AO 120 (Rev. 08/10)

### TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office

P.O. Box 1450 Alexandria, VA 22313-1450

#### REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

filed in the U.S. Distri	ct Court Weste	5 U.S.C. § 1116 you are hereby advised that a court acti	on has been on the following
_	Patents. (  the patent action		
OOCKET NO. 6:13-CV-362	DATE FILED 11/21/2013	U.S. DISTRICT COURT Western District of Texas, Wac	o Division
PLAINTIFF		DEFENDANT	oo Booograh in
Affinity Labs of Texas, LL	<b>C</b>	BlackBerry Limited, formerly knowr Motion Limited	i ds Nesedicii iii
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRA	DEMARK
8,532,641 B2	9/10/2013	Affinity Labs of Texas, LLC	
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CLERK	**	Y) DEPUTY CLERK Amber L. Ditto	11/22/2013

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

AO 120 (Rev. 08/10)

TO:

# Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

# REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

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filed in the U.S. Distr	Patents. ( the patent		ict of Texas, Waco Division	on the following
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DOCKET NO. 6:13-CV-364	DATE FILED 11/21/2013	U.S. DI	STRICT COURT Western District of Texas, Wad	co Division
PLAINTIFF			DEFENDANT	
Affinity Labs of Texas, Ll	LC		Samsung Electronics Co., LTD; Sa America, Inc. & Samsung TeleCom LLC, formerly known as Samsung	munications America,
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK		HOLDER OF PATENT OR TRA	DEMARK
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William G. Putnicki		Amber l	Ditto	11/22/2013

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#### UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/673 301	00/10/2013	8532641	AFF 004C11US	5150

21906 7590

08/21/2013

TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631

#### **ISSUE NOTIFICATION**

The projected patent number and issue date are specified above.

#### **Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**

(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Russell W. White, Austin, TX; Kevin R. Imes, Austin, TX; AFFINITY LABS OF TEXAS, LLC, DRIPPING SPRINGS, TX

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IR103 (Rev. 10/09)

Receipt date: 05/01/2013 13673391 - GAU: 2646

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/S8/08a (04-09)
Approved for use through 05/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Application Number	13673391
INTERNATION PLANT COLUMN	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor F	Russell W. White, et al.
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649
( Not to Submission and of the 1.55)	Examiner Name	trika A. Washington
	Attorney Docket Number	AFF.004CILLS

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	Examiner Initial*		Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear		
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( Not for	subm	ission under 37 CFR 1	1.99)	Examiner N	ame	Erika	A. Gary			
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Receipt date: 05/01/2013

13673391 - GAU: 2646

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (07-09)

Approved for use through 07/31/2012, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Application Number	13673391
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INFORMATION DISCLOSURE	First Named Inventor	Russell White, et al.
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	249
(Motion Submitted of All 1,00)	Examiner Name	Erika A. Gary
	Attorney Docket Numb	ber AFF.004C <b>\\u</b> S

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				*	Attorney Doo	ket Number	AFF004	lashington ICIIUS		
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	INFORMATION DISCLOSURE	First Named Inventor	Russ	ell White, et al.		
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26	ceipt date: 01/14/2013			13673	391 - GAU: 2646
		Application Number		13673391	
		Filing Date		2012-11-09	
	INFORMATION DISCLOSURE	First Named Inventor	Russe	ll White, et al.	
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Receipt date: 01/14/2013

13673391 - GAU: 2646

Doc code: IDS

PTO/SB/08a (07-09) Approved for use through 07/31/2012. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Doc description: Information Disclosure Statement (IDS) Filed Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Number 13673391 Filing Date 2012-11-09 INFORMATION DISCLOSURE First Named Inventor Russell White, et al. STATEMENT BY APPLICANT Art Unit ( Not for submission under 37 CFR 1.99) **Examiner Name** Attorney Docket Number AFF.004C11US

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Receipt date: 05/01/2013 13673391 - GAU: 2646

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PTO/SB/08a (07-09)

Doc description: Information Disclosure Statement (IDS) Filed

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

#### **Application Number** 13673391 Filing Date 2012-11-09 **INFORMATION DISCLOSURE** First Named Inventor Russell White, et al. STATEMENT BY APPLICANT Art Unit ( Not for submission under 37 CFR 1.99) **Examiner Name** Attorney Docket Number AFF.004C11US

				U.S	S.PATENTS		
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1	6636242		2003-10-21	Bowman-Amuah		
	2	6615253		2003-09-02	Bowman-Amuah		
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	7	6601192		2003-07-29	Bowman-Amuah		
ge(s) appl	í&d	6578068		0 <i>6</i> 2003- <b>3</b> 7-10	Bowman-Amuah		

/C.H./ 8/7/2013

Receipt date: 01/14/2013				12672201	- GAU: 2646
neceipi date. 01/14/2013	Application Number		13673391	13073391	- UNO. 2010
INTEGRATION DIGGLOCATION	Filing Date		2012-11-09	-	
INFORMATION DISCLOSURE	First Named Inventor	Russe	Il White, et al.	-	
( Not for submission under 37 CFR 1.99)	Art Unit				
(Not for Submission under 57 Of IC 1.53)	Examiner Name			77/100-1800-00-00-00-00-00-00-00-00-00-00-00-00-	
	Attorney Docket Number		AFF.004C11US		

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	31	7145898	2	2006-12-05	Elliott	
	32	7130807	2	2006-10-31	Mikurak	
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ange(s) app	137 lied	6,901,067	2	005-05-31	Kalavade	
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.W./

		13673391 - GAU: 26	46	
Application Number		13673391		
Filing Date		2012-11-09		
First Named Inventor	Russ	sell W. White, et al.		
Art Unit		2649		
Examiner Name	En	ka A. Washington		
Attorney Docket Numb	er	AFF.004CI/US		
	Filing Date First Named Inventor Art Unit Examiner Name	Filing Date  First Named Inventor Russ  Art Unit  Examiner Name	Application Number  I3673391  Filing Date  2012-11-09  First Named Inventor Russell W. White, et al.  Art Unit  Examiner Name  En La A. Washington	

	U.S.PATENT APPLICATION PUBLICATIONS											
3 -	Examiner Initial*	Cite No	Publication Number			Name of Patentee or Applicant of cited Document  Pages, Columns, Lines whe Relevant Passages or Rel Figures Appear			int Passages or Relev	ant		
		1	20040151327		2004-08	-05	Marlow				·	
		2	20050049002		2005-03	-03	White, et al.					
		3	20050054379		2005-03	-10	Cao, et al.					
	s) applied	4	20050096018		05 2005- <del>03</del>	-05	White, et al.					
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/2¢	13				FOREIG	N PAT	ENT DOCUM	ENTS			т—	
	Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Countr Code <sup>2</sup>		Kind Code <sup>4</sup>	Publication Date	Name of Patente Applicant of cited Document	e or	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	75	
		1 /	CN 1218258 A	CN			1999-06-02					
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	Examiner Initials*	Cite No	Include name of the a (book, magazine, jou publisher, city and/or	rnal, ser	ial, symp	osium,	catalog, etc),	the article (when a date, pages(s), vo	appropri lume-iss	ate), title of the item sue number(s),	<b>T</b> 5	
		1 /	Affinity Labs of Texas, Defendant Volkwagen	LLC, Plai Group of	ntiff, v. BN	//W Nort	h America, LLC	. et al, Defendants, C		9:08-cv-00164-RC, e unknown		



#### United States Patent and Trademark Office

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.			
13/673,391	11/09/2012	Russell W. White	AFF.004C11US	5150			
7	7590 07/29/2013		EXAM	INER			
TROP, PRUNE	R & HU, P.C.	WASHINGTON	, ERIKA ALISE				
1616 S. VOSS F HOUSTON, TX	ROAD, SUITE 750 77057-2631		ART UNIT PAPER NUMB				
			2646				
			MAIL DATE	DELIVERY MODE			
			07/29/2013	PAPER			

#### NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) filed 07~15~13 in the above-identified application fails to meet the requirements of 37 CFR 1.97(d) for the reason(s) specified below. Accordingly, the IDS will be placed in the file, but the information referred to therein has not been considered.

The IDS is not compliant with 37 CFR 1.97(d) because:

- The IDS lacks a statement as specified in 37 CFR 1.97(e).
- ☐ The IDS lacks the fee set forth in 37 CFR 1.17(p).
- ☐ The IDS was filed after the issue fee was paid. Applicant may wish to consider filing a petition to withdraw the application from issue under 37 CFR 1.313(c) to have the IDS considered. See MPEP 1308.

571-272-4200 or 1-888-786-0101

Almy Gerder for

Application Assistance Unit Office of Data Management PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Application Number		13673391	
	Filing Date		2012-11-09	
INFORMATION DISCLOSURE	First Named Inventor Russe		ell W. White, et al.	
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		2646	
(Not for Submission under 57 Of K 1.55)	Examiner Name	Erika	Washington	
	Attorney Docket Numb	er	AFF.004C11US	

					U.S.I	PATENTS				
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue D	)ate	Name of Pate of cited Docu	e of Pateritee of Applicant		Pages,Columns,Lines where Relevant Passages or Relev Figures Appear	
	1									
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			U.S.P	ATENT	APPLI	CATION PUBL	LICATIONS			
Examiner Initial*	Cite N	No Publication Number	Kind Code <sup>1</sup>	Publica Date	tion	Name of Pate of cited Docu	entee or Applicant ment	Pages,Columns,Lines where Relevant Passages or Relev Figures Appear		
	1									
If you wisl	h to ad	ld additional U.S. Publ	ished Ap	plication	citatio	n information p	lease click the Ad	d butto	on.	
				FOREIC	SN PAT	ENT DOCUM	ENTS			
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> i		Kind Code <sup>4</sup>	Publication Date	Applicant of cited		Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sub>5</sub>
	1									
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			NON	I-PATEN	NT LITE	RATURE DO	CUMENTS			
Examiner Initials*	Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item									<b>T</b> 5

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		13673391			
Filing Date		2012-11-09			
First Named Inventor Russ		II W. White, et al.			
Art Unit		2646			
Examiner Name Erika		Washington			
Attorney Docket Number		AFF.004C11US			

	1	U.S. 1	Patent and Trademark Office, Advisory Action mailed July 10, 2013 in application no. 90/011,982.						
If you wis	If you wish to add additional non-patent literature document citation information please click the Add button								
EXAMINER SIGNATURE									
Examiner Signature Date Considered									
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									
Standard ST 4 Kind of do	Γ.3). <sup>3</sup> F cument	or Japa by the a	TO Patent Documents at <a href="https://www.uspro.gov">www.uspro.gov</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO panese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here on is attached.						

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		13673391			
Filing Date		2012-11-09			
First Named Inventor Russe		II W. White, et al.			
Art Unit		2646			
Examiner Name Erika		Washington			
Attorney Docket Number		AFF.004C11US			

		CERTIFICATION	ON STATEMENT						
Plea	Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):								
	That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).								
OR	t .								
	That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).								
	See attached ce	rtification statement.							
$\boxtimes$	The fee set forth	in 37 CFR 1.17 (p) has been submitted he	erewith.						
	A certification sta	atement is not submitted herewith.							
	SIGNATURE A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.								
Sigr	nature	/Mark J. Rozman/	Date (YYYY-MM-DD)	2013-07-25					
Nan	ne/Print	Mark J. Rozman	Registration Number	42117					

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** 

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- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent A	App	olication Fee	e Transmi	ttal				
Application Number:	13	573391						
Filing Date:	09	09-Nov-2012						
Title of Invention:	SYSTEM AND METHOD FOR MANAGING MEDIA							
First Named Inventor/Applicant Name:	Pr/Applicant Name: Russell W. White							
Filer:	Ma	rk J. Rozman/Steph	anie Petreas					
Attorney Docket Number:	AF	F.004C11US						
Filed as Large Entity								
Utility under 35 USC 111(a) Filing Fees								
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)			
Basic Filing:								
Pages:								
Claims:								
Miscellaneous-Filing:								
Petition:								
Patent-Appeals-and-Interference:								
Post-Allowance-and-Post-Issuance:								
Extension-of-Time:								

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
	Total in USD (\$)			180

Electronic Acknowledgement Receipt		
EFS ID:	16417431	
Application Number:	13673391	
International Application Number:		
Confirmation Number:	5150	
Title of Invention:	SYSTEM AND METHOD FOR MANAGING MEDIA	
First Named Inventor/Applicant Name:	Russell W. White	
Customer Number:	21906	
Filer:	Mark J. Rozman/Stephanie Petreas	
Filer Authorized By:	Mark J. Rozman	
Attorney Docket Number:	AFF.004C11US	
Receipt Date:	25-JUL-2013	
Filing Date:	09-NOV-2012	
Time Stamp:	15:46:12	
Application Type:	Utility under 35 USC 111(a)	

## **Payment information:**

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$180
RAM confirmation Number	2544
Deposit Account	201504
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.
1	Information Disclosure Statement (IDS)	AFF004C11IDSCitingAdvAction	67088	no	4
'	Form (SB08)	in B10 To File. pdf	e3228c9f9a3e788b8688cc6c345b24d741fe a79e	110	7
Warnings:	·				
Information:					
This is not an US	SPTO supplied IDS fillable form				
2 Non Patent Literature	N. D	AFFOR ACOMPLE	1028781	no	11
	Non Patent Literature	AFF004C9NPLDoc.pdf	a70da48b3d4eff7fd86eec2c6f0bb86e0106 0d22		
Warnings:	<u>.</u>				
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30661	no	2
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Warnings:			1	<u>'</u>	
Information:					
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

#### New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

#### National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

#### New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Receipt date: 06/06/2013

Doc description: Information Disclosure Statement (IDS) Filed

13673391 - GA 646, Approved for use through 07/31/2012. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Application Number		13673391	
INFORMATION BIGGI COURT	Filing Date		2012-11-09	
INFORMATION DISCLOSURE	First Named Inventor	Russe	ell W. White, et al.	
STATEMENT BY APPLICANT ( Not for submission under 37 CFR 1.99)	Art Unit		2646	
(Not for Submission under 57 Of R 1.33)	Examiner Name	Wash	ington, Erika Alise	
	Attorney Docket Number		AFF.004C11US	

						U.S.F	PATENTS				
Examiner Initial*	Cite No	Р	atent Number	Kind Code <sup>1</sup>	Issue Da	ate	Name of Patentee or Applicant of cited Document  Pages,Columns,Lines w Relevant Passages or R Figures Appear		vant Passages or Relev		
	1										
If you wish to add additional U.S. Patent citation information please click the Add button.											
				U.S.P	ATENT A	APPLIC	CATION PUBL	LICATIONS			
Examiner Initial*	Cite I	No	Publication Number	Kind Code <sup>1</sup>	Publicat Date	ion	of cited Document				
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If you wisl	h to ac	dd a	ı dditional U.S. Publis	shed Ap	plication	citation	n information p	lease click the Add	d butto	on.	
					FOREIG	N PAT	ENT DOCUM	ENTS			
Examiner Initial*	Cite No		Foreign Document Country Kind Publication Applicant of cited Where Passage Pas		Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T5					
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If you wish to add additional Foreign Patent Document citation information please click the Add button											
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Examiner Initials*	Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item					<b>T</b> 5					

Receipt o	date	: 06	5/06/2013	Application Number		13673391	13673391	- GAU:	2646
				Filing Date		2012-11-09			
INFORMATION DISCLOSURE				First Named Inventor	Russe	ell W. White, et al.			
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		<del>-</del>	Art Unit		2646				
( NOT TOT ST	zemas	sion	under 37 CFR 1.99)	Examiner Name	iner Name Washington, Erika Alise				
			Attorney Docket Number	er	AFF.004C11US				
U.S. Patent and Trademark Office, Inter Partes Reexamination Examiner's Answer mailed May 14, 2013 in U.S. reexamination no. 95/001,266.									
2	U.S. Patent and Trademark Office, Office Action in Inter Partes Reexamination mailed May 17, 2013 in U.S. reexamination no. 95/001,262 (and merged application no. 90/011,254).								
If you wish	to add	add	itional non-patent literatur	e document citation infor	matior	n please click the A	Add button		
				EXAMINER SIGNAT	URE				
Examiner S	Signatu	ıre	/Erika Washington/	(06/12/2013)		Date Considere	ed 06/	12/2013	
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									
Standard ST.3	3). <sup>3</sup> Fo ment by	r Japa / the a	D Patent Documents at <u>www.US</u> nese patent documents, the indi ppropriate symbols as indicated n is attached.	ication of the year of the reign o	f the Er	mperor must precede th	ne serial number o	f the patent do	ocument.



## United States Patent and Trademark Office

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/673,391	11/09/2012	Russell W. White	AFF.004C11US	5150
<sup>21906</sup> TROP, PRUNE	7590 06/14/201 ER & HU. P.C.	3	EXAM	IINER
1616 S. VOSS	ROAD, SUITE 750		WASHINGTON, ERIKA ALISE	
HOUSTON, TX 77057-2631			ART UNIT	PAPER NUMBER
			2646	
			MAIL DATE	DELIVERY MODE
			06/14/2013	PAPER

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	A	ATTORNEY DOCKET NO.
13/673,391	09 November, 2012	WHITE ET AL.		AFF.004C11US
			E	XAMINER
TROP, PRUNER & HU, 1616 S. VOSS ROAD, S	SUITE 750		ERIKA A	A. WASHINGTON
HOUSTON, TX 77057-	2631		ART UNIT	PAPER
			2646	20130612

DATE MAILED:

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**Commissioner for Patents** 

Please see the attached signed IDS filed 6/6/13.			
	/ERIKA A. WASHINGTON/		
	Primary Examiner, Art Unit 2646		
DTO and (D. alian)	I .		

PTO-90C (Rev.04-03)



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UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEPARTMENT OF COMM United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS Alexandria, Virginia 22313-1450 www.uspto.gov

FILING or GRP ART 371(c) DATE FIL FEE REC'D ATTY.DOCKET.NO IND CLAIMS NUMBER TOT CLAIMS UNIT 13/673,391 11/09/2012 2646 1560 AFF.004C11US

21906 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631

**CONFIRMATION NO. 5150** CORRECTED FILING RECEIPT



Date Mailed: 06/12/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Russell W. White, Austin, TX; Kevin R. Imes, Austin, TX;

Applicant(s)

AFFINITY LABS OF TEXAS, LLC, DRIPPING SPRINGS, TX

**Assignment For Published Patent Application** 

AFFINITY LABS OF TEXAS, LLC, DRIPPING SPRINGS, TX

Power of Attorney: The patent practitioners associated with Customer Number 21906

#### Domestic Priority data as claimed by applicant

This application is a CON of 13/117.507 05/27/2011 which is a CON of 12/495.190 06/30/2009 PAT 7953390 \* which is a CON of 12/015.320 01/16/2008 PAT 7778595 which is a CON of 10/947,755 09/23/2004 PAT 7324833 which is a CON of 09/537,812 03/28/2000 PAT 7187947 (\*)Data provided by applicant is not consistent with PTO records.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution **Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None. Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access - A proper Authorization to Permit Access to Application by Participating Offices (PTO/SB/39 or its equivalent) has been received by the USPTO.

page 1 of 3

If Required, Foreign Filing License Granted: 12/03/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/673,391** 

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

SYSTEM AND METHOD FOR MANAGING MEDIA

**Preliminary Class** 

455

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

#### PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

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#### Title 35, United States Code, Section 184

#### Title 37, Code of Federal Regulations, 5.11 & 5.15

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page 3 of 3

#### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

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

or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

A check is enclosed.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

7590 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631

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

Advance Order - # of Copies

Issue Fee

Publication Fee (No small entity discount permitted)

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope

1616 S. VOSS I HOUSTON, TX	ROAD, SUITE 750		addı tran	ressed to the Mail smitted to the USPT	Stop ISSUE FEE address O (571) 273-2885, on the da	above, or being facsimile ate indicated below.
HOUSTON, 12	1 //03/-2031		and the second s		val teropromoterna minemoci de nimot talvina ti con il minemoti di di con il minimo il più ministri il più	(Depositor's name)
						(Signature)
						(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	***************************************	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/673,391	11/09/2012		Russell W. White		AFF.004C11US	5150
	N: SYSTEM AND METI	HOD TO COMMUNICAT	TE TARGETED INFORM	ATION		
APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$0	\$0	\$1780	09/03/2013
EXAM	IINER	ART UNIT	CLASS-SUBCLASS	1		
WASHINGTON	I, ERIKA ALISE	2646	455-418000			
1. Change of correspond CFR 1,363).	ence address or indicatio	n of "Fee Address" (37	2. For printing on the p	atent front page, list		
F0000	oondence address (or Cha	ange of Correspondence	(1) the names of up to or agents OR, alternative	3 registered patent	attorneys 1	
	oondence address (or Cha B/122) attached.		(2) the name of a single registered attorney or a		member a 2	THE CONTROL OF THE CO
"Fee Address" ind PTO/SB/47: Rev 03-0	lication (or "Fee Address 22 or more recent) attach	"Indication form	2 registered patent atto	rnevs or agents. If n	s of up to oname is 3	
Number is required.	·	os. Obe of a Castonici	listed, no name will be	printed.	3	
3. ASSIGNEE NAME A	ND RESIDENCE DATA	A TO BE PRINTED ON	THE PATENT (print or typ	ne)		
					e is identified below, the d	ocument has been filed for
(A) NAME OF ASSI	GNEE		(B) RESIDENCE: (CITY	and STATE OR CO	OUNTRY)	
Affinity Labs	of Texas, LLC		Austin, TX			
Please check the appropr	iate assignee category or	categories (will not be pr	inted on the patent):	Individual ACor	rporation or other private gro	oup entity Government

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 20-1504 (enclose an extra copy of this form).

Payment by credit card. Form PTO-2038 is attached.

	Page	2	of	4
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5. Change in Enuty Status (from status indicated above)	
Applicant certifying micro entity status. See 37 CFR 1.29	NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
Applicant asserting small entity status. See 37 CFR 1.27	NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
Applicant changing to regular undiscounted fee status.	NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.
NOTE: The Issue Fee and Publication Fee (if required) will not be acce interest as shown by the records of the United States Patent and Tradem	oted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in ark Office.
Authorized Signature Management	Date 6/7//3
Typed or printed name Mark J. Rozman	Registration No. 42,117
an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CE submitting the completed application form to the USPTO. Time will withis form and/or suggestions for reducing this burden, should be sent to	ation is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) IR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and ary depending upon the individual case. Any comments on the amount of time you require to complete the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. R COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450,
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Page 3 of 4

Electronic Patent Application Fee Transmittal							
Application Number:	13	573391					
Filing Date:	09	-Nov-2012					
Title of Invention:	SYSTEM AND METHOD TO COMMUNICATE TARGETED INFORMATION						
First Named Inventor/Applicant Name:	Russell W. White						
Filer:	Mark J. Rozman/Stephanie Petreas						
Attorney Docket Number:	Attorney Docket Number: AFF.004C11US						
Filed as Large Entity							
Utility under 35 USC 111(a) Filing Fees							
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)		
Basic Filing:							
Pages:							
Claims:							
Miscellaneous-Filing:							
Petition:							
Patent-Appeals-and-Interference:	Patent-Appeals-and-Interference:						
Post-Allowance-and-Post-Issuance:							
Utility Appl Issue Fee		1501	1	1780	1780		
Extension-of-Time:							

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
	Tot	al in USD	(\$)	1780

Electronic Acknowledgement Receipt						
EFS ID:	15976146					
Application Number:	13673391					
International Application Number:						
Confirmation Number:	5150					
Title of Invention:	SYSTEM AND METHOD TO COMMUNICATE TARGETED INFORMATION					
First Named Inventor/Applicant Name:	Russell W. White					
Customer Number:	21906					
Filer:	Mark J. Rozman/Stephanie Petreas					
Filer Authorized By:	Mark J. Rozman					
Attorney Docket Number:	AFF.004C11US					
Receipt Date:	07-JUN-2013					
Filing Date:	09-NOV-2012					
Time Stamp:	10:31:46					
Application Type:	Utility under 35 USC 111(a)					

## **Payment information:**

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1780
RAM confirmation Number	8341
Deposit Account	201504
Authorized User	ROZMAN, MARK J.

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Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:								
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)			
1	Issue Fee Payment (PTO-85B)	AFF004C11USIssueFee.pdf	336672	no	2			
'	issue ree rayment (i ro osb)	Arroogerrosissueree.pur	bbc80de06e5cfa9b14a1c47095022092f001 e551	110				
Warnings:								
Information:								
2	Fee Worksheet (SB06)	fee-info.pdf	30556	no	2			
2	ree worksheet (3000)	ree-inio.pui	ba4dda5271c781f4d47f951e75c5b1a03a4a 826b	no	2			
Warnings:								
Information:								
		Total Files Size (in bytes)	36	57228				

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

#### National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

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Alexandria, Virginia	22313-1450
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 APPLICATION NUMBER
 FILING or 371(c) DATE
 GRP ART UNIT
 FIL FEE REC'D
 ATTY.DOCKET.NO
 TOT CLAIMS IND CLAIMS

 13/673,391
 11/09/2012
 2646
 1560
 AFF.004C11US
 20
 3

21906 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631 CONFIRMATION NO. 5150 REPLACEMENT FILING RECEIPT



Date Mailed: 06/06/2013

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Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

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#### Title 37, Code of Federal Regulations, 5.11 & 5.15

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page 3 of 3



## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEPARTMENT OF A COMMUNICATION OF THE ADDRESS OF THE ADDRESS OF A COMMUNICATION OF THE ADDRESS OF THE ADDRES

APPLICATION NUMBER 13/673,391

FILING OR 371(C) DATE 11/09/2012

FIRST NAMED APPLICANT Russell W. White

ATTY. DOCKET NO./TITLE **AFF.004C11US** 

**CONFIRMATION NO. 5150** POA ACCEPTANCE LETTER

21906 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631



Date Mailed: 06/06/2013

#### NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/22/2013.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/lchau/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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	Application Number		13673391	
	Filing Date		2012-11-09	
INFORMATION DISCLOSURE	First Named Inventor Russe		sell W. White, et al.	
( Not for submission under 37 CFR 1.99)	Art Unit		2646	
	Examiner Name	Wash	ington, Erika Alise	
	Attorney Docket Number		AFF.004C11US	

					U.S.I	PATENTS				
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue D	)ate	Name of Pate of cited Docu	entee or Applicant ment	Rele	es,Columns,Lines where vant Passages or Relev res Appear	
	1									
If you wis	h to add	d additional U.S. Pater	nt citatio	n inform	ation pl	ease click the	Add button.			
			U.S.P	ATENT	APPLI	CATION PUBL	LICATIONS			
Examiner Initial*	Cite N	o Publication Number	Kind Code <sup>1</sup>	Publica Date	tion	Name of Patentee or Applicant of cited Document		Rele	es,Columns,Lines where vant Passages or Relev es Appear	
	1									
If you wis	h to add	d additional U.S. Publi	shed Ap	plication	citatio	n information p	olease click the Ad	d butto	on.	
				FOREIC	SN PAT	ENT DOCUM	ENTS			
Examiner Initial*	I - I	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> i	,	Kind Code <sup>4</sup>	Publication Date	Applicant of cited Passages of		Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T5
	1									
If you wis	If you wish to add additional Foreign Patent Document citation information please click the Add button									
			ИОИ	I-PATEN	NT LITE	RATURE DO	CUMENTS	_		
Examiner Initials*	Examiner Initials*								<b>T</b> 5	

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		13673391		
Filing Date		2012-11-09		
First Named Inventor	Russe	ell W. White, et al.		
Art Unit		2646		
Examiner Name	Wash	ington, Erika Alise		
Attorney Docket Numb	er	AFF.004C11US		

	U.S. Patent and Trademark Office, Inter Partes Reexamination Examiner's Answer mailed May 14, 2013 in U.S. reexamination no. 95/001,266.					
	2 U.S. Patent and Trademark Office, Office Action in Inter Partes Reexamination mailed May 17, 2013 in U.S. reexamination no. 95/001,262 (and merged application no. 90/011,254).					
If you wis	h to ac	dd add	ditional non-patent literature document citation information p	lease click the Add I	outton	
			EXAMINER SIGNATURE			
Examiner	Signa	ıture		Date Considered		
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						
<sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="https://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.						

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		13673391
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Art Unit		2646
Examiner Name Wash		ington, Erika Alise
Attorney Docket Numb	er	AFF.004C11US

		CERT	TIFICATION STATEMENT					
Plea	Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):							
	That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).							
OR								
$\boxtimes$	That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).							
	See attached ce	rtification statement.						
$\boxtimes$	The fee set forth	in 37 CFR 1.17 (p) has been sub	mitted herewith.					
	A certification sta	atement is not submitted herewith						
	SIGNATURE  A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.							
Sigr	nature	/Mark J. Rozman/	Date (YYYY-MM-DD)	2013-06-06				
Nan	ne/Print	Mark J. Rozman	Registration Number	42117				
			·					

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** 

#### **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal					
Application Number:	130	573391			
Filing Date:	09-	-Nov-2012			
Title of Invention:	SY	STEM AND METHOD	) TO COMMUNI	CATE TARGETED IN	NFORMATION
First Named Inventor/Applicant Name:	Russell W. White				
Filer:	Mark J. Rozman/Stephanie Petreas				
Attorney Docket Number:	AFF.004C11US				
Filed as Large Entity					
Utility under 35 USC 111(a) Filing Fees					
Description		Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					
Extension-of-Time:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
	Tot	al in USD	(\$)	180

Electronic Acknowledgement Receipt				
EFS ID:	15972710			
Application Number:	13673391			
International Application Number:				
Confirmation Number:	5150			
Title of Invention:	SYSTEM AND METHOD TO COMMUNICATE TARGETED INFORMATION			
First Named Inventor/Applicant Name:	Russell W. White			
Customer Number:	21906			
Filer:	Mark J. Rozman/Stephanie Petreas			
Filer Authorized By:	Mark J. Rozman			
Attorney Docket Number:	AFF.004C11US			
Receipt Date:	06-JUN-2013			
Filing Date:	09-NOV-2012			
Time Stamp:	17:40:08			
Application Type:	Utility under 35 USC 111(a)			

## **Payment information:**

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$180
RAM confirmation Number	5002
Deposit Account	201504
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS)	AFF004C11IDScitingnewReexa	67519		4
Form (SB08)		mOAsToFile.pdf	d080930c799592621cbf3b1e64e14ac060a 566f6	no	4
Warnings:	<u> </u>		1	l .	
Information:					
This is not an US	SPTO supplied IDS fillable form				
2	Non Patent Literature	NPLDocAFF04B3OfficeActionM	7530942	no	75
-		ay2013.pdf	a2c47a291ad8238213f35c32820e97a0fdc7 9f2e		
Warnings:					
Information:					
3	Non Patent Literature	NPLDocAFF04B4ExamAnsMay2	1984757	no	21
-		013.pdf	cb332a0a1cecbf7d6973c15d7824e39468e b86c9		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30675	no	2
·			655b17695dbb6d7ea677da8cb8b5732ad3 7e75cd		<u>-</u>
Warnings:					
Information:					
		Total Files Size (in bytes)	96	13893	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

#### New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

#### National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

#### New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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

#### NOTICE OF ALLOWANCE AND FEE(S) DUE

21906 7590 06/03/2013 TROP, PRUNER & HU, P.C 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631

EXAMINER WASHINGTON, ERIKA ALISE ART UNIT PAPER NUMBER

2646

DATE MAILED: 06/03/2013

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/673,391	11/09/2012	Russell W. White	AFF.004C11US	5150

TITLE OF INVENTION: SYSTEM AND METHOD TO COMMUNICATE TARGETED INFORMATION

	APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
_	nonprovisional	UNDISCOUNTED	\$1780	\$0	\$0	\$1780	09/03/2013

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

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

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDE	NCE ADDRESS (Note: Use Bl		Not	e: A certificate of r	nailing can only be used f	or domestic mailings of the	
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)  21906 7590 06/03/2013  TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			pape	ers. Each additional	certificate cannot be used	for any other accompanying ent or formal drawing, mus	
			I he Stat addı tran	Cert reby certify that this es Postal Service wi ressed to the Mail smitted to the USPT	ificate of Mailing or Trans Fee(s) Transmittal is bein th sufficient postage for fi Stop ISSUE FEE address O (571) 273-2885, on the o	smission  g deposited with the United  rst class mail in an envelope  above, or being facsimile  late indicated below.	
HOUSTON, IX	//03/-2031					(Depositor's name)	
						(Signature)	
						(Date)	
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.	
13/673,391	11/09/2012	•	Russell W. White	•	AFF.004C11US	5150	
TITLE OF INVENTION:	SYSTEM AND METH	OD TO COMMUNICAT	IE TARGETED INFORM	ATION			
APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE TOTAL FEE(S) DUI	E DATE DUE	
nonprovisional	UNDISCOUNTED	\$1780	\$0	\$0	\$1780	09/03/2013	
EXAMI	NER	ART UNIT	CLASS-SUBCLASS	]			
WASHINGTON,	ERIKA ALISE	2646	455-418000	-			
1. Change of corresponder CFR 1.363).	nce address or indication	n of "Fee Address" (37	2. For printing on the p	10,	_		
_ ′	ondence address (or Cha	nge of Correspondence	(1) the names of up to or agents OR, alternation	3 registered patent velv.	attorneys <sup>1</sup>		
_	ondence address (or Cha /122) attached.		(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to				
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			registered attorney or a 2 registered patent atto listed, no name will be	rnevs or agents. If n	s of up to o name is 3		
3. ASSIGNEE NAME AN	ND RESIDENCE DATA	A TO BE PRINTED ON	THE PATENT (print or type	oe)			
PLEASE NOTE: Unle recordation as set forth	ess an assignee is identi i in 37 CFR 3.11. Comp	ified below, no assignee oletion of this form is NO	data will appear on the p T a substitute for filing an	atent. If an assigne assignment.	e is identified below, the	document has been filed fo	
(A) NAME OF ASSIG	NEE		(B) RESIDENCE: (CITY	and STATE OR C	OUNTRY)		
				_			

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for fi (B) RESIDENCE (A) NAME OF ASSIGNEE ☐ Individual ☐ Corporation or other private group entity ☐ Government Please check the appropriate assignee category or categories (will not be printed on the patent): 4a. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) 🗖 Issue Fee A check is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_\_ (enclose an extra copy of this fo Advance Order - # of Copies (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)	
Applicant certifying micro entity status. See 37 CFR 1.29	NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
Applicant asserting small entity status. See 37 CFR 1.27	<u>NOTE</u> : If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
Applicant changing to regular undiscounted fee status.	<u>NOTE:</u> Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.
NOTE: The Issue Fee and Publication Fee (if required) will not be accinterest as shown by the records of the United States Patent and Trade	epted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in mark Office.
Authorized Signature	Date
Typed or printed name	Registration No.
an application. Confidentiality is governed by 35 U.S.C. 122 and 37 (	mation is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and vary depending upon the individual case. Any comments on the amount of time you require to complete to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450,
Under the Paperwork Reduction Act of 1995, no persons are required	to respond to a collection of information unless it displays a valid OMB control number.



#### UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/673,391	11/09/2012	Russell W. White	AFF.004C11US	5150
21906 75	90 06/03/2013		EXAM	INER
TROP, PRUNER	,		WASHINGTON	, ERIKA ALISE
1616 S. VOSS RO. HOUSTON, TX 77			ART UNIT	PAPER NUMBER
,			2646	

DATE MAILED: 06/03/2013

#### **Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

#### **Privacy Act Statement**

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- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No. 13/673,391	Applicant(s) WHITE ET AL					
Notice of Allowability	Examiner	Art Unit	AIA (First Inventor to				
Notice of Allowability	ERIKA A. WASHINGTON	2646	File) Status				
			No				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.							
1. $\square$ This communication is responsive to $\underline{5/1/13}$ .							
A declaration(s)/affidavit(s) under <b>37 CFR 1.130(b)</b> was/were filed on							
2. An election was made by the applicant in response to a restr requirement and election have been incorporated into this ac		ie interview on .	; the restriction				
3. The allowed claim(s) is/are <u>1-20</u> . As a result of the allowed claim(s), you may be eligible to benefit from the <b>Patent Prosecution Highway</b> program at a participating intellectual property office for the corresponding application. For more information, please see <a href="http://www.uspto.gov/patents/init_events/pph/index.jsp">http://www.uspto.gov/patents/init_events/pph/index.jsp</a> or send an inquiry to <a href="http://www.uspto.gov/patents/init_events/pph/index.jsp">http://www.uspto.gov/patents/init_events/pph/index.jsp</a> or send an inquiry to <a href="http://www.uspto.gov/patents/init_events/pph/index.jsp">PHfeedback@uspto.gov</a> .							
4.  Acknowledgment is made of a claim for foreign priority under	r 35 U.S.C. § 119(a)-(d) or (f).						
Certified copies:							
a) ☐ All b) ☐ Some *c) ☐ None of the:							
1.   Certified copies of the priority documents have	been received.						
2.   Certified copies of the priority documents have	been received in Application No						
3.  Copies of the certified copies of the priority documents have been received in this national stage application from the							
International Bureau (PCT Rule 17.2(a)).							
* Certified copies not received:							
Interim copies:							
a) All b) Some c) None of the: Interim copi	ies of the priority documents have be	een received.					
Applicant has THREE MONTHS FROM THE "MAILING DATE" on noted below. Failure to timely comply will result in ABANDONMI THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with t	the requirements				
5. CORRECTED DRAWINGS ( as "replacement sheets") must	be submitted.						
including changes required by the attached Examiner's Paper No./Mail Date	Amendment / Comment or in the Or	ffice action of					
Identifying indicia such as the application number (see 37 CFR 1.4 each sheet. Replacement sheet(s) should be labeled as such in the			not the back) of				
6. DEPOSIT OF and/or INFORMATION about the deposit of BI attached Examiner's comment regarding REQUIREMENT FO			ie				
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1. Notice of References Cited (PTO-892)	5. Examiner's Amendr		5 A II				
2. ☑ Information Disclosure Statements (PTO/SB/08), 6. ☑ Examiner's Statement of Reasons for Allowance Paper No./Mail Date <u>4/2/13, 5/1/13</u>							
3. ☐ Examiner's Comment Regarding Requirement for Deposit 7. ☐ Other							
of Biological Material 4. ☐ Interview Summary (PTO-413),							
4. Interview Summary (P10-413), Paper No./Mail Date							
/ERIKA A. WASHINGTON/							
Primary Examiner, Art Unit 2646							

U.S. Patent and Trademark Office PTOL-37 (Rev. 03-13)

Notice of Allowability

Part of Paper No./Mail Date 20130513

Application/Control Number: 13/673,391 Page 2

Art Unit: 2646

#### **DETAILED ACTION**

#### Allowable Subject Matter

1. Claims 1-20 are allowed based on Applicant's arguments and amendment filed May 1, 2013. Prior art has not been found that suggests or renders obvious the limitations of independent claims 1, 8, and 15 disclosing the detailed music enabled communication system.

#### Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIKA A. WASHINGTON whose telephone number is (571)272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamran Afshar can be reached on 571-272-7796. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 13/673,391 Page 3

Art Unit: 2646

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/EAW/ May 13, 2013

/ERIKA A. WASHINGTON/ Primary Examiner, Art Unit 2646

## Search Notes



Application/Control No.	Applicant(s)/Patent Under
	Reexamination

13673391 WHITE ET AL.

Examiner

ERIKA A WASHINGTON

Art Unit

2646

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
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	see EAST search attached	5/13/13	EAW

SEARCH NOTES		
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see EAST search attached	5/13/13	EAW

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
_	see EAST search attached	5/13/13	EAW

/ERIKA A WASHINGTON/
Primary Examiner.Art Unit 2646

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Issue Classification	13673391	WHITE ET AL.
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	Application/Control No.	Applicant(s)/Patent Under Reexamination
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.W./

Receipt date: 05/01/2013

Doc description: Information Disclosure Statement (IDS) Filed

5/01/2013

Approved for use through 05/31/2009. OMB 0651-0031

Ormation Disclosure Statement (IDS) Filed

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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	Application Number	13673391
	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor Rus	sell W. White, et al.
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	3649
( rection submission under 57 of 12 1.33)	Examiner Name Erika	a A. Gary
	Attorney Docket Number	AFF.004CIIUS

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	Application Number	13673391
	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2449
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	Application Number	13673391
	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White
STATEMENT BY APPLICANT	Art Unit	2649
( Not for submission under 37 CFR 1.99)	Examiner Name	Erika A. Washinaton
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English language translation is attached.

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	Application Number	1243391		
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INFORMATION DISCLOSURE	First Named Inventor	sell W. White		
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649		
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	Application Number	13673391
	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, Jr.
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649
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Doc description: Information Disclosure Statement (IDS) Filed

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	Application Number	13673391				
	Filing Date	2012-11-09				
INFORMATION DISCLOSURE	First Named Inventor Russell W. White, et al.					
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	26-19				
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STATEMENT BY APPLICANT	First Named Inventor	Russell W. White, et al.
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	Examiner Name	Erika A. Gary
	Attorney Docket Numb	ber AFF.004CILLS

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,	Examiner Name Erika A. Gary			
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13673391 - GAU: 2646

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Doc description: Information Disclosure Statement (IDS) Filed

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INFORMATION DISCLOSURE	First Named Inventor Russe		ssell White, et al.		
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INFORMATION DISCLOSURE	Filing Date	2012-11-09
STATEMENT BY APPLICANT	First Named Inventor	Russell W. White, et al.
(Not for submission under 37 CFR 1.99)	Art Unit	2649
	Examiner Name	Erika A. Gary
	Attorney Docket Numb	per AFF.004C   (4.5

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INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.					
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		2649				
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	Attorney Docket Numb	er /	AFF 004C N U.S				

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## **EAST Search History**

## **EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	27	((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) and (menu with select\$4 with display\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/13 17:57
L2	Ο	((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) with (menu with select\$4 with display\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/13 17:59
L3	0	(((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) with (menu with select\$4 with display\$3)).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/13 17:59
L7	98	(((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) and ((menu or gui or graphical adj user adj interface) with display\$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/13 18:01
L8	71	7 not 1	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/13 18:01
L9	0	(((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) with ((menu or gui or graphical adj user adj interface) with display\$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/13 18:02

## **EAST Search History (Interference)**

Ref #	Hits	Search Query		Default Operator	Plurals	Time Stamp
L4		(((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or	USPAT; UPAD	OR	ON	2013/05/13 17:59

		music or media or content) with asynchronous\$2) with (menu with select\$4 with display\$3)).clm.				
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L6	0	(((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) and ((menu or gui or graphical adj user adj interface) with display\$3)).clm.	USPAT; UPAD	OR	ON	2013/05/13 18:00
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L11	О	(((cellular or wireless\$2 or mobile) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) with ((menu or gui or graphical adj user adj interface) with select\$5)).clm.	USPAT; UPAD	OR	ON	2013/05/13 18:06
L12	0	(((cellular or wireless\$2 or mobile or radio or rf) with (phone or pda or telephone or device or terminal or station)) and (stream\$3 with (song or audio or music or media or content) with asynchronous\$2) with ((menu or gui or graphical adj user adj interface) with select\$5)).clm.	USPAT; UPAD	OR	ON	2013/05/13 18:07

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INFORMATION DISCLOSURE

13673391 - GALL; 2646

Doc description: Information Disclosure Statement (IDS) Filed

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13673391

2012-11-09

Russell W. White, et al.

**Application Number** 

First Named Inventor

Filing Date

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Receipt date: 04/02/2013			Application Number	Application Number		136	573391	- GAU:	2646			
				Filing Date	Filing Date			2012-11-09				
			DISCLOSURE	First Named Inventor	Russ	ussell W. White, et al.						
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.W./

Receipt date: 05/01/2013

Doc description: Information Disclosure Statement (IDS) Filed

13673391 - GA eb/026446 Approved for use through 07/31/2012. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	Application Number		13673391	
INFORMATION DIGGLOOUPE	Filing Date		2012-11-09	
	First Named Inventor	Russe	ell W. White, et al.	
STATEMENT BY APPLICANT ( Not for submission under 37 CFR 1.99)	Art Unit 2646		2646	
(Not for Submission under 57 of K 1.55)	Examiner Name	WAS	SHINGTON, ERIKA ALISE	
	Attorney Docket Number		AFF.004C11US	

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			Filing Date		2012-11-09				
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1		U.S. Patent and Trademark Office, Office Action mailed February 7, 2013 and Reply to Office Action filed on May 1, 2013 in U.S. application no. 13/658,210.							
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13673391 - GAU: 2646

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	Application Number		13673391	
	Filing Date		2012-11-09	
INFORMATION DISCLOSURE	First Named Inventor	Russe	ell W. White	
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		2649	
( Not for submission under 37 of K 1.33)	Examiner Name	Erika	A. Washington	
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INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.
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	Attorney Docket Numb	er AFF.004C(IUS

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INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.		
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649		
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13673391 - GAU: 2646

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	First Named Inventor Art Unit	Russell W. White, et al.	
	Examiner Name	Erika A. Gary	
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		First Named Inventor	Russell W. White, et al.	
3	STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649	
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	Filing Date	2012-11-09
	First Named Inventor Rus	ssell W. White, et al.
	Art Unit	2649
	Examiner Name Erik	a A. Gary
	Attorney Docket Number	AFF.004CILUS

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Doc code: IDS Doc description: Information Disclosure Statement (IDS) Filed

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	Filing Date		2012-11-09	
	First Named Inventor Russ		ssell W. White, et al.	
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		a649	
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	Attorney Docket Number		AFF.0004C/1US	

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	INFORMATION DISCLOSURE	Filing Date		2012-11-09	
		First Named Inventor	Inventor Russell W. White, et al.		
	STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		2649	
( NOCIOI SUDINISSION UNGEL 37 OF IX 1.33)	Examiner Name	Erika	A. Gary		
		Attorney Docket Number AFF.00		AFF.0004C11US	

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	Examiner Name	Erika /	A. Gary	
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Doc description: Information Disclosure Statement (IDS) Filed

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	First Named Inventor	First Named Inventor Russell W. White, et al.	
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Filing Date	2012-11-09
First Named Inventor	Russell W. White, et al.
Art Unit	2649
Examiner Name	Erika A. Washington
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	First Named Inventor	Russell V	V. White, et al.	
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	Filing Date	2012-11-69
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.
( Not for submission under 37 CFR 1.99)	Art Unit	2649
( NOTION Submission under 57 OF K 1.55)	Examiner Name	Erika A. Wasnington
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Doc code: IDS Doc description: Information Disclosure Statement (IDS) Filed

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	Application Number	13673391	
	Filing Date	2012-11-09	
INFORMATION DISCLOSURE	First Named Inventor Rus	sell W. White, et al.	
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13673391 - GAU: 2646

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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	Filing Date	a01a-11-09
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	First Named Inventor	Russell W. White, et al.
( Not for submission under 37 CFR 1.99)	Art Unit	2649
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	Attorney Docket Numl	ber AFF.004C II U.B

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	Application Number	13673391		
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INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.		
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	8649		
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	Attorney Docket Number	AFF.004C 11U3		

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	Application Number	13673391
	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649
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Doc description: Information Disclosure Statement (IDS) Filed

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	Application Number		13673391	
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STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649	
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Complete If Known Substitute for form 1449/PTO Application Number -i367*33*91 Filing Date 2012-11-09 INFORMATION DISCLOSURE First Named Inventor **Russell W. White** STATEMENT BY APPLICANT Art Unit 2049 (Use as many sheets as necessary) Enka A Wasnington Examiner Name Attorney Docket Number | AFF. DO4CII U.S

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		<sup>US-</sup> US-2003/0008646	12-2002	Shanahan	
		<sup>US-</sup> US-2005/0010633	01-2003	Baughan	
		US- 6,587,835	07-2003	Treyz et al.	
		<sup>US-</sup> 6,496,692	01-2003	Shanahan .	
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		<sup>US-</sup> 6,396,769	05-2002	Polany	
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		US- 6,061,306	05-2000	Buchheim	
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		US- 5,940,767	08-1999	Bourgeois et al.	
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		<sup>US</sup> * 5,774,793	02-1998	Cooper et al.	
		US- 5,587,580	12-1996	Crooks et al.	
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		US- 5,307,326	04-1994	Osawa	
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PAGE 5/6 \* RCVD AT 5/3/2005 3:30:43 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/11 \* DNIS:8729306 \* CSID:512 327 5452 \* DURATION (mm-ss):01-46

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			Application Number	18673391
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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Substitute for form 1449/PTO	Application Number	13673391
INFORMATION DIOCI OCUDE	Filing Date	a012-11-09
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White
STATEMENT BY APPLICANT	Art Unit	7 2649
(Use as many sheets as necessary)	Examiner Name	Erika A. Washington
Sheet 1 of 3	Attorney Docket Number	AFFOOT CHUS

Examiner Initials*	Cite No.	Document Number  Number-Kind Code <sup>2 (# Anown)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	B1	<sup>US-</sup> 2005/0054379	03/10/05	Cao et al.	
	B2	US- 2004/0078274	04/22/04	Aarnio, Ari	
	В3	us-2002/0046084	04/18/02	Steele et al.	
	B4	<sup>US-</sup> 6,975,835	12/13/05	Lake et al.	
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	B8	US- 6,792,615	09/14/04	Rowe et al.	
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····	B12	<sup>US-</sup> 6,526,335	02/25/03	Treyz et al.	
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Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Number-Kind Code <sup>2 (V known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	B27	<sup>US-</sup> 6,247,130	06/12/01	Fritsch, Bernhard	
Annual Control of the	828	<sup>US-</sup> 6,236,832	05/22/01	Ito, Seigo	
	B29	<sup>US-</sup> 6,199,076	03/06/01	Logan et al.	
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	B38	US- 5,594,779	01/14/97	Goodman, William	
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				DOCUMENTS	I Baras Calimas Lines Monm
Exeminer Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (* Ansorn)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Linea, Where Relevant Passages or Relevant Figures Appear
	B1	US- 2005/0096018	05/05/05	White et al.	
	B2	<sup>US-</sup> 2005/0049002	03/05/05	White et al.	
	B3	US- 2002/0023028	02/21/02	Quarendon et al.	
	B4	<sup>US-</sup> 6,975,835	12/13/05	Lake et al.	
	B5	<sup>US-</sup> 6,792,615	09/14/04	Rowe et al.	
	B6	US- 6,792,263	09/14/04	Kite Karen	
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	B8	US- 6,772,212	08/03/04	Lau et al.	
	B9	<sup>US-</sup> 6,741,980	05/25/04	Langseth et al.	
	B10	<sup>US-</sup> 6,671,715	12/30/03	Langseth et al.	
	B11	US- 6,591,085	07/08/03	Grady, Jeff	
	B12	<sup>US-</sup> 6,420,975	07/16/02	DeLine et al.	
	B13	<sup>U\$-</sup> 6,516,466	05/28/02	Polany, Rany	
***************************************	B14	US- 6,292,440	09/18/01	Lee, San-Hun	
,	815	US- 6,240,297	05/29/01	Jadoul, Marc	
	B16	US- 6,232,539	05/15/01	Looney et al.	
	B17	us- 6,061,306	05/09/00	Buchheim, James	
	B18	<sup>US-</sup> 5,953,657	09/14/99	Ghisler, Walter	
	B19		08/17/99	Bourgeois et al.	

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	Application Number	13673391
	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor	Russell W. White, et al.
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	2649
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	Attorney Docket Numb	er AFF.004Cli LLS
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	Filing Date	:2012-11-09		
INFORMATION DISCLOSURE	First Named Inventor Russ	ussell W. White, et al.		
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit	3649		
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	First Named Inventor	Russell W. White, et al.
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	Examiner Name	
	Attorney Docket Numb	er AFF.004C II US

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	Filing Date	2012-11-09
INFORMATION DISCLOSURE	First Named Inventor F	Russell W. White, et al.
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Art Unit	2649
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