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Cox

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(54) **IDENTIFYING WORKS, USING A SUB-LINEAR TIME SEARCH, SUCH AS AN APPROXIMATE NEAREST NEIGHBOR SEARCH, FOR INITIATING A WORK-BASED ACTION, SUCH AS AN ACTION ON THE INTERNET**

4,499,601 A	2/1985	Mathews
4,511,917 A	4/1985	Kohler et al.
4,547,804 A	10/1985	Greenberg
4,634,966 A	1/1987	Nakatani et al.
4,639,779 A	1/1987	Greenberg
4,677,455 A	6/1987	Okajima
4,677,466 A	6/1987	Lert, Jr. et al.
4,682,370 A	7/1987	Mathews
4,697,209 A	9/1987	Kiewit
4,739,398 A	4/1988	Thomas et al.
4,776,017 A	10/1988	Fujimoto
4,805,020 A	2/1989	Greenberg

(Continued)

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(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 594 days.

This patent is subject to a terminal disclaimer.

OTHER PUBLICATIONS

Peter N. Yianilos, Excluded Middle Vantage Point Forest for Nearest Neighbor Search, Aug. 1, 1999, pp. 1-12.*

(Continued)

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Related U.S. Application Data

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H04N 7/173 (2011.01)

(52) **U.S. Cl.** **725/110**

(58) **Field of Classification Search** None
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,919,479 A	11/1975	Moon et al.
4,230,990 A	10/1980	Lert, Jr. et al.
4,450,531 A	5/1984	Kenyon et al.
4,495,526 A	1/1985	Baranoff-Rossine

Primary Examiner — Brian Pendleton

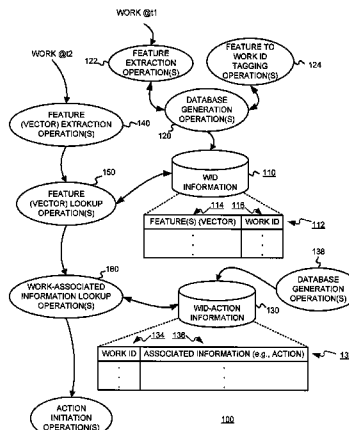
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(57) **ABSTRACT**

A media work may be associated with an action by (a) extracting features from the media work, (b) determining an identification of the media work, based on the features extracted, using a sub-linear time search, such as an approximate nearest neighbor search for example, and (c) determining an action based on the identification of the media work determined. The media work may be an audio work. The features extracted from the work may include (A) a frequency decomposition of a signal of the audio work, (B) information samples of the audio work, (C) average intensities of sampled windows of the audio work, and/or (D) information from frequencies of the audio work.

40 Claims, 10 Drawing Sheets



U.S. PATENT DOCUMENTS

4,843,526 A 6/1989 Price, III
 4,843,562 A 6/1989 Kenyon et al.
 4,918,730 A 4/1990 Schulze
 5,210,820 A 5/1993 Kenyon
 5,283,819 A 2/1994 Glick et al.
 5,437,050 A 7/1995 Lamb et al.
 5,481,294 A 1/1996 Thomas et al.
 5,581,658 A 12/1996 O'Hagan et al.
 5,594,934 A 1/1997 Lu et al.
 5,629,739 A 5/1997 Dougherty
 5,692,213 A 11/1997 Goldberg et al.
 5,701,452 A 12/1997 Siefert
 5,701,542 A 12/1997 Sasayama
 5,724,605 A 3/1998 Wissner
 5,745,900 A 4/1998 Burrows
 5,798,785 A 8/1998 Hendricks et al.
 5,850,490 A 12/1998 Johnson
 5,918,223 A 6/1999 Blum et al.
 5,953,415 A 9/1999 Nielsen
 6,006,256 A 12/1999 Zdepksi et al.
 6,011,758 A 1/2000 Dockes et al.
 6,026,439 A 2/2000 Chowdhury et al.
 6,044,402 A 3/2000 Jacobson et al.
 6,052,693 A 4/2000 Smith et al.
 6,061,056 A * 5/2000 Menard et al. 715/704
 6,088,455 A 7/2000 Logan et al.
 6,088,707 A 7/2000 Bates et al.
 6,118,450 A 9/2000 Proehl et al.
 6,119,124 A 9/2000 Broder et al.
 6,169,986 B1 1/2001 Bowman et al.
 6,173,406 B1 1/2001 Wang et al.
 6,240,409 B1 5/2001 Aiken
 6,243,725 B1 6/2001 Hempleman et al.
 6,247,133 B1 6/2001 Palage et al.
 6,253,193 B1 6/2001 Ginter et al.
 6,263,348 B1 7/2001 Kathrow et al.
 6,330,593 B1 12/2001 Roberts et al.
 6,345,256 B1 2/2002 Milsted et al.
 6,349,296 B1 2/2002 Broder
 6,360,215 B1 3/2002 Judd et al.
 6,363,377 B1 3/2002 Kravets et al.
 6,374,225 B1 4/2002 Hejna, Jr.
 6,381,601 B1 4/2002 Fujiwara et al.
 6,385,596 B1 5/2002 Wisner et al.
 6,408,128 B1 6/2002 Abecassis
 6,418,421 B1 7/2002 Hurtado et al.
 6,446,068 B1 9/2002 Kortge
 6,449,226 B1 9/2002 Kumagai
 6,452,874 B1 9/2002 Otsuka et al.
 6,477,704 B1 11/2002 Cremia
 6,496,802 B1 12/2002 Van Zoest et al.
 6,505,160 B1 1/2003 Levy
 6,550,001 B1 4/2003 Corwin et al.
 6,550,011 B1 4/2003 Sims, III
 6,577,746 B1 6/2003 Evans et al.
 6,591,245 B1 7/2003 Klug
 6,598,228 B2 7/2003 Hejna, Jr.
 6,609,105 B2 8/2003 Van Zoest et al.
 6,654,757 B1 11/2003 Stern
 6,665,661 B1 12/2003 Crow et al.
 6,675,174 B1 1/2004 Bolle et al.
 6,834,308 B1 * 12/2004 Ikezoye et al. 709/231
 6,873,982 B1 3/2005 Bates et al.
 6,931,451 B1 8/2005 Logan et al.
 6,941,275 B1 9/2005 Swierczek
 6,978,419 B1 12/2005 Kantrowitz
 6,978,461 B2 12/2005 Shapiro et al.
 6,990,453 B2 1/2006 Wang et al.
 7,013,301 B2 3/2006 Holm et al.
 7,058,223 B2 6/2006 Cox
 7,106,904 B2 9/2006 Shima
 7,155,449 B2 12/2006 Pingel et al.
 7,158,929 B2 1/2007 Wouters et al.
 7,168,083 B2 1/2007 Kalker et al.
 7,302,574 B2 11/2007 Conwell et al.
 7,366,718 B1 4/2008 Pugh et al.

7,523,312 B2 4/2009 Kalker et al.
 7,587,728 B2 9/2009 Wheeler et al.
 7,647,604 B2 1/2010 Ramaswamy
 7,650,616 B2 1/2010 Lee
 7,757,248 B2 7/2010 Harkness et al.
 2001/0001160 A1 * 5/2001 Shoff et al. 725/51
 2001/0003818 A1 6/2001 Pingel et al.
 2002/0023020 A1 2/2002 Kenyon et al.
 2002/0032698 A1 3/2002 Cox
 2002/0120925 A1 8/2002 Logan
 2002/0156760 A1 10/2002 Lawrence et al.
 2003/0106017 A1 6/2003 Kanchirayappa et al.
 2003/0146940 A1 8/2003 Ellis
 2004/0199387 A1 * 10/2004 Wang et al. 704/243
 2005/0160363 A1 7/2005 Bhogal et al.
 2006/0101069 A1 5/2006 Bell et al.
 2006/0206462 A1 9/2006 Barber
 2007/0041667 A1 2/2007 Cox
 2007/0083510 A1 4/2007 McArdle
 2007/0118375 A1 5/2007 Kenyon et al.
 2008/0091684 A1 4/2008 Ellis et al.
 2008/0250241 A1 10/2008 Ginter et al.

OTHER PUBLICATIONS

Peter N. Yianilos, Excluded Middle Vantage Point Forest for Nearest Neighbor Search, Aug. 1, 1999, pp. 1-12.*
 P.N. Yianilos, "Locally Lifting the Curse of Dimensionality for Nearest Neighbor Search" *SODA 2000*, pp. 361-370.
 Baum, L., et al., "A Maximization Technique Occurring in the Statistical Analysis of Probabilistic Functions of Markov Chains", *The Annals of Mathematical Statistics*, vol. 41, No. 1, pp. 164-171 (1970).
 Dempster, A. P., et al., "Maximum Likelihood from Incomplete Data via the EM Algorithm", *Journal of the Royal Statistical Society, Series B (Methodological)*, vol. 39, Issue 1, pp. 1-38 (1977).
 Reynolds, D., et al., "Robust Text-Independent Speaker Identification Using Gaussian Mixture Speaker Models", *IEEE Transactions on Speech and Audio Processing*, vol. 3, No. 1, pp. 72-83 (Jan. 1995).
 Nievergelt, J. et al., "The Grid File: An Adaptable, Symmetric Multikey File Structure," *ACM Transactions on Database Systems*, vol. 9, No. 1, pp. 38-71 (Mar. 1984).
 Heintze, N, "Scalable Document Fingerprinting," Proc. USENIX Workshop on Electronic Commerce (1996).
 Wold, E, et al., "Content-Based Classification, Search, and Retrieval of Audio," *IEEE Multimedia*, vol. 3, Issue 3, pp. 27-63 (1996).
 Bhanu, B., et al., "Learning Feature Relevance and Similarity Metrics in Image Databases", *Proceedings of the IEEE Workshop on Content-Based Access of Image and Video Libraries*, pp. 14-19 (1998).
 Del Bimbo, A., et al., "Using Weighted Spatial Relationships in Retrieval by Visual Contents", *Image Description and Retrieval*, pp. 161-192 (1998).
 Indyk, P., and Motwani, R., "Approximate Nearest Neighbors: Towards Removing the Curse of Dimensionality," *Proceeding of the Thirtieth Annual ACM Symposium on Theory of Computing*, pp. 604-613 (1998).
 La Cascia, M., et al., "Combining Textual and Visual Cues for Content-based Image Retrieval on the World Wide Web", *Proceedings of the IEEE Workshop on Content-Based Access of Image and Video Libraries*, pp. 24-29 (1998).
 Yoshitaka, A., et al., "A Survey on Content-Based Retrieval for Multimedia Databases", *IEEE Transactions on Knowledge and Data Engineering*, vol. 11, No. 1, pp. 81-93 (Jan./Feb. 1999).
 Lawrence, S., et al., "Digital Libraries and Autonomous Citation Indexing," *IEEE Computer*, pp. 67-71 (Jun. 1999).
 Kimura, A, et al., "Very Quick Audio Searching: Introducing Global Pruning to the Time-Series Active Search," *IEEE Conf on Acoustics, Speech and Signal Processing, (ICASSP '01)*, vol. 3, pp. 1429-1432 (2001).
 Chavez, E., et al., "Searching in Metric Spaces", *ACM Computing Surveys*, vol. 33, No. 3, pp. 273-321 (Sep. 2001).
 Haitsma, J., et al., "Robust Audio Hashing for Content Identification,

- Haitsma, J., and Walker, T. "A Highly Robust Audio Fingerprinting System," *Journal of New Music Research*, 1744-5027, vol. 32, Issue 2, pp. 211-221 (2003).
- Schleimer, Saul, et al., "Winnowing: Local Algorithms for Document Fingerprinting ACM SIGMOD" (Jun. 9-12, 2003).
- "Searching Near-Replicas of Images via Clustering" Edward Chang, Chen Li, James Wang, Peter Mork, Gio Wiederhold Proc. SPIE Symposium of Voice, Video, and Data Communications, 1999.
- "RIME: A Replicated Image Detector for the World-Wide Web" Edward Y. Chang, James Ze Wang, Chen Li, and Gio Wiederhold, SPIE 1998.
- "Safeguarding and charging for information on the internet," H. Garcia-Molina, S. Ketchpel, and N. Shivakumar, Proceedings of ICDE, 1998.
- "Detection mechanisms for digital documents," S. Brin and H. Garcia-Molina, Proceedings of ACM SIG-MOD, May 1995.
- "The x-tree: An index structure for high-dimensional data," S. Berchtold, Proceedings of the 22nd VLDB, Aug. 1996.
- "The sr-tree: An index structure for high-dimensional nearest neighbor queries," N. Katayama and S. Satoh, Proceedings of ACM SIGMOD, May 1997.
- "The k-d-b-tree: A search structure for large multidimensional dynamic indexes," J. T. Robinson, Proceedings of ACM SIGMOD, Apr. 1981.
- "Query by image and video content: The QBIC system," M. Flickner, H. Sawhney, W. Niblack, J. Ashley, Q. Huang, and et al, IEEE Computer 28(9), pp. 23{32, 1995.
- "Visual information retrieval," A. Gupta and R. Jain, Communications of the ACM 40(5), pp. 69-79, 1997.
- "Visualseek: A fully automated content-based image query system," J. R. Smith and S.-F. Chang, ACM Multimedia Conference, 1996.
- "Similarity indexing: Algorithms and performance," D. A. White and R. Jain, Proc. SPIE vol. 2670, San Diego, 1996.
- "The r*-tree: an efficient and robust access method, for points and rectangles," N. Beckmann, H.-P. Kriegel, R. Schneider, and B. Seeger, Proceedings of ACM Sigmod, May 1990.
- "R-trees: a dynamic index structure for spatial searching," A. Guttmann, Proceedings of ACM Sigmod, Jun. 1984.
- "Similarity indexing with the ss-tree," D. A. White and R. Jain, Proceedings of the 12th ICDE, Feb. 1996.
- "The tv-tree: an index structure for high-dimensional data," K.-L. Lin, H. V. Jagadish, and C. Faloutsos, VLDB Journal 3 (4), 1994.
- "M-tree: An efficient access method for similarity search in metric spaces," P. Ciaccia, M. Patella, and P. Zezula, Proceedings of the 23rd VLDB, Aug. 1997.
- "Nearest neighbor queries," N. Roussopoulos, S. Kelley, and F. Vincent, Proceedings of ACM Sigmod, May 1995.
- "An extensible hashing index for high-dimensional similarity search," C. Li, E. Chang, and J. Z. Wang, Stanford Technical Report, Aug. 1998.
- "Two algorithms for nearest-neighbor search in high dimensions" J. M. Kleinberg, Proc 29th STOC, 1997.
- "A Density-Based Algorithm for Discovering Clusters in Large Spatial Databases with Noise" Martin Ester, Hans-Peter Kriegel, Jörg Sander, Xiaowei Xu Proceedings of 2nd International Conference on Knowledge Discovery and Data Mining (KDD-96), 1996.
- "Adaptive Color Image Embeddings for Database Navigation" Yossi Rubner, Carlo Tomasi and Leonidas J. Guibas, Proceedings of the 1998 IEEE Asian Conference on Computer Vision.
- A Quantitative Analysis and Performance Study for Similarity-Search Methods in High-Dimensional Spaces R. Weber, H-J Schek, S. Blott Proc., 24th VLDB Conf. 1998.
- Bouktache, D., "A fast algorithm for the nearest neighbor classifier", IEEE Transactions on Pattern Analysis and Machine Intelligence, Mar. 1997, pp. 277-282.
- Nene et al., "A simple algorithm for nearest neighbor search in high dimensions", IEEE Transactions on Pattern Analysis and Machine Intelligence; Sep. 1997, pp. 989-1003.
- Arya et al. "Approximate nearest neighbor queries in fixed dimensions." K. Fukunaga and P. M. Narendra. A branch and bound algorithm for computing k-nearest neighbors. IEEE Trans. Comput., C-24:750{753, Jul. 1975.
- C.D. Feustel and L. G. Shapiro. The nearest neighbor problem in an abstract metric space. Pattern Recognition Letters, pp. 125{128, Dec. 1982.
- Dennis Shasha and Tsong-Li Wang. New techniques for best-match retrieval. ACM Transactions on Information Systems, 8(2):140{158, Apr. 1990.
- J. Uhlmann. Satisfying general proximity/similarity queries with metric trees. Information Processing Letters, 40 (4):175{9, Nov. 1991.
- Sergey Brin, "Near Neighbor Search in Large Metric Spaces", Proceedings of the 21st VLDB Conference, Zurich, Switzerland, Sep. 1995.
- D. P. Huttenlocher, et al. Comparing images using the hausdorff distance. IEEE Transactions on Pattern Analysis and Machine Intelligence, 15(3):850{63, Sep. 1993.
- Seidl et al. "Optimal multi-step k-nearest neighbor search", Proceedings of ACM SIGMOD international conference on Management of data, 1998, pp. 154-165.
- W.A. Burkhard and R.M. Keller. Some Approaches to Best-Match File Searching. Communications of the ACM. vol. 16, No. 4, Apr. 1973.
- Kushilevitz et al. "Efficient search for approximate nearest neighbor in high dimensional spaces", Proceedings of the 30th annual ACM Symposium on Theory of computing, 1998, pp. 614-623.* ;annual ACM Symposium on Theory of computing, 1998, pp. 614-623.
- Yianilos, P., "Data structures and algorithms for nearest neighbor search in general metric spaces", Proceedings of the ACM-SIAM Symposium on Discrete algorithms, 1993, pp. 311-321.
- Ardizzone, Edoardo et al., "Motion and Color-Based Video Indexing and Retrieval," Universita di palermo, Dipartimento di Ingegneria Elettrica, pp. 135-139, Viale delle Scienze, Palermo, Italy, IEEE 1996.
- Deng, Yining et al., "Content-based Search of Video Using Color, Texture, and Motion," Dept. of Electrical and Computer Engineering, University of California, Santa Barbara, CA, pp. 534-537, IEEE 1997.
- Fang, Min et al., "Computing Iceberg Queries Efficiently," Dept. of Computer Science, Stanford, CA, Paper No. 234, pp. 1-25.
- Flickner, Myron et al., "Query by Image and Video Content: The QBIC System," IBM Almaden Research Center, Sep. 1995, pp. 23-32, IEEE 1995.
- Gargi, U et al., "Performance Characterization and Comparison of Video Indexing Algorithms," Dept. of Computer Science and Engineering, The Pennsylvania State University, University Park, PA.
- Gionis, Aristides et al., "Similarity Search in High Dimensions via Hashing," Dept. of Computer Science, Stanford University, Stanford, CA, pp. 518-529, Proceeding the 25th VLDB Conference, Edinburgh, Scotland, 1999.
- Indyk, Piotr et al., "Approximate Nearest Neighbors: Towards Removing the Curse of Dimensionality" (preliminary version) Dept. of Computer Science, Stanford University, Stanford, CA, pp. 1-13 & i-vii, Jul. 21, 1999.
- Iyengar, Giridharan et al., "Models for automatic classification of video sequences," MIT Media Laboratory, Cambridge, MA.
- Jain, Anil K., et al., "Image Retrieval using Color and Shape," Dept. of Computer Science, Michigan State University, Eas Lansing, MI, pp. 1-24, May 15, 1995.
- Ogle, Virginia E., et al., "Chabot: Retrieval from a Relational Database of Images," University of California at Berkeley, Computer pp. 40-48, IEEE 1995.
- Pentland, A. et al., "Photobook: Content-Based Manipulation of Image Databases," Perceptual Computing Section, The Media Laboratory, Massachusetts Institute of Tech., International Journal of Computer Vision 18(3), pp. 233-254 (1996), 1996 Kluwer Academic Publishers. Manuf. in The Netherlands.
- Shivakumar, Narayanan et al., "SCAM: A Copy Detection Mecha-

Shivakumar, Narayanan et al., "Building a Scalable and Accurate Copy Detection Mechanism," Dept. of Computer Science, Stanford University, Stanford, CA.

Srihari, Rohini K., "Automatic Indexing and Content-Based Retrieval of Captioned Images," State University of New York, Buffalo, Theme Feature, pp. 49-56, Sep. 1995, IEEE 1995.

Swain, Michael and Ballard, Dana H., "Color Indexing," International Journal of Computer Vision 7:1, p. 11-32 (1991), 1991 Kluwer Academic Publishers. Manuf. in The Netherlands.

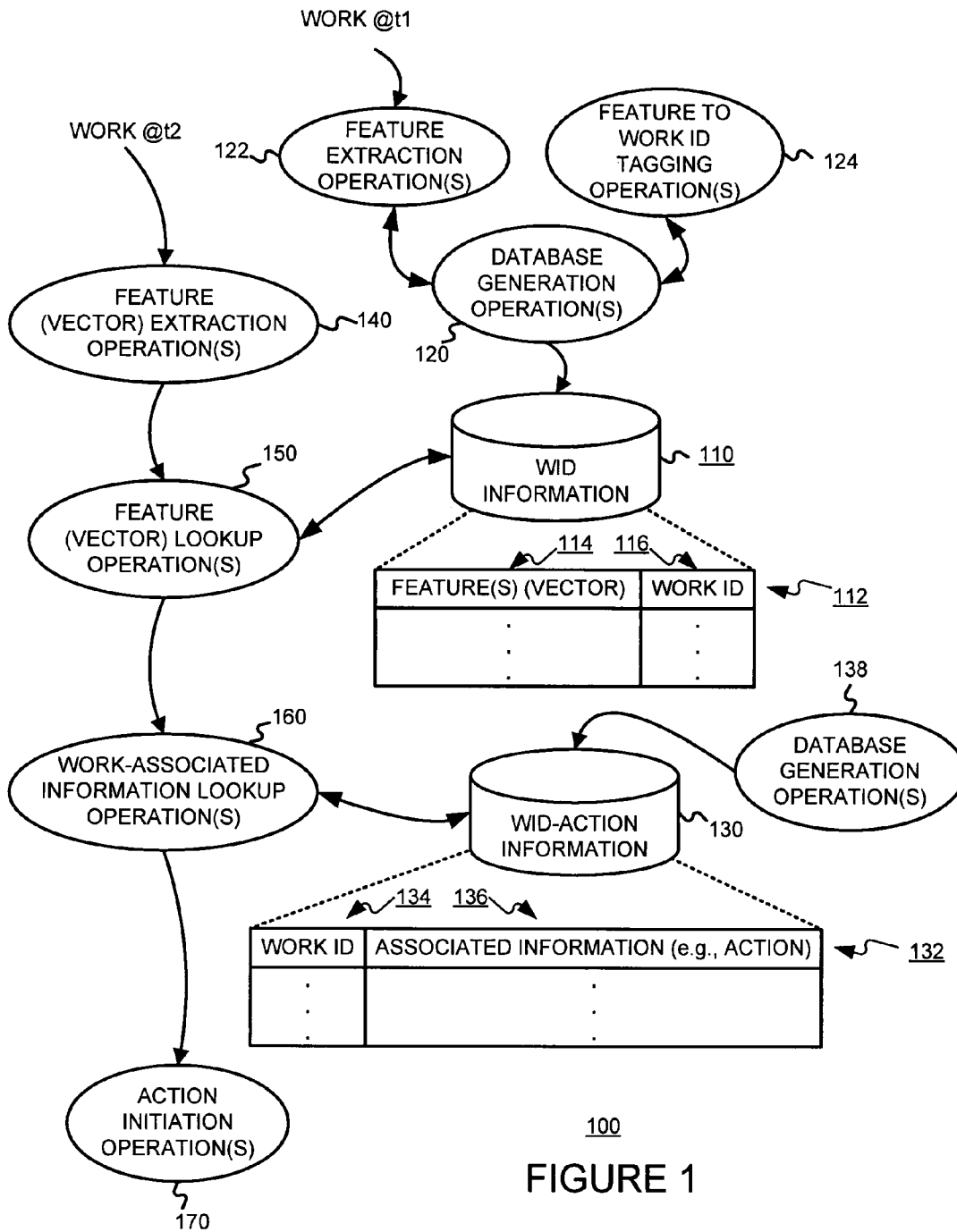
Wactlar, Howard D. et al., "Intelligence Access to Digital Video: Informedia Project," Carnegie Mellon University, Digital Library

Initiative: Carnegie Mellon University, Computer, pp. 46-52, IEEE 1996.

Yeo, Boon-Lock et al., "Rapid Scene Analysis on Compressed Video," IEEE Transactions on Circuits and Systems for Video Technology, vol. 5, No. 6, pp. 533-544, Dec. 1995, Dept. of Electrical Engineering, Princeton University, Princeton, NJ, IEEE Log No. 9415901.

Indyk, Piotr et al., "Finding pirated video sequences on the Internet," Dept. of Computer Science, Stanford University, Palo Alto, CA, Paper No. 199.

* cited by examiner



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