Attorney Docket No: ADMI.0010001   **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of   Wood et al.

Serial No.:   10/961,720   Examiner: Hailu, Tadesse

Confirmation No.:   8768   Art Unit: 2173

Filed: 10/8/2004

For: WEB-BASED MEDIA SUBMISSION TOOL

Commissioner for Patents
Alexandria, VA 22313-1450

DECLARATION OF REFERENCE PUBLICATION DATE

I, Scott Lewis state that:

1. I worked for PictureWorks Technology from 1996 until 2000.
2. In the fourth Quarter of 1998, PictureWorks provided marketing support to Moore Data, which was integrating PictureWorks Prepare and Post technology with their MLS/Xplorer product.
3. The brochure entitled "Prepare & Post" ("the Brochure"; see Exhibit 1) lists a copyright date of 1997.
4. I authored the graphical illustrations of Exhibits 2 and 3 in the fourth quarter of 1998.
5. The graphical illustration of Exhibit 2 is used on page 1 of the Brochure, and the graphical illustration of Exhibit 3 is used as "Figure 1" on page 2 of the Brochure.
6. The Brochure was therefore created no earlier than the fourth quarter of 1998.

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

Date: ___1/21/09___   By: _____
   Scott Lewis
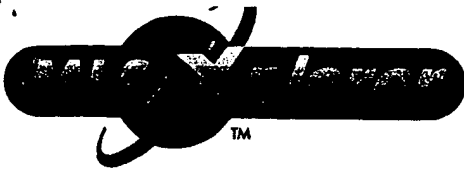
Enable your users to submit images quickly and easily!

Prepare & Post™ for MLS/Xplorer allows you to integrate photographs into the MLS host database within seconds. This service enables brokers, agents and professional photographers to insert one or more photos quickly and easily. Photos are immediately available for viewing.

Getting pictures of listings into the MLS host database and onto the Web is as easy as 1, 2, 3.

1 *Select and drag photos from a folder on your computer.*
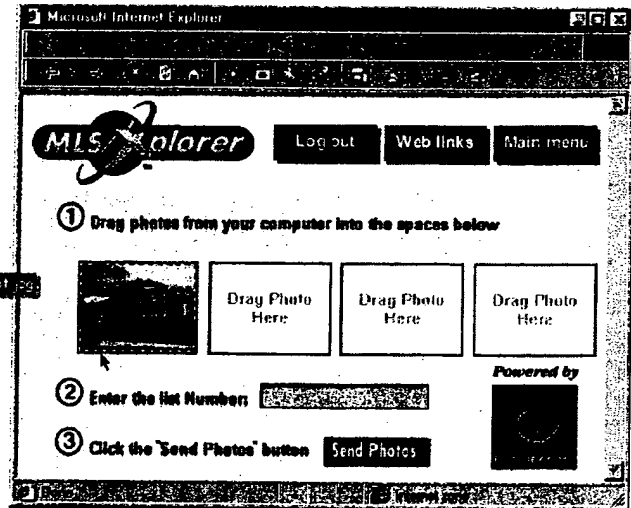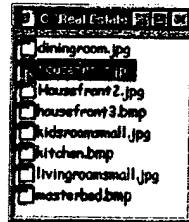
2 *Enter the list number.*

3 *Click the "Send Photos" button.*

Key Features

- Works with either Maestro or Compass MLS host systems running MLS/Xplorer
- Full MLS functionality
- Browser access
- Immediate data access
- Internet-based communication
- The Internet photo standard
- Operating-system independent

Getting photos of listings into the MLS host database is drag & drop simple!

If you've ever tried to post photos of your listings to your MLS, you know what a complicated and time-consuming task that can be. No longer. With Prepare & Post, even novice computer users with nothing more than a Web browser can drag and drop images into MLS/Xplorer. You'll never have to deal with complicated issues such as file formats, resizing, color depth, and transfer protocols. With *Prepare & Post* from PictureWorks, it really is as easy as 1, 2, 3!

Simple, fast and effective

Rather than waiting several days for photos to appear in the MLS host system, new listings can have pictures included the day they hit the market. With a digital camera or scanner, real estate professionals can capture the best features of their listings and know that they will be seen by agents and buyers immediately. Within seconds, the photos that are submitted through MLS/Xplorer will be available for others to review.

Never again will listing agents have to settle for a single photo of the front of their properties. Listings can now be easily enhanced with multiple pictures. Gourmet kitchens, expansive vistas, and garden retreats can all be included with the listing. The view from the curb rarely tells the whole story.

Automatic distribution

Photos entered into the system can also be instantly and automatically delivered to multiple consumer real estate listing Web sites, and print publications showcasing these enhanced listings to millions of consumers. By request, these photos will be delivered to approved third-party publishers, formatted to their exacting specifications (see Figure 1).

Technical details

This set of services is installed, maintained, and operated primarily on PictureWorks Technology's servers. A *Prepare & Post* interface can be integrated into the Moore MLS host site running MLS/Xplorer, providing submission capabilities to your users. This technology is flexible enough to adjust to the individual requirements of the MLS host site. For example, the server can change a picture's size or format based on the needs of the MLS.

Photos are then passed from PictureWorks servers to a Data Integration Module provided by Moore Data Management Services and installed at your MLS. This component receives incoming photos from PictureWorks and directly integrates them into the MLS host database (see Figure 2).
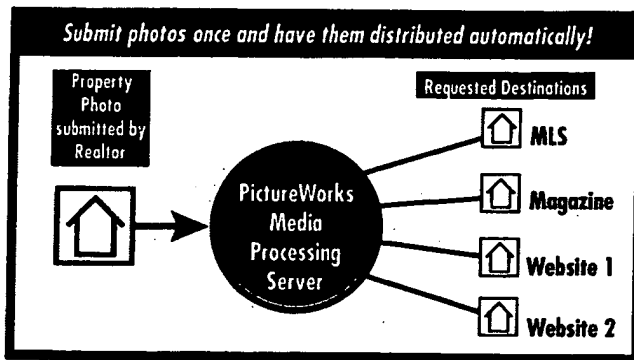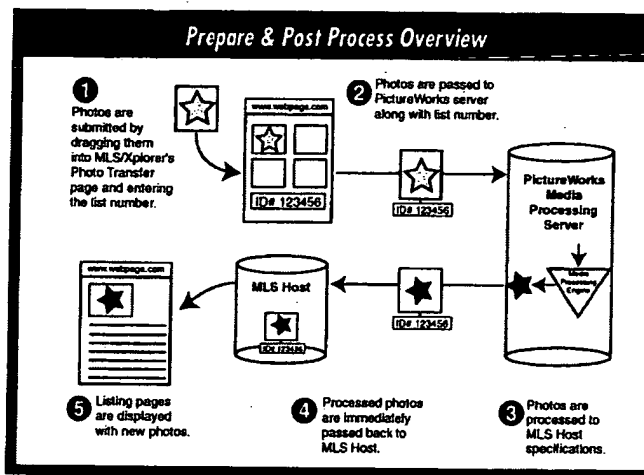

Figure 1

Figure 2

MLS Benefits

- Photos inserted directly into MLS host database
- *Prepare & Post* system for both agents and professional photographers
- At MLS request, photos can be redistributed to a number of third parties

Broker Benefits

- Total accuracy matching pictures with property data
- Visually demonstrate key property features to other agents and their clients

Agent Benefits

- No special software or processes to learn
- Anyone with a Web browser can easily post images to the Web
- Property photos available simultaneous

C:\Real Estate

- diningroom.jpg
- housefront.jpg
- Housefront2.jpg
- housefront3.bmp
- kidsroomsmall.jpg
- kitchen.bmp
- livingroomsmall.jpg
- masterbed.bmp

housefront.jpg

housefront.jpg
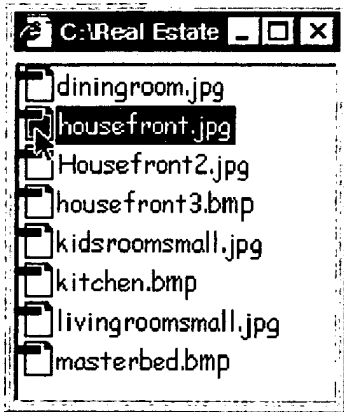
Microsoft Internet Explorer

File   Edit   View   Go   Favorites   Help

MLS Xplorer ™

Log out   Web links   Main menu

① **Drag photos from your computer into the spaces below**

Drag Photo Here   Drag Photo Here   Drag Photo Here

Powered by

PICTUREWORKS

② **Enter the List Number:**

③ **Click the Send Photos Button**   **Send Photos**

Done   Internet zone

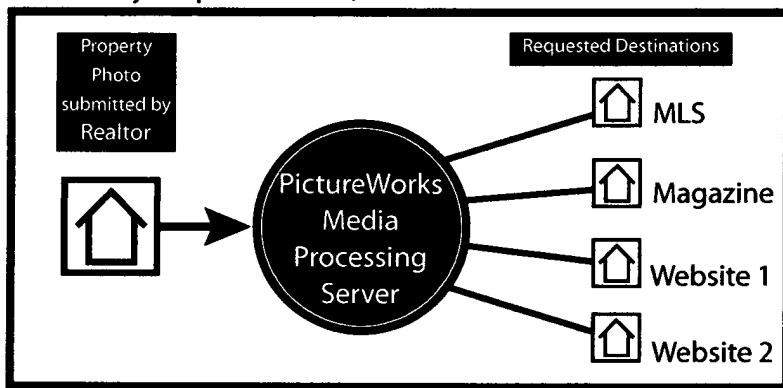Submit your photos once, and have them distributed automatically!

Exhibit 3