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10/035,987

SEP 25 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Isaac LEVANON *et al*

Assignee: 3DVU, Inc.

Serial No.: 10/035,987

Filed: December 24, 2001

Title: Optimized Image Delivery Over Limited Bandwidth ...

Examiner: David R. Lazaro

Group: 2155

Attorney Docket: 927/3

Declaration of Inventors

We, Isaac Levanon and Yoni Lavi, being first duly sworn, depose and say:

1. We hereby declare that we believe we are the original, first and co-inventors of the subject matter which is claimed herein for which a utility patent is sought on the invention described and claimed in the above-identified application; that we have reviewed and understand the contents of the application, including the claims; and, that we acknowledge our duty to disclose to the PTO information of which we are aware which is material to patentability of this invention as defined in 37 C.F.R. 1.56.
2. Our invention was made prior to 29 November 2000 – the date of filing by Robotham of the application which matured into US Patent 6,704,024. Our original Provisional applications 60/258,488; 60/258,489; 60/258,465; 60/258,468; 60/258,466; and 60/258,467 were all filed 27 December 2000. Since it is not possible to instantaneously create an invention and file an application the same day, it is self apparent that the invention was made some time prior to 27

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December 2000. Our invention also dates back prior to Robotham's provisional application, which was filed August 7, 2000.

3. The herein invention was first defined in October 1999, we had a working model in December 1999 and we can establish that we had the first working product on about 24 January 2000.

4. Our company was originally known as Flyover Technologies, Inc. and only changed to 3DVU, Inc. relatively recently, so the original materials bear the company name Flyover Technologies.

5. Attached hereto is a copy of the Zip drive directory which shows the files with the program constituting the invention. It can be seen that the dates of these files go all the way back into 1999. We have the source code and the images of the application dated in 1999 and, if requested by the PTO, copies can be made and provided. It may be appreciated that they are exceptional voluminous, so we do not want to burden the PTO with so much paper unless it is really required. An old HDD from 1999 was located and it shows files pertaining to this invention, bearing dates 29 November 1999, 1 December 1999, 8 December 1999 and 30 November 1999

6. Also attached hereto is the June 2000 4 -page description of the design that was distributed to selected people.

7. In September and October 2000, we initially consulted with the Israeli patent attorney Avner Korman at the patent firm Reinhold Cohn & Associates in Tel Aviv, Israel. Thereafter, we met with the patent attorney Gerald B. Rosenberg, NewTechLaw, Suite 520, 285 Hamilton Avenue, Palo Alto, California 94301, to discuss this invention, companion inventions and preparation of patent applications. Over the succeeding months, Mr. Rosenberg prepared the provisional applications, which was filed by his office on 27 December 2000.


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8. We hereby declare that all statements made herein of our 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.



Isaac Levanon

Dated: Sep 24 2005



Yoni Lavi

Dated: Sep 24 2005

Bruce Lilling

From: Nurit Levanon [nuritl@2flyover.com]
Sent: Wednesday, September 21, 2005 4:08 PM
To: 'Bruce Lilling'
Cc: Isaac Levanon
Subject: RE: Top Level Design) - FlyOver.doc
Importance: High

Bruce,

Please look at the 24-10-01.Zip file inside the patet.Zip
 You can see clearly the dates.

The screenshot shows the WinZip interface with the following menu items: File, Actions, Options, Help. The toolbar includes icons for New, Open, Favorites, Add, Extract, Encrypt, View, CheckOut, and Wizard. The file list is as follows:

Name	Type	Modified	Size	Ratio	Packed	Path
flyover_1.jpg	JPEG Image	9/19/2000 12:01 PM	240,976	4%	230,584	patent\
flyover_2.jpg	JPEG Image	9/19/2000 12:01 PM	112,109	3%	108,540	patent\
flyover_3.jpg	JPEG Image	9/19/2000 12:01 PM	70,799	6%	66,439	patent\
flyover_4.jpg	JPEG Image	9/19/2000 12:01 PM	91,720	12%	80,989	patent\
flyover_5.jpg	JPEG Image	9/19/2000 12:01 PM	140,523	2%	138,149	patent\
flyover_6.jpg	JPEG Image	9/19/2000 12:01 PM	186,447	2%	182,880	patent\
24-10-01.zip	WinZip File	10/17/2001 5:37 PM	414,695	0%	414,695	patent\
Thumbs.db	Data Base File	9/18/2005 9:18 PM	19,968	26%	14,716	patent\

WinZip (Evil) v1.9.0.17

File Actions Options Help

New Open Favorites Add Extract Encrypt View CheckOut Wizard

Name	Type	Modified	Size	Ratio	Packed	Path
in.h	H File	9/26/1996 5:13 AM	32,474	86%	3,842	Flight\ntpshell\
irtypes.h	H File	9/26/1996 5:13 AM	6,101	75%	1,496	Flight\ntpshell\
npupp.h	H File	9/26/1996 9:24 AM	32,687	87%	4,125	Flight\ntpshell\
ntpshell.h	H File	5/13/1999 5:44 AM	2,100	67%	699	Flight\ntpshell\
npapl.h	H File	5/13/1999 6:51 AM	10,979	71%	3,139	Flight\ntpshell\
resource.h	H File	9/29/1999 1:48 PM	411	42%	238	Flight\ntpshell\
resource.h	H File	11/13/1999 4:43 PM	641	54%	292	Viewer\
Timer.h	H File	12/31/1999 3:55 AM	243	36%	156	Flight\
Base.h -old	File	12/31/1999 4:46 AM	642	57%	279	Viewer\
ntpshell.rc	RC File	1/9/2000 5:15 PM	2,675	71%	782	Flight\ntpshell\
V3DRead.cpp	CPP File	1/16/2000 10:28 PM	1,003	60%	398	Engine\
V3DRead.h	H File	1/17/2000 6:26 PM	57	5%	54	Engine\
VSurf.cpp	CPP File	1/17/2000 8:00 PM	278	39%	170	Engine\
Main.h	H File	1/20/2000 9:53 PM	328	34%	218	Flight\
Camera.cpp	CPP File	1/22/2000 6:22 PM	302	36%	194	Engine\
comppb.h	H File	2/20/2000 4:00 PM	4,746	60%	1,880	Flight\fx1\
commonpb.cpp	CPP File	2/20/2000 4:02 PM	14,099	76%	3,389	Flight\fx1\
fximgpb.h	H File	2/20/2000 4:08 PM	2,455	51%	1,193	Flight\fx1\
3dfxp.h	H File	2/20/2000 4:09 PM	2,700	53%	1,260	Flight\fx1\
image.cpp	CPP File	2/24/2000 3:44 PM	56	27%	41	Flight\
tga.h	H File	2/24/2000 3:45 PM	634	48%	331	Flight\
fx1.h	H File	2/24/2000 3:51 PM	347	44%	193	Flight\
EVIRRead.h	H File	2/28/2000 8:19 PM	302	41%	179	Engine\
Unas.cpp	CPP File	2/28/2000 11:30 PM	54	28%	39	Engine\
VSurf.h	H File	3/5/2000 8:03 PM	395	41%	233	Engine\
Newbctr.txt	Text Document	3/6/2000 12:15 AM	2,189	67%	715	Engine\
Log.h	H File	6/24/2000 10:55 PM	165	20%	132	Flight\
Tex.old	OLD File	9/3/2000 5:04 PM	14,428	84%	2,248	Engine\
Txtr 11-9-00.old	OLD File	9/12/2000 12:14 AM	19,772	88%	2,329	Engine\
image.h	H File	9/15/2000 7:40 PM	293	38%	181	Flight\
Engine.h	H File	9/15/2000 9:03 PM	89	45%	49	Engine\
BMI.asm	ASM File	9/25/2000 1:44 AM	37,870	85%	5,575	Engine\
BMI.try	TRY File	9/25/2000 1:49 AM	37,929	85%	5,602	Engine\
Tex 2-10-00.old	OLD File	10/2/2000 11:46 PM	18,122	76%	4,312	Engine\
Txtr 30-10-00.old	OLD File	10/4/2000 1:43 AM	11,236	79%	2,344	Engine\

start Outlook Send/R... RE: Top Level D... WinZip (Evil)

From: Bruce Lilling [mailto:Bruce@lilling.com]
 Sent: Wednesday, September 21, 2005 2:42 PM
 To: 'Nurit Levanon'
 Cc: 'Isaac Levanon'
 Subject: RE: Top Level Design) - FlyOver.doc

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