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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/011,010	05/24/2010	5544352	23373-0008RX1	2567

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 08/02/2010

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

**EXHIBIT 2005**

*Facebook, Inc. et al.*



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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

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**EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/011,010.

PATENT NO. 5544352.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

<b>Order Granting / Denying Request For Ex Parte Reexamination</b>	Control No. 90/011,010	Patent Under Reexamination 5544352	
	Examiner COLIN M. LAROSE	Art Unit 3992	

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

The request for *ex parte* reexamination filed 24 May 2010 has been considered and a determination has been made. An identification of the claims, the references relied upon, and the rationale supporting the determination are attached.

Attachments: a)  PTO-892,      b)  PTO/SB/08,      c)  Other: PTO-1449

1.  The request for *ex parte* reexamination is GRANTED.

RESPONSE TIMES ARE SET AS FOLLOWS:

For Patent Owner's Statement (Optional): TWO MONTHS from the mailing date of this communication (37 CFR 1.530 (b)). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

For Requester's Reply (optional): TWO MONTHS from the **date of service** of any timely filed Patent Owner's Statement (37 CFR 1.535). **NO EXTENSION OF THIS TIME PERIOD IS PERMITTED.** If Patent Owner does not file a timely statement under 37 CFR 1.530(b), then no reply by requester is permitted.

2.  The request for *ex parte* reexamination is DENIED.

This decision is not appealable (35 U.S.C. 303(c)). Requester may seek review by petition to the Commissioner under 37 CFR 1.181 within ONE MONTH from the mailing date of this communication (37 CFR 1.515(c)). **EXTENSION OF TIME TO FILE SUCH A PETITION UNDER 37 CFR 1.181 ARE AVAILABLE ONLY BY PETITION TO SUSPEND OR WAIVE THE REGULATIONS UNDER 37 CFR 1.183.**

In due course, a refund under 37 CFR 1.26 ( c ) will be made to requester:

- a)  by Treasury check or,
- b)  by credit to Deposit Account No. \_\_\_\_\_, or
- c)  by credit to a credit card account, unless otherwise notified (35 U.S.C. 303(c)).

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cc:Requester ( if third party requester )

Art Unit: 3992

**ORDER GRANTING REEXAMINATION OF U.S. PATENT 5,544,352**

***Request for Reexamination***

1. A third-party Request for Reexamination of claims 26-42, 44, and 45 was received on 5/24/2010 based on the following prior art patents and/or publications:

- APPENDIX C** Edward Fox, "Extending the Boolean and Vector Space Models of Information Retrieval with P-Norm Queries and Multiple Concept Types." Cornell University, 1983 ("*Fox*")
- APPENDIX D** Ralph Garner, et al., "A Computer-Oriented Graph Theoretic Analysis Of Citation Index Structures," Three Drexel Information Science Research Studies, Ed. Flood, B., Drexel Press, 1967 ("*Garner*")
- APPENDIX E** Gerard Salton, "Associative Document Retrieval Techniques Using Bibliographic Information," pp. 440-57, 1963 ("*Salton 1963*")
- APPENDIX F** Donald B. Cleveland, "An n-Dimensional Retrieval Model," Journal Of The American Society For Information Science, October 1976, Vol. 27, No. 6, pp. 342-47 ("*Cleveland*")
- APPENDIX G** Colin Tapper, "The Use Of Citation Vectors For Legal Information Retrieval," Journal of Law and Information Science, Vol. 1, No. 2, pp. 131-61 (1982) ("*Tapper*")
- APPENDIX H** Gerard Salton and Chris Buckley, "Approaches To Text Retrieval For Structured Documents," Dept. of Computer Science, Cornell University, January 1990 ("*Salton 1990*")
- APPENDIX I** Fazli Can and Esen A. Ozkarahan, "A Dynamic Cluster Maintenance System for Information Retrieval," ACM, Vol. 6, p. 123, 1987 ("*Can*")
- APPENDIX J** Elizabeth Aversa, "Research on Research: Customized Citation Analysis for Governmental, Industrial, and Academic Clients," Current Comments, p. 77, June 8, 1992 ("*Aversa*")

*Prosecution History of the '352 Patent*

2. On 9/23/1994, Examiner issued a non-final Office action in which all pending claims (1-20) were rejected under 35 U.S.C. § 103(a) based on Gallant (U.S. Patent 5,325,208) and Bodick (U.S. Patent 4,945,476).

3. On 3/23/1995, Applicant responded to the Office action by making various claim amendments, including adding new numerous new claims—notably claims 28, 43, and 49 (corresponding to patented claims 26, 41, and 45, respectively).

In addition, Applicant submitted the following remarking regarding Gallant and Bodick (pp. 29-31):

The Gallant Reference.

The Gallant reference teaches away from applicant's invention. It discloses a method for semantic searching and applicant's invention is directed at the use of non-semantic search techniques. Gallant is at very best cumulative of the prior art disclosed in the Information Disclosure Statement (filed on May 4, 1994) and, as discussed in the Information Disclosure Statement, not particularly relevant to this invention.

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