT 21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	11/112,990	Confirmation No.:	7098
Applicant(s):	McNally, et al.	Group Art Unit:	2191
Filed:	April 22, 2005	Examiner:	Brophy, Matthew
		Customer No.:	27123

For: INFORMATION MANAGEMENT AND SYNCHRONOUS COMMUNICATIONS
SYSTEM WITH MENU GENERATION, AND HANDWRITING AND VOICE
MODIFICATION OF ORDERS

DECLARATION UNDER 37 C.F.R. § 1.132

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

Sir:

I, the undersigned, Kathie Sanders, declare and state that:

1. I have first hand knowledge as to all of the facts, and all of the referenced exhibits and all of the information contained herein.

2. From 1997 – 2000, I was the Director of Marketing for Ameranth, Inc. In November 1998, I attended the Food Service Technology (FSTEC) show held in Atlanta, Georgia from the 14th to the 16th. At this show, I assisted with the demonstration of Ameranth's 21st Century Restaurant System in our large booth.

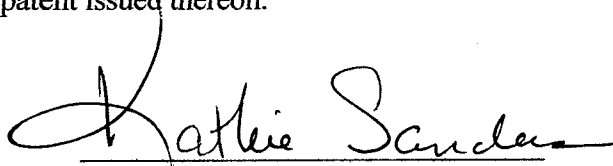
3. In the attached photograph taken at the FSTEC show (Exhibit 1), I am the individual shown in the center of Ameranth's booth at our demonstration station with a customer directly in front of me. The 21st Century Restaurant System diagram (Exhibit 2)

was shown in our booth and a very large version of this diagram was prominently located on one side of the booth (just above my head to the right) as shown in Exhibit 1.

4. During the November 1998 FSTEC show, I helped to demonstrate the 21st Century Restaurant System with its “menu wizard” technology to many customers and partners (including John Harker of Symbol). The actual demonstration system included complete computerized restaurant menus including menu categories, items, modifiers, sub-modifiers as well as prices/payment information.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: August 6, 2009


Kathie Sanders