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(Also referred to as FORM PTO-1465)

REQUEST FOR EX PARTE REEXAMINATION TRANSMITTAL FORM

66548 U.S. PTO 90008591

Address to: Mail Stop Ex Parte Reexam Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

66548 U.S. PTO



04/11/07

Attorney Docket No.: REX.101

Date: April 11, 2007



04/11/07

- 1. [X] This is a request for ex parte reexamination pursuant to 37 CFR 1.510 of patent number 6,101,534 issued Aug. 8, 2000. The request is made by: [] patent owner. [X] third party requester.
2. [X] The name and address of the person requesting reexamination is: Van Mahamedi, Shemwell Mahamedi LLP, 4880 Stevens Creek Boulevard, Suite 201, San Jose, CA 95129-1034
3. [X] a. A check in the amount of \$ 2,520.00 is enclosed to cover the reexamination fee, 37 CFR 1.20(c)(1); [] b. The Director is hereby authorized to charge the fee as set forth in 37 CFR 1.20(c)(1) to Deposit Account No. (submit duplicative copy for fee processing); or [] c. Payment by credit card. Form PTO-2038 is attached.
4. [X] Any refund should be made by [] check or [X] credit to Deposit Account No. 50-1914. 37 CFR 1.26(c). If payment is made by credit card, refund must be to credit card account.
5. [X] A copy of the patent to be reexamined having a double column format on one side of a separate paper is enclosed. 37 CFR 1.510(b)(4)
6. [] CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table [] Landscape Table on CD
7. [] Nucleotide and/or Amino Acid Sequence Submission If applicable, items a. - c. are required. a. [] Computer Readable Form (CRF) b. Specification Sequence Listing on: i. [] CD-ROM (2 copies) or CD-R (2 copies); or ii. [] paper c. [] Statements verifying identity of above copies
8. [] A copy of any disclaimer, certificate of correction or reexamination certificate issued in the patent is included.
9. [X] Reexamination of claim(s) 1 - 21 is requested.
10. [X] A copy of every patent or printed publication relied upon is submitted herewith including a listing thereof on Form PTO/SB/08, PTO-1449, or equivalent.
11. [] An English language translation of all necessary and pertinent non-English language patents and/or printed publications is included.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.510. 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 1.11 and 1.14. This collection is estimated to take 2 hours 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: Mail Stop Ex Parte Reexam, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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12. The attached detailed request includes at least the following items:

- a. A statement identifying each substantial new question of patentability based on prior patents and printed publications. 37 CFR 1.510(b)(1)
- b. An identification of every claim for which reexamination is requested, and a detailed explanation of the pertinency and manner of applying the cited art to every claim for which reexamination is requested. 37 CFR 1.510(b)(2)

13. A proposed amendment is included (only where the patent owner is the requester). 37 CFR 1.510(e)

14. a. It is certified that a copy of this request (if filed by other than the patent owner) has been served in its entirety on the patent owner as provided in 37 CFR 1.33(c).
 The name and address of the party served and the date of service are:

Jennie S. Malloy
 Malloy & Malloy, P.A.
 2800 SW 3rd Avenue
 Miami, FL 33129
 (Attorney of Record for Patent Owner)

Date of Service: April 11, 2007 via Express Mail No. ED 882854835 US; or

b. A duplicate copy is enclosed since service on patent owner was not possible.

15. Correspondence Address: Direct all communication about the reexamination to:

The address associated with Customer Number: 30554

OR

Firm or Individual Name

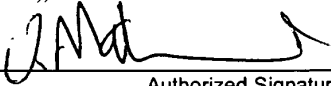
Address

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Telephone	Email	

16. The patent is currently the subject of the following concurrent proceeding(s):

- a. Copending reissue Application No. _____.
- b. Copending reexamination Control No. _____.
- c. Copending Interference No. _____.
- d. Copending litigation styled:

Rothschild Trust Holdings LLC v. Citrix Systems, Inc. et al., U.S. District Court for the Southern District of Florida (Miami)
 Civ. No. 1:06-CV-21359-JLK
 Rothschild Trust Holdings LLC v. Orb Networks, Inc., U.S. District Court for the Southern District of Florida (Miami), Civ. No.
 1:06-CV-22921-ASG
 Orb Networks, Inc. v. Rothschild Trust Holdings LLC, U.S. District Court for the Northern District of California (San
 Francisco), Civ. No. 3:07-CV-00400-CRB



 Authorized Signature

April 11, 2007
 Date

 Van Mahamedi
 Typed/Printed Name

42,828
 Registration No. For Patent Owner Requester
 For Third Party Requester

I hereby certify that this paper and accompanying documents are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. Section 1.10 on the date indicated above and addressed to: Mail Stop Ex Parte Reexamination, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV678079203US

J. Mahamed
Van Mahamedi

April 11, 2007
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Reexamination of :

ROTHSCHILD, Leigh M.

Patent No.: 6,101,534

Issue Date: August 8, 2000

Filing Date: September 3, 1997

REQUEST FOR REEXAMINATION UNDER 37 C.F.R. § 1.510

The Undersigned ("Requester") hereby submits under provisions of C.F.R. § 1.510, a Request for Reexamination of **Claims 1-21** of U.S. Patent No. 6,101,534, entitled INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM.

Reexamination of **Claims 1-21** of U.S. Patent No. 6,101,534 is requested, in view of the following references:

U.S. Patent No. 5,892,825 ("Mages")

U.S. Patent No. 6,594,692 ("Reisman")

U.S. Patent No. 5,555, 407 ("Cloutier")

U.S. Patent No. 6,145,088 ("Stevens")

U.S. Patent No. 5,857,187 ("Uenoyama")

U.S. Patent No. 5,937,158 ("Uranaka")

U.S. Patent No. 5,915,093 ("Berlin")

U.S. Patent No. 5,996,000 ("Shuster")

Reexamination of U.S. Patent No. 6,101,534

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Mages, Reisman, Cloutier, Stevens, Uenoyama, Uranaka, Berlin and Shuster (“*New Prior Art Patents*”) are not of record in the file of U.S. Patent No. 6,101,534. The ‘534 Patent was issued on a first-action allowance, with only six references cited.

Statement Pointing Out Each New Question of Patentability Based on Prior Art

Because all of the *New Prior Art Patents* (i) teach subject matter of claims of the ‘534 Patent, and (ii) were not taught in any prior art cited or considered during the prosecution of the ‘534 Patent, the teachings of *New Prior Art Patents* raise a substantial new question of patentability of **Claims 1-21** of the ‘534 Patent.

In particular, Reexamination of **Claims 1-21** is requested because:

- *Mages* raises a substantial new question of patentability with respect to **Claims 1, 3, 7, 8 and 9**, as *Mages* is shown below to anticipate these claims. *Mages* teaches a computer system (“end-user computer” and “host computer server”) in which audio/video data on a CD-Rom is unlocked by a server. A detailed claim chart and analysis is provided herein for the identified claims.
- *Reisman* raises a substantial new question of patentability with respect to **Claims 1, 6-19 and 21**, as *Reisman* is shown below to anticipate these claims. *Reisman* recites several embodiments relating to use of a portable storage medium (recited examples include CD-Rom or DVD) in connection with an online server. A detailed claim chart and analysis is provided herein for the identified claims. *Reisman* is a continuation-in-part of U.S. Patent No. 5,694,546 (“Reisman Parent”), which is of record in the ‘534 Patent. As detailed herein, there are portions of *Reisman* that raise a substantial new question of patentability which are not part of the subject matter disclosed in the Reisman Parent.
- *Cloutier* raises a substantial new question of patentability with respect to **Claims 1, 7, 8, 10, 11, 12, 17, 18, 19 and 20**, as *Cloutier* is shown below to anticipate these claims. *Cloutier* teaches the use of a local and network side database to reduce bandwidth requirements for when multimedia information access is

requested. A detailed claim chart and analysis is provided herein for the identified claims.

- *Stevens* raises a substantial new question of patentability with respect to **Claims 1, 4 and 6**, as *Stevens* is shown below to anticipate these claims. *Stevens* teaches a system in which a remote workstation operated by a technician can perform data recovery operations on a local storage disk. A detailed claim chart and analysis is provided herein for the identified claims.
- *Uenoyama* raises a substantial new question of patentability with respect to **Claims 1 and 4**, as *Uenoyama* is shown below to anticipate these claims. *Uenoyama* teaches a computer system that includes a client section, a server section, and a communication data storage section. A detailed claim chart and analysis is provided herein for the identified claims.
- *Uranaka* raises a substantial new question of patentability with respect to **Claim 1**, as *Uranaka* is shown below to anticipate this claim. *Uranaka* recites several embodiments relating to use of a portable storage medium (recited examples include CD-Rom or DVD) in connection with an online server. A detailed claim chart and analysis is provided herein for the identified claims.
- *Berlin* raises a substantial new question of patentability with respect to **Claims 1-2, and 21** as *Berlin* is shown below to render these claims obvious. *Berlin* teaches a way for implementing a token on a CD-Rom or other similar device in order to implement a network communication. A detailed claim chart and analysis is provided herein for the identified claims.
- *Shuster*, as combined with *Uranaka*, raises a substantial new question of patentability with respect to **Claims 1-5, 7 and 8**, as the combination of *Shuster* and *Uranaka* render these claims obvious. *Shuster* teaches a computer system that is configured to use multimedia files on a CD-Rom in conjunction with browsing a website. A detailed claim chart and analysis is provided herein for the identified claims.

I. THE '534 PATENT

In reexamination proceeding, the standard of claim interpretation is to apply the broadest reasonable claims language, taking into account meaning provided in the specification. See *In re Bass*, 314 F.3d 575, 577 (Fed. Cir. 2002). The MPEP states this standard explicitly: “The USPTO uses a different standard for construing claims than that used by district courts; during examination the USPTO must give claims their broadest reasonable interpretation.” MPEP Section 2111.01. Requester has reviewed the prior art using this standard. With this standard in mind, the following brief summary of the '534 Patent may aid the Office.

Brief Summary of the '534 Patent

Among other things, the '534 Patent provides that a compact, portable, and interchangeable computer readable storage medium (i.e. a CD-Rom) includes auxiliary site data that may include video images, audio signals, graphic displays, and various combinations thereof. For example, the specification of the '534 Patent states that auxiliary site data “primarily includes data types which are substantially difficult to quickly and effectively download from a remote server assembly, and/or data or executable programs which can more conveniently and quickly be maintained and accessed at the local site.” [Column 14, lines 5-12]

The compact, portable, and interchangeable computer readable storage medium also includes “auxiliary site addresses” (i.e. forms of data encoded therein). Examples of “auxiliary site addresses” that are identified in the '534 Patent include a URL (see **Claim 9**).

The '534 Patent also provides that an auxiliary site address is distinct and provides identification of a particular location on the interchangeable, computer readable medium. [Column 13, lines 47-50] Consistent with this usage, the term “internal site addresses” is

described in the Specification of the '534 Patent as meaning a drive location (e.g. "e:") [Column 15, lines 10-15].

Given the explicit descriptions of "auxiliary site address" (See e.g. URL in **Claim 9**) and the specification, and the requirement in the claims that such addresses include select portions of auxiliary site data, the relevant prior art can meet this by disclosing any of (i) a URL that is formed from "auxiliary site data"; (ii) a URL that is formed from "auxiliary site data" (e.g. a file path); or (iii) a site located by a URL.

With regard to remote access, as noted, the '534 Patent provides for "an auxiliary site address" that includes a URL accessible through an online connection. (See e.g. URL in Claim 9; column 14 of the '534 Patent, lines 1-33).

Of additional significance, Column 14, lines 12-15 of the '534 Patent recite that a user may operate the local processor to access "a primary site address or 'web site' using normal means." The language "normal means" is a clear suggestion of a browser, and further that an application-level interaction with the web site is contemplated by the embodiment being described. This particular language must therefore include normal browser/server interactions. More specifically, remote access should be interpreted to include the use of scripts provided from the server and delivered to the client through the browser in order to direct or otherwise cause the browser or client to perform certain functions.

Additionally, **Claim 1** of the '534 Patent only requires the server to be able to access auxiliary site addresses from the so-called compact, portable, interchangeable computer readable medium. There is no requirement for the server to be able to access auxiliary site data that is not an auxiliary site address, nor to access addresses on anything other than a compact, portable and interchangeable computer readable medium.

II. DETAILED EXPLANATION OF THE SUBSTANTIAL NEW QUESTIONS OF PATENTABILITY RAISED BY THE *NEW PRIOR ART PATENTS*

Claim 1, 3, 7, 8 and 9 of U.S. Patent No. 6,101,534 are unpatentable under 35 U.S.C. Section 102(e) as being anticipated by “*Mages*” (U.S. Patent No. 5,892,825).

Mages teaches a computer system (“end-user computer” and “host computer server”) in which audio/video data on a CD-Rom is unlocked by a server. A detailed claim chart is provided below, showing how every limitation of **Claim 1** of the ‘534 Patent is met by *Mages*.

In reviewing the claim chart (see below), it is important to note that the ‘534 Patent explicitly contemplates the term “auxiliary site addresses” to include a URL. [See **Claim 9**, Column 17, line 40-43] *Mages* discloses URLs on a CD-Rom, which are then communicated to a server. As such, the “auxiliary site addresses” are remotely accessed by the server. Further, the URLs of *Mages* may be considered to “include auxiliary site data” for any of the following reasons: (i) the URL is also auxiliary site data, as it is provided on the CD-Rom; (ii) the URL includes data in its file path arguments (see the example URL provided below) to enable identification of source data on the CD-Rom; and (iii) the URL locates additional “auxiliary site data” on the CD-Rom.

Mages fits squarely into **Claim 9** of the ‘534 Patent in that the auxiliary site address includes a URL that is accessible through an online connection. If *Mages* anticipates dependent **Claim 9**, it must also anticipate independent **Claim 1**.

Mages further teaches that crippled data on a CD-Rom may be combined in the RAM of the end-user terminal with de-crippling data from a server. [See e.g. Step 22 of FIG. 5] Thus, data from the server is combined with data from the CD-Rom. Specifically, *Mages* specifies that in one embodiment, “local media data” on a CD-Rom can be used “in conjunction with” Internet website content, so that video or audio playback can be “combined with” textual information. [Column 4, lines 7-17]

Mages is not part of the file for the '534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, *Mages* presents a substantial new question of patentability under 35 U.S.C. Section 102(e).

Claim 1 of the '534 Patent	U.S. Patent No. 5,892,825 (" <i>Mages</i> ")
1. An interactive, remote, computer interface system comprising:	End-user computer 1 and server 7. [See e.g. FIG. 1]
a remote server assembly, said remote server assembly including a quantity of primary site data;	In <i>Mages</i> , the host computer server 7, includes web pages which "conventionally provides <u>web pages</u> to the Internet users...." [Column 6, lines 10-12] The content of the <u>web pages</u> constitute primary site data.
said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	<i>Mages</i> discloses that host computer server 7 includes a web site. "FIG. 3 is a flow chart at a user's computer for accessing the trigger data from a web site." [Column 5, lines 22-23] Host computer server 7 includes web pages and trigger data. [See e.g. FIG. 3] It is well known that in the Internet context described, the web page is associated with a primary site address (i.e. a unique URL) that identifies the location of the primary site data (webpage).
a local processor assembly;	<i>Mages</i> provides the local processor assembly as end-user computer 1. [See e.g. FIG. 1]
said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;	<i>Mages</i> further provides: "The end-user's computer 1 is connected via the Internet 6 to a host computer server 7...." [Column 5, line 55-56]
said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;	<i>Mages</i> provides: "The data on the CD-Rom will automatically call up and connect the end user's computer to the host computer's server 7...." [Column 6, lines 41-44] This occurs under control of the local processor assembly. As stated, "[s]uch an automatic connection is well known, and will automatically find the end-user's browser, will call the Internet Service Provider, and pass the necessary link from the CD-Rom to the browser in order to get to the host's web page." [Column 6, lines 43-48]

at least one data storage assembly associated with said local processor assembly	See CD-Rom 2 (which inserts into computer 1) of <i>Mages</i> .
and structured to contain a quantity of auxiliary site data thereon,	<i>Mages</i> provides “[V]ideo images and/or audio images ...are stored in crippled fashion on CD-Rom 3.” [Column 6, lines 17-20]
said auxiliary site data being associated with said primary site data;	<i>Mages</i> teaches that the host computer server 7 has decripping data for the data on the CD-Rom. “The host computer then sends back to the local server serving the end users computer the necessary, decripping trigger <i>for the specific video/audio data</i> on the end-user’s CD-Rom.” [Column 6, lines 53-56] The video and audio constitute a quantity of auxiliary site data, such as video and audio content stored on the CD-Rom and associated with a website, such as http://tekweb.com/hypercd/adver/lotto.html [Column 6, lines 16-65]
said data storage assembly including a compact, portable and interchangeable computer readable medium;	<i>Mages</i> teaches this in numerous places. FIG. 1 of <i>Mages</i> shows the CD-Rom 3 inserted into the personal computer.
said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,	The ‘534 Patent teaches that “auxiliary site addresses” include URLs (see for example Claim 9). <i>Mages</i> teaches that the CD-Rom contains one or more URLs or links, as illustrated by the following: <ul style="list-style-type: none"> • “The Hyper-CD 3 is provided with the URL (web page) of the designated host computer, or server” [Column 6, line 23-25] • FIG. 5, block 16: “HyperCd is encoded with crippled data and unique <u>URL’s...</u>” • “This data on the CD-Rom 3 will automatically call up and connect the end-user’s computer to the host computer’s server 7 on the Internet, whereby a socket-to-docket connection is made therebetween....Such an automatic connection...will automatically...pass the necessary <i>links</i> from the CD-Rom to the browser in order to get to the host’s web page. [Column 6, lines 41-48]

<p>each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p>	<p><i>Mages</i> provides <i>auxiliary site data</i> in the form of</p> <ul style="list-style-type: none"> • Audio/video data carried on CD-Rom 2[Column 6, lines 17-20] • The URL, or portions thereof, <u>is</u> auxiliary site data. • The URL must also carry some amount of source data (i.e. auxiliary site data), as provided by the statement that the URLs “locate source data on [the] HyperCd...”[FIG. 3, block 16]. Also see the example URL: http://tekweb.com/hypercd/adver/lotto.html All of which teach that the URL carries some auxiliary site data to identify file path etc.
<p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly</p>	<p><i>Mages</i> states that “CD-Rom contains a code representing the URL Web Page of the host computer server 7...” [Column 6, lines 39-40]. This code is communicated to the host computer server 7 as a URL. (“http://tekweb.com/hypercd/adver/lotto.html”) [Column 6, line 24]</p>
<p>so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p><i>Mages</i> teaches that once the local host server 7 receives the URL, it sends decripping data to the user computer where the data is combined in RAM: “In RAM, the trigger and the data on the CD-Rom 3 are combined, and played back...” [Column 6, line 56-58] <i>Mages</i> may use a file name or file path to locate the crippled data. Furthermore, “local media data” on a CD-Rom can be used “in conjunction with” Internet website content, so that video or audio playback can be “combined with” textual information. [Column 4, lines 7-17]</p>

Mages also raises a substantial new question of patentability for **Claims 3, 7, 8 and 9**.

Claim 3 recites the addition of “a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.” *Mages* anticipates this claim. With regard to *Mages*, a security protocol may correspond to (i) the CD-Rom of *Mages* being crippled, and (ii) the server of *Mages* only being able to communicate a key for use by the terminal on which the CD-Rom is provided. [Column 6, lines 17-65]

Claim 7 recites that the “compact, portable and interchangeable computer readable medium is structured to store at least one video image.” **Claim 8** states that the “compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.” *Mages* anticipates both of these claims, as *Mages* teaches that the CD-Rom contains audio and/or video. [See e.g. Column 5, lines 6-8]

Mages also anticipates **Claim 9**, which states “wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.” *Mages* teaches in Column 6, lines 17-65, that the CD-Rom may contain a URL as its remote and auxiliary site addresses.

Claim 1, 6-19 and 21 of U.S. Patent No. 6,101,534 are unpatentable under 35 U.S.C. Section 102(e) as being anticipated by “Reisman” (U.S. Patent No. 6,594,692).

Reisman recites several embodiments relating to use of a portable storage medium (recited examples include CD-Rom or DVD) in connection with an online server. The claim chart on the next page provides a detailed explanation as to how *Reisman* applies to **Claim 1** of the ‘534 Patent.

As noted above, *Reisman* is a continuation-in-part of a patent (U.S. Patent 5,694,546; “Reisman Parent”) that is of record in the file of the ‘534 Patent. It will be appreciated that *Reisman* is almost twice as long as the Reisman Parent and contains numerous embodiments and functionality not contained in the Reisman Parent. Portions of *Reisman* that are presented herein as raising a new question of patentability are not subject matter contained in the Reisman Parent.

As detailed below in the claim chart, *Reisman* teaches a server or server system that delivers web pages to a client terminal, for storage on a disk, CD-Rom or other memory device. The web pages are configured to be offline web pages, and to contain internal links which point to other offline pages. The server or server system of *Reisman* is

configured to alter URLs from the server, so that online pages with internal links to other online pages become locally stored pages (i.e. on a disk) that contain links to other locally stored (i.e. on disk) pages. [See Columns 40-44, and detailed pin cites in the chart below]

Reisman teaches that the server can, for a given online page, (i) deliver that page for local storage, (ii) alter the file path and URL of the page so the URL becomes a local pointer within the storage disk or CD-Rom, (iii) deliver or identify other pages referenced by the original online page and alter the file path and URL for those referenced pages, so that each URL to one of the referenced pages also becomes a local pointer, and (iv) embed, in the delivered page, the altered links in the manner that simulates or replicates the online version of the page. [See Columns 40-44, and detailed pin cites in the chart below] Moreover, the offline experience may be combined (or use “in conjunction”) with an online experience (e.g. some links in an offline page may be online links). [See Column 43] Thus, this teaching of **Reisman** teaches a remote server that handles (and thus accesses) local URLs (i.e. auxiliary site addresses) and enables the use of such local URLs in conjunction with an online browsing experience.

Reisman is not part of the file for the ‘534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, **Reisman** presents a substantial new question of patentability under 35 U.S.C. Section 102(e).

Claim 1 of '534 Patent	U.S. Patent No. 5,857,187 (" <i>Reisman</i> ")
1. An interactive, remote, computer interface system comprising:	<i>Reisman</i> shows FIG. 12, including local station 122, web package server 126, and web site server 122. [Column 42-43]
a remote server assembly, said remote server assembly including a quantity of primary site data;	<i>Reisman</i> : "Web server 132 supplies web pages 138..." [Column 43, lines 3-5]
said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	<i>Reisman</i> provides a web server 132 provides a remote web site. [Column 43, line 56] The web server 132 supplies web pages 138.
a local processor assembly; said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;	See local station 122 of <i>Reisman</i> . [FIG. 12 and Columns 43-45] Connections 128, 142 are used by the local station to connect and communicate with web server 132 and web package server 136. [Column 43, lines 25-30]
said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;	<i>Reisman</i> provides that numerous instances, including as stated with connections 128, 142. [Column 43, lines 14-24]
at least one data storage assembly associated with said local processor assembly	In <i>Reisman</i> , Local host 122 has various storage media. [Column 42, lines 55-59]
and structured to contain a quantity of auxiliary site data thereon,	<i>Reisman</i> : "[L]ocal content 124 is available at an of various storage media" [Column 42, lines 55-56]
said auxiliary site data being associated with said primary site data;	<i>Reisman</i> provides that local content 124 includes off-line web pages supplied from the web server 132 or web package server 136. [Column 43, lines 14-24]
said data storage assembly including a compact, portable and interchangeable computer readable medium;	<i>Reisman</i> teaches that the storage media on which local content 124 may be stored is recited as including "various storage media, removable or fixed, such as disk, diskette, CD-Rom." [Column 42, lines 54-58]

<p>said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,</p>	<p>In <i>Reisman</i>, the offline pages have local paths or resource locators. These local paths or URLs cause links on a local and offline page to point to another local and offline page (if present) rather than to an online source. "Local pages 140, with relevant web page URLs replaced with appropriate local paths or other local resource locators...." [Column 43, lines 5-13] Thus, the storage media may be provided with pages that include links to other locally stored pages, where all the locally stored pages originate from the online source.</p>
<p>each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p>	<p>As stated above, <i>Reisman</i> teaches that the local paths/URLs locate the local pages 140. Additionally, the local paths/URLs also include auxiliary site data (e.g. the file path identifier). The URLs may also be provided with local pages.</p>
<p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly</p>	<p>In <i>Reisman</i>, the construction of local paths/URLs may be performed by a dynamic link locator, which may reside on the server. [Column 40, lines 41-46] The "dynamic locator can work with pre-existing URLs, as found on the Web site and redirect them on-the-fly to local resources." [Column 40, lines 41-42] Thus, the links (to content on the CD-Rom or other storage media) are created and handled by the server (and thus accessed), before being delivered to the client.</p>
<p>so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>In <i>Reisman</i>, the offline or local pages 140 (which can be stored on CD-Rom) may include internal links to local resources and to online resources alike. [Column 40, lines 5-25] Moreover, the pages themselves may include some primary site data, as they originate from the server, and may include online links. The "auxiliary site data" may correspond to the links to internal pages or other content of the local pages. [See generally, Column 40-43, and Column 43, lines 1-30]</p>

Reisman also teaches a substantial new question of patentability with regard to **Claims 6-19 and 21** of the '534 Patent.

Claim 6 of the '534 Patent states that the “compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.” *Reisman* teaches storage of local links that are a form of an internal site address. Specifically, *Reisman* teaches the delivery of local links, which are “URLs replaced with appropriate local paths of other local resource locators.” [Column 43,line 5-8]

Claim 7 of the '534 Patent states that the “compact, portable and interchangeable computer readable medium is structured to store at least one video image.” **Claim 8** states that the “compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.” *Reisman* recites numerous instances of local content being media. For example, Column 59, lines 6-7 state that an optional object (which may or may not be resident locally) may include audio or video samples.

Claim 9 states that the “primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.” As noted in the claim chart, *Reisman* provides for “local pages 140 with relevant Web page URLs replaced with appropriate local paths or other local connections...” [Column 43, line 5-8].

Claim 10 recites that the “local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.” *Reisman* discloses the use of local content, in the form of web pages, which may be updated. For example, *Reisman* provides as part of the local content or pages, that

“at least one local page pursuant to this aspect of the invention will be distinguished from a conventional Web page by the presence of an update function, or hyperlink, for activating the transporter to update that page or, if desired by the sponsor, to update the complete offline browser system.” [Column 41-42, lines 66-5]

Thus, for example, the processor of the local station 122, and/or the transporter loaded thereon, may be considered as the data input mechanisms. A page having a corresponding local or internal link and stored on a CD-Rom or DVD may be updated using the transporter or processor of the local host 122.

Consider further exemplary teachings of *Reisman*:

“Thus, local Web content can be pre-distributed on CD-Rom or diskette for use with the described offline browser system. The distributed, locally stored Web content can then be combined with more current, or additional content obtained from the sponsor’s Web site or other remote location by either intermittent shuttling or live continuous browsing.” [Column 42, lines 18-24]

Claim 11 of the ‘534 Patent depends from **Claim 10**, and further provides for a “compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.” *Reisman* teaches this feature as well:

“Preferred embodiments of the information transport component can pack or unpack, compress or decompress, and send to or fetch files from specific locations.” [Column 8, line 24-26]

Claim 12 of the ‘534 Patent recites the “data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.” *Reisman* may apply in that the receiver corresponds to, for example, a combination of the processor and communication resources of the local host 122, when executing the transporter component 14. [See generally text accompanying FIG. 12] For example, *Reisman* teaches the ability to “transmit all working set elements that have changed whenever the user requests one or more pages in the set....Then, desired explicit links for updates to current content, or planned extensions, can be coded to cause an intercept, and the handling of the intercept is used to invoke the transporter 14 to retrieve the update package for the working set.” [Column 46, line 21-31] *Reisman* provides

additional teaching of the receiver assembly of **Claim 12** is provided in Column 26, lines 38-40, teaching use of the “receiving communication device” for broadcast signals.

Claim 13 of the ‘534 Patent depends from **Claim 12** and provides that “said remotely transmitted signal includes a full band broadcast signal.” *Reisman* teaches this feature for use with embodiments described therein on Column 26, lines 22-45. While the cited portion of *Reisman* is part of the Reisman Parent, a new question of patentability is raised when the teaching is considered with other subject matter from *Reisman*.

Claim 14 of the ‘534 Patent depends from **Claim 12**, and provides that the “remotely transmitted signal includes an interlaced broadcast signal.” *Reisman* teaches this feature on Column 27, lines 32-34. It is well known that interlace signals include television or satellite transmissions. While the cited portion of *Reisman* is part of the Reisman Parent, a new question of patentability is raised when the teaching is considered with other noted subject matter from *Reisman*.

Claim 15 of the ‘534 Patent depends from **Claim 12**, and states that the “remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.” *Reisman* teaches this feature on Column 27, lines 32-34. While the cited portion of *Reisman* is part of the Reisman Parent, a new question of patentability is raised when the teaching is considered with other subject matter from *Reisman*.

Claim 16 of the ‘534 Patent depends from **Claim 12**, and states that the “remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.” *Reisman* teaches this feature on Column 27, lines 32-34. While the cited portion of *Reisman* is part of the Reisman Parent, a new question of patentability is raised when the teaching is considered with other subject matter from *Reisman*.

Claim 17 of the ‘534 Patent depends from **Claim 12**, and states that the “remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.” *Reisman* teaches this feature on Column 43-44, lines 65-5.

Claim 18 of the '534 Patent recites that the “cabled transmitter includes a telephone line.” *Reisman* teaches this feature on Column 43-44, lines 65-5.

Claim 19 of the '534 Patent depends from Claim 17, and states that the “cabled transmitter includes a broadband cable.” *Reisman* teaches this feature in numerous locations, such as on Column 61, line 36.

Claim 21 of the '534 Patent recites that the “compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.” *Reisman* teaches this feature in numerous locations, including on Column 20, line 52-55, which states the existence of “the next CD-Rom issue can include, as an install option, or upon first access, a request to delete the old-outdated updates...” While the cited portion of *Reisman* is part of the *Reisman* Patent, a new question of patentability is raised when the teaching is considered with other subject matter from *Reisman*.

Claims 1, 7, 8, 10, 11, 12, 17, 18, 19, and 20 of U.S. Patent No. 6,101,534 are unpatentable under 35 U.S.C. Section 102(b) as being anticipated by “Cloutier” (U.S. Patent No. 5,555,407).

Cloutier teaches the use of a local and network side database to reduce bandwidth requirements for when multimedia information access is requested. A detailed claim chart of how *Cloutier* applies to **Claim 1** is provided below. Additionally, *Cloutier* anticipates several dependent claims of the '534 Patent, with detailed explanation further provided below.

In *Cloutier*, the local database (provided on a CD-Rom) is used to search and provide a response to the request locally, if possible, before the request is sent to the remote database.

When considering *Cloutier*, it is important to note that the server-side utility database 32 and session manager 34 are capable of obtaining a pointer that identifies the address of a data element on the CD-Rom. The CD-Rom and the server share a common addressing scheme, so the addresses on the CD-Rom are accessible to the server. One response that can be provided by the server is to communicate the data element identified by that pointer, and enable the user-terminal (via IMP 38) to use the data element with other data elements from the CD-Rom. The pointer that is communicated to the server thus identifies the location of data on the CD-Rom, and enables the server to provide the client with data for the same location.

Cloutier is not part of the file for the '534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, *Cloutier* presents a substantial new question of patentability under 35 U.S.C. Section 102(b).

Claim 1 of the '534 Patent	U.S. Patent No. 5,555,407 (" <i>Cloutier</i> ")
1. An interactive, remote, computer interface system comprising:	<i>Cloutier</i> provides a "multimedia system for providing electronic services...." [Column 4, lines 50-51]
a remote server assembly, said remote server assembly including a quantity of primary site data;	<i>Cloutier</i> teaches a session manager 34 controls access to a network-side utility database 32. [Column 4, lines 47-50] The session manager resides on a remote server assembly.
said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	<i>Cloutier</i> teaches "a system for enabling data to be accessed through a telecommunication network that comprises a host data processor and a source of central data elements at a central location...." [Column 3, lines 7-13] It is well known that such source location information is an address for the primary site data.
a local processor assembly; said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;	<i>Cloutier</i> : "Each user's terminal coupled to the session manager through a telecommunication network 36...." [Column 4, lines 50-51]
said local processor assembly being	<i>Cloutier</i> : "Each user's terminal coupled to the

structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;	session manager through a telecommunication network 36....” [Column 4, lines 50-51]
at least one data storage assembly associated with said local processor assembly	<i>Cloutier</i> provides a terminal with a CD-Rom having a local database 40. [Column 4, lines 59-62]
and structured to contain a quantity of auxiliary site data thereon,	<i>Cloutier</i> provides that the local database 40 (on CD-Rom) has data elements. [Column 5, lines 63-67]
said auxiliary site data being associated with said primary site data;	<i>Cloutier</i> states that the data elements in the local database 40 on the CD-Rom correspond with data elements in the utility database. [Column 6, lines 26-36]
said data storage assembly including a compact, portable and interchangeable computer readable medium;	<i>Cloutier</i> : The CD-Rom on which local database 40 is provided. [Column 4, lines 59-62]
said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,	<i>Cloutier</i> provides pointers to data elements [Column 5-6, lines 63-38] indicate address of data elements.
each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and	In <i>Cloutier</i> , each pointer uniquely identifies a data element. [Column 5, 67-68] Moreover, each pointer is on the CD-Rom, and thus <u>is</u> or includes some auxiliary site data.
said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly	<i>Cloutier</i> : “The utility database receives, through the communication link 36, the pointer X with a request to return the associated data element E.” [Column 7, lines 46-49] The utility database is on the server, and the pointer X identifies an address on the CD-Rom.
so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.	<i>Cloutier</i> : “[T]he element E is fetched from the utility database at block 108, sent through the communication link 36 to the IMP and used there.” [Column 7, lines 46-48]

Cloutier also raises a substantial new question of patentability for **Claims 7, 8, 10, 11, 12, 17 and 19** of the ‘534 Patent.

Claim 7 recites that the “compact, portable and interchangeable computer readable medium is structured to store at least one video image.” **Claim 8** states that the “compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.” *Cloutier* teaches that the CD-Rom contains audio and/or video. For example, in Column 5, line 28. *Cloutier* states that “CPU interacts with a video terminal 58 to display the data elements read either from the utility database or CD-Rom.” Thus, *Cloutier* anticipates both of these claims.

Cloutier also anticipates **Claim 10** of the ‘534 Patent. **Claim 10** recites:

“said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.”

Cloutier states that “the local database 40 may be updatable through the communication network 36 by the host data processor 34 [which is server-side] interacting with the utility database 32.” [Column 4-5, lines 65-1] Presumably, the interaction may involve use of either the terminal or some other device.

Claim 11 recites “a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.” *Cloutier* provides:

“Recently, attention has moved to the compression, transmission and decompression of multimedia content (digitized video, pictures and sounds). Specialized algorithms (JPEG, streaming-JPEG, MPEG etc.) have been devised to reduce size prior to transmission and to recreate multimedia content on the delivery site with more or less information loss incurred in the process. These algorithms are realized both in software and hardware. Network technology is rapidly evolving to address the high-bandwidth requirement of interactive multimedia. Network bandwidth is expanded by a combination of improved transport capabilities (fiber optics, ISDN, etc.) and more

efficient information routing protocols (ATM, FDDI etc.)”
[Column 2, lines 20-31]

Claim 12 provides that “the data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.” As noted above, *Cloutier* states that “the local database 40 may be updatable through the communication network 36 by the host data processor 34 [which is server-side] interacting with the utility database 32.” [Column 4-5, lines 65-1]

In **Claim 17** of the ‘534 Patent, the remotely transmitted signal is recited as being a cabled transmitter. In **Claim 18** of the ‘534 Patent, cabled transmitter includes a telephone. *Cloutier* describes use of a “telecommunication network 36” [Column 4, lines 50-51] which satisfy and correspond to the features of both **Claim 17** and **Claim 18**.

In **Claim 19**, the cabled transmitter includes a broadband transmitter. In **Claim 20**, it is recited as a fiber optic cable. With regard to both of these claims, *Cloutier* utilizes the communication network 36 [Column 5, line 51] and recites in the background examples of such networks, including ISDN and fiber optic. [Column 2, line 30-31] As such, *Cloutier* satisfies the limitations of both **Claim 19** and **Claim 20**.

Claims 1, 4 and 6 of U.S. Patent No. 6,101,534 are unpatentable under 35 U.S.C. Section 102(e) as being anticipated by “Stevens” (U.S. Patent No. 6,145,088).

Stevens teaches a system in which a remote workstation operated by a technician can perform data recovery operations on a local storage disk. The claim chart below provides a detailed explanation as to how *Stevens* applies to **Claim 1** of the ‘534 Patent.

In *Stevens*, the local storage disk may be a CD-Rom or laserdisc. [Column 6, lines 13] The local storage disk may be accessed remotely, by a technician communicating through a server, to diagnose, repair, replace or delete data provided on the local disk. It will be appreciated, for example, that the “RDR workstation”(which is on the network) may write recovered data to the local storage disk, and then delete that same data from the

local disk. [See Columns 21-22, lines 50-45] The RDR workstation must have access to addresses (i.e. “auxiliary site addresses”) in order to write restoration data (termed “new data”) and then delete it, as well as to perform read operations that result in the creation of the restoration data. The ability of the RDR workstation to write restoration data and then delete it is a clear teaching of how the ‘534 Patent uses “remotely accessed auxiliary site addresses.”

Stevens is not part of the file for the ‘534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, *Stevens* presents a substantial new question of patentability under 35 U.S.C. Section 102(e).

Claim 1 of the ‘534 Patent	6,145,088 (“ <i>Stevens</i> ”)
1. An interactive, remote, computer interface system comprising:	<i>Stevens</i> provides a local remote data recovery (RDR) computer 20 for which a data recovery procedure is needed. [Column 5, lines 52-55]
a remote server assembly, said remote server assembly including a quantity of primary site data	In <i>Stevens</i> , the file server 60 has data 64 stored on network shared drives 65 such that the data is accessible by the RDR workstations 40 and the Communications Server 68. [Column 6, lines 41-44]
said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	<i>Stevens</i> : “This embodiment may be used to allow access to any one of a number of technicians to provide remote data recovery upon dialing a single number, or connecting to a single entity on the LAN/WAN/Internet.” [Column 6, line 60-63] The file server 60 has data 64 stored as network shared drives 55. [Column 6, lines 41-42]
said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly	<i>Stevens</i> recites numerous instances of communications between the local computer (RDR computer 20) and the work station (RDR work station 40). See .e.g.: “The programs thus provided by the remote data recovery operating program include sufficient functionality to allow operation of the local RDR computer 20 and communication via the local

	communications hardware unit 30 with the RDR workstation 40.”
said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly	<i>Stevens</i> states that a remote data recovery program may be operated to enable the local computer to communicate with a network-side work station. [Column 7, lines 7-11]
at least one data storage assembly associated with said local processor assembly	<i>Stevens</i> teaches a local computer 20 having a local data storage 26, and a central processing unit. [Column 5, line 55-58]
and structured to contain a quantity of <i>auxiliary site data</i> thereon,	<i>Stevens</i> teaches data recovery from “local storage device 26” (which is different than removable disk 28 on which the remote data recovery operating program is provided). But “local storage device 26 might be...a laser disk, a CD-Rom etc.” [Column 6, lines 13]
said auxiliary site data being associated with said primary site data	<i>Stevens</i> provides that data can be <u>read</u> and <u>written</u> to the local storage device for data recovery. [Column 21, lines 57-65] Written data may include recovered data. [Column 21, lines 57-65] Note the recovered data may also be deleted from the disk via the RDR workstation (remote). [Column 22, line 30-45]
said data storage assembly including a compact, portable and interchangeable computer readable medium	<i>Stevens</i> teaches: “local storage device 26 might be...a laser disk, a CD-Rom etc.” [Column 6, lines 13]
said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, <i>auxiliary site addresses</i> encoded therein,	<i>Stevens</i> provides that auxiliary site address may correspond to one or both of files or sectors of local data storage 26. [Column 22, lines 18-29]
each of said remotely accessible, auxiliary site addresses including select portions of said quantity of <i>auxiliary site data</i> ; and	<i>Stevens</i> teaches that sectors may contain the data recovered, and/or data that is written from recovery. [Column 22, lines 19-21]
said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly	<i>Stevens</i> teaches that recovery data may be written to a sector [step 2720 of FIG. 27] of the local storage disk from the remote work station, then identified and undone. For example, <i>Stevens</i> states “Only then is the new data actually written to the local

	storage device 26.” [Column 22, lines 35-36]. But this data may also be undone from the remote work station: “RDR Application 308 implements the capability of ‘undoing’ any modifications made to the local storage device 26.” [Column 22, lines 45-48] The sectors can then be accessed and re-accessed in order to perform an undo operation.
so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data	In <i>Stevens</i> , remote access (e.g. undo operation) causes the local computer 20 to undo write operations to select sector. The primary site data may be control or programmatic functions that cause the undo operation. [See Column 22, lines 22-50]

Stevens also raises a substantial new question of patentability for **Claim 4** and **Claim 6** of the ‘534 Patent. **Claim 4** recites that the “remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.” **Claim 6** of the ‘534 Patent recites “wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.” Both of these claims are anticipated by *Stevens*, which teaches that recovery data may be written to a sector (step 2720 of FIG. 27) of the local storage disk from the remote work station, then identified and undone.

Claims 1 and 4 of U.S. Patent No. 6,101,534 are unpatentable under 35 U.S.C. Section 102(e) as being anticipated by “Uenoyama” (U.S. Patent No. 5,857,187).

Uenoyama teaches a computer system that includes a client section, a server section, and a communication data storage section. A detailed claim chart is provided below, showing how every limitation of **Claim 1** of the ‘534 Patent is met by *Uenoyama*.

Requester notes that **Claim 1** of the '534 Patent requires a data storage assembly that is "associated with" the local processor assembly. As discussed below, *Uenoyama* shows a "storage assembly *associated with* a local processor." Furthermore, the storage assembly may include hard disk units that are dedicated for storing data of a particular type. [Column 14, lines 32-56] Such dedicated disk units are compact, portable and interchangeable. *Uenoyama* is not part of the file for the '534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, *Uenoyama* presents a substantial new question of patentability under 35 U.S.C. Section 102(e).

Claim 1 of the '534 Patent	U.S. Patent No. 5,857,187 (" <i>Uenoyama</i> ")
1. An interactive, remote, computer interface system comprising:	<i>Uenoyama</i> has a client terminal 1 and Information Management server 3. [See FIG. 1]
a remote server assembly, said remote server assembly including a quantity of primary site data;	See Information Management Server 3 of <i>Uenoyama</i> .
said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	<i>Uenoyama</i> provides that Client Terminal 1 and Information Management Server have a client/server relationship (and Information Management Server must have a site). The primary site data (held by the Server 3) includes subject matter data file storage location information for locating subject matter files on Storage Sections 2. [Column 22, line 57-65]
a local processor assembly;	In <i>Uenoyama</i> , FIG. 1 and description provides for Client terminal 1 and Information Management server 3 to communicate across a communication link 110. [Column 14, lines 18-30]
said local processor assembly being coupled in data transmitting a receiving communication with said remote server assembly;	<i>Uenoyama</i> : "The communication link 110 conceptually represents a communication path between the client control section 101 of the client terminal 1 and server control section 301 of the server 3." [Column 14, line 18-21]
said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;	
at least one data storage assembly associated with said local processor	<i>Uenoyama</i> provides that common data storage section communicates and is

assembly	capable of transferring or receiving data from the client terminal 1. [Column 13, lines 33-45]
and structured to contain a quantity of auxiliary site data thereon,	<i>Uenoyama</i> teaches that common data storage sections stores subject matter files (e.g. hypermedia files). [Column 17, lines 20-25]
said auxiliary site data being associated with said primary site data;	<i>Uenoyama</i> states server 3 uses a subject matter list for subsequent data communications to client terminal 1. [Column 17, lines 47-53] The subject matter list locates (and is thus associated) with the subject matter data files that are stored. [Column 17, lines 25-30]
said data storage assembly including a compact, portable and interchangeable computer readable medium;	Common data storage sections 2 are dedicated storage devices for respectively different types of subject matter data [Column 14, lines 32-57]. Dedicated storage devices are interchangeable. <i>Uenoyama</i> also states that the “storage devices’ can be constituted by a suitably controlled plurality of physical storage devices, e.g. hard disk units or as partition (volume) within a physical storage device.” [Column 14, lines 52-56]
said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,	<i>Uenoyama</i> : The server can “directly access” the subject matter files [Column 17, lines 54-56].
each of said remotely accessible, auxiliary site addresses including select portions of quantity of auxiliary site data; and	See above
said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly	<i>Uenoyama</i> provides that Server 3 is remote to the storage device(s) that constitute the data storage sections. “The essential feature is the server computer 3 can access certain storage devices... via the network.” [Column 14, lines 60-64] The server can “directly access” the subject matter files. [Column 17, lines 54-56]
so as to initiate utilizations of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.	With primary site data including subject matter data file storage location information, server 3 inserts into scenario file “which can be utilized by the particular

	client terminal” to “obtain the contents of specific subject matter data files....” [Column 23, lines 1-3]
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Additionally, *Uenoyama* anticipates **Claim 4** of the ‘534 Patent. **Claim 4** recites “said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.” In *Uenoyama*, the server identifies the internal site address of the dedicated drives. In particular, for example, Column 26, lines 30-41, show the server employs a “specific script conversion procedure” in order to convert the syntax for converting the drive letter of the common data storage section into one recognized by the client terminal. In order to convert the drive letter of the common data storage section, the server must identify the internal site of the common data storage section used to hold the particular data.

Claim 1 of U.S. Patent No. 6,101,534 is unpatentable under 35 U.S.C. Section 102(e) as being anticipated by “Uranaka” (U.S. Patent No. 5,937,158).

Uranaka recites several embodiments relating to use of a portable storage medium (recited examples include CD-Rom or DVD) in connection with an online server. The claim chart below provides a detailed explanation as to how *Uranaka* applies to **Claim 1** of the ‘534 Patent.

In particular, *Uranaka* provides that a CD-Rom or DVD may be inserted into a client to (i) initiate a client server interaction that (ii) results in the generation of a script from the server that directs the client in the use of specific data on the portable storage medium. Specific areas on the DVD are accessible to the server because the server-generated script directs access to those areas.

Uranaka is not part of the file for the ‘534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, *Uranaka* presents a substantial new question of patentability under 35 U.S.C. Section 102(e).

Claim 1 of '534 Patent	U.S. Patent No. 5,937,158 (" <i>Uranaka</i> ")
1. An interactive, remote, computer interface system comprising:	<i>Uranaka</i> provides catalog shopping client 1210 and server 1220 of FIG. 12. [Column 17, lines 26-54]
a remote server assembly, said remote server assembly including a quantity of primary site data;	<i>Uranaka</i> provides that the catalog shopping server 1220 provides a catalog shopping service 1221. [Column 17, lines 55-56]
said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	The catalog shopping server has a network address. [Column 18, line 16] <i>Uranaka</i> provides that the information storage means 1223 stores necessary information.
a local processor assembly; said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;	In <i>Uranaka</i> , catalog shopping client 1210 and server 1220 are coupled by information transmitting and receiving means 1212 on the client, and information transmitting and receiving means 1222 on the server 1220. [Column 17, lines 41-42, and lines 58-60]
said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;	See above.
at least one data storage assembly associated with said local processor assembly	<i>Uranaka</i> provides that the information storage means 1215 on the client 1210. [See FIG. 12 and Column 17, lines 45-50]
and structured to contain a quantity of auxiliary site data thereon,	Under <i>Uranaka</i> , "Necessary information" is stored on information storage means 1215. [Column 17, lines 45-50]
said auxiliary site data being associated with said primary site data;	See above
said data storage assembly including a compact, portable and interchangeable computer readable medium;	See Electronic catalog DVD 1200. [FIG. 12]
said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,	<i>Uranaka</i> provides that the DVD 1200 includes various storage areas, including media-utilization information recording area 1201, certifying information storage area 1202, purchase history information storage area 1203. [See FIG.12]

each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and	See above.
said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly	<i>Uranaka</i> provides that the server 1220 generates a script [Column 17, lines 64-68] that is transferred to the client 1210 [Column 19, lines 19-21] for "defining which of the information recorded in the electronic catalog DVD 1200 should be displayed and how". [Column 17-18, line 66-2]
so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.	In <i>Uranaka</i> , "the central control means 1211 of the catalog shopping client 1210 displays content of the electronic catalog DVD 1200 using the information display means 1216 based on the script determined in Step 1402." [Column 19, lines 20-28] The script includes some necessary information that is "primary site data". [See FIG. 15]

Claims 1-2 and 21 of U.S. Patent No. 6,101,534 are unpatentable under 35 U.S.C. Section 102(e)/103 as being obvious in view of "Berlin" (U.S. Patent No. 5,915,093)

Berlin teaches a way for implementing a token on a CD-Rom or other similar device in order to implement a network communication. A detailed claim chart is provided below.

Like *Mages*, *Berlin* enables a user to place a CD-Rom containing a token into a computer. One of the data items on the CD-Rom is a URL (i.e. an "auxiliary site address"). Software on the token results in the computer using the URL to access an identified site. The token on the CD-Rom may be used to provide the user with access to the site, or to retrieve information from the associated site. The CD-Rom includes a URL of the site, with programming to enable the connection to happen.

Berlin does not explicitly disclose the use of multiple "auxiliary site addresses," as stated in the claims of the '534 Patent. But the use of additional auxiliary site addresses would be obvious to one skilled in the art.

Suggestion/Motivation: The use of multiple URLs would enable the user to view and access information from more than one site, something that would be clear motivation for anyone skilled in the art. Moreover, under the MPEP guidelines, the duplication of parts is “of no patentable significance.” (See MPEP Section 2144.04, citing *In re Gazda*, 219 F.2d 449 (CCP 1955).

In reviewing the claim chart (see below), it is important to note that the ‘534 Patent explicitly contemplates the term “auxiliary site addresses” to include a URL [See claim 9, Column 17, line 40-43]. *Berlin* discloses URLs on a CD-Rom, which are then communicated to a server. As such, the “auxiliary site addresses” are accessed by the server. The URLs of *Berlin* may be considered to “include auxiliary site data” for any of the following reasons: (i) the URL is also auxiliary site data, as it is provided on the CD-Rom; (ii) the URL includes data in its file path arguments (see the example URL provided below) to enable identification of source data on the CD-Rom; and (iii) the URL locates additional “auxiliary site data” on the CD-Rom. Moreover, *Berlin* discloses “auxiliary site data” used “in conjunction with” data from the website in that the browser renders information from server 122, in response to use of one of the tokens. [Column 4, lines 50-58]

Berlin is not part of the file for the ‘534 Patent, and its teachings are not reflected in any art considered by the U.S. Patent Office in issuing this patent. As such, *Berlin* presents a substantial new question of patentability under 35 U.S.C. Section 103/102(e).

Claim 1 of the ‘534 Patent	U.S. Patent No. 5,915,093 (“ <i>Berlin</i> ”)
1. An interactive, remote, computer interface system comprising:	See FIG. 4 of <i>Berlin</i> .
a remote server assembly, said remote server assembly including a quantity of primary site data;	In <i>Berlin</i> , there is a user-computer 10, a host or central computer 12 and disk tokens 20, 22 and 24. [Column 5, lines 5-6]

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;	<i>Berlin</i> provides that the central computer is a “web server, i.e. a remote computer connected to the Web, in a manner that allows it to be retrieved using the well-established Web protocols...” [Column 7, lines 5-9]
a local processor assembly; said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;	<i>Berlin</i> provides the user-computer communicates with the remote computer. (see e.g. step 106 and 108 of FIG. 6A)
said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;	<i>Berlin</i> provides connection made between computer 10 and server 12. [Column 9, lines 26-44]
at least one data storage assembly associated with said local processor assembly	<i>Berlin</i> teaches disk tokens 20, 22 which may correspond to a floppy disk or CD-Rom. [Column 5, lines 61-63]. Additionally, user terminal 10 may be assumed to have memory.
and structured to contain a quantity of auxiliary site data thereon,	The disk tokens 20, 22 may include token identifier 26, main control program 34, and user agent browser 30. [See FIG. 1]
said auxiliary site data being associated with said primary site data;	<i>Berlin</i> teaches the presence of a URL and token identifier for identifying what data to retrieve from the server.
said data storage assembly including a compact, portable and interchangeable computer readable medium;	<i>Berlin</i> teaches disk tokens 20, 22 which may correspond to floppy disks or CD-Rom. [Column 5, lines 61-63].
said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,	<i>Berlin</i> teaches disk tokens 20, 22 include a URL that is communicated to server 12. [Column 7, line 18-22]
each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and	In <i>Berlin</i> , the URL is data and portions of the URL can be considered “auxiliary site data.” <i>Berlin</i> states, for example, “the software under which computer 10 is controlled identifies computer 12 by providing an Internet Protocol address.” [Column 10, line 23-25] This IP address is used to construct the HTTP request (i.e. the URL). [Column 10, line 38] The IP

	address portion of the URL is auxiliary site data.
said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly	Berlin provides in Column 13, lines 23-55, a description of the returned response. Berlin states that “CD-Rom contains a code representing the URL Web Page of the host computer [server 7...] [Column 6, lines 39-40] This code is communicated to the host computer server 7 as a URL.
so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.	Berlin teaches that auxiliary site data includes a user-agent 30 (browser) [See FIG. 1], in that the application resides on the token disk 20, 22. This browser renders information retrieved from the server 12, in response to use of the token 20, 22. [See e.g. Column 4, lines 55-58] The browser (auxiliary data) thus renders the requested information (primary site data).

Berlin also renders obvious **Claim 2** of the ‘534 Patent. **Claim 2** provides that the remotely accessible auxiliary site addresses are encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly. **Berlin** teaches that the remotely accessible auxiliary site addresses are encoded with additional programming (via the user-agent 30, which is auxiliary site data) that only enables the computer 10 to provide the “start” or “stop” function. [Berlin, Column 9, lines 25-67]

Claim 21 of the ‘534 Patent recites that the “compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.” **Berlin** renders obvious this feature, as it provides for use of multiple programming elements (e.g. user-agent 30, which is a specialized browser) on the disk tokens 20, 22.

Claims 1-5, 7 and 8 of U.S. Patent No. 6,101,534 is unpatentable under 35 U.S.C. Section 103 as being obvious over “Shuster” (U.S. Patent No. 5,996,000) in view of “Uranaka” (U.S. Patent No. 5,937,158).

Shuster teaches a computer system that is configured to use multimedia files on a CD-Rom in conjunction with browsing a website. A detailed claim chart of *Shuster* is provided below, showing how applicability of *Shuster* to Claim 1 of the '534 Patent.

Shuster teaches substantially all of the limitations of Claim 5, including of the base claims. Claim 1 of the '534 Patent recites:

- **“remote server assembly including a quantity of primary site data” and “at least one primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network...”** *Shuster* teaches “server 16 is [an HTTP] server that can provide text and other data to the various computer systems connected to the network 14.” [Column 3, lines 16-18].
- **“a local processor assembly” that is also “coupled in data transmitting and receiving communication with said remote server assembly” and “structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly...”** *Shuster* describes “a general purpose computer which is configured [to] communicate with other computers such as server 16 over network 14.” [Column 3, line 3-5] *Shuster* also provides for use of a “content provider website.” [Column 2, line 5] It is common knowledge that the website in this context would include a web site address.
- **“at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data...”** *Shuster* teaches “memory 24” [Column 4, line 23] and “data storage device 36.” [See FIG. 2]
- **“said data storage assembly including a compact, portable and interchangeable computer readable medium....”** *Shuster* states that the storage device 36 may be removable media device such as a CD-Rom. [Column 3, lines 37-45]

- **“said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data....”** *Shuster* provides that the removable media device includes media files that are accessible to the “UL Player” when the browser is operated to view a site. [See Column 4, lines 11-24] The “UL Player” is an application that runs on the client.
- **“said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.”** *Shuster* teaches that the “UL Player” retrieves media files from the CD-Rom in connection with the browser executing calls and displaying HTML pages. [Column 4, lines 117-24] Thus, the CD-Rom is used to display media files locally while the browser renders content from the server. [See generally Column 5]

What *Shuster* does not explicitly state is that the CD-Rom and/or media files provided therein are coded to include addresses that are “remotely accessible” to a server, and further to “initiate utilization” of the media files with the addresses being remotely accessed by the server. As noted, the “UL Player” of *Shuster* is local, and executes on memory 24. The browser calls the UL Player in response to interpreting “files coded in HTML” [Column 4, lines 16-19]. The “UL Player” retrieves the media files, and thus accesses the addresses to those media files.

While *Shuster* does not explicitly state the “UL Player” functionality can be provided from a server, *Shuster* combined with *Uranaka* does teach all of the limitations of **Claim 1**. Specifically, *Uranaka* teaches the use of script files that can be communicated from the server to access files on a CD-Rom. (See above portions describing *Uranaka*: *Uranaka* provides that the server 1220 generates a script [Column 17, lines 64-68] that is transferred to the client 1210 [Column 19, lines 19-21] for "defining which of the

information recorded in the electronic catalog DVD 1200 should be displayed and how". [Column 17-18, line 66-2]).

It would be obvious to combine *Shuster* with *Uranaka* in order to provide the functionality of the "UL Player" in *Shuster* in the form of a script that originates from the server, rather than an application that resides on the client. One skilled in the art would be *motivated* to make this combination in order to achieve server-side functionality for the "UL Player" of *Shuster*, through use of the client browser. Indeed, *Shuster* is not far from stating as such, by teaching that its browser uses plug-ins and procedure calls to utilize functionality from other sources. [Column 4, lines 16-24] The use of scripts, or other server provided functionality via browser is well-known, and can readily be substituted for functionality provided by the "UL Player" of *Shuster*.

Claim 2 of the '534 Patent states that the "remotely accessible auxiliary site addresses are encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly." *Shuster* teaches that the UL Player "is used to control the retrieval and presentation of multimedia information contained in data storage 36." [Column 4, line 24-26] This is restricted access. Thus, *Shuster*, as combined with *Uranaka*, in the manner described with Claim 1, and further described with **Claim 2** above, renders **Claim 2** obvious.

Claim 3 of the '534 Patent states that "a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly." *Shuster* teaches that the UL Player "is used to control the retrieval and presentation of multimedia information contained in data storage 36." [Column 4, line 24-26] The control is implemented by the "UL Player" enabling playback of the multimedia files only after checking the volume number, version, and ID number. [Column 5, lines 6-22]. This is a security protocol. Unless the checks are made, the UL Player does not open the multimedia files on the CD-Rom. [Column 5, lines 16-17] Thus, *Shuster*, as combined

with *Uranaka*, in the manner described with Claim 1, and further described with **Claim 3** above, renders **Claim 3** obvious.

Claim 4 of the '534 Patent states that "remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly." *Shuster* teaches that the "UL Player" is able to search for the removable media device on a bus 30. [See Column 4, lines 55-60]. Thus, *Shuster*, as combined with *Uranaka*, in the manner described with Claim 1, and further described with **Claim 4** above, renders **Claim 4** obvious.

Claim 5 of the '534 Patent depends from **Claim 4**, and further states that "remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium."

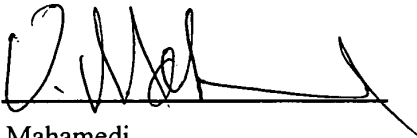
Claim 7 of the '534 Patent states that the "compact, portable and interchangeable computer readable medium is structured to store at least one video image." **Claim 8** states that the "compact, portable and interchangeable computer readable medium is structured to store at least one audio signal." *Schuster* (as combined with *Uranaka*) render these claims obvious, as the *Shuster* recites numerous instances of local content being media, such as on Column 5, lines 29-34.

III. CONCLUSION

For reasons stated, the undersigned Requester submits that there are substantial new questions of patentability for Claims 1-21 of U.S. Patent No. 6,101,534. As discussed, it is respectfully submitted that each of the identified claims is anticipated and/or rendered obvious in view of the prior art references discussed above. Accordingly, reexamination of Claims 1-21 of the '534 Patent is requested.

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United States Patent [19]
Rothschild

[11] **Patent Number:** **6,101,534**
[45] **Date of Patent:** **Aug. 8, 2000**

[54] **INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM**

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[57] **ABSTRACT**

[21] Appl. No.: **08/922,926**

[22] Filed: **Sep. 3, 1997**

[51] Int. Cl.⁷ **G06F 13/38; G06F 15/17**

[52] U.S. Cl. **709/217; 709/219; 709/225; 709/229**

[58] Field of Search **709/217, 218, 709/219, 225, 228, 229; 713/201; 340/825.34**

An interactive, remote, computer interface system having a remote server assembly including a quantity of primary site data and at least one primary site address that contains at least a portion of the primary site data and is distinct so as to identify a location thereof on a computer network. The system further includes a local processor assembly coupled in data transmitting and receiving communication with the remote server assembly and structured to access the primary site address so as to achieve the data transmitting and receiving communication with the remote server assembly. At least one data storage assembly is associated with the local processor assembly and contains a quantity of auxiliary site data thereon, the auxiliary site data being associated with the primary site data. Further the data storage assembly including a compact, portable and interchangeable computer readable medium having a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of the quantity of auxiliary site data, and being structured to be remotely accessed by the remote server assembly so as to initiate utilization of select portions of the auxiliary site data by the local processor assembly in conjunction with the primary site data.

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22 Claims, 1 Drawing Sheet

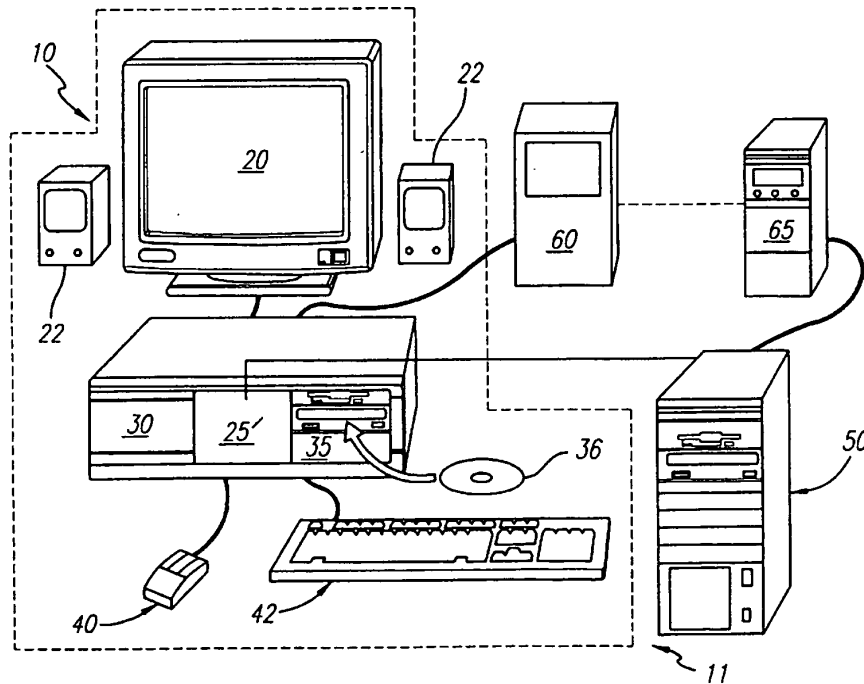


FIG. 1

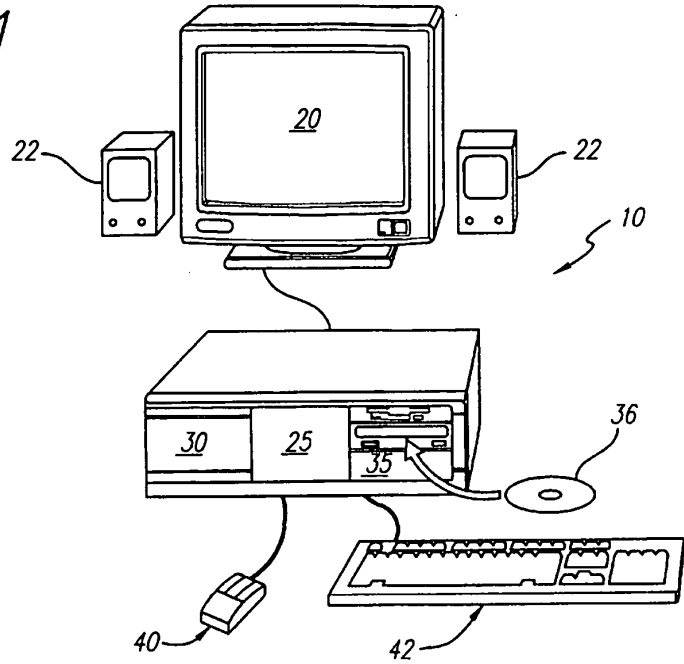
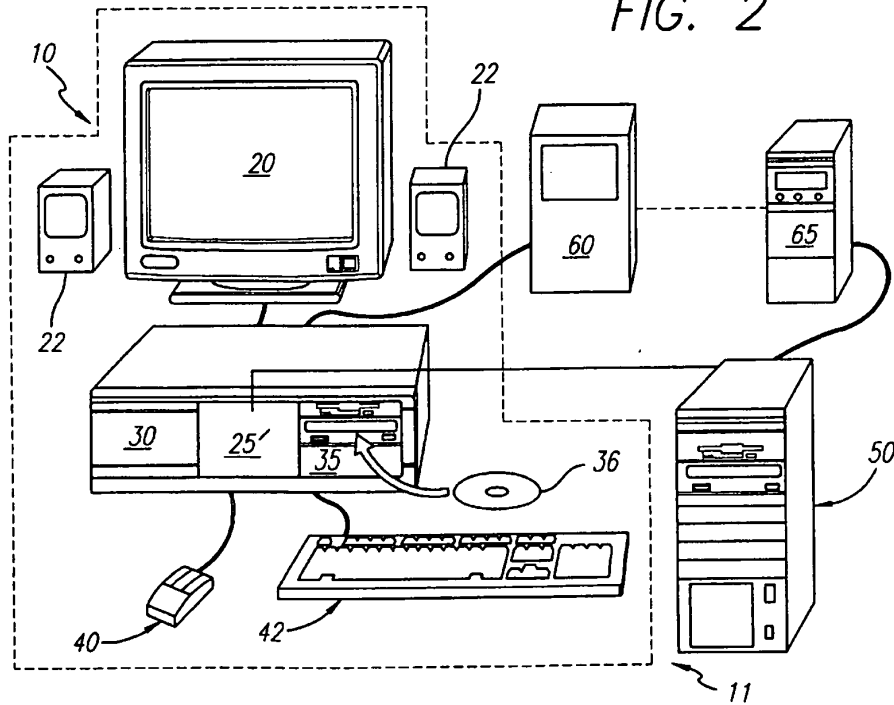


FIG. 2



**INTERACTIVE, REMOTE, COMPUTER
INTERFACE SYSTEM**

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to an interactive, remote, computer interface system preferably used with a real estate display system structured to permit the remote exhibition of a real estate space, whether the real estate space is fully constructed or in a planning stage, and in a manner which gives a substantially realistic and comprehensive demonstration of the real estate space, either for prospective purchase purposes or for directional and guiding purposes.

Further, the system provides selectivity between self-contained, on-site display and program generation, and remotely accessed display, the system being structured such that even in a remotely accessed display substantially real time, continuous movement, inter-activity and image generation is achieved through the utilization of a specific interactive, remote computer interface system. The interface system itself relates to a system of substantially enhancing the effectiveness of interactive "online" capabilities, especially as they relate to video and audio.

2. Description of the Related Art

Real estate sales and development is a multi-million dollar industry based on the impact and appealability of a particular real estate space to a prospective consumer. While in many circumstances, an actual real estate space which is being offered is physically available for a preferred, personal "walk-through" by a prospective purchaser or investor, sometimes such circumstances are not available or are not practical. For example, if a purchaser or investor is at a location remote from the precise real estate space, it may be inconvenient and time consuming for that individual to make a special trip just to view one or more specific real estate spaces. Along these lines, if a number of real estate spaces are to be viewed, a substantial amount of time is spent merely travelling from one location to another, and a viewer is never truly able to make a comparison while the images are fresh in his/her mind. Moreover, and perhaps of even more significant, especially in the field of real estate development, a particular real estate space may not be physically available for viewing because it is still under construction or is in the developmental stages. In such a circumstance, prospective purchasers or investors must rely on static artist sketches of a particular real estate space, or must view a similar real estate space. Unfortunately, these methods and existing systems do not truly provide a prospective purchaser or investor with a realistic perspective of a specific real estate space.

For example, even with existing video systems, a prospective purchaser or investor is not truly able to capture the feel of user controlled, independent movement from one room to another or of exploring the surrounding environment of the real estate space, such as examining a specific view from a window or balcony, and exploring options relating to elevation and orientation changes of a particular real estate space. As such, it would be highly beneficial to provide a system which can provide a prospective purchaser or investor a complete and highly realistic view of a specific real estate space, even when direct viewing of the real estate space is not available for any of a variety of reasons.

With the advent of technology, more and more individuals have sought to develop technical systems to provide some sort of representation of the view of real estate space. While a depiction of floor plans and artist drawings may sometimes

be available, most systems which claim to be interactive merely provide a series of fixed dimension and orientation, static images strung together. Indeed, any systems which claim to provide a user with a "walk-through" type viewing environment are typically very limited in the views which they provide, are substantially erratic, as they do not seek to provide any image continuity beyond merely stringing static images together, and typically only provide a moving reference point for viewing the same image rather than providing a user with an actual feel for a specific real estate space. In fact, these systems are truly linear displays of files on a video tape or laser disc, and provide no user interactivity, indeed, a user of conventional systems is merely permitted to "sit and watch" without control, beyond conventional forward, rewind and/or selection of a file to be displayed.

As such, it would be highly beneficial to provide a real estate display system which can provide a user with a highly interactive, first person perspective, "walk-through" type experience, giving the user complete freedom of mobility so as to turn around, look up, down or at any location desired, substantially giving that user the impression of an actual presence in the real estate space. Moreover, such a system should be capable of interlacing audio and video information regarding the specific real estate space, such as views from a balcony or a window, and/or presentations regarding options, such as different flooring or wall coverings, or other amenities so as to anticipate views a user at the actual space would normally seek to see, and indeed, providing some views and information which could not be as readily available in a standard, physical "walk-through".

In addition to the needs associated with the sale and demonstration of a specific real estate space to prospective purchasers, it is also seen that significant needs are associated with the requirements of individuals attempting to navigate large, complex real estate spaces, such as office buildings, cruise ships, collage campuses, recreational facilities, hospital facilities, convention centers and the like. In such circumstances, and often because of the generally limited display space available for directional/navigational information, individuals seeking to navigate a specific real estate space must generally rely upon two dimensional maps to provide some maneuvering guidance. Such maps, however, do not provide any true frame of reference for an individual attempting to navigate a specific area, such as by pointing out landmarks and generally providing an individual with the knowledge of "what they are looking for" as they actually proceed through the real estate space. Along these lines, it would be highly beneficial to have a system for the display of real estate space which can effectively and realistically guide an individual through a large complex real estate space, providing that individual with substantially realistic and accurate representations of what that individual will see as they seek to arrive from one location to another. Moreover, such a system should be capable of providing additional and immediate information regarding particular locations, sites, or points of interest along the way, thereby further assisting the individual in their navigation through the real estate space. Although a typical map display should also be available for such a system, it would be beneficial to provide some reference between that typical map display and an actual first person image of what will be seen as certain areas are navigated, allowing the user complete control and freedom of movement in order select a location to which they would seek to go and a manner in which they would like to arrive at that location, while still providing a complete and accurate representation of the navigation

course. Unfortunately, the prior art is deficient in providing such a system capable of achieving such result and providing such effective information to an individual seeking to navigate or otherwise view a real estate space. Moreover, such system are pre-set in the guided path and do not let an individual explore and/or select their own path that guides them by other desired locations and can provide information regarding unfamiliar locations at the users option. Indeed, the system of the present invention uniquely seeks to provide an effective, accurate and easy to use solution to the problems which remain in the related art.

Furthermore, it is noted that with the advent of on-line technology, such as internet navigation, it is often desirous for various types of information, including real estate space display information, to be accessed through a remote on-line connection. Such types of connections are indeed quite valuable as they enable large quantities of information to be stored on dedicated remote server assemblies, permitting individuals, with perhaps less powerful computer systems to access the vast array of information. A significant problem associated with the use of such on-line technology, however, involves the substantial amount of time required to download various images and information. Such is particularly the case with any kind of animated three dimensional images or with video and/or audio information. Typically, the download time for such types of information is in the range of many minutes, making any kind of seamless and/or continuous presentation of an animated nature substantially impossible. Indeed, even with the advent of broadband technology and higher speed computers, substantial limitations still exist with regard to the speed in which video and audio is provided in an accessible and effectively utilizable means for a person at a local access site. Accordingly, it would be highly beneficial to provide a system which is capable of substantially, easily and economically, but significantly enhancing the interactive capabilities of an on-line "web" site, especially in the field of continuous motion video or graphical displays, and extensive audio signals associated with those displays. Furthermore, such a system should not violate the security requirements commonly associate with internet technology by unnecessarily accessing information stored on a user's computer hard-drive and/or other sensitive areas. The system should also be capable of seamlessly and quickly providing a variety of supplemental and auxiliary information, which can significantly enhance the on-line experience, by achieving sophisticated and generally lengthy audio and video segments without the requisite, extended down-load times, and in a manner which can be effectively interactive and modifiable during display.

SUMMARY OF THE INVENTION

The present invention is directed towards a real estate display system for the remote exhibition of real estate space, such as for purposes of display and purchase, or for purposes of assisting navigation and/or demonstration of the physical space to one or more individuals. Specifically, the display system of the present invention includes a display assembly structured to visually display a three-dimensional image thereon, and having the capabilities to display continuous motion images such as video or continuous three dimensional graphics, audio and animated files.

Further, the display system of the present invention includes a data storage assembly. The data storage assembly is structured to store a quantity of data corresponding the plurality of three dimensional images which may be displayed on the display assembly. Of course, the plurality of

three dimensional images are preferably directly associated with the real estate space to be displayed by the display system. To be used at least partially in conjunction with the data storage assembly, the display system also includes a data entry assembly. Specifically, the data entry assembly of the present display system is structured to at least partially input the quantity of data corresponding the three dimensional images into the data storage assembly.

The system of the present invention further includes a processor assembly, the processor assembly including preferably both an overlay processor and a direct view processor as a part thereof. In particular, the overlay processor is structured to generate a floor plan display of the three dimensional/real estate space. This floor plan display is generated from the quantity of data contained at least in part by the data storage assembly, with the floor plan display being structured for display on the display assembly in preferably complete form. Conversely, the direct view processor is structured to generate a three dimensional, walk-through display of the three dimensional space. The three dimensional walk through display is generated by the direct view processor from the quantity of data corresponding the plurality of three dimensional images and is structured to generate and provide a substantially realistic, first person illustration of the real estate space to be displayed on the display assembly. While both the three dimensional, walk-through display and the floor plan display may be shown on the display assembly at the same time, the display system preferably includes a display selection means. The display selection means are structured to selectively display the three dimensional display and/or the floor plan display on the display assembly according to the specific needs of the user. As such, the display selection means is structured to control the switching between displays, preferably at any time desired by the user.

In order to facilitate maneuvering and movement throughout one or more of the various displays, the present system further includes a reference beacon. The reference beacon is structured to be recognized by the processor assembly and to thereby direct the processor assembly to generate and display a particular portion of a selected one of the displays. That particular portion of the selected display is structured to specifically correspond a spacial position and spacial attitude of the reference beacon, thereby allowing control and modification of the spacial position and attitude of the reference beacon to likewise control the display generated for depiction on the display assembly. To assist this function, the present display system includes an attitude control assembly. The attitude control assembly is structured to selectively change the spacial attitude of the reference beacon generally along vertical and horizontal plains, thereby allowing a user to effectively "look" up and down, left and right, and/or any combination thereof. Similarly, a position control assembly is provided. The position control assembly is structured to selectively change the spacial position of the reference beacon relation to the portion of the display being generated by the processor assembly and being shown on the display assembly. Such a position control assembly effectively provides for movement throughout a specific, select display being generated and shown. Along these lines, the processor assembly is specifically structured to substantially continuously and seamlessly modify the portion of the display being generated thereby and being displayed on the display assembly. These continuous modifications correspond those changes in the spacial position and spacial attitude of the reference beacon and thereby provide realistic transitions between the viewing of

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a particular area to the viewing of another particular area as directed by the user. Also, the processor assembly is structured to continuously correlate the spacial position of the reference beacon in the three dimensional walk-through display with its spacial position in the floor plan display, and vice-a-versa. As such, by coordinating the spacial positions with one another and also preferably by coordinating a horizontal spacial attitude, when the display selection means switch between the displays, the portion of the display being shown on the display assembly, whether the three dimensional, walk-through display or the floor plan display will always remain consistent. Such correlation allows effectively toggling between the various displays, and/or permits simultaneous illustration of both displays in order to provide a more effective overall picture of a specific real estate space being viewed thereby.

Additionally, the present invention relates to an interactive, remote computer interface system which enables the utilization of the real estate display system through an "online" medium. Preferably, the interface system of the present invention includes a remote server assembly which contains quantities of primary site data. Moreover, the remote server assembly also includes at least one primary site address in which at least a portion of the primary site data is stored. Preferably, that primary site address is distinct and unique, thereby identifying a particular location thereof on a computer network, and allowing remote access to that primary site address from another location.

Additionally, the interface system includes a local processor assembly, such as the processor assembly of the real estate display system. The local processor assembly and the remote server assembly are connected in data transmitting and receiving communication with one another, such as through a typical on-line connection. Moreover, the local processor assembly is structured to access the primary site address in order to achieve the data transmitting and receiving communication with the remote server assembly, and in particular, so as to be able to access the primary site data contained at the primary site address.

The local processor assembly further includes at least one data storage assembly associated therewith. While the data storage assembly may include only a fixed/hard drive of the local processor assembly, preferably the data storage assembly of the interface system includes at least one compact, portable and interchangeable computer readable medium. This interchangeable computer readable medium is structured to contain a quantity of auxiliary site data thereon, that auxiliary site data being associated with the primary site data. Furthermore, the interchangeable computer readable medium preferably includes a plurality of remotely accessible, auxiliary site addresses encoded therein. Each of the auxiliary site addresses includes a select portion of the quantity of auxiliary site data and is structured to be remotely accessed by the remote server assembly. The remote access by the remote server assembly is structured to initiate utilization of the select portions of the auxiliary site data by the local processor assembly, preferably in conjunction with the primary site data and in a manner which is continuous and well integrated. In this regard, and relating to the preferred embodiment wherein the local processor assembly is utilized as part of a real estate space display system, the auxiliary site data may include a plurality of operating instructions which will work in conjunction with a quantity of data, such as the auxiliary site data stored on the interchangeable computer readable medium or other stored data, in order to instruct the local processor assembly to generate various display images, such as a three dimen-

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sional display or overlay display. In this manner, a user at the local processor assembly need not wait for the downloading of substantial quantities of information and images in order to provide a substantially interactive, continuous and effective display on the display assembly associated therewith.

It is an object of the present invention to provide a display system capable of giving a user a true and complete perspective of a specific three dimensional space, such as a real estate space.

A further object of the present invention is to provide a display system wherein a display image is continuously updated to provide seamless movement in a three dimensional environment.

Also an object of the present invention is to provide a display system which is structured to have various quantities of video and audio information readily available for immediate utilization so as to enhance the display experience and provide further information to a user.

Yet another object of the present invention is to provide a display system capable of effectively and interactively guiding a user through a large real estate space, such as a cruise ship, a college campus, a factory, an office complex, a hospital, a recreational facility, and the like.

Still another object of the present invention is to provide a display system capable of guiding a user through a large real estate space in a manner which permits the user to define a desired path as they are being guided through the space, and which makes additional information regarding specific areas readily available to the user in an effective format such as full motion video.

Another object of the present invention is to provide a display system capable of providing furnished and unfurnished images of an area being displayed, and selective elevations and corresponding views from the selected elevations.

An added object of the present invention is to provide a display system capable of permitting a user to selectively choose a variety of options, such as different floor and wall coverings, and thereby obtain a more complete image of their preferred version of the real estate space.

A further object of the present invention is to provide a display system which can be utilized through an on-line connection, in connection with a remote server assembly, so as to provide substantially updated information and an interactive display without excessive down-load time delays.

An added object of the present invention is to provide an interface system wherein a user is able to access a remote server assembly and can view and utilize graphical images, video images and audio signals of substantially volumes, in a rapid, real-time basis without extensive down-load times, but in a manner which is substantially interactive with the information provided at the remote server assembly.

Also another object of the present invention is to provide a computer interface system which substantially enhances the capability of a website by permitting the effective, coordinated utilization of high content data such as full motion video.

Also an object of the present invention is to provide a computer interface system which is capable of being remotely upgraded, either through an on-line connection or other transmission type connection, and can contain a substantial quantity of information in a readily and effectively usable manner.

A further object of the present invention is to provide a computer interface system which substantially enhances the

display capabilities of a remote site, but which does not violate security protocols regarding remote access to a local processor assembly.

Another object of the present invention is to provide a computer interface system which substantially enhances the display capabilities of a remote site in a substantially seamless and continuous manner regardless of the remote or local location of the data being utilized and or displayed.

These and other objects will become apparent upon reviewing the following detailed description and recited claims.

BRIEF DESCRIPTION OF THE DRAWINGS

For a fuller understanding of the nature of the present invention, reference should be had to the following detailed description taken in connection with the accompanying drawings in which:

FIG. 1 is a schematic of the system for the display of a three dimensional space of the present invention in its preferred embodiment; and

FIG. 2 is an alternative embodiment of the system for the display of a three dimensional space, and included as part of an interactive, remote, computer interface system.

Like reference numerals refer to like parts throughout the several views of the drawings.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Shown in schematic throughout the Figures, the present invention is directed towards a system for the display of a three dimensional space, generally 10, and preferably, a real estate display system 10 structured to provide for the remote exhibition of real estate space. Specifically, the real estate space may be any physical space such as a home, apartment, resort, university, cruise ship, office, retail plaza, stadium, arena or any other physical space wherein it would be beneficial for a user to view and/or identify and locate various areas from a single location. Indeed, such a display system 10 is structured to effectuate the display of a real estate space, even before it is built and at any remote location near or far from the actual location of the real estate space, all in a substantially clear, interactive, precise and effective manner.

The display system 10 of the present invention includes a display assembly 20. The display assembly 20 may include a computer monitor, television monitor, or any other type of video or graphic display type assembly. Moreover, the display assembly 20 will preferably have substantially high color resolution so as to significantly enhance the realism and clarity of three dimensional images which the display assembly 20 is structured to visually display thereon.

Further includes as part of the display system 10 is at least one data storage assembly 30. Preferably, the data storage assembly 30 includes a computer readable medium, and in the preferred embodiment of FIG. 1 preferably includes a computer hard drive or other fixed data storage assembly wherein a large quantity of data may be stored and contained. As will be described in further detail subsequently, however, the data storage assembly may also include portable and/or interchangeable assemblies such as compact discs or other such writable and non-writable assemblies and the accompanying drives. Preferably, the data storage assembly 30 is structured to store a substantial quantity of data corresponding a plurality of the three dimensional images which the display assembly 20 is capable of visually

displaying thereon. Furthermore, those three dimensional images associated with that quantity of data are preferably also associated with the real estate space to be exhibited by the display system 10. Along these lines, it is noted that a variety of different real estate spaces may be visually exhibited by the same display system 10, however, for purposes of clarity, the following discussion will focus on a display system including only a single real estate space to be displayed thereby.

In order to at least partially input the quantity of data corresponding the plurality of three dimensional images of the real estate space into the data storage assembly 30, the display system further includes a data entry assembly. Indeed, the data entry assembly can take on any of a number of conventional configurations such as a computer keyboard 42, a down-loadable computer readable medium 36, such as a compact disk or tape, and indeed may include a transmitter/receiver type connection 60 wherein data is down-loaded utilizing the data entry assembly into the data storage assembly 30 from a remote site.

The display system 10 of the present invention further includes a processor assembly, generally 25. The processor assembly 25 preferably includes a computer CPU capable of manipulating a quantity of data and generating/rendering the necessary displays. Of course, a generally higher power, high speed computer is preferred, as such will enhance the effectiveness of the display system 10 of the present invention. In the display system 10 of the present invention, the processor assembly 25 is seen to incorporate at least a direct view processor, but preferably both a direct view processor and an overlay processor, each of which is structured to generate separate and distinct images for display on the display assembly 20. Of course, it is noted that a single processor assembly 25 is preferably utilized and is structured to perform the function of both the overlay and the direct view processor.

Looking first to the overlay processor, it is structured to generate a floor plan display of the three dimensional space utilizing the quantity of data stored in the data storage assembly 30. The floor plan display will preferably be a conventional map-type display of a specific real estate space, thereby substantially easily providing a user with an overall perspective of their viewing location relative to other locations of the real estate space being displayed. Conversely, the direct view processor is structured to generate a three dimensional, walk-through display of the three dimensional space utilizing the quantity of data that corresponds the three dimensional images. Specifically, the direct view processor incorporates a series of three dimensional images and provides for continuous updating and modification and seamless transitions from a particular portion of the three dimensional display to other portions of the three dimensional display. Such a direct view processor typically incorporates a three dimensional, graphic image build engine, such as that which may be utilized in some of the more modern three dimensional gaming technology, with the added enhancements of inter-activity with the floor plan display and various other informational and accessory items as will be subsequently described.

Although both the floor plan display and the three-dimensional "walk-through" display may be simultaneously illustrated and depicted on the display assembly 20, such as through an allocation of available screen space, it is preferred that only a single one of the displays be shown at one time on the display assembly 20. In that regard, the display system 10 of the present invention further includes display selection means. Specifically, the display selection means

are structured to direct the processor assembly to selective display the three dimensional display or the floor plan display on the display assembly 20, providing any necessary and desired switching therebetween. Along these lines, the display selection means may include any effective means so as to indicate to the processor assembly 25 that either or both of the displays should be generated and shown on the display assembly 20. As such, the display selection means may incorporate a computer keyboard 42, mouse 40, joy stick, voice activated control assembly, touch screen, or any other available switching indicator that permits a user to effectively select the display options provided by the display selection means for use by the processor assembly.

In order to effectuate movement through the depicted real estate space, the display system 10 of the present invention further includes a reference beacon. The referenced beacon may be a computer generated character or condition, and is specifically structured to be recognized by the processor assembly 25 in order to direct the processor assembly 25 to generate and display a specific, selection portion of a selected one of the displays to be shown on the display assembly 20. For example, in the three dimensional display, the reference beacon is preferably not visible and provides a first person perspective that is structured to control the portion of the display being shown on the display assembly 20 to correspond a specific spacial position and spacial attitude thereof. In other words, the reference beacon enables a user to specifically select where they are "looking" and to accordingly modify the portion of the display being generated by the processor assembly 25 and displayed on the display assembly 20 to correspond that portion. In the case of the floor plan display, it is noted that the reference beacon is preferably visible as a generated character on the display assembly 20 and may provide some sort of directional indication, such as an arrow or the like, to indicate specifically the spacial position and horizontal spacial attitude thereof. Moreover, in this regard, as it is preferred that the entire floor plan display be viewed at one time so as to provide an overall view of the real estate space, it is also noted that for larger real estate spaces only portions thereof may be shown at one time, those portions also corresponding and being directed by the reference beacon.

In order to selectively change the spacial attitude of the referenced beacon, the display system 10 preferably includes an attitude control assembly. In particular, the attitude control assembly preferably modifies the spacial attitude of the reference beacon along both vertical and horizontal planes, thereby effectively permitting a user to look up, down, left, right or any combination thereof, as desired, by correspondingly changing the portion of the three dimensional display being shown to correspond those modifications in the spacial attitude of the reference beacon. While the attitude control assembly may take on any of a variety of different configurations, and may indeed be a single control item, depending upon its capabilities, in a preferred embodiment, it is seen that the attitude control assembly includes a mouse 40 or keyboard assembly 42 for modifications along the horizontal plain, and a keyboard 42 or joy-stick to indicate adjustment along a vertical plain. Of course, any combination of such control assemblies may be effectively utilized so as to incorporate a full range of spacial attitude modification and re-orientation.

Similarly, the display system 10 includes a position control assembly. The position control assembly is structured to selective change the spacial position of the reference beacon relative to the portion of the display being generated by the processor assembly 25 and being displayed on the display

assembly 20. In this regard, the position control assembly generally controls movement through the display and may include specific directional controls so as to provide for movement in any select direction, or may merely provide for forward or reverse movement corresponding the spacial attitude of the reference beacon. From the foregoing, however, it is noted that the processor assembly 25 is specifically structured to substantially continuously modify the portion of the display being generated thereby and being displayed on the display assembly 20 to correspond even small changes in the spacial position and the spacial attitude of the reference beacon, which are being dictated through the attitude control assembly and position control assembly by a user. As a result, a user is able to effectively "move" through the displayed real estate space, can look at any specific location as desired, and is not limited merely to static and select displays and vantage points "scrolling" by. Indeed, if desired, the processor assembly 25 may be specifically structured to provide one or more elevated or modified room displays of a particular room of the real estate space being displayed if the user desires an alternative look or an elevated complete room perspective rather than the first person perspective which is preferably displayed and generated by the direct view processor assembly. Moreover, it is also noted that so as to facilitate interchangeability between the floor plan display and the three dimensional display, the processor assembly 25 is further structured to correlate the spacial position of the reference beacon in the three dimensional display with the spacial position of the reference beacon in the floor plan display, thereby always ensuring that the precise spacial position and attitude is maintained whether or not the display is switched between the varying displays to be shown on a display assembly 20 and no matter what portion of the real estate space is being shown.

The processor assembly 25 of the display system 10 of the present invention, and especially the direct view processor, is also preferably structured to selectively generate and display three dimensional furnishing depictions and other fixture type items in preferred and/or modifiable locations of the depicted real estate space. For example, in the case of an interior real estate space being shown for prospective purchase, it may be beneficial to illustrate to a user what the specific real estate space looks like empty and/or to incorporate one or more select furnishing depictions to provide an idea of upgrades or a complete look. In this regard, the display system 10 of the present invention is preferably structured to selectively display those furnishing depictions, thereby allowing a user complete choices as to specific preferences. Moreover, if desired, specific dimensions of rooms or particular areas can be indicated, either when the furnishing depictions are not being displayed, or at all times in the floor plan display, depending on the particular needs of a user. Further, it is noted that the processor assembly 25 in addition to displaying the three dimensional furnishing depictions in association with a particular portion of the three dimensional display being generated and shown on a display assembly, also functions to maintain those furnishings and depictions in a fixed relative position upon the continuous modification of the portion of the display being generated by the processor assembly 25 and shown as a result of movement of the reference beacon. In this regard, the furnishing depictions are also substantially three-dimensional depictions as a reference perspective to those furnishing depictions will also be modified when a new portion of the display is generated and shown on the display assembly 20 in accordance with movements of the reference

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beacon. Also, if desired, the furnishing depictions may also include a variety of different types and styles of floor coverings (i.e. tile, wood floors, carpet, etc.) and wall coverings (i.e. wall paper, paint, curtains, blinds, etc.) in one or more select colors and patterns. This will allow a user to truly tailor the look to their needs or preferences.

As yet another feature of the present invention, the direct view processor assembly is also preferably structured to render window view images associated with the portion of the three dimensional display being generated by the processor assembly 25 and being displayed on the display assembly 20. Indeed, as a particular interior real estate space is being shown, windows, such as conventional windows or sliding glass doors, or even balcony areas have exterior views associated therewith. The processor assembly 25 of the present invention is structured to render and indicate those exterior views associated with that portion of the display being shown, and to correspondingly change the appearance of the exterior view in accordance with changes in perspective, as dictated by movement of the reference beacon and depiction of a new portion of the display on the display assembly 20. Along these lines, and especially for multi-story real estate spaces, the processor assembly 25 is preferably structured to selectively modify the window view image to correspond a selected elevation or location of the three dimensional space. As such, a person viewing, for example, a condominium, is able to effectively view a particular real estate space and the expected views to be achieved therefrom depending upon a particular location of that area within the overall real estate space, such as at higher or lower elevations or facing north, south, east or west.

Upon the generation and display of the window view areas, but also in a variety of other different circumstances, the display system 10 of the present invention further includes at least one actuatable control assembly structured to permit the selective actuation of at least one selectively available interface link. In the preferred embodiment, the selectively available interface link includes both a video link which can control a video play-back assembly and an audio link structured to control an audio play-back assembly. As indicated, these interface links are preferably always selectively available and are preferably structured to become available only when a particular portion of the display being generated by the processor assembly 25 corresponds with and/or calls for a particular interface link. Indeed, along these lines, the selectively available interface link may include an icon, audio-signal or other indicator that such a link is available, with the actuatable control assembly including any of a variety of indicators, such as a voice control, a keyboard 42 or mouse 40 command, or any similar type of indication to initiate operation of the interface link. In the case of the video link, the video play-back assembly may include a separate assembly such as video tape player, video signal receiver or other medium, however, it is preferred that the video playback assembly include the computer and indeed the processor assembly 25 itself such that the video images can be shown directly on the display assembly 20 when it becomes available. As such, as a user moves through a specific real estate space and certain added information may be available, such as through real time video, a user can be prompted to actuate the specific available interface link and view the video image which is stored on the data storage assembly. Likewise, in the case of the audio link, preferably the audio signal is also contained in the data-storage assembly and the audio play-back assembly includes the processor assembly 25 of the display system

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such that those audio signals may be audibly transmitted through a connected speaker 22. Along these lines, it is often noted that both the video link and audio link may be combined to provide or the video link may itself include a video image having both video and audio at a particular link site. Also, continuous background music, or a narrative and/or automatically triggered audio signal may be provided throughout a display, as desired by a user.

From the foregoing, it is noted that an individual is able to effectively navigate a specific real estate space in an effective, interactive manner which can give the user a substantially close approximation to actual passage through a particular real estate space. Such passage further, is completely interactive and is not limited by the conventions of an ordinary video display, but truly provides an accurate and preferably first person view.

The display system 10 of the present invention as described in its preferred embodiment is preferably structured to be utilized on a completely isolated processor assembly 25, containing all necessary information and operational controls on the data storage assembly, whether it be a chip, a fixed drive or some other removable computer readable medium. In an alternative embodiment, however, the display system 10 of the present invention is further structured to be utilized as part of an interactive, remote, computer interface system 11. Specifically, the interactive remote computer interface system 11 is structured to enable the display system 10 of the present invention to be initiated and operated via a remote, on-line type connection. Typically, individuals at remote user locations are able to interface and access a remote server assembly through a variety of on-line connections, such as conventional telephone lines using a modem or more sophisticated broadband connections. A substantial drawback to such on-line connections, however, is a substantially slow download time associated with downloading even short segments of video, audio or animated graphical displays from the remote server assembly to the local processor assembly. Utilizing the interactive, remote computer interface system of the present invention, the above-described three-dimensional space display system 10 can be effectively utilized through an on-line connection without sacrificing the continuous and substantially seamless maneuvering it provides through various visual images. As such, a user is able to access a "web site" associated with a particular real estate space, and can view the real estate space as desired.

In the preferred embodiment, the interactive, remote computer interface system 11 includes a remote server assembly 50, such as a large mainframe computer or other typical remote server assembly type configuration including one or more computer processors. Furthermore, the remote server assembly 50 is structured to include a quantity of primary site data. In this regard, the primary site data substantially includes operating instructions and information which is to be accessed by an on-line connection. Preferably, however, the remote server assembly 50 includes at least one primary site address. The primary site address includes at least a portion of the primary site data, and is distinct so as to identify its location on a computer network and allow remote access thereto when desired. For example, typical site addresses are URL addresses which are accessible through internet connections and are specific so as to appropriately direct an internet connection and access the primary site address desired by the user on the computer network.

Furthermore, the interface system includes a local processor assembly 25', such as the processor assembly of the display system 10, previously described. The local processor

assembly 25' is coupled, preferably through a conventional on-line type connection, iii data transmitting and receiving communication with the remote server assembly 50. Along these lines, that coupled, data transmitting and receiving communication can take on any of a number of configurations such as a conventional telephone line, a dedicated data line, a broadband transmission line, a fiber-optic line, an airwave transmission or any other known or contemplated assembly to provide for data transmitting and receiving communication between two remote sites. As such, the local processor assembly 25' is structured to access the primary site address and thereby achieve the data transmitting and receiving communication with the remote server assembly 50 and especially with the primary site address which contains the primary site data sought to be accessed and interfaced by a user of the local processor assembly 25'.

The local processor assembly 25' further includes at least one data storage assembly associated therewith and structured to contain a quantity of auxiliary site data thereon. Preferably, the auxiliary site data is associated with the primary site data for use in conjunction with one another as will be described in further detail subsequently. Moreover, while the data storage assembly may include a computer hard-drive of the local processor assembly 25', in the preferred embodiment and potentially in addition to the computer hard-drive associated with the local processor assembly 25', the data storage assembly will include a compact, portable and interchangeable computer readable medium 36 and its associated external or internal drive 35, which can be configured to merely read data or to both read and write data. The compact, portable and interchangeable computer readable medium 36 may be a computer disk or any other known computer readable medium, and preferably will include a CD-ROM or DVD medium. Indeed, for reason which will become apparent, it is further preferred that the CD ROM or DVD technology be writable so as to permit further auxiliary site data to be entered thereon. Along these lines, it is specifically noted that DVD technology is ultimately to be preferred because of its substantially greater data storing capabilities in a compact source. Using DVD technology, a substantial quantity of video images, audio signals, processor controls and other data can be contained in an accessible format.

Additionally, the compact, portable, interchangeable computer readable medium 36 also includes a plurality of remotely accessible, auxiliary site addresses encoded thereon. Each of the auxiliary site addresses is preferably distinct so as to identify a particular location on the interchangeable computer readable medium 36 associated with the auxiliary site address and wherein select portions of the quantity of auxiliary site data is included. As such, select portions of the auxiliary site data can be segregated and maintained in a readily accessible, identifiable and located state. Along these lines, the remotely accessible, auxiliary site addresses are preferably structured to be remotely accessed by the remote server assembly 50 in order to initiate utilization of the select portions of the auxiliary site data contained in that auxiliary site address by the local processor assembly. Moreover, interchangeable computer readable medium 36 is preferably structured such that only the remote server assembly 50 can access the auxiliary site data at the auxiliary site addresses. Such a structure ensures the preferred utilization of the auxiliary site data only in conjunction with the primary site data, whether simultaneously or otherwise. Such may be of particular use if the interchangeable computer readable medium 36 is distributed as a free or low cost promotional item to promote visits to a particular web site.

Preferably, the compact, portable interchangeable computer readable medium 36 is structured to contain a plurality of separate and distinct video images, audio signals, graphical displays, etc. and various combinations thereof. Indeed, it is seen that the auxiliary site data contained on the compact, portable and interchangeable computer readable medium 36 primarily includes data types which are substantially difficult to quickly and effectively download from a remote server assembly 50 utilizing conventionally available data transmission systems, and/or data or executable programs which can more conveniently and quickly be maintained and accessed at the local site. As such, a user at the local processor assembly 25' is able to access a particular primary site address or "web site" utilizing normal means so as to interact with the data at the primary site address. When, however, utilization of the primary site address calls for interactive video and/or graphical displays with associated audio, downloading need not take place, but rather the remote server assembly 50 accesses the interchangeable computer readable medium 36 and initiates utilization of the auxiliary site data stored thereon by the local processor assembly 25' so as to significantly enhance the on-line experience with added information, graphical display, and advertising clips, if desired. Also, all of this information is utilized without any excessive download times or the need to download specified drivers and the like. Furthermore, when utilized with the display system 10 of the present invention, the auxiliary site data preferably includes the quantity of data associated with the three-dimensional space being displayed, along with a variety of operating instructions which instruct the local processor assembly 25' regarding the images to be generated from the auxiliary site data.

As indicated, in the preferred embodiment of the present invention, the remotely accessible, auxiliary site addresses are specifically encoded so as to restrict access by the local processor assembly 25' unless the access is directed by the remote server assembly 50. Such encoded restriction thereby prevents a user from utilizing the auxiliary site data unless it is in conjunction with the primary site data and therefore a "visit" to the particular primary site address. Moreover, because various "web searching engines" have built-in security systems to prevent remote server assembly 50 access to the local processor assembly 25', thereby protecting sensitive information contained by the data storage assembly associated with the local processor assembly 25', the interface system 11 of the present invention further includes a security protocol system which limits the remote server assembly's 50 access to the local processor assembly 25'. Specifically, the security protocol system preferably only permits access to the compact portable, interchangeable computer readable medium 36 associated with the local processor assembly 25'. Along these lines, the security protocol system of the preferred embodiment does not permit the remote server assembly 50 to actually access data or access the local processor assembly 25', but rather allows the remote server assembly 50 only to "check" for external devices, such as disk drives 35 and the like until the compact portable, interchangeable computer readable medium 36 containing the appropriate auxiliary site address are present, of course, with more complex security protocol systems, the auxiliary site data present on the interchangeable computer readable medium may be downloaded directly onto a fixed drive of the local processor assembly, or security clearance may be provided to the remote server assembly 50 so as to allow access. Still, however, maintaining the auxiliary site data on the interchangeable computer readable medium 36 is preferred, thereby minimizing space that is taken up by the

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auxiliary site data on the local processor assembly 25' and associated, permanent data storage assemblies.

In accordance with the previously recited security measures, the interface system 11 preferably includes a specific applet or "cookie" structured to direct the remote server assembly 50 to specifically look for and identify the internal site address of the compact, portable, interchangeable computer readable medium 36 relative to the local processor assembly 25', so that the auxiliary site addresses thereon can be searched. For example, in a variety of computer systems, a drive which contains the compact portable and interchangeable computer readable medium 36 may have one of a variety of different internal site addresses such as a, b, c, d, etc. The applet or cookie of the present invention directs the remote server assembly 50 to only look for and identify the internal site address of the interchangeable computer readable medium 36, and not to search any internal site address for specific data or for a specific auxiliary site address. Accordingly, unauthorized access by the remote server assembly 50 onto the data storage assembly of the local processor assembly 25' is prevented. Also, the remote server assembly 50 is preferably structured to signal a non-presence of the compact portable interchangeable computer readable medium 36, such as if an internal site address for such a medium is located and when accessed no interchangeable computer readable medium 36 is physically present or an incorrect interchangeable computer readable medium is present. Such signaling may take on any conventional form, and may even be accompanied with an order request so that an appropriate interchangeable computer readable medium 36 may be ordered and forwarded to the user for future use in the local processor assembly 25'. Alternatively, the interchangeable computer readable medium itself 36, for example once placed in communication with a local processor assembly 25' can be structured to identify itself and identify its internal site address relative to the local processor assembly 25' so as to facilitate identification thereof by the remote server assembly 50. From the foregoing, it is seen that only once the remote server assembly 50 identifies where it is suppose to look for the interchangeable computer readable medium 36, will any actual access to the auxiliary site data be achieved. Of course, in some circumstances such security measures need not be invoked.

In a preferred embodiment of the interface system 11 of the present invention, the local processor assembly 25' further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of the auxiliary site data into a corresponding auxiliary site address of the interchangeable computer readable medium 36. In particular, it is understandable that after some period of time, the auxiliary site data contained on a specific interchangeable computer readable medium 36 may become outdated or may otherwise need some sort of updating. While it may be preferred to merely provide a user with a new interchangeable computer readable medium having the updated information, it is also contemplated that in some circumstances, especially where the interchangeable computer readable medium 36 can be written upon, the interchangeable computer readable medium 36 may be effectively updated by the remote server assembly 50 or the user at the local processor assembly 25'. Preferably, the data entry assembly is structured to include a receiver assembly 60 that receives a remotely transmitted signal containing at least some of auxiliary site data from a transmitter assembly 65 for preferably immediate storage on the data storage assembly. The receiver assembly 60 may be connected with the

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local processor assembly 25' or may be a special dedicated receiver assembly merely associated therewith but into which the interchangeable computer readable medium 36 to be updated is specifically inserted. Of course, it will be preferred for the local processor assembly 25' to be specifically programmed, such as through a specific logic chip, to provide for control of the receiver assembly 65, thereby eliminating the need for excessive, separate and distinct articles which must be incorporated as part of the interface system 11. Along these lines, the remotely transmitted signal may include any of a variety of types of signals such as a full band broadcast signal, an interlaced broadcast signal or any other known data type signal. Furthermore, the remotely transmitted signal may be transmitted to the receiver assembly 60 by a variety of compatible transmitter assemblies 65, such as a satellite transmitter, a radio transmitter, or a cabled transmitter, such as a telephone line, broadband cable, fiber-optic cable and the like, so long as the remotely transmitted signal can be transmitted in substantially complete integrity to the receiver assembly 60. Also, so as to maximize the quantity of the auxiliary site data which can be stored and entered by the data entry assembly onto the interchangeable computer readable medium 36, the interface system 11 also preferably includes a compression assembly that compresses the auxiliary site data into either a usable compressed form, or into a form which can be readily decompressed when actual use is necessitated. Accordingly, it is noted that updating of the auxiliary site data may be continuous, such as while access to the remote server assembly 50 is being attained, or separate as an independent step through any of a variety of data transmitting structures.

Since many modifications, variations and changes in detail can be made to the described preferred embodiment of the invention, it is intended that all matters in the foregoing description and shown in the accompanying drawings be interpreted as illustrative and not in a limiting sense. Thus, the scope of the invention should be determined by the appended claims and their legal equivalents.

Now that the invention has been described,

What is claimed is:

1. An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely

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accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

5 said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

2. A system as recited in claim 1 wherein said remotely accessible auxiliary site addresses are encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.

3. A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.

5. A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.

6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.

7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.

8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.

9. A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.

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11. A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.

12. A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.

13. A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.

14. A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.

15. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.

16. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.

17. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.

18. A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.

19. A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.

20. A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.

21. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.

22. A system as recited in claim 21 wherein said local processor assembly includes an overlay processor and a direct view processor;

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate a floor plan display of a three dimensional space at least partially from said quantity of auxiliary site data; and said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

* * * * *



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Bib Data Sheet

CONFIRMATION NO. 7502

SERIAL NUMBER 90/008,591	FILING OR 371(c) DATE 04/11/2007 RULE	CLASS 709	GROUP ART UNIT 3992	ATTORNEY DOCKET NO. REX.101
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APPLICANTS
 6101534, Residence Not Provided;
 Rothschild Trust Holdings, LLC(Owner), Sunny Isles Beach, FL;
 Van Mahamedi(3rd Pty. Req.), San Jose, CA;
 Van Mahamedi, San Jose, CA

**** CONTINUING DATA *******
 This application is a REX of 08/922,926 09/03/1997 PAT 6,101,534


**** FOREIGN APPLICATIONS *******

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS 22	INDEPENDENT CLAIMS 1
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged	Examiner's Signature	Initials		

ADDRESS
 Malloy & Malloy
 2800 SW Third Avenue
 Historic Coral Way
 Miami, FL33129

TITLE
 INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

FILING FEE RECEIVED 2520	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
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Application Number 	Application/Control No. 90/008,591	Applicant(s)/Patent under Reexamination 6101534	
	Examiner ***	Art Unit 3992	

Index of Claims



Application/Control No.

90/008,591

Examiner

Applicant(s)/Patent under Reexamination

6101534

Art Unit

3992

√	Rejected
=	Allowed

-	(Through numeral) Cancelled
÷	Restricted


N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claim		Date			
Final	Original				
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Issue Classification 	Application/Control No.	Applicant(s)/Patent under Reexamination	
	90/008,591	6101534	
	Examiner	Art Unit	
	***	3992	

ISSUE CLASSIFICATION											
ORIGINAL				CROSS REFERENCE(S)							
CLASS	SUBCLASS			CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)						
709	217										
INTERNATIONAL CLASSIFICATION											
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(Assistant Examiner) (Date)				(Primary Examiner) (Date)						Total Claims Allowed:	
(Legal Instruments Examiner) (Date)										O.G. Print Claim(s)	

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant										<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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	29		59		89		119		149		179		209		
	30		60		90		120		150		180		210		

Reexamination 	Application/Control No.	Applicant(s)/Patent Under Reexamination
	90/008,591	6101534
	Certificate Date	Certificate Number

Requester	Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party
<p>SHEMWELL MAHAMEDI LLP 4880 STEVENS CREEK BOULEVARD SUITE 201 SAN JOSE, CA 95129</p>			

LITIGATION REVIEW <input type="checkbox"/>	(examiner initials)	(date)
	Case Name	Director Initials

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1.	
2.	
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Patent Assignment Abstract of Title

Total Assignments: 3

Application #: 08922926 **Filing Dt:** 09/03/1997 **Patent #:** (6101534) **Issue Dt:** 08/08/2000

PCT #: NONE

Publication #: NONE

Pub Dt:

Inventor: LEIGH M. ROTHSCHILD

Title: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Assignment: 1

Reel/Frame:	<u>012083 /</u> <u>0623</u>	Received:	08/23/2001	Recorded:	08/13/2001	Mailed:	10/23/2001	Pages:	2
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Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: ROTHSCHILD, LEIGH M.

Exec Dt: 08/07/2001

Assignee: LINN, JAY HOWARD (AS TRUSTEE OF IRREVOCABLE TRUST AGREEMENT "NUMBER 1" DATED OCTOBER 8, 1997)

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Assignment: 2

Reel/Frame:	<u>012083 /</u> <u>0609</u>	Received:	08/23/2001	Recorded:	08/13/2001	Mailed:	10/23/2001	Pages:	2
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Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: LINN, JAY HOWARD (AS TRUSTEE OF IRREVOCABLE TRUST AGREEMENT "NUMBER 1" DATED OCTOBER 8, 1997)

Exec Dt: 08/09/2001

Assignee: TRUST LICENSING, LLC

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Assignment: 3

Reel/Frame:	<u>017681 /</u> <u>0519</u>	Received:	03/31/2006	Recorded:	03/29/2006	Mailed:	05/27/2006	Pages:	2
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Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: TRUST LICENSING, LLC

Exec Dt: 03/24/2006

Assignee: ROTHSCHILD TRUST HOLDINGS, LLC
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Search Results as of: 04/19/2007 10:22 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.
Web interface last modified: February 22, 2007 v.2.0



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REEXAM CONTROL NUMBER	FILING OR 371 (c) DATE	PATENT NUMBER
90/008,591	04/11/2007	6101534

Van Mahamedi
 Shemwell Mahamedi LLP
 4880 Stevens Creek Boulevard, Suite 201
 San Jose, CA 95129-1034

CONFIRMATION NO. 7502



OC000000023465358

Date Mailed: 04/19/2007

NOTICE OF REEXAMINATION REQUEST FILING DATE

(Third Party Requester)

Requester is hereby notified that the filing date of the request for reexamination is 04/11/2007, the date that the filing requirements of 37 CFR § 1.915 were received.

A decision on the request for reexamination will be mailed within three months from the filing date of the request for reexamination. (See 37 CFR 1.515(a)).

A copy of the Notice is being sent to the person identified by the requester as the patent owner. Further patent owner correspondence will be the latest attorney or agent of record in the patent file. (See 37 CFR 1.33). Any paper filed should include a reference to the present request for reexamination (by Reexamination Control Number).

cc: Patent Owner

Malloy & Malloy
 2800 SW Third Avenue
 Historic Coral Way
 Miami, FL 33129

M. A. Switty
 Central Reexamination Unit 571-272-7705

PART 3 - OFFICE COPY



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REEXAM CONTROL NUMBER	FILING OR 371 (c) DATE	PATENT NUMBER
90/008,591	04/11/2007	6101534

Malloy & Malloy
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 Historic Coral Way
 Miami, FL 33129

CONFIRMATION NO. 7502
REEXAM ASSIGNMENT NOTICE



Date Mailed: 04/19/2007

NOTICE OF ASSIGNMENT OF REEXAMINATION REQUEST

The above-identified request for reexamination has been assigned to Art Unit 3992. All future correspondence to the proceeding should be identified by the control number listed above and directed to the assigned Art Unit.

A copy of this Notice is being sent to the latest attorney or agent of record in the patent file or to all owners of record. (See 37 CFR 1.33(c)). If the addressee is not, or does not represent, the current owner, he or she is required to forward all communications regarding this proceeding to the current owner(s). An attorney or agent receiving this communication who does not represent the current owner(s) may wish to seek to withdraw pursuant to 37 CFR 1.36 in order to avoid receiving future communications. If the address of the current owner(s) is unknown, this communication should be returned within the request to withdraw pursuant to Section 1.36.

cc: Third Party Requester(if any)

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M. A. Smith
 Central Reexamination Unit 571-272-7705

PART 3 - OFFICE COPY

Litigation Search Report CRU 3999

Reexam Control No. 90/008,591

TO: Mark Reinhart
Location: CRU
Art Unit: 3991
Date: 04/19/07
Case Serial Number: 90/008,591

From: Patricia Volpe
Location: CRU 3999
MDW 7C69
Phone: (571) 272-6825
Patricia.volpe@uspto.gov

Search Notes

Litigation was found involving U.S. Patent Number 6,101,534

Status- OPEN (STAYED) 3:07cv400 Orb Networks, Inc v. Rothschild Trust Holdings Llc

Status- OPEN 1:06cv22921 Rothschild Trust Holdings, Llc v. Orb Networks, Inc.

Status- OPEN 1:06cv21359 Rothschild Trust v. Citrix Systems, Inc, et al

Status- CLOSED 1:03cv20672 Trust Licensing v. Interactual Tech

Sources:

- 1) I performed a KeyCite Search in Westlaw, which retrieves all history on the patent including any litigation.
- 2) I performed a search on the patent in Lexis CourtLink for any open dockets or closed cases.
- 3) I performed a search in Lexis in the Federal Courts and Administrative Materials databases for any cases found.
- 4) I performed a search in Lexis in the IP Journal and Periodicals database for any articles on the patent.
- 5) I performed a search in Lexis in the news databases for any articles about the patent or any articles about litigation on this patent.

Westlaw.

Date of Printing: APR 19,2007

KEYCITE**CUS PAT 6101534 INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM, (Aug 08, 2000)****History**

- => 1 **INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM, US PAT 6101534, 2000**
WL 1112598 (U.S. PTO Utility Aug 08, 2000) (NO. 922926)

Patent Family

- 2 **INTERACTIVE REMOTE COMPUTER INTERFACE SYSTEM USED WITH REAL ESTATE DISPLAY SYSTEM, HAS COMPUTER READABLE MEDIUM STORED WITH ENCODED AUXILIARY SITE ADDRESSES WITH SELECT PORTIONS OF QUANTITY OF AUXILIARY SITE DATA, DWPL 2000-655159**

Assignments

- 3 **ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, DATE RECORDED: Mar 29, 2006**
4 **ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, DATE RECORDED: Aug 13, 2001**
5 **ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, DATE RECORDED: Aug 13, 2001**

Patent Status Files

- . Patent Suit(See LitAlert Entries),
- . Patent Suit(See LitAlert Entries),

Litigation Alert

- 8 LitAlert P2006-37-06, (May 26, 2006) Action Taken: A complaint was filed
9 LitAlert P2003-17-25, (Mar 21, 2003) Action Taken: A complaint was filed.

Prior Art

- C** 10 **US PAT 5805442 DISTRIBUTED INTERFACE ARCHITECTURE FOR PROGRAMMABLE INDUSTRIAL CONTROL SYSTEMS, Assignee: Control Technology Corporation, (U.S. PTO Utility 1998)**
C 11 **US PAT 5922045 : METHOD AND APPARATUS FOR PROVIDING BOOKMARKS WHEN LISTENING TO PREVIOUSLY RECORDED AUDIO PROGRAMS, Assignee: AT&T Corp., (U.S. PTO Utility 1999)**
C 12 **US PAT 4672572 PROTECTOR SYSTEM FOR COMPUTER ACCESS AND USE, Assignee: Gould Inc., (U.S. PTO Utility 1987)**
C 13 **US PAT 5694546 SYSTEM FOR AUTOMATIC UNATTENDED ELECTRONIC INFORMATION TRANSPORT BETWEEN A SERVER AND A CLIENT BY A VENDOR PROVIDED TRANSPORT SOFTWARE WITH A MANIFEST LIST, (U.S. PTO Utility 1997)**

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US District Court Civil Docket

**U.S. District - California Northern
(San Francisco)**

3:07cv400

Orb Networks, Inc v. Rothschild Trust Holdings Llc

This case was retrieved from the court on Wednesday, April 11, 2007

Date Filed: 01/22/2007	Class Code: ADRMOP, AO279, E-Filing, STAYED
Assigned To: Honorable Charles R Breyer	Closed: no
Referred To:	Statute: 28:2201
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Declaratory Judgement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

Litigants

Orb Networks, Inc A Delaware Corporation
Plaintiff

Rothschild Trust Holdings Llc A Florida Limited Liability
Company
Defendant

Attorneys

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Email: Brian.wikner@dlapiper.com

Date	#	Proceeding Text
01/22/2007	1	COMPLAINT against Rothschild Trust Holdings LLC (Filing fee \$ 350, receipt number 54611000305.) SUMMONS ISSUED. Filed by Orb Networks, Inc. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/25/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)
01/22/2007	2	NOTICE of pendency of other action or proceeding by Orb Networks, Inc. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/25/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)
01/22/2007	3	ADR SCHEDULING ORDER: Case Management Statement due by 4/20/2007. Case Management

Conference set for 4/27/2007 08:30 AM. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/23/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)

01/22/2007 -- CASE DESIGNATED for Electronic Filing. (mcl, COURT STAFF) (Entered: 01/23/2007)

01/23/2007 4 REPORT on the filing or determination of an action regarding Patent Infringement (cc: form mailed to register). (mcl, COURT STAFF) (Filed on 1/23/2007) (Entered: 01/23/2007)

02/01/2007 5 SUMMONS Returned Executed by Orb Networks, Inc.. Rothschild Trust Holdings LLC served on 1/25/2007, answer due 2/14/2007. (Goldman, William) (Filed on 2/1/2007) (Entered: 02/01/2007)

02/14/2007 6 MOTION to Stay [Stipulated] Motion to Stay Action Pending Consideration of Motions in Related Action filed by Orb Networks, Inc.. (Wainscoat, Aaron) (Filed on 2/14/2007) (Entered: 02/14/2007)

02/14/2007 7 Proposed Order re 6 MOTION to Stay [Stipulated] Motion to Stay Action Pending Consideration of Motions in Related Action by Orb Networks, Inc.. (Wainscoat, Aaron) (Filed on 2/14/2007) (Entered: 02/14/2007)

02/15/2007 8 ORDER by Judge Charles R. Breyer granting 6 Motion to Stay (be, COURT STAFF) (Filed on 2/15/2007) (Entered: 02/15/2007)

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US District Court Civil Docket

**U.S. District - Florida Southern
(Miami)**

1:06cv22921

Rothschild Trust Holdings, Llc v. Orb Networks, Inc

This case was retrieved from the court on Tuesday, February 06, 2007

Date Filed: 12/01/2006 **Class Code: WCT**
Assigned To: Judge Alan S Gold **Closed: no**
Referred To: **Statute: 28:1331**
Nature of suit: Patent (830) **Jury Demand: Plaintiff**
Cause: Federal Question **Demand Amount: \$0**
Lead Docket: None **NOS Description: Patent**
Other Docket: None
Jurisdiction: Federal Question

Litigants

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2000 University Avenue
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650-833-2251

Date	#	Proceeding Text
12/01/2006	1	COMPLAINT against ORB Networks, INC. Filing fee \$ 350. Receipt#: 950862, filed by Rothschild Trust Holdings, LLC.(mp) (Entered: 12/07/2006)
12/01/2006	2	Summons Issued as to ORB Networks, INC.. (mp) (Entered: 12/07/2006)
12/01/2006	3	FORM AO 120 FORM SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (mp) (Entered: 12/07/2006)
01/05/2007	4	Unopposed MOTION for Extension of Time to File Response/Reply to Plaintiff's Complaint by ORB Networks, INC.. (Mullins, Edward) (Entered: 01/05/2007)
01/11/2007	5	NOTICE by Rothschild Trust Holdings, LLC of filing Affidavit of Service (Rebull, Thomas) (Entered: 01/11/2007)
01/11/2007	6	ORDER granting 4 Motion for Extension of Time to File Response/Reply Responses/Answer due by 1/22/2007. Signed by Judge Alan S. Gold on 1/9/07. (lk) (Entered: 01/11/2007)
01/18/2007	7	MOTION to Appear Pro Hac Vice for Attorney Brian Wikner, Filing Fee \$75, Receipt #953444. (cw) (Entered: 01/22/2007)
01/18/2007	8	MOTION to Appear Pro Hac Vice for Attorney William G. Goldman, Filing Fee \$75, Receipt #953445. (cw) (Entered: 01/22/2007)
01/22/2007	9	MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support by ORB Networks, INC.. Responses due by 2/5/2007 (Attachments: # 1)(Mullins, Edward) (Entered: 01/22/2007)
01/25/2007	10	ORDER granting 7 Motion to Appear Pro Hac Vice Name of Attorney Brian Scott Wilkerson for ORB Networks, INC., William G. Goldman for ORB Networks, INC., granting 8 Motion to Appear Pro Hac Vice Name of Attorney Brian Scott Wilkerson for ORB Networks, INC., William G. Goldman for ORB Networks, INC. Signed by Judge Alan S. Gold on 1/24/07 (lk) (Entered: 01/25/2007)
02/05/2007	11	Plaintiff's MOTION for Extension of Time to File Response/Reply to Defendant's Motion to

Dismiss for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit # 2 Exhibit) (Rebull, Thomas) (Entered: 02/05/2007)

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Date	#	Proceeding Text
05/26/2006	1	COMPLAINT filed; FILING FEE \$350.00 RECEIPT # 940943 ; Magistrate Judge Garber (dg, Deputy Clerk) (Entered: 05/31/2006)
05/26/2006	2	SUMMONS(ES) issued for Citrix Systems, Inc. (dg, Deputy Clerk) (Entered: 05/31/2006)
05/26/2006	3	SUMMONS(ES) issued for Citrix Online, LLC (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	--	FORM AO 120 sent to: Commissioner of Patents & Trad (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	4	Form AO 120 sent to Commissioner of Patents & Trademarks (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	5	ORDER setting scheduling conference; set scheduling conference for 10:00 8/3/06 before Judge James Lawrence King (Signed by Judge James Lawrence King on 05/31/06) [EOD Date: 6/1/06] (bs, Deputy Clerk) (Entered: 06/01/2006)
06/15/2006	6	ANSWER to Complaint by Citrix Systems, Inc., Citrix Online, LLC (Attorney J. Raul Cosio) (bs, Deputy Clerk) (Entered: 06/16/2006)
06/15/2006	7	CERTIFICATE of interested persons and corporate disclosure statement by Citrix Systems, Inc. (bs, Deputy Clerk) (Entered: 06/16/2006)
06/15/2006	8	CERTIFICATE of interested persons and corporate disclosure statement by Citrix Online, LLC (bs, Deputy Clerk) (Entered: 06/16/2006)

- 06/16/2006 9 RETURN OF SERVICE executed for Citrix Systems, Inc. on 5/26/06 Answer due on 6/15/06 for Citrix Systems, Inc. (bs, Deputy Clerk) (Entered: 06/19/2006)
- 06/16/2006 10 RETURN OF SERVICE executed for Citrix Systems, Inc. on 5/26/06 (bs, Deputy Clerk) (Entered: 06/19/2006)
- 06/16/2006 11 RETURN OF SERVICE executed for Citrix Online, LLC on 5/26/06 Answer due on 6/15/06 for Citrix Online, LLC (bs, Deputy Clerk) (Entered: 06/19/2006)
- 06/19/2006 12 MOTION by Citrix Systems, Inc., Citrix Online, LLC for Wiliam A. Meunier to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)
- 06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00; RECEIPT # 942291 (bs, Deputy Clerk) (Entered: 06/20/2006)
- 06/19/2006 13 MOTION by Citrix Systems, Inc., Citrix Online, LLC (Attorney Douglas J. Kline) for Douglas J. Kline to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)
- 06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 942290 (bs, Deputy Clerk) (Entered: 06/20/2006)
- 06/19/2006 14 MOTION by Citrix Systems, Inc., Citrix Online, LLC for Robert S. Blasi, JR to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)
- 06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 942289 (bs, Deputy Clerk) (Entered: 06/20/2006)
- 06/21/2006 15 ORDER granting [14-1] motion for Robert S. Blasi, JR to appear pro hac vice, granting [13-1] motion for Douglas J. Kline to appear pro hac vice, granting [12-1] motion for Wiliam A. Meunier to appear pro hac vice (Signed by Judge James Lawrence King on 06/21/06) [EOD Date: 6/23/06] (bs, Deputy Clerk) (Entered: 06/23/2006)
- 06/28/2006 16 Corporate Disclosure Statement by Rothschild Trust (kw, Deputy Clerk) (Entered: 06/29/2006)
- 07/21/2006 17 JOINT Scheduling Report of Scheduling Meeting by Rothschild Trust, Citrix Systems, Inc., Citrix Online, LLC (rb, Deputy Clerk) (Entered: 07/26/2006)
- 07/28/2006 22 Initial Disclosures/Exhibit and Witness List by Rothschild Trust (dg, Deputy Clerk) (Entered: 08/10/2006)
- 07/31/2006 18 ORDER rejecting joint scheduling report; parties to discuss all issues, exchange of list of witnesses and documents they intend to rely on for the respective sides of their case and to select discovery, pleading practice deadlines and trial date at the conference to be held 08/03/06 (Signed by Judge James Lawrence King on 07/28/06) [EOD Date: 8/1/06] (bs, Deputy Clerk) (Entered: 08/01/2006)
- 08/03/2006 19 Minutes of Scheduling Conference held before Judge James Lawrence King on 08/03/06; Court Reporter Name or Tape #: Bill Romanishin (bb, Deputy Clerk) (Entered: 08/04/2006)
- 08/03/2006 -- Scheduling conference held before Judge James Lawrence King (bb, Deputy Clerk) (Entered: 08/04/2006)
- 08/07/2006 20 ORDER on joint scheduling conference (Signed by Judge James Lawrence King on 08/07/06) [EOD Date: 8/8/06] (bs, Deputy Clerk) (Entered: 08/08/2006)
- 08/07/2006 21 ORDER setting continuation of Scheduling Conference and Markman Hearing date; set scheduling conference for 10:45 4/6/07 before Judge James Lawrence King , set Markman Hearing for 10:00 4/13/07 before Judge James Lawrence King (Signed by Judge James Lawrence King on 08/07/06) [EOD Date: (bs, Deputy Clerk) (Entered: 08/08/2006)
- 08/31/2006 23 MOTION by Rothschild Trust (Attorney) to extend time to file disclosure of asserted claims (kw, Deputy Clerk) (Entered: 09/01/2006)
- 09/01/2006 24 ORDER granting [23-1] motion to extend time to file disclosure of asserted claims (Signed by Judge James Lawrence King on 09/01/06) [EOD Date: 9/5/06] (bs, Deputy Clerk) (Entered: 09/05/2006)
- 09/08/2006 25 NOTICE of disclosure of asserted claims and preliminary infringement contentions by Rothschild Trust (cj, Deputy Clerk) (Entered: 09/11/2006)
- 12/18/2006 26 Unopposed MOTION for Extension of Time to File Joint Claim Construction and Prehearing Statement by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order) (Rebull, Thomas) (Entered: 12/18/2006)
- 12/19/2006 27 ORDER granting 26 Plaintiff's Unopposed Motion for Extension of Time to File Joint Claim Construction and Prehearing Statement. The parties have up to 12/20/2006 to file the Joint Claim Construction and Prehearing Statement.Signed by Judge James Lawrence King on 12/19/2006. (jw) (Entered: 12/19/2006)

12/20/2006 28 Statement of: Joint Claim Construction and Prehearing Statement by Rothschild Trust Holdings, LLC. (Traband, Rhett) (Entered: 12/20/2006)

01/24/2007 29 MOTION for Hearing Demonstrative Hearing by Rothschild Trust Holdings, LLC. (Rebull, Thomas) (Entered: 01/24/2007)

01/26/2007 30 Statement of: Order on Joint Scheduling Conference Prehearing Statement by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 01/26/2007)

02/05/2007 31 [VACATED by DE# 35] ORDER REFERRING MOTION to Magistrate Judge Barry L. Garber: 29 MOTION for Hearing Demonstrative Hearing filed by Rothschild Trust Holdings, LLC, Signed by Judge James Lawrence King on 2/5/2007 (lc1) Modified to reflect "vacated" on 2/28/2007 (wc). (Entered: 02/05/2007)

02/12/2007 32 MEMORANDUM in Opposition re 29 MOTION for Hearing Demonstrative Hearing filed by Citrix Systems, Inc.. (Cosio, J.) (Entered: 02/12/2007)

02/26/2007 33 MEMORANDUM OF LAW REGARDING CLAIM CONSTRUCTION BRIEF by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Declaration of Raj Rajkumar# 2 Exhibit Joint Claim and Prehearing Statement)(Bozza, Gabrielle) (Entered: 02/26/2007)

02/26/2007 34 Agreed MOTION for Leave to File Brief Which Exceeds Page Limit by Citrix Systems, Inc.. (Attachments: # 1 Exhibit Citrix's Brief on the Correct Construction of Disputed Claim Terms) (Cosio, J.) (Entered: 02/26/2007)

02/27/2007 35 ORDER Vacating 31 Order Referring Motion. Signed by Judge James Lawrence King on 2/27/2007 (lc1) (Entered: 02/27/2007)

02/27/2007 36 NOTICE of conventional filing of brief on the correct construction of disputed claim terms by Citrix Systems, Inc., Citrix Online, LLC (pa) (Entered: 02/28/2007)

02/27/2007 37 NOTICE of brief, by Citrix Systems, Inc., Citrix Online, LLC re 36 notice of filing (pa) Additional attachment(s) added on 2/28/2007 (pa). (Entered: 02/28/2007)

02/28/2007 -- Motions No Longer Referred: 29 MOTION for Hearing Demonstrative Hearing [This referral was vacated by DE# 35] (wc) (Entered: 02/28/2007)

03/06/2007 38 ORDER granting 34 Defendants' Assented to Motion for Leave to Exceed Page Limit Signed by Judge James Lawrence King on 3/2/2007 (jw) (Entered: 03/06/2007)

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Date	#	Proceeding Text
03/21/2003	1	COMPLAINT filed re: patent infringement; FILING FEE \$150.00 RECEIPT #879538; Magistrate Judge John J. O'Sullivan (hd, Deputy Clerk) (Entered: 03/24/2003)
03/21/2003	2	SUMMONS(ES) issued for Interactual Tech by serving Todd k. Collart, President of Interactual Tech (hd, Deputy Clerk) (Entered: 03/24/2003)
03/21/2003	--	FORM AO 120 sent to: Commissioner for Patents and Trademarks (hd, Deputy Clerk) (Entered: 03/26/2003)
04/17/2003	3	NOTICE of filing proof of service by Trust Licensing (mh, Deputy Clerk) (Entered: 04/18/2003)
04/17/2003	4	RETURN OF SERVICE executed for Interactual Tech on 4/4/03 Answer due on 4/24/03 for Interactual Tech (mh, Deputy Clerk) (Entered: 04/18/2003)
04/18/2003	5	SUMMONS(ES) issued for Interactual Tech (gz, Deputy Clerk) (Entered: 04/21/2003)
04/29/2003	6	ORDER granting Stipulated Motion for Extension of time for Defendant to respond to Complaint up to and including 5/1/03 (Signed by Judge James Lawrence King on 4/29/03) [EOD Date: 5/1/03] (gp, Deputy Clerk) (Entered: 05/01/2003)
04/29/2003	7	AGREED ORDER on Stipulated Motion for Extension of Time. Defendant shall have a one-week extension through and including 5/1/03 to file a response to Plaintiff's Complaint (Signed by Judge James Lawrence King on 4/28/03) [EOD Date: 5/1/03] (gp, Deputy Clerk) (Entered: 05/01/2003)
05/01/2003	8	ANSWER and Affirmative Defenses to Complaint; jury demand and COUNTERCLAIM by Interactual Tech (Robert Martin Schwartz, Peter Joel Frommer) against Trust Licensing (gp, Deputy Clerk) (Entered: 05/02/2003)
05/21/2003	9	ANSWER by Trust Licensing to [8-2] counter claim (gz, Deputy Clerk) (Entered: 05/22/2003)
05/23/2003	10	ORDER Setting Final Pre-Trial Conference and Trial Date Setting status conference for 10:30 4/2/04 before Judge James Lawrence King , Setting pretrial stipulation due for 3/26/04 (Signed by Judge James Lawrence King on 5/22/03) [EOD Date: 5/28/03] (gp, Deputy Clerk) (Entered: 05/28/2003)
06/25/2003	11	MOTION by Interactual Tech for Rudy I. Kratz to appear pro hac vice (gp, Deputy Clerk) (Entered: 06/26/2003)
06/25/2003	--	Filing Fee for Motion to Appear Pro Hac Vice Paid; FILING FEE \$ 75.00 RECEIPT # 884939 (gp, Deputy Clerk) (Entered: 06/26/2003)
06/25/2003	12	MOTION by Interactual Tech for Karl R. Fink to appear pro hac vice (gp, Deputy Clerk) (Entered: 06/26/2003)
06/25/2003	--	Filing Fee for Motion to Appear Pro Hac Vice Paid; FILING FEE \$ 75.00 RECEIPT # 884939 (gp, Deputy Clerk) (Entered: 06/26/2003)
06/27/2003	13	ORDER granting [11-1] motion for Rudy I. Kratz to appear pro hac vice (Signed by Judge James Lawrence King on 6/27/03) [EOD Date: 6/30/03] (gp, Deputy Clerk) (Entered: 06/30/2003)
06/27/2003	14	ORDER granting [12-1] motion for Karl R. Fink to appear pro hac vice (Signed by Judge James Lawrence King on 6/27/03) [EOD Date: 6/30/03] (gp, Deputy Clerk) (Entered: 06/30/2003)
08/20/2003	15	NOTICE of Unavailability by Interactual Tech, Interactual Tech for dates of: 9/5/03 to 9/15/03 (rb, Deputy Clerk) (Entered: 08/20/2003)
09/10/2003	16	MOTION by Interactual Tech to transfer Venue (gp, Deputy Clerk) (Entered: 09/11/2003)

- 09/10/2003 17 DECLARATION by Interactual Tech Re: [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 09/11/2003)
- 09/10/2003 18 MEMORANDUM by Interactual Tech in support of [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 09/11/2003)
- 09/25/2003 19 UNOPPOSED MOTION by Trust Licensing to extend time to respond to motion to transfer venue (gp, Deputy Clerk) Modified on 09/25/2003 (Entered: 09/25/2003)
- 09/26/2003 20 ORDER granting [19-1] motion to extend time to respond to motion to transfer venue Response to motion reset to 10/10/03 for [16-1] motion to transfer Venue (Signed by Judge James Lawrence King on 9/26/03) [EOD Date: 9/29/03] (gp, Deputy Clerk) (Entered: 09/29/2003)
- 10/09/2003 21 FIRST MOTION with memorandum in support by Trust Licensing for leave to file Amended Complaint (gp, Deputy Clerk) Modified on 11/13/2003 (Entered: 10/10/2003)
- 10/10/2003 22 MEMORANDUM by Trust Licensing in opposition to [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 10/14/2003)
- 10/10/2003 23 NOTICE of Filing Declaration of Leigh M. Rothschild in opposition to motion to transfer venue by Trust Licensing (gp, Deputy Clerk) (Entered: 10/14/2003)
- 10/10/2003 24 DECLARATION OF LEIGH M. ROTHSCHILD by Trust Licensing Re: [22-1] opposition memorandum (gp, Deputy Clerk) (Entered: 10/14/2003)
- 10/21/2003 25 REPLY MEMORANDUM by Interactual Tech in support of [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 10/22/2003)
- 10/21/2003 26 NOTICE of Filing Supplemental Declaration by Interactual Tech (gp, Deputy Clerk) (Entered: 10/22/2003)
- 10/21/2003 27 SUPPLEMENTAL DECLARATION of Todd Collart by Interactual Tech Re: [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 10/22/2003)
- 10/27/2003 28 ORDER granting [21-1] motion for leave to file Amended Complaint (Signed by Judge Paul C. Huck for James Lawrence King on 10/27/03) [EOD Date: 10/28/03] (gp, Deputy Clerk) (Entered: 10/28/2003)
- 10/27/2003 29 UNOPPOSED MOTION by Interactual Tech to extend time to file a response to Plaintiff's Motion for Leave to File amended complaint (gp, Deputy Clerk) (Entered: 10/28/2003)
- 10/28/2003 30 ORDER granting [29-1] motion to extend time to file a response to Plaintiff's Motion for Leave to File amended complaint Response to motion for leave to file amended complaint due on 11`/3/03 (Signed by Judge Paul C. Huck on 10/28/03) [EOD Date: 10/29/03] (gp, Deputy Clerk) (Entered: 10/29/2003)
- 10/28/2003 31 AMENDED COMPLAINT by Trust Licensing , (Answer due 11/7/03 for Interactual Tech) amending [1-1] complaint (gp, Deputy Clerk) (Entered: 10/29/2003)
- 11/03/2003 32 ORDER denying [16-1] motion to transfer Venue (Signed by Judge James Lawrence King on 11/3/03) [EOD Date: 11/4/03] (gp, Deputy Clerk) (Entered: 11/04/2003)
- 11/03/2003 33 MEMORANDUM by Interactual Tech in opposition to [21-1] motion for leave to file Amended Complaint (gp, Deputy Clerk) (Entered: 11/04/2003)
- 11/12/2003 34 ORDER Setting Aside [28-1] order granting motion for leave to file amended complaint (Signed by Judge James Lawrence King on 11/12/03) [EOD Date: 11/13/03] (gp, Deputy Clerk) (Entered: 11/13/2003)
- 11/21/2003 35 REPLY MEMORANDUM by Trust Licensing to response to [21-1] motion for leave to file Amended Complaint (lk, Deputy Clerk) (Entered: 11/24/2003)
- 11/24/2003 36 MOTION with memorandum in support by Interactual Tech for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (gp, Deputy Clerk) (Entered: 11/25/2003)
- 12/09/2003 37 ORDER granting [21-1] motion for leave to file Amended Complaint. Defendant shall file an Answer to the Amended Complaint within twenty (20) days (Signed by Judge James Lawrence King on 12/9/03) [EOD Date: 12/10/03] (gp, Deputy Clerk) (Entered: 12/10/2003)
- 12/12/2003 38 UNOPPOSED MOTION by Trust Licensing for one-week enlargement of time to respond to defendant's motion for protective order (bb, Deputy Clerk) (Entered: 12/12/2003)
- 12/15/2003 39 ORDER granting [38-1] motion for one-week enlargement of time to respond to defendant's motion for protective order Response to motion reset to 12/19/03 for [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (Signed by Judge James Lawrence King on 12/15/03) [EOD Date: 12/16/03] (gp, Deputy Clerk) (Entered: 12/16/2003)

- 12/22/2003 40 MEMORANDUM by Trust Licensing in opposition to [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (gp, Deputy Clerk) (Entered: 12/22/2003)
- 12/24/2003 41 ANSWER and Affirmative Defenses by Interactual Tech to amended complaint; and Counterclaim jury demand (gp, Deputy Clerk) (Entered: 12/29/2003)
- 12/24/2003 42 MOTION with memorandum in support by Trust Licensing to compel Production of Documents and Things (gp, Deputy Clerk) (Entered: 12/29/2003)
- 01/02/2004 43 REPLY IN SUPPORT by Interactual Tech in support of [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (bs, Deputy Clerk) (Entered: 01/05/2004)
- 01/05/2004 44 ORDER OF REFERENCE Referring Motion(s) [42-1] motion to compel Production of Documents and Things referred to Magistrate Judge John J. O'Sullivan (signed by Judge James Lawrence King on 1/5/04) [EOD Date: 1/6/04] (gp, Deputy Clerk) (Entered: 01/06/2004)
- 01/05/2004 45 ORDER denying [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (Signed by Judge James Lawrence King on 1/5/04) [EOD Date: 1/6/04] (gp, Deputy Clerk) (Entered: 01/06/2004)
- 01/08/2004 46 MOTION by Interactual Tech for Timothy R. Baumann to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)
- 01/08/2004 47 MOTION by Interactual Tech for Steven C. Schroer to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)
- 01/08/2004 48 MOTION by Interactual Tech for Nicholas T. Peters to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)
- 01/08/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 894609 for Timothy R. Baumann to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)
- 01/08/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 794608 for Steven C. Schroer to appear pro hac vice (bs, Deputy Clerk) Modified on 01/09/2004 (Entered: 01/09/2004)
- 01/08/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 894607 for Nicholas T. Peters to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)
- 01/09/2004 49 JOINT MOTION by Trust Licensing, Interactual Tech for 30-day extension of the Discovery and motion deadlines (gp, Deputy Clerk) (Entered: 01/12/2004)
- 01/09/2004 50 ORDER granting [48-1] motion for Nicholas T. Peters to appear pro hac vice (Signed by Judge James Lawrence King on 01/09/04) [EOD Date: 1/12/04] (bs, Deputy Clerk) (Entered: 01/12/2004)
- 01/09/2004 51 ORDER granting [47-1] motion for Steven C. Schroer to appear pro hac vice (Signed by Judge James Lawrence King on 01/09/04) [EOD Date: 1/12/04] (bs, Deputy Clerk) (Entered: 01/12/2004)
- 01/09/2004 52 ORDER granting [46-1] motion for Timothy R. Baumann to appear pro hac vice (Signed by Judge James Lawrence King on 01/09/04) [EOD Date: 1/12/04] (bs, Deputy Clerk) (Entered: 01/12/2004)
- 01/09/2004 53 JOINT MOTION by Trust Licensing, Interactual Tech for 30-day extension of the time discovery and motion deadlines (bs, Deputy Clerk) (Entered: 01/12/2004)
- 01/12/2004 54 RESPONSE by Interactual Tech in opposition to [42-1] motion to compel Production of Documents and Things (bs, Deputy Clerk) (Entered: 01/13/2004)
- 01/13/2004 55 REPLY by Trust Licensing to [8-2] counter claim (bs, Deputy Clerk) (Entered: 01/13/2004)
- 01/13/2004 56 UNOPPOSED MOTION by Trust Licensing for Kevin C. Ecker to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/14/2004)
- 01/13/2004 57 ORDER OF REFERENCE Referring defendant's memorandum in opposition to plaintiff's motion to compel production of documents and things (signed by Judge James Lawrence King on 01/13/04) [EOD Date: 1/14/04] (bs, Deputy Clerk) (Entered: 01/14/2004)
- 01/13/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 894850 for Kevin C. Ecker to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/14/2004)
- 01/14/2004 58 MOTION with memorandum in support by Trust Licensing for sanctions (bs, Deputy Clerk) (Entered: 01/14/2004)
- 01/14/2004 59 ORDER Re-SETTING FINAL PRE-TRIAL CONFERENCE AND TRIAL DATE granting [53-1] motion for 30-day extension of the time discovery and motion deadlines vacating [10-3] order ,

- Resetting pretrial conference for 10:00 5/7/04 before Judge James Lawrence King , Deadline for Filing pretrial stipulation due for 4/30/04 , Resetting Jury trial for 9:30 6/7/04 before Judge James Lawrence King , Resetting calendar call for 2:00 6/3/04 before Judge James Lawrence King (Signed by Judge James Lawrence King on 1/14/04) [EOD Date: 1/15/04] (gp, Deputy Clerk) (Entered: 01/15/2004)
- 01/14/2004 60 ORDER granting in part [49-1] joint motion for 30-day extension of the Discovery and motion deadlines, to the extent that it requests an extension of the discovery deadline and the motion cut-off date. (Signed by Judge James Lawrence King on 1/14/04) [EOD Date: 1/15/04] (gp, Deputy Clerk) (Entered: 01/15/2004)
- 01/15/2004 61 ORDER granting [56-1] motion for Kevin C. Ecker to appear pro hac vice (Signed by Judge James Lawrence King on 01/15/04) [EOD Date: 1/16/04] (bs, Deputy Clerk) (Entered: 01/16/2004)
- 01/23/2004 62 AGREED MOTION by Trust Licensing to extend time for five-day to serve its reply brief in support of its motion to compel (gp, Deputy Clerk) (Entered: 01/26/2004)
- 01/26/2004 63 ORDER granting [62-1] motion to extend time for five-day to serve its reply brief in support of its motion to compel (Signed by Judge James Lawrence King on 01/26/04) [EOD Date: 1/27/04] (bs, Deputy Clerk) (Entered: 01/27/2004)
- 01/30/2004 64 NOTICE of completion of mediation by Trust Licensing, Interactual Tech (bs, Deputy Clerk) (Entered: 02/02/2004)
- 01/30/2004 65 FINAL ORDER, order approving stipulation for dismissal with prejudice (Signed by Judge James Lawrence King on 01/30/04) [EOD Date: 2/2/04] (bs, Deputy Clerk) (Entered: 02/02/2004)
- 01/30/2004 -- CASE CLOSED. Case and Motions no longer referred to Magistrate. (bs, Deputy Clerk) (Entered: 02/02/2004)
- 01/30/2004 66 STIPULATION of dismissal with prejudice by Trust Licensing, Interactual Tech (gp, Deputy Clerk) (Entered: 02/02/2004)
- 02/04/2004 67 FINAL ORDER of dismissal with prejudice [66-1] dismissal stipulation (Signed by Judge James Lawrence King on 02/04/04) [EOD Date: (bs, Deputy Clerk) (Entered: 02/05/2004)
- 02/11/2004 68 SEALED DOCUMENT placed in vault (mh, Deputy Clerk) (Entered: 02/12/2004)
- 02/11/2004 69 SEALED DOCUMENT placed in vault (mh, Deputy Clerk) (Entered: 02/12/2004)
- 02/26/2004 70 MEMORANDUM by Interactual Tech in opposition to plaintiffs motion to set aside settlement, release and license agreement and for relief from final order of dismissal and request for evidentiary hearing (motions under seal?) (Former Deputy Clerk) (Entered: 02/27/2004)
- 03/05/2004 71 REPLY Brief by Trust Licensing in support of motion to set aside settlement, release and license agreement and for relief from final order of dismissal (gz, Deputy Clerk) (Entered: 03/08/2004)
- 03/05/2004 71 MOTION by Trust Licensing (Attorney) for evidentiary Hearing (gz, Deputy Clerk) (Entered: 03/08/2004)
- 03/09/2004 72 NOTICE of Unavailability by Trust Licensing for dates of: 4/8-16/04 (Former Deputy Clerk) (Entered: 03/09/2004)
- 04/08/2004 73 NOTICE OF WITHDRAWAL by Trust Licensing of pending motion to set aside settlement, release and license agreement and for relief from final order of dismissal (motion not on docket) (Former Deputy Clerk) (Entered: 04/09/2004)
- 05/06/2004 74 STIPULATION by Trust Licensing, Interactual Tech for entry of judgment (Former Deputy Clerk) (Entered: 05/06/2004)
- 05/07/2004 75 ORDER for entry of judgment ; case dismissed with prejudice (Signed by Judge James Lawrence King on 5/7/04) [EOD Date: 5/10/04] (Former Deputy Clerk) (Entered: 05/10/2004)
- 05/07/2004 -- AO 120 FORM sent to: Commissioner Patents/trademark (Former Deputy Clerk) (Entered: 09/24/2004)
- 05/12/2004 -- CASE CLOSED. Case and Motions no longer referred to Magistrate. [71-1] motion for evidentiary Hearing (mg, Deputy Clerk) (Entered: 05/12/2004)

US District Court Civil Docket

**U.S. District - Florida Southern
(Miami)**

1:02cv21192

Trust Licensing v. Disc Publishing, et al

This case was retrieved from the court on Saturday, February 15, 2003

Date Filed: 04/17/2002 **Class Code: TEB CLOSED**
Assigned To: Judge Jose E Martinez **Closed: yes**
Referred To: **Statute: 35:0145**
Nature of suit: Patent (830) **Jury Demand:**
Cause: Patent Infringement **Demand Amount: \$0**
Lead Docket: None **NOS Description: Patent**
Other Docket: None
Jurisdiction: Federal Question

Litigants

Attorneys

Trust Licensing, Llc
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FTS 858-0008

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Miami , FL 33129
USA
305-858-8000
FTS 858-0008

Disc Publishing, Inc AKA Digital Media Publishing Group
Defendant

Digital Media Publishing Group
Defendant

Lorne Grierson, Individual
Defendant

Date	#	Proceeding Text
04/17/2002	1	COMPLAINT filed; FILING FEE \$150.00 RECEIPT # 861292 ; Magistrate Judge Bandstra (dg) [Entry date 04/18/02]
04/17/2002	2	SUMMONS(ES) issued for Disc Publishing (dg) [Entry date 04/18/02]
04/17/2002	3	SUMMONS(ES) issued for Disc Publishing (dg) [Entry date 04/18/02]
05/08/2002	4	ORDER requiring counsel to meet and file joint scheduling report and proposed order (Signed by Judge Patricia A. Seitz on 5/7/02) [EOD Date: 5/9/02] (dg) [Entry date 05/09/02]
08/08/2002	5	NOTICE of filing return of service by Trust Licensing (dg) [Entry date 08/09/02]
08/08/2002	6	RETURN OF SERVICE executed for Disc Publishing on 7/30/02 Answer due on 8/19/02 for Disc Publishing (dg) [Entry date 08/09/02]
08/15/2002	7	RETURN OF SERVICE executed for Disc Publishing on 8/5/02 Answer due on 8/25/02 for Disc Publishing (dg) [Entry date 08/16/02]
09/25/2002	8	ORDER OF REASSIGNMENT transferring case to the calendar of Judge Jose E. Martinez for all further proceedings (Signed by Judge Patricia A. Seitz on 9/23/02) [EOD Date: 9/26/02] (ra) [Entry date 09/26/02]
09/25/2002	--	Case reassigned to the calendar of Judge Jose E. Martinez for all further proceedings (ra) [Entry date 09/26/02]
10/07/2002	9	NOTICE of filing attached return of service of summons and complaint by Trust Licensing (ra) [Entry date 10/08/02]
10/07/2002	9	COPY OF RETURN OF SERVICE executed for Disc Publishing on 8/5/02 Answer due on 8/25/02 for Disc Publishing (ra) [Entry date 10/08/02]
10/10/2002	10	ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE, plaintiff shall file motion for clerk's entry of default no later than 10/31/02 (Signed by Judge Jose E. Martinez on 10/10/02) [EOD Date: 10/11/02] (ra) [Entry date 10/11/02]
10/23/2002	11	FIRST AMENDED COMPLAINT by Trust Licensing, (Answer due 8/25/02 amending [1-1] complaint adding Digital Media, Lorne Grierson (ra) [Entry date 10/24/02]
10/23/2002	12	SUMMONS issued for Digital Media (ra) [Entry date 10/24/02]
10/23/2002	13	SUMMONS issued for Lorne Grierson (ra) [Entry date 10/24/02]
10/23/2002	14	NOTICE of voluntary dismissal without prejudice of defendant Disc Publishing, Inc. by Trust Licensing (ra) [Entry date 10/24/02]
10/31/2002	16	DECLARATION of Peter A. Matos by Trust Licensing Re: [15-1] motion for entry of default as to Digital Media, [15-2] motion for default judgment against Digital Media (ra) [Entry date 11/01/02]
10/31/2002	15	Notice of compliance: by Trust Licensing with [10-1] ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE, plaintiff shall file motion for clerk's entry of default no later than 10/31/02 (ra) [Entry date 11/01/02]
10/31/2002	15	MOTION with memorandum in support by Trust Licensing for clerk's entry of default and default judgment against Digital Media (ra) [Entry date 11/01/02]
11/01/2002	17	MOTION by Digital Media, Lorne Grierson to extend time to answer amended complaint (ra) [Entry date 11/04/02]
11/14/2002	18	NOTICE of filing return of service by Trust Licensing (ra) [Entry date 11/15/02]
11/14/2002	19	RETURN OF SERVICE executed for Digital Media on 10/25/02 Answer due on 11/14/02 for Digital Media (ra) [Entry date 11/15/02]
11/14/2002	20	NOTICE of filing return of service by Trust Licensing (ra) [Entry date 11/15/02]
11/14/2002	21	RETURN OF SERVICE executed for Lorne Grierson on 10/29/02 Answer due on 11/18/02 for

Lorne Grierson (ra) [Entry date 11/15/02]

11/19/2002	22	RESPONSE by Trust Licensing to [17-1] motion to extend time to answer amended complaint (ra) [Entry date 11/20/02]
12/03/2002	23	FINAL ORDER OF DISMISSAL and order denying all pending motions as moot, mooted [17-1] motion to extend time to answer amended complaint, mooted [15-1] motion for clerk's entry of default and default judgment against Digital Media (Signed by Judge Jose E. Martinez on 12/03/02) [EOD Date: 12/4/02] (ra) [Entry date 12/04/02]
12/03/2002	--	CASE CLOSED. Case and Motions no longer referred to Magistrate. (ra) [Entry date 12/04/02]
12/05/2002	24	FINAL ORDER OF DISMISSAL and order denying all pending motions as moot (Signed by Judge Jose E. Martinez on 12/05/02) [EOD Date: 12/5/02] (ra)

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922926 (08) 6101534 August 8, 2000

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August 8, 2000

Interactive, remote, computer interface system

REEXAM-LITIGATE:

NOTICE OF LITIGATION

Trust Licensing v. Interactual Tech, Filed March 21, 2003, D.C. S.D. Florida, Doc. No. 1:03cv20672

NOTICE OF LITIGATION

Rothschild Trust v. Citrix Systems, Inc, et al, Filed May 26, 2006, D.C. S.D. Florida, Doc. No. 1:06cv21359

NOTICE OF LITIGATION

Rothschild Trust Holdings, LLC v. ORB Networks, Inc, Filed December 1, 2006, D.C. S.D. Florida, Doc. No. 1:06cv22921

NOTICE OF LITIGATION

ORB Networks, Inc v. Rothschild Trust Holdings LLC, Filed January 22, 2007, D.C. N.D. California, Doc. No. 3:07cv400

APPL-NO: 922926 (08)


FILED-DATE: September 3, 1997

GRANTED-DATE: August 8, 2000

ASSIGNEE-AFTER-ISSUE: August 13, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., TRUST LICENSING, LLC SUITE 310 1108 KANE CONCOURSEMIAMI, FLORIDA, 33154, Reel and Frame Number: 012083/0609
August 13, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).,

LINN, JAY HOWARD (AS TRUSTEE OF IRREVOCABLE TRUST AGREEMENT "NUMBER 1" DATED OCTOBER 8, 1997) 1108 KANE CONCOURSE, SUITE 310 MIAMI, FLORIDA, 33154, Reel and Frame Number: 012083/0623
March 29, 2006 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ROTHSCHILD TRUST HOLDINGS, LLC 19333 COLLINS AVENUE, #2501 SUNNY ISLES BEACH FLORIDA 33160, Reel and Frame Number: 017681/0519

CORE TERMS: display, site, processor, real estate, computer, remote, structured, user, auxiliary, dimensional ...

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- 1. [Business Wire](#), May 24, 2005 Tuesday 1:00 PM GMT, , 849 words, Connected Media Technologies, Inc. Receives Notice of Allowance for U.S. Patent on ``A Media Validation System" , PLANTATION, Fla. May 24, 2005 ... US Patent No. **6,101,534**, "Interactive, Remote, Computer ...
- 2. [Business Wire](#), May 19, 2005 Thursday 1:00 PM GMT, , 823 words, Trust Licensing, Inc. Changes Its Name to `Connected Media Technologies, Inc.' , PLANTATION, Fla. May 19, 2005 ... US Patent No. **6,101,534** ("534 Patent") relates to ...
- 3. [Intellectual Property Today](#), June, 2003, RFC EXPRESS TM; Recently Filed Patent Cases; Pg. 24, 858 words ... INTERACTUAL TECHNOLOGIES INC. **6,101,534** 03-1067 -- Filed: ...
- 4. [DVD REPORT](#), January 21, 2002, Vol. 7, No. 2, 558 words, News in Brief ... U.S. Patent No. **6,101,534**, called "Interactive, Remote, ...
- 5. [Business Wire](#), January 10, 2002, Thursday, 639 words, Trust Licensing's EX-NET Patent has Many Implications for Enhanced DVD's & CD-ROM's; U.S. Patent No. 6,101,534 Addresses Interaction of DVD Content and the Internet, Jan. 10, 2002 ... U.S. Patent No. **6,101,534** entitled "Interactive, Remote, ...
... U.S. Patent No. **6,101,534**. For additional information ...
- 6. [London Free Press \(Ontario, Canada\)](#), June 10, 2000, Saturday,, Final EDITION, FORUM,, Pg. F8,, 51 words, TIMMINS HIGH SCHOOL, P. TOFFANELLO, PRINCIPAL TIMMINS HIGH AND VOCATIONAL SCHOOL 451

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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

6/21/07

VAN MAHAMEDI
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4880 STEVENS CREEK BOULEVARD SUITE 301
SAN JOSE CA 95129-1034

***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO 90/008591
PATENT NO. 6,101,534
ART UNI 3992

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	REX.101	7502

7590 06/21/2007
Malloy & Malloy
2800 SW Third Avenue
Historic Coral Way
Miami, FL 33129

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 06/21/2007

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

Order Granting / Denying Request For Ex Parte Reexamination	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner Majid A. Banankhah	Art Unit 3992	

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

The request for *ex parte* reexamination filed 11 April 2007 has been considered and a determination has been made. An identification of the claims, the references relied upon, and the rationale supporting the determination are attached.

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

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

RESPONSE TIMES ARE SET AS FOLLOWS:

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

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

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

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

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

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

cc:Requester (if third party requester)

DECISION GRANTING EX PARTE REEXAMINATION

1. A substantial new question of patentability affecting claims 1-21 of United States Patent number 6,101,534 is raised by the request for *ex parte* reexamination.

2. The '534 patent is currently assigned to ROTHSCHILD TRUST HOLDING, LLC of Sunny Isles Beach, Florida. The '534 Patent issued from application Serial No. 09/922,926 ("the '926 Application"), which was filed on Sept. 3, 1997.

Prior Art that Raises SNQ

3. In the request for reexamination, the third part requester alleges that '534 patent claims 1-21 are anticipated or rendered obvious in light of the following references:

- I. U.S. Patent No. 5,892,825 to Mages (hereinafter "**Mages**")
- II. U.S. Patent No. 6,594,692 to Reisman (hereinafter "**Reisman**")
- III. U.S. Patent No. 5,555,407 to Cloutier (hereinafter "**Cloutier**")
- IV. U.S. Patent No. 6,145,088 to Stevens (hereinafter "**Stevens**")
- V. U.S. Patent No. 5,857,187 to Uenoyama (hereinafter "**Uenoyama**")
- VI. U.S. Patent No. 5,937,158 to Uranaka (hereinafter "**Uranaka**")
- VII. U.S. Patent No. 5,915,093 to Berlin (hereinafter "**Berlin**")
- VIII. U.S. Patent No. 5,996,000 to Shuster (hereinafter "**Shuster**")

The aforementioned newly cited references are not of record in the file of '534 patent and are not cumulative to the art of record in the original file.

Substantial New Question of Patentability

Art Unit: 3992

4. A prior art patent or printed publication raises a substantial new question of patentability where there is:
- (A) a substantial likelihood that a reasonable Examiner would consider the prior art patent or printed publication **important** in deciding whether or not the claim is patentable, MPEP §2242 (I) and,
 - (B) the same question of patentability as to the claim has not been decided in a previous or pending proceeding or in a final holding of invalidity by a federal court. See MPEP §2242 (III).

A discussion of the specifics now follows.

5. It is agreed that the consideration of **Mages** alone raises a substantial new question of patentability as to claims 1, 3, 7, 8 and 9 of the Rothschild '534 patent. Request page 6 through page 10, second paragraph, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Mages** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1, 3, 7, 8 and 9, are patentable. Accordingly, **Mages** alone raises a substantial new question of patentability as to claims 1, 3, 7, 8 and 9, which question has not been decided in a previous examination of the Rothschild '534 patent.

6. It is agreed that the consideration of **Reisman** alone raises a substantial new question of patentability as to claims 1, 6-19 and 21 of the Rothschild '534 patent. Request page 10, third paragraph through page 17, third paragraph, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Reisman** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1, 6-19 and 21, are patentable. Accordingly,

Art Unit: 3992

Reisman alone raises a substantial new question of patentability as to claims 1, 6-19 and 21, which question has not been decided in a previous examination of the Rothschild '534 patent.

7. It is agreed that the consideration of **Cloutier** alone raises a substantial new question of patentability as to claims 1, 7, 8, 10, 11, 12, 17, 18, 19 and 20 of the Rothschild '534 patent. Request page 17, fourth paragraph through page 21, third paragraph, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Cloutier** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1, 7, 8, 10, 11, 12, 17, 18, 19 and 20, are patentable. Accordingly, **Cloutier** alone raises a substantial new question of patentability as to claims 1, 7, 8, 10, 11, 12, 17, 18, 19 and 20, which question has not been decided in a previous examination of the Rothschild '534 patent.

8. It is agreed that the consideration of **Stevens** alone raises a substantial new question of patentability as to claims 1, 4 and 6 of the Rothschild '534 patent. Request page 21, fourth paragraph through page 24, second paragraph, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Stevens** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1, 4 and 6, are patentable. Accordingly, **Stevens** alone raises a substantial new question of patentability as to claims 1, 4 and 6, which question has not been decided in a previous examination of the Rothschild '534 patent.

9. It is agreed that the consideration of **Uenoyama** alone raises a substantial new question of patentability as to claims 1, and 4 of the Rothschild '534 patent. Request page 24, last paragraph through page 27, first paragraph, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Uenoyama** that was

Art Unit: 3992

not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1, and 4, are patentable. Accordingly, **Uenoyama** alone raises a substantial new question of patentability as to claims 1, and 4, which question has not been decided in a previous examination of the Rothschild '534 patent.

10. It is agreed that the consideration of **Uranaka** alone raises a substantial new question of patentability as to claim 1 of the Rothschild '534 patent. Request page 27, second paragraph through page 29, end of claim chart, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Uranaka** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claim 1 are patentable. Accordingly, **Uranaka** alone raises a substantial new question of patentability as to claim 1, which question has not been decided in a previous examination of the Rothschild '534 patent.

11. It is agreed that the consideration of **Berlin** alone raises a substantial new question of patentability as to claims 1-2 and 21 of the Rothschild '534 patent. Request page 29, after the claim chart, through page 32, second paragraph after the claim chart, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Berlin** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1-2 and 21 are patentable. Accordingly, **Berlin** alone raises a substantial new question of patentability as to claims 1-2 and 21, which question has not been decided in a previous examination of the Rothschild '534 patent.

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12. It is agreed that the consideration of **Shuster** and **Uranaka** alone raises a substantial new question of patentability as to claims 1-5, 7 and 8 of the Rothschild '534 patent. Request page 32, last paragraph, through page 36, are hereby incorporated by reference from the request for reexamination for their explanation of the teaching provided in **Shuster** and **Uranaka** that was not present in the prosecution of the application which became the Rothschild '534 patent. Further, there is a substantial likelihood that a reasonable examiner would consider this teaching important in deciding whether or not claims 1-5, 7 and 8 are patentable. Accordingly, **Shuster** and **Uranaka** alone raises a substantial new question of patentability as to claims 1-5, 7 and 8, which question has not been decided in a previous examination of the Rothschild '534 patent.

Conclusion

13. Extensions of time under 37 C.F.R. §1.136(a) will not be permitted in this proceeding because the provisions of 37 C.F.R. §1.136 apply only to “an Applicant” and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. §305 requires that *ex parte* reexamination proceedings “will be conducted with special dispatch” (37 C.F.R. §1.550(a)). Extensions of time in *ex parte* reexamination proceedings are provided for in 37 C.F.R. §1.550(c).

14. The Patent Owner is reminded of the continuing responsibility under 37 C.F.R. § 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent number 6,101,534 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

Art Unit: 3992

How to Communicate with the USPTO

ALL correspondence relating to this *ex parte* reexamination proceeding should be directed as follows:

Please mail any communications to:

Attn: Mail Stop "Ex Parte Reexam"
Central Reexamination Unit
Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

Please FAX any communications to:

(571) 273-9900
Central Reexamination Unit


Please hand-deliver any communications to:

Customer Service Window
Attn: Central Reexamination Unit
Randolph Building, Lobby Level
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.


Signed:

MAJID A. BANANKHAH
CRU EXAMINER-AU 3992



Majid A. Banankhah
CRU Examiner
GAU 3992
(571) 272-3770


Conferee:



JOSEPH R. POKRZYWA
PRIMARY EXAMINER

Conferee:



Reexamination 	Application/Control No.	Applicant(s)/Patent Under Reexamination
	90/008,591	6101534
	Certificate Date	Certificate Number

Requester	Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party

LITIGATION REVIEW <input checked="" type="checkbox"/>	M.B. <small>(examiner initials)</small>	<small>(date)</small> Director Initials
Case Name		
US District Court Civil Docket U.S. District - California Northern (San Francisco), 3:07cv400 Orb Networks, Inc v. Rothschi,		<i>Mark J. Reinhart</i> MARK J. REINHART SPRE-AU 3992 CENTRAL REEXAMINATION UNIT <i>Lissi Mojica Mergens</i>
US District Court Civil Docket, U.S. District- Florida Southern (Miami) 1:06cv22921 Rothschild Trust Holdings, Llc v. Orb Net		
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US District Court Civil Docket, U.S. District - Florida Southern (Miami) 1:06cv21359 Rothschild Trust v. Citrix Systems, Inc,		

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1.	
2.	
3.	
4.	

6548 ¹ U.S.P.O. IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

 Inventor:

Leigh M. Rothschild

08/22/0 Reexamination Control No.: 90/008,591

Filing Date: April 11, 2007

For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Majid A. Banankhah, Examiner
Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
August 22, 2007

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure, the attached information is provided for consideration by the U.S. Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached PTO/SB/08B forms, and a copy of each document is enclosed herewith.

The majority of the information identified on the attached PTO/SB/08B forms relates to litigation in the matters of Rothschild Trust v. Citrix Systems, Inc., et al. [U.S. District Court for the Southern District of Florida (Miami), Case No. 06-cv-21359]; Rothschild Trust Holdings, LLC v. ORB Networks, Inc. [U.S. District Court for the Southern District of Florida (Miami), Case No. 06-cv-

1 22921]; and Orb Networks, Inc. v. Rothschild Trust Holdings LLC.
[U.S. District Court for the Northern District of California (San
Francisco), Case No. 07-cv-00400].

More in particular, Applicant's U.S. Patent No. 6,101,534 is currently, or was involved in litigation in each of the above-referenced matters. Thus, Applicant is submitting the information on attached PTO/SB/08B forms in accordance with Applicant's duty to disclose Information From Related Litigation per MPEP §2001.06(c). Specifically, copies of the civil docket for each of the above-referenced litigation matters, and select pleadings, are provided herewith. As these materials are not formally "published", as are other reference materials, after each entry on the attached PTO/SB/08B forms, the date on which the docket sheet was obtained from the corresponding court's website, or the date on which a document was served, filed, entered, or otherwise dated, and the city and state in which the corresponding court having jurisdiction is located, are listed in brackets.

In the event the Examiner wishes to review any additional pleadings or other documents related to any of the above-referenced litigation matters, the Examiner may contact the undersigned and every effort will be made to provide a copy of any additional information requested by the Examiner.

Additionally, in accordance with Applicant's duty of disclosure, as identified on the attached PTO/SB/08B forms, Applicant has further provided various articles, website printouts,

and/or installation guides/instruction manuals.


The Examiner is respectfully requested to return an initialed copy of each PTO/SB/08B form enclosed herewith evidencing consideration of this information with the next Office Communication.

In the event that any fee may be required by the filing of this paper, the Commissioner is hereby authorized to charge any fees and/or credit to our **Deposit Account No. 13-1227**.

Respectfully submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000

Dated: 8/22/07

By: 
Peter A. Matos
Reg. No. 37,884

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	90/008,591
		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Banankhah
		Attorney Docket Number	7.062.07
Sheet	1	of	3

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 ²
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Examiner Signature		Date Considered	
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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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		Attorney Docket Number	7.062.07
Sheet	2	of	3

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Sheet 3	of 3	Attorney Docket Number	7.062.07

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		LADD, ERIC. "The Document Tags." October 23, 2006. < http://www.sunsite.serc.isc.ernet.in/virlib/html/platinum/ch4.htm >.	
		Creative Wonders/Electronic Arts. "ABC News Links – from CD-ROM Access." August 17, 2007. < http://www.cdaccess.com/html/pc/abcnews.htm >.	
		KRUSHENISKY, CINDY. "Reference Resources That Make The Best Reports Even Better." Smart Computing. Aug. 17, 2007. < http://www.smartcomputing.com >.	

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(Use as many sheets as necessary)

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		Creative Wonders/Electronic Arts. "ABC News Links – from CD-ROM Access." August 17, 2007. < http://www.cdaccess.com/html/pc/abcnews.htm >.	
		KRUSHENISKY, CINDY. "Reference Resources That Make The Best Reports Even Better." Smart Computing. Aug. 17, 2007. < http://www.smartcomputing.com >.	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 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 2 hours 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, 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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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild
Reexamination Control No.: 90/008,591
Filing Date: April 11, 2007
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

6548 U.S. PTO



08/22/07

Confirmation Number 7502
Customer Number 04219
Majid A. Banankhah, Examiner
Group Art Unit 3992

2800 S.W. Third Avenue
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Miami, Florida 33129

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Commissioner for Patents
P.O. Box 1450
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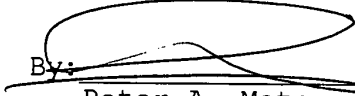
Dear Sir:

CERTIFICATE OF EXPRESS MAILING

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Respectfully submitted,

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2800 S.W. Third Avenue
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By: 
Peter A. Matos
Reg. No. 37,884

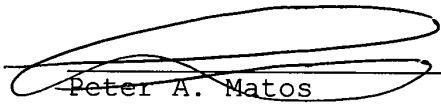
Date: 8/22/07

CERTIFICATE OF SERVICE

It is hereby certified by the undersigned that a true copy of this Information Disclosure Statement and each document identified therein was mailed to the address below via U.S. Mail on August 22, 2007.

Van Mahamedi
Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard Suite 301
San Jose, California 95129-1034

Attorney of Record for Patentee, this August 22, 2007.


Peter A. Matos

Control No. 90/008,591
Patent No. 6,101,534
Amdt. Dated: August 29, 2007
F:\MM DOCS\7-GEN\GEN 2007\7062-07 Rothschild\7062 Reexam Prelim Amend FILED.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild
Control No.: 90/008,591
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For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

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August 29, 2007

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Alexandria, VA 22313-1450

09/06/2007 PVOLPE 00000001 131227 90008591
01 FC:1822 150.00 DA
02 FC:1821 200.00 DA

Dear Sir:

PRELIMINARY AMENDMENT

Sir:

Please amend the above-identified patent as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 13 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) An interactive, remote, computer interface system comprising:

 a remote server assembly, said remote server assembly including a quantity of primary site data;

 said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

 a local processor assembly;

 said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

 said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

 at least one data storage assembly associated with said

local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

2. (Original) A system as recited in claim 1 wherein said remotely accessible auxiliary site addresses are encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.
3. (Original) A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to

said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. (Original) A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.
5. (Original) A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.
6. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.
7. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.
8. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium

is structured to store at least one audio signal.

9. (Original) A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.
10. (Original) A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.
11. (Original) A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.
12. (Original) A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.
13. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast

signal.

14. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.
15. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.
16. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.
17. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.
18. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.
19. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.
20. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.
21. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions

which direct an operation of said local processor assembly.

22. (Original) A system as recited in claim 21 wherein said local processor assembly includes an overlay processor and a direct view processor;

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate a floor plan display of a three dimensional space at least partially from said quantity of auxiliary site data; and

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

23. (New) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct

so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

24. (New) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said

local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data;
and

said local processor assembly being proximate to said compact, portable and interchangeable computer readable medium that contains said select portions of said auxiliary site data when use of said auxiliary site data is initiated by said remote server assembly regardless of whether a user is physically present at said local processor assembly when said

use is initiated.

25. (New) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data;
and

said local processor assembly being proximate to said compact, portable and interchangeable computer readable medium that contains said select portions of said auxiliary site data when use of said auxiliary site data is initiated by said remote server assembly regardless of whether a user is physically present at said local processor assembly when said use is initiated.

Status of Claims

Patentee respectfully submits herewith for the Examiner's consideration originally issued claims 1-22 and newly presented claims 23-25, all of which remain currently pending herein.

Support For Claim Changes

In accordance with 37 C.F.R. §1.530(j), as presented herein, newly presented claims 23-25 do not enlarge the scope of the originally issued claims of the patent or introduce new matter. Specifically, newly presented independent claims 23 and 25 include the recitation "said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly." This language is fully and clearly disclosed and supported by the specification and Figures, including at least at column 5, lines 41-45; column 13, lines 21-42; and Figures 1 and 2.

In addition, newly presented independent claims 24 and 25 as presented herein recite, among other features, "said local processor assembly being proximate to said compact, portable and interchangeable computer readable medium that contains said select portions of said auxiliary site data when use thereof is initiated by said remote server assembly regardless of whether a user is

Control No. 90/008,591
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physically present at said local processor assembly when said use is initiated." This language is fully and clearly disclosed and supported by the specification and Figures, including at least at column 13, lines 16-29, and Figures 1 and 2.

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APPENDIX I

REMARKS

This Preliminary Amendment is being submitted before any Office Action in the above-referenced Reexamination of U.S. Patent No. 6,101,534 issued to Rothschild ("the '534 patent") in order to present a number of new claims for what Applicant regards as the invention. Specifically, originally issued claims 1-22 and newly presented claims 23-25, as presented herein, remain currently pending. As shown in the Support for Claim Changes attached hereto as Appendix I, each of these newly presented claims are believed to be fully supported by the specification and teachings of the '534 patent as issued by the United States Patent and Trademark Office ("PTO") such that no new matter is introduced by virtue of this Amendment. In addition, as discussed in more detail below, the new claims as presented herein are not believed to enlarge the scope of the originally issued claims.

Specifically, newly presented independent claims 23 and 25 recite, among other features, "said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly." This newly presented language is meant to distinguish the compact, portable and interchangeable computer readable medium from the fixed primary hard drive of the local processor assembly that contains its

operating system - a distinction not specifically made in the originally issued claims - and thus does not in any way enlarge or broaden the scope thereof, but rather narrows the scope of the claims.

Furthermore, newly presented independent claims 24 and 25 recite, among other features, "said local processor assembly being proximate to said compact, portable and interchangeable computer readable medium that contains said select portions of said auxiliary site data when use thereof is initiated by said remote server assembly regardless of whether a user is physically present at said local processor assembly when said use is initiated." Patentee notes that the originally issued claims of the '534 patent do not expressly refer to or limit the location of the local processor assembly relative to any other element of Patentee's invention. Accordingly, the inclusion of the above-referenced language defining the local processor assembly as being proximate to the compact, portable and interchangeable computer readable medium at the time the use of the auxiliary site data is initiated also does not in any way enlarge or broaden the scope of the originally issued claims of the '534 patent, but rather as presented merely maintains or narrows the scope thereof of the originally issued claims.

Finally, taking into account the above, in an abundance of caution and compliance with Patentee's duty of candor and good faith owed in all dealings with the PTO, the Patentee would like to point out the following with regard to the last part of newly presented claims 24 and 25, namely the language "regardless of whether a user is physically present at said local processor assembly when said use is initiated". Specifically, included in the already submitted Information Disclosure Statement ("IDS") is the Court's Order on Claims Construction issued in the currently pending litigation before the United States District Court for the Southern District of Florida entitled *Rothschild Trust Holdings, LLC v. Citrix Systems, Inc.*, Case No. 06-21359-CIV-KING.¹ Although the Patentee believes this claim construction is presently not binding upon the PTO in the currently pending Reexamination proceeding, it is noted that pages 13-16 thereof, copies of which have been attached hereto as Appendix II for the Examiner's convenience, arguably address issues related to the referenced claim language. In particular, the Court construed the term "local processor assembly," as used in independent claim 1 of the '534 patent, to mean "a computer at the user's location; in contrast to

¹ Patentee submitted a complete copy of the Court's Order on Claims Construction to the PTO via an IDS dated August 22, 2007.

a 'remote' server assembly, the user can access data on the claimed 'local' processor assembly without an on-line connection."

Although Patentee does not agree with the specific language of the Court's Claim Construction regarding the "local processor assembly" as used in the '534 patent, even accepting that construction at face value, Patentee is of the opinion that the language "regardless of whether a user is physically present at said local processor assembly when said use is initiated" of new claims 24 and 25 also does not enlarge the scope of the claimed invention. Specifically, in Patentee's opinion, the Court's construction is interpreted to mean that when the certain computer that makes up part of the claimed system is identified and/or designated as the "local processor assembly" within the meaning of the claimed invention, the user's presence local and/or proximate to that certain computer at that time results in that identification and/or designation. Accordingly, when the local processor assembly is first identified in the claim "a local processor assembly; said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly" we know which computer is the local processor assembly due to it being "at the user's location". Once, however, that certain computer has been so identified, the identification

remains definite and the user's physical location thereafter is irrelevant, especially considering the remaining portions of the claim do not refer in any way to the user. Indeed, it is the Patentee's opinion that any other interpretation would result in that certain computer changing its designation/name at the whim of a user and would result in the possibility of more than one computer being the local processor assembly at different points throughout the claim.

Accordingly, taking into account the above, it is the Patentee's opinion that the language "regardless of whether a user is physically present at said local processor assembly when said use is initiated" does not in any way enlarge or alter the scope of the originally issued claims, but merely gives context to the narrowing language that precedes it as previously discussed.

In the event that any additional fee may be required by the filing of this paper and the additional claims, the Commissioner is hereby authorized to charge any fees and/or credits to our **Deposit Account No. 13-1227**.

As such, the present case is now in condition for reexamination, which action is respectfully requested.

Control No. 90/008,591
Patent No. 6,101,534
Amdt. Dated: August 29, 2007
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Respectfully Submitted,

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By 

Peter A. Matos
Reg. No. 37,884

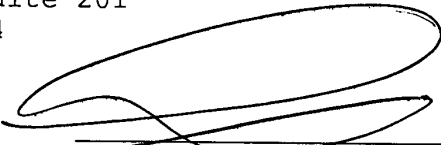
Date: 8/29/07

Control No. 90/008,591
Patent No. 6,101,534
Amdt. Dated: August 29, 2007
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I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon the following via first class United States Mail, postage prepaid this 29 day of August, 2007.

Van Mahamedi
Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard Suite 201
San Jose, California 95129-1034



Peter A. Matos
Reg. No. 37,884

Control No. 90/008,591
Patent No. 6,101,534
Amdt. Dated: August 29, 2007
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APPENDIX II

b. "local processor assembly"

Rothschild urges the Court to construe "local processor assembly" as "a computer at a location distinct from the remote server assembly." Citrix contends that the term should be construed as "[a] computer at the user's location; in contrast to a 'remote' server assembly, the user can access data on the claimed 'local' processor assembly without an on-line connection."

Citrix claims that its proposed construction of "local processor assembly," which associates the "user" with the "local processor assembly" is consistent with the claim language itself, as well as with the '534 Patent specification. For example, Citrix points to forty instances in the specification where the word "user" is associated with the local processor assembly including the following excerpts:

[A] user at the local processor assembly need not wait for the downloading of substantial quantities of information and images in order to provide a substantially interactive, continuous and effective display on the display assembly associated therewith.

* * *

A user at the local processor assembly 25' is able to access a particular primary site address or "web site" utilizing normal means so as to interact with the data at the primary site address. When, however, utilization of the primary site address calls for interactive video and/or graphical displays with associated audio, downloading need not take place, but rather the remote server assembly 50 accesses the [local processor assembly's data storage assembly] and initiates utilization of the auxiliary site data stored thereon by the local processor assembly 25' so as to significantly enhance the on-line experience with

added information, graphical display, and advertising clips, if desired. Also, *all of this information is utilized without any excessive download times or the need to download specified drivers and the like.*

'534 Patent, Col. 6:1-5; '534 Patent, Col. 14:12-26 (emphasis added).

Citrix suggests that the '534 Patent's use of the term "local" to identify the computer that is *at* (i.e., "local" to) the user's location is consistent with the language of Claim 1 and with the ordinary meaning of the term. With respect to the claim language, Citrix contends that the whole point of the system claimed in Claim 1 is to store auxiliary site data on the local processor assembly so that the user can view it without downloading it over an on-line connection. As for the ordinary meaning of the term "local," Citrix points to definitions provided in various computer dictionaries in support of its construction²:

local: adj. 1. In general, *close at hand* or restricted to a particular area. 2. In communications, a device that *can be accessed directly rather than by means of a communications line*. 3. In information processing, an operation performed by *the computer at hand, rather than a remote computer*. (*Microsoft Computer Dictionary*, 4th Ed. 2000)

local: *located at the user's computer or site*. Contrast "remote." (*Barron's Dictionary of Computer and Internet Terms*, 9th Edition 2006)

² Citrix also relies on extrinsic evidence from its expert who testified at the *Markman* hearing that one skilled in the art in the computer science field would understand the term "local processor assembly" to require the "local processor assembly" to be local to the user.

In support of its position that “local” in the term “local processor assembly” has no relation to a “user” or a “user’s location,” Rothschild turns to Claims 1-4 and 6 of the ‘534 Patent as well as the ‘534 Patent specification. Yet, Rothschild fails to explain how this intrinsic evidence supports its construction. In fact, Rothschild’s proposed construction improperly ignores entirely the claim limitation “local.” Rothschild’s construction does not require that the “local processor assembly” be at the user’s location or be accessible without an on-line connection. Accordingly, Rothschild’s construction does not define a *local* processor assembly, but *any* processor assembly, even one that is remote from and not directly accessible by the user. Indeed, under Rothschild’s proposed construction, the *local* processor assembly can be any *remote* computer other than the claimed remote server assembly. Rothschild’s construction also contradicts the stated purpose of the ‘534 Patent – storing large files locally so that downloading them is unnecessary. ‘534 Patent, Col. 14:12-26. Rothschild’s proposed construction is thus wrong because it ignores the claim limitation “local” and is inconsistent with the ordinary meaning of “local” and the ‘534 Patent’s use of “local” and “local processor assembly.”

Accordingly, consistent with the ‘534 Patent’s use of “local” and its ordinary meaning to one of skill in the art, the Court construes “local processor assembly”

to mean “a computer at the user’s location; in contrast to a ‘remote’ server assembly, the user can access data on the claimed ‘local’ processor assembly without an on-line connection.”


ii. The Claimed Data

As described in the ‘534 Patent, the claimed interface system is configured to give the impression that a user is visiting a “web site” that provides a seamless and continuous display of data (for example, real estate display information), including data that would take an unacceptable amount of time to download from a remote server assembly. ‘534 Patent, Col. 3:33-50, 6:1-5, 12:38-46, 14:12-24. To achieve this goal, the system separates the associated web site data into two groups: the “primary site data” of the remote server assembly and the “auxiliary site data” of the local processor assembly. The parties dispute the correct constructions of the claimed “primary site data” and “auxiliary site data,” as well as what it means for the auxiliary site data to be “associated with [the] primary site data.”

a. “primary site data”

Claim 1 calls for “a remote server assembly, said remote server assembly including a quantity of *primary site data*.” Citrix contends that the term “primary site data” should be construed as “the principal data that a user of the claimed system seeks to access and interface with,” while Rothschild proposes that the term

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild 0181 U.S.PTO
 Reexamination Control No.: 90/008,591 
 Filing Date: April 11, 2007 08/29/07
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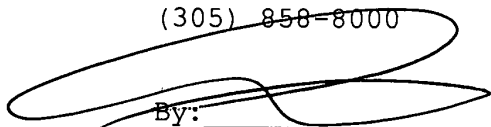
Dear Sir:

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Respectfully submitted,

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By: 
 Peter A. Matos
 Reg. No. 37,884

Date: 8/29/07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild
Reexamination Control No.: 90/008,591
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68354 U.S. PTO



09/06/07

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

Dear Sir:

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure, the attached information is provided for consideration by the U.S. Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached PTO/SB/08B forms, and a copy of each document is enclosed herewith.

The Examiner is respectfully requested to return an initialed copy of each PTO/SB/08B form enclosed herewith evidencing consideration of this information with the next Office Communication.

In the event that any fee may be required by the filing of this paper, the Commissioner is hereby authorized to charge any

fees and/or credit to our **Deposit Account No. 13-1227.**

Respectfully submitted,

MALLOY & MALLOY, P.A.
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By: 

Peter A. Matos
Reg. No. 37,884

Dated: 9/6/07

CERTIFICATE OF SERVICE

It is hereby certified by the undersigned that a true copy of this Information Disclosure Statement and each document identified therein was mailed to the address below via U.S. Mail on September 6, 2007.

Van Mahamedi
Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard Suite 301
San Jose, California 95129-1034

Attorney of Record for Patentee, this September 6, 2007.



Peter A. Matos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Majid A. Banankhah, Examiner
Group Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

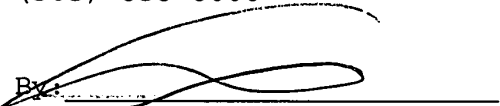
Dear Sir:

CERTIFICATE OF EXPRESS MAILING

I HEREBY CERTIFY that this correspondence is being deposited by United States Express Mail, Label No. EL-783-515-796-US, in an envelope addressed to: Mail Stop Ex Parte Reexam, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 6 day of September, 2007.

Respectfully submitted,

MALLOY & MALLOY, P.A.
2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000



Peter A. Matos
Reg. No. 37,884

Date: 9/6/07

68354 U S PTO



09/06/07

66155 U.S. PTO



01/16/08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild

Reexamination Control No.: 90/008,591

Filing Date: April 11, 2007

For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Majid A. Banankhah, Examiner
Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
January 16, 2008

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure, the attached information is provided for consideration by the U.S. Patent and Trademark Office in connection with the above-captioned re-examination. The information is identified on the attached PTO/SB/08B form, and a copy of each document is enclosed herewith.

The majority of the information identified on the attached PTO/SB/08B form relates to litigation in the matter of Rothschild Trust v. Citrix Systems, Inc., et al. [U.S. District Court for the Southern District of Florida (Miami), Case No. 06-cv-21359].

More in particular, Applicant's U.S. Patent No. 6,101,534 is currently in litigation in the above-referenced matter. Thus,

Applicant is submitting the information on the attached PTO/SB/08B form in accordance with Applicant's duty to disclose Information From Related Litigation per MPEP §2001.06(c). Specifically, copies of the civil docket for the above-referenced litigation matter, and select pleadings, are provided herewith. As these materials are not formally "published", as are other reference materials, after each entry on the attached PTO/SB/08B forms, the date on which the docket sheet was obtained from the corresponding court's website, or the date on which a document was served, filed, entered, or otherwise dated, and the city and state in which the corresponding court having jurisdiction is located, are listed in brackets.

In the event the Examiner wishes to review any additional pleadings or other documents related to any of the above-referenced litigation matters, the Examiner may contact the undersigned and every effort will be made to provide a copy of any additional information requested by the Examiner.

Additionally, in accordance with Applicant's duty of disclosure, as identified on the attached PTO/SB/08B form, Applicant has further provided the Rule 26(a)(2)(B) Report of Richard E. Newman, PH.D. executed on December 14, 2007 which has not been formally published. Accordingly the date in which the report was executed is identified on the attached form.

The Examiner is respectfully requested to return an initialed copy of the PTO/SB/08B form enclosed herewith evidencing consideration of this information with the next Office

Communication.

In the event that any fee may be required by the filing of this paper, the Commissioner is hereby authorized to charge any fees and/or credit to our **Deposit Account No. 13-1227**.


Respectfully submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. Third Avenue
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Miami, Florida 33129
(305) 858-8000

Dated: _____

1/16/08

By: _____


Peter A. Matos
Reg. No. 37,884

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.

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	90/008,591
		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Banankhah
		Attorney Docket Number	7.062.07
Sheet	1	of	1

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 ²
		U.S. District Court - S.D. of Florida (Miami), Civil Docket for Case No. 06-CV-21359, Rothschild Trust v. Citrix Systems, Inc., et al. (Dated Jan 16, 2008 / Miami, FL)	
		Citrix Motion for Summary Judgment That It Does Not Infringe the '534 Patent Exhibit 1 through 9 [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		L.R. 7.5(c) Statement of Material Facts in Support of Citrix's Motion for Summary Judgment (Exhibits 1 through 9) [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Memorandum of Law In support of Citrix's Motion for Summary Judgment that it Does Not Infringe the '534 Patent [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Notice of Filing Declaration of Michael G. Strapp in Support of Citrix's Motion for Summary Judgment [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Dec. of Michael G. Strapp In support Citrix's Mot. for Summary Judgment that it Does Not Infringe the '534 Pat. [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Rule 26(a)(2)(B) Report of Richard E. Newman, PH.D. [Case No. 06-CV-21359 / Executed Dec 14, 2007 (Ex. A-C)]	

Examiner Signature		Date Considered	
-------------------------------	--	----------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 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 2 hours 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, 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.**


If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

CERTIFICATE OF SERVICE

It is hereby certified by the undersigned that a true copy of this Information Disclosure Statement and each document identified therein was mailed to the address below via U.S. Mail on January 16, 2008.

Van Mahamedi
Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard Suite 301
San Jose, California 95129-1034

Attorney of Record for Patentee, this January 16, 2008.



Peter A. Matos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild
Reexamination Control No.: 90/008,591
Filing Date: April 11, 2007
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
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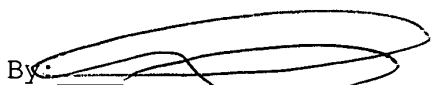
Dear Sir:

CERTIFICATE OF EXPRESS MAILING

I HEREBY CERTIFY that this correspondence is being deposited by United States Express Mail, Label No. EV-783-516-638-US, in an envelope addressed to: Mail Stop Ex Parte Reexam, *Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450*, this 16 day of January, 2008.

Respectfully submitted,

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2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000

By: 
Peter A. Matos
Reg. No. 37,884

Date: 1/16/08

Litigation Search Report CRU 3999

Reexam Control No: 90/008,591

TO: Fritz Fleming
Location: CRU
Art Unit: 3992
Date: 4/10/08
Case Serial Number: 90/008,591

From: Patricia Volpe
Location: CRU 3999
MDW 7C69
Phone: (571) 272-6825
Patricia.volpe@uspto.gov

Search Notes

Litigation was found for U.S. Patent Number 6,101,534

Sources:

- 1) I performed a KeyCite Search in Westlaw, which retrieves all history on the patent including any litigation.
- 2) I performed a search on the patent in Lexis CourtLink for any open dockets or closed cases.
- 3) I performed a search in Lexis in the Federal Courts and Administrative Materials databases for any cases found.
- 4) I performed a search in Lexis in the IP Journal and Periodicals database for any articles on the patent.
- 5) I performed a search in Lexis in the news databases for any articles about the patent or any articles about litigation on this patent.

KEYCITE

HUS PAT 6101534 INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM, (Aug 08, 2000)

History

Direct History

=> 1 **INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM, US PAT 6101534, 2000 WL 1112598 (U.S. PTO Utility Aug 08, 2000) (NO. 922926)**

Construed by

H 2 **Rothschild Trust Holdings, LLC v. Citrix Systems, Inc., 491 F.Supp.2d 1105, 20 Fla. L. Weekly Fed. D 857 (S.D.Fla. Jun 05, 2007) (NO. 06-21359-CIV)**

Court Documents

Trial Court Documents (U.S.A.)

S.D.Fla. Trial Pleadings

3 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2006 WL 1736675 (Trial Pleading) (S.D.Fla. May 26, 2006) **Complaint** (NO. 06CV21359)**

4 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants., 2007 WL 1568387 (Trial Pleading) (S.D.Fla. Apr. 2, 2007) **Citrix Systems Inc.'s and Citrix Online, LLC's Opposition to Rothschild Trust Holdings, Llc's Claim** (NO. 01-06-CIV-21359)**

5 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. OPPOSITION BRIEF CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 1568388 (Trial Pleading) (S.D.Fla. Apr. 2, 2007) **Rothschild Trust Holdings, LLC's Claim Construction Opposition Brief** (NO. 01-06-CIV-21359)**

S.D.Fla. Expert Testimony

6 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC., Defendant., 2007 WL 1511289 (Expert Deposition) (S.D.Fla. Mar. 19, 2007) **Video-taped Deposition of Professor Richard E. Newman** (NO. 01-06-CIV-21359)**

7 **ROTHSCHILD TRUST, v. CITRIX SYSTEMS, INC., 2007 WL 1511290 (Expert Deposition) (S.D.Fla. Apr. 6, 2007) **Deposition of Raj Rajkumar** (NO. 106CV21359)**

S.D.Fla. Trial Motions, Memoranda and Affidavits

8 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online,**

LLC, Defendants., 2007 WL 1568389 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Apr. 10, 2007) **Citrix Systems Inc.'s and Citrix Online, LLC's Motion to Strike Untimely Claim Constructions and Evi** (NO. 01-06-CIV-21359)

S.D.Fla. Trial Filings

- 9 ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2006 WL 4034092 (Trial Filing) (S.D.Fla. Dec. 20, 2006) **Joint Claim Construction and Prehearing Statement** (NO. 01-06-CIV-21359)
- 10 ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 2813807 (Trial Filing) (S.D.Fla. Jan. 26, 2007) **Rothschild Trust's Prehearing Statement** (NO. 01-06-CIV-21359)

Dockets (U.S.A.)

S.D.Fla.

- 11 ROTHSCHILD TRUST v. CITRIX SYSTEMS, INC., ET AL, NO. 1:06cv21359 (Docket) (S.D.Fla. May 26, 2006)

Expert Court Documents (U.S.A.)

S.D.Fla. Expert Testimony

- 12 ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC., Defendant., 2007 WL 1511289 (Expert Deposition) (S.D.Fla. Mar. 19, 2007) **Video-taped Deposition of Professor Richard E. Newman** (NO. 01-06-CIV-21359)
- 13 ROTHSCHILD TRUST, v. CITRIX SYSTEMS, INC., 2007 WL 1511290 (Expert Deposition) (S.D.Fla. Apr. 6, 2007) **Deposition of Raj Rajkumar** (NO. 106CV21359)

Patent Family

- 14 INTERACTIVE REMOTE COMPUTER INTERFACE SYSTEM USED WITH REAL ESTATE DISPLAY SYSTEM, HAS COMPUTER READABLE MEDIUM STORED WITH ENCODED AUXILIARY SITE ADDRESSES WITH SELECT PORTIONS OF QUANTITY OF AUXILIARY SITE DATA, DWPL 2000-655159

Assignments

- 15 ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, DATE RECORDED: Mar 29, 2006
- 16 ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, DATE RECORDED: Aug 13, 2001
- 17 ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, DATE RECORDED: Aug 13, 2001

Patent Status Files

- .. Request for Re-Examination, (OG date: Jun 19, 2007)
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),

Docket Summaries

- 22 "ORB NETWORKS, INC. v. ROTHSCHILD TRUST HOLDINGS LLC", 3:07CV00400, (N.D.CAL. Jan 22, 2007), 28 USC 2201 DECLARATORY JUDGEMENT
- 23 "TWIN RIVERS ENGINEERING, INC. v. INFICON, INC.", 6:06CV01870, (M.D.FLA. Dec 07, 2006), 35 USC 271 PATENT INFRINGEMENT
- 24 "ROTHSCHILD TRUST HOLDINGS, LLC v. ORB NETWORKS, INC.", 1:06CV22921, (S.D.FLA. Dec 01, 2006), 28 USC 1331 FEDERAL QUESTION
- 25 "ROTHSCHILD TRUST v. CITRIX SYSTEMS, INC., ET AL", 1:06CV21359, (S.D.FLA. May 26, 2006), 35 USC 271 PATENT INFRINGEMENT
- 26 TRUST LICENSING v. INTERACTUAL TECH, 1:03CV20672, (S.D.FLA. Mar 21, 2003), 35 USC 271 PATENT INFRINGEMENT

Litigation Alert

- 27 LitAlert P2007-24-35, (Jan 22, 2007) Action Taken: A complaint was filed
- 28 LitAlert P2006-37-06, (May 26, 2006) Action Taken: A complaint was filed
- 29 LitAlert P2003-17-25, (Mar 21, 2003) Action Taken: A complaint was filed.

Prior Art (Coverage Begins 1976)

- C** 30 US PAT 5805442 DISTRIBUTED INTERFACE ARCHITECTURE FOR PROGRAMMABLE INDUSTRIAL CONTROL SYSTEMS, Assignee: Control Technology Corporation, (U.S. PTO Utility 1998)
- C** 31 US PAT 5922045 : METHOD AND APPARATUS FOR PROVIDING BOOKMARKS WHEN LISTENING TO PREVIOUSLY RECORDED AUDIO PROGRAMS, Assignee: AT&T Corp., (U.S. PTO Utility 1999)
- C** 32 US PAT 4672572 PROTECTOR SYSTEM FOR COMPUTER ACCESS AND USE, Assignee: Gould Inc., (U.S. PTO Utility 1987)
- C** 33 US PAT 5694546 SYSTEM FOR AUTOMATIC UNATTENDED ELECTRONIC INFORMATION TRANSPORT BETWEEN A SERVER AND A CLIENT BY A VENDOR PROVIDED TRANSPORT SOFTWARE WITH A MANIFEST LIST, (U.S. PTO Utility 1997)

US District Court Civil Docket

U.S. District - California Northern
(San Francisco)

3:07cv400

Orb Networks, Inc v. Rothschild Trust Holdings Llc

This case was retrieved from the court on Wednesday, September 19, 2007

Date Filed: 01/22/2007	Class Code: ADRMOP, AO279, CLOSED, E-Filing, <u>STAYED</u>
Assigned To: Honorable Charles R Breyer	Closed: Yes
Referred To:	Statute: 28:2201
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Declaratory Judgement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

Litigants

Orb Networks, Inc A Delaware Corporation
Plaintiff

Attorneys

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Fax: 650-833-2001
Email: Brian.wikner@dlapiper.com

Rothschild Trust Holdings Llc A Florida Limited Liability
Company
Defendant

Date	#	Proceeding Text
01/22/2007	1	COMPLAINT against Rothschild Trust Holdings LLC (Filing fee \$ 350, receipt number 54611000305.) SUMMONS ISSUED. Filed byOrb Networks, Inc. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/25/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)
01/22/2007	2	NOTICE of pendency of other action or proceeding by Orb Networks, Inc. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/25/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)
01/22/2007	3	ADR SCHEDULING ORDER: Case Management Statement due by 4/20/2007. Case Management

Conference set for 4/27/2007 08:30 AM. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/23/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)

01/22/2007	--	CASE DESIGNATED for Electronic Filing. (mcl, COURT STAFF) (Entered: 01/23/2007)
01/23/2007	4	REPORT on the filing or determination of an action regarding Patent Infringement (cc: form mailed to register). (mcl, COURT STAFF) (Filed on 1/23/2007) (Entered: 01/23/2007)
02/01/2007	5	SUMMONS Returned Executed by Orb Networks, Inc.. Rothschild Trust Holdings LLC served on 1/25/2007, answer due 2/14/2007. (Goldman, William) (Filed on 2/1/2007) (Entered: 02/01/2007)
<u>02/14/2007</u>	<u>6</u>	<u>MOTION to Stay [Stipulated] Motion to Stay Action Pending Consideration of Motions in Related Action filed by Orb Networks, Inc.. (Wainscoat, Aaron) (Filed on 2/14/2007) (Entered: 02/14/2007)</u> ✓
02/14/2007	7	Proposed Order re 6 MOTION to Stay [Stipulated] Motion to Stay Action Pending Consideration of Motions in Related Action by Orb Networks, Inc.. (Wainscoat, Aaron) (Filed on 2/14/2007) (Entered: 02/14/2007)
02/15/2007	8	ORDER by Judge Charles R. Breyer granting 6 Motion to Stay (be, COURT STAFF) (Filed on 2/15/2007) (Entered: 02/15/2007)
07/27/2007	9	Letter from William Goldman/Aristotie Evia to Honorable Charles R. Breyer. (Goldman, William) (Filed on 7/27/2007) (Entered: 07/27/2007)
<u>07/30/2007</u>	<u>10</u>	<u>ORDER STAYING CASE AND CLOSING CASE ADMINISTRATIVELY. Signed by Judge Charles R. Breyer on July 30, 2007. (crblc2, COURT STAFF) (Filed on 7/30/2007) (Entered: 07/30/2007)</u> ✓

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US District Court Civil Docket

U.S. District - Florida Southern
(Miami)

1:06cv22921

Rothschild Trust Holdings, Llc v. Orb Networks, Inc

This case was retrieved from the court on Wednesday, August 22, 2007

Date Filed: 12/01/2006	Class Code: CLOSED, STAY, WCT
Assigned To: Judge Alan S Gold	Closed: Yes
Referred To:	Statute: 28:1331
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Federal Question	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

Litigants

Rothschild Trust Holdings, Llc
Plaintiff

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Thomas Julian Rebull
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Defendant

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Email: Bill.goldman@dlapiper.com

Date	#	Proceeding Text
12/01/2006	1	COMPLAINT against ORB Networks, INC. Filing fee \$ 350. Receipt#: 950862, filed by Rothschild Trust Holdings, LLC.(mp) (Entered: 12/07/2006)
12/01/2006	2	Summons Issued as to ORB Networks, INC.. (mp) (Entered: 12/07/2006)
12/01/2006	3	FORM AO 120 FORM SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (mp) (Entered: 12/07/2006)
01/05/2007	4	Unopposed MOTION for Extension of Time to File Response/Reply to Plaintiff's Complaint by ORB Networks, INC.. (Mullins, Edward) (Entered: 01/05/2007)
01/11/2007	5	NOTICE by Rothschild Trust Holdings, LLC of filing Affidavit of Service (Rebull, Thomas) (Entered: 01/11/2007)
01/11/2007	6	ORDER granting 4 Motion for Extension of Time to File Response/Reply Responses/Answer due by 1/22/2007. Signed by Judge Alan S. Gold on 1/9/07. (lk) (Entered: 01/11/2007)
01/18/2007	7	MOTION to Appear Pro Hac Vice for Attorney Brian Wikner, Filing Fee \$75, Receipt #953444. (cw) (Entered: 01/22/2007)
01/18/2007	8	MOTION to Appear Pro Hac Vice for Attorney William G. Goldman, Filing Fee \$75, Receipt #953445. (cw) (Entered: 01/22/2007)
01/22/2007	9	MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support by ORB Networks, INC.. Responses due by 2/5/2007 (Attachments: # 1)(Mullins, Edward) (Entered: 01/22/2007)
01/25/2007	10	ORDER granting 7 Motion to Appear Pro Hac Vice Name of Attorney Brian Scott Wilkerson for ORB Networks, INC., William G. Goldman for ORB Networks, INC., granting 8 Motion to Appear Pro Hac Vice Name of Attorney Brian Scott Wilkerson for ORB Networks, INC., William G. Goldman for ORB Networks, INC. Signed by Judge Alan S. Gold on 1/24/07 (lk) (Entered: 01/25/2007)
01/25/2007	14	Notice of Docket Correction re 10 Order on Motion to Appear Pro Hac Vice, Brian Wikner is correct attorney (sk) (Entered: 02/08/2007)
02/05/2007	11	Plaintiff's MOTION for Extension of Time to File Response/Reply to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit # 2 Exhibit) (Rebull, Thomas) (Entered: 02/05/2007)
02/06/2007	12	RESPONSE to Plaintiff's Motion to Enlarge Time and Toll Compliance with Non-Related Deadlines During Jurisdictional Discovery filed by ORB Networks, INC.. (Escobar, Annette) (Entered: 02/06/2007)
02/07/2007	13	Amended MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a) by ORB Networks, INC.. Responses due by 2/22/2007 (Attachments: # 1 Affidavit Exhibit A)(Escobar, Annette) (Entered: 02/07/2007)
02/08/2007	16	MOTION to Appear Pro Hac Vice for Attorney Elizabeth Day, Filing Fee \$75, Receipt #954467. (cw) (Entered: 02/12/2007)
02/09/2007	15	REPLY to Response to Motion re 11 Plaintiff's MOTION for Extension of Time to File Response/Reply to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California filed by Rothschild Trust Holdings, LLC. (Rebull, Thomas) (Entered: 02/09/2007)
02/15/2007	17	ORDER setting TELEPHONIC status conference for Friday, February 16, 2007 at 4:00 p.m. Signed by Judge Alan S. Gold on 02/15/2007 (lms) (Entered: 02/15/2007)
02/16/2007	18	TEXT Minute Entry for proceedings held before Judge Alan S. Gold : Telephone Status Conference held on 2/16/2007 to determine whether or not evidentiary hearing is necessary re motion to dismiss DE 9. (Court Reporter Joseph Millikan.) (jh) (Entered: 02/20/2007)
02/20/2007	19	ORDER granting 16 Motion to Appear Pro Hac Vice by Elizabeth Day;Signed by Judge Alan S. Gold on 02/15/2007 (bs) (Entered: 02/20/2007)
02/22/2007	20	ORDER FOLLOWING TELEPHONIC STATUS CONFERENCE Pretrial Order due by 2/26/2007. Signed by Judge Alan S. Gold on 2/21/07 (lk) (Entered: 02/22/2007)
02/23/2007	21	MOTION to Appear Pro Hac Vice for Attorney Aaron Wainscoat, Filing Fee \$75, Receipt #955349.

(cw) (Entered: 02/26/2007)

02/26/2007 22 NOTICE by ORB Networks, INC. of Filing Agreed Proposed Order (Mullins, Edward) (Entered: 02/26/2007)

02/28/2007 23 RESPONSE in Opposition re 13 Amended MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a) filed by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit)(Rebull, Thomas) (Entered: 02/28/2007)

03/01/2007 24 ORDER Setting Briefing Schedule: denying as moot 11 Motion for Extension of Time to File Response/Reply to Motion to Dismiss or Transfer Action. Signed by Judge Alan S. Gold on 3/1/2007 (ls) (Entered: 03/02/2007)

03/01/2007 -- Set/Reset Deadlines as to 13 Amended MOTION to Transfer to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a). Responses due by 2/28/2007 Replies due by 3/7/2007. (ls) (Entered: 03/02/2007)

03/01/2007 -- Set/Reset Deadlines as to 9 MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support. Responses due by 4/27/2007 Replies due by 5/8/2007. (ls) (Entered: 03/02/2007)

03/07/2007 25 REPLY to Response to Motion re 13 Amended MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a) filed by ORB Networks, INC.. (Attachments: # 1 Exhibit A)(Mullins, Edward) (Entered: 03/07/2007)

03/07/2007 26 DECLARATION OF TAKING of Brian P. Wikner in Support of Defendant Orb Networks' Motion to Transfer This Action to the Northern District of California by ORB Networks, INC... (Attachments: # 1 Exhibit A-Q)(Mullins, Edward) (Entered: 03/07/2007)

03/08/2007 27 NOTICE TO FILERS: Pursuant to Administrative Procedures for electronically filing motions via CM/ECF, after filing ANY non-dispositive motions, counsel MUST send a proposed order in WORDPERFECT format to the Judge's ECF mailbox to: gold@flsd.uscourts.gov {Although the Administrative Procedures allows documents to be sent in Word format, this Court prefers the Wordperfect format}[Please refer to docket entry number on proposed order]To review complete instructions, please refer to the Administrative Procedures on the Court's Website at www.flsd.uscourts.gov (lms) (Entered: 03/08/2007)

03/09/2007 28 NOTICE by ORB Networks, INC. of Filing [Proposed] Order Granting Defendant Orb Networks, Inc.'s Motion to Transfer Pursuant to 28 U.S.C. s 1404(a) (Escobar, Annette) (Entered: 03/09/2007)

04/26/2007 29 Unopposed MOTION for Extension of Time to File Response/Reply as to 24 Order on Motion for Extension of Time to File Response/Reply by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Exhibit A: Embarq Response# 2 Exhibit Exhibit B: Preliminary Confidentiality Agreement)(Geldens, Jeffrey) (Entered: 04/26/2007)

05/03/2007 30 ORDER granting 29 Motion for Extension of Time to File Response/Reply re 29 Unopposed MOTION for Extension of Time to File Response/Reply as to 24 Order on Motion for Extension of Time to File Response/Reply Responses due by 5/9/2007 Replies due by 5/21/2007.Signed by Judge Alan S. Gold on 5/3/07. (hd) (Entered: 05/03/2007)

05/09/2007 31 Plaintiff's MOTION for Leave to File Materials Under Seal by Rothschild Trust Holdings, LLC. (Attachments: # 1)(Geldens, Jeffrey) (Entered: 05/09/2007)

05/09/2007 32 NOTICE by Rothschild Trust Holdings, LLC of Filing and Request for Judicial Notice (Rebull, Thomas) (Entered: 05/09/2007)

05/09/2007 33 NOTICE by Rothschild Trust Holdings, LLC of Filing (Rebull, Thomas) (Entered: 05/09/2007)

05/09/2007 34 Sealed Document. (jc) (Entered: 05/10/2007)

05/09/2007 36 Sealed Document. (jc) (Entered: 05/10/2007)

05/10/2007 35 Notice of Instruction to Filer, Notice of Docket Correction re 31 Plaintiff's MOTION for Leave to File Materials Under Seal filed by Rothschild Trust Holdings, LLC, : ERROR: Attachment to Motion did not have a description; FUTURE documents containing attachments need to be described.- Corrected by Court. (gp) (Entered: 05/10/2007)

05/11/2007 37 ORDER granting 31 Motion for Leave to File Materials under seal;Signed by Judge Alan S. Gold on 05/10/2007. (bs) (Entered: 05/11/2007)

05/15/2007 38 ORDER denying 13 Motion to Transfer ;Signed by Judge Alan S. Gold on 05/14/2007. (bs) (Entered: 05/15/2007)

05/16/2007 39 ORDER Setting TELEPHONIC Status Conference: Status Conference set for 5/17/2007 03:00 PM in Miami Division before Judge Alan S. Gold.Signed by Judge Alan S. Gold on 05/16/2007.(lms)

(Entered: 05/16/2007)

05/17/2007 40 TEXT Minute Entry for proceedings held before Judge Alan S. Gold : Telephone Status Conference held on 5/17/2007. Court Reporter: Joseph Millikan (jh) (Entered: 05/18/2007)

05/18/2007 41 ORDER following telephonic status conference.Signed by Judge Alan S. Gold on 5/17/07.(hd) (Entered: 05/21/2007)

06/08/2007 42 Unopposed MOTION for Leave to File Materials Under Seal by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Exhibit A RTH-Orb Confidentiality Agreement# 2 Exhibit Exhibit B Embarq Request for Confidential Treatment)(Geldens, Jeffrey) (Entered: 06/08/2007)

06/08/2007 43 Sealed Document. (jc) (Entered: 06/08/2007)

06/11/2007 44 NOTICE by ORB Networks, INC. of Request for Notices of Electronic Filings (Mullins, Edward) (Entered: 06/11/2007)

06/11/2007 45 Notice to the Court for Pro Hac Vice Attorney to Receive Electronic Notification by ORB Networks, INC. **For image please see DE # 44. (gp) (Entered: 06/12/2007)

06/12/2007 46 Notice of Docket Correction: re 44 Notice (Other) filed by ORB Networks, INC., Error: Wrong Event Selected; Correct event to use is "Notice for PHV Attorneys to Receive Electronic Notification" found under Notices.- Corrected by Court, see DE # [45]. (gp) (Entered: 06/12/2007)

06/14/2007 47 ORDER granting 42 Motion for Leave to File Materials Under Seal;Signed by Judge Alan S. Gold on 06/12/2007. (bs) (Entered: 06/14/2007)

06/15/2007 48 ORDER granting 21 Motion to Appear Pro Hac Vice by attorney Aaron Wainscoat. Signed by Judge Alan S. Gold on 6/15/07. (jh) (Entered: 06/15/2007)

06/15/2007 49 Notice to the Court for Pro Hac Vice Attorney to Receive Electronic Notification by ORB Networks, INC. (Mullins, Edward) (Entered: 06/15/2007)

06/15/2007 50 MEMORANDUM in Support re 9 MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support filed by ORB Networks, INC.. (Mullins, Edward) (Entered: 06/15/2007)

06/15/2007 51 NOTICE by ORB Networks, INC. of Objections to Plaintiff's Notice of Filing and Request for Judicial Notice (D.E.32) and Notice of Filing (D.E. 33) (Mullins, Edward) (Entered: 06/15/2007)

06/15/2007 52 NOTICE by ORB Networks, INC. of Filing Exhibit 1 to its Reply Memorandum in Support of its Motinto Dismiss for Lack of Personal Jurisdiction (Mullins, Edward) (Entered: 06/15/2007)

06/27/2007 53 ORDER, Set/Reset Deadlines as to 9 MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California, Motion Hearing set for 9/21/2007 03:00 PM in Miami Division before Judge Alan S. Gold.Signed by Judge Alan S. Gold on 6/27/07.(hd) (Entered: 06/28/2007)

07/02/2007 54 MOTION to Stay Litigation Pending Reexamination of U.S. Patent No. 6,101,534 and Memorandum of Law in Support Thereof by ORB Networks, INC.. Responses due by 7/17/2007 (Attachments: # 1 Affidavit of Aaron Wainscoat# 2 Exhibit A# 3 Text of Proposed Order) (Mullins, Edward) (Entered: 07/02/2007) ✓

07/17/2007 55 ORDER Setting Hearing on Motion 54 MOTION to Stay and 9 MOTION to Dismiss ; Motion Hearing set for 9/21/2007 03:00 PM before Judge Alan S. Gold.Signed by Judge Alan S. Gold on 07/16/2007.(bs) (Entered: 07/17/2007)

07/19/2007 56 RESPONSE to Motion re 54 MOTION to Stay Litigation Pending Reexamination of U.S. Patent No. 6,101,534 and Memorandum of Law in Support Thereof filed by Rothschild Trust Holdings, LLC. Replies due by 7/26/2007. (Geldens, Jeffrey) (Entered: 07/19/2007)

07/23/2007 57 ORDER administratively closoing case, granting 54 Motion to Stay.Signed by Judge Alan S. Gold on 7/20/07. (hd) (Entered: 07/23/2007) ✓

US District Court Civil Docket

**U.S. District - Florida Southern
(Miami)**

1:06cv21359

Rothschild Trust v. Citrix Systems, Inc, et al

This case was retrieved from the court on Friday, February 29, 2008

Date Filed: 05/26/2006	Class Code: MEDIATION)
Assigned To: Senior Judge James Lawrence King	Closed: No
Referred To: Magistrate Judge Barry L Garber	Statute: 35:0271
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Patent Infringement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: U.S. Government Defendant	

Litigants

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Plaintiff

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Date	#	Proceeding Text
05/26/2006	1	COMPLAINT filed; FILING FEE \$350.00 RECEIPT # 940943 ; Magistrate Judge Garber (dg, Deputy Clerk) (Entered: 05/31/2006)
05/26/2006	2	SUMMONS(ES) issued for Citrix Systems, Inc. (dg, Deputy Clerk) (Entered: 05/31/2006)
05/26/2006	3	SUMMONS(ES) issued for Citrix Online, LLC (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	--	FORM AO 120 sent to: Commissioner of Patents & Trad (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	4	Form AO 120 sent to Commissioner of Patents & Trademarks (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	5	ORDER setting scheduling conference; set scheduling conference for 10:00 8/3/06 before Judge

James Lawrence King (Signed by Judge James Lawrence King on 05/31/06) [EOD Date: 6/1/06] (bs, Deputy Clerk) (Entered: 06/01/2006)

06/15/2006 6 ANSWER to Complaint by Citrix Systems, Inc., Citrix Online, LLC (Attorney J. Raul Cosio) (bs, Deputy Clerk) (Entered: 06/16/2006)

06/15/2006 7 CERTIFICATE of interested persons and corporate disclosure statement by Citrix Systems, Inc. (bs, Deputy Clerk) (Entered: 06/16/2006)

06/15/2006 8 CERTIFICATE of interested persons and corporate disclosure statement by Citrix Online, LLC (bs, Deputy Clerk) (Entered: 06/16/2006)

06/16/2006 9 RETURN OF SERVICE executed for Citrix Systems, Inc. on 5/26/06 Answer due on 6/15/06 for Citrix Systems, Inc. (bs, Deputy Clerk) (Entered: 06/19/2006)

06/16/2006 10 RETURN OF SERVICE executed for Citrix Systems, Inc. on 5/26/06 (bs, Deputy Clerk) (Entered: 06/19/2006)

06/16/2006 11 RETURN OF SERVICE executed for Citrix Online, LLC on 5/26/06 Answer due on 6/15/06 for Citrix Online, LLC (bs, Deputy Clerk) (Entered: 06/19/2006)

06/19/2006 12 MOTION by Citrix Systems, Inc., Citrix Online, LLC for William A. Meunier to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00; RECEIPT # 942291 (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 13 MOTION by Citrix Systems, Inc., Citrix Online, LLC (Attorney Douglas J. Kline) for Douglas J. Kline to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 942290 (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 14 MOTION by Citrix Systems, Inc., Citrix Online, LLC for Robert S. Blasi, JR to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 942289 (bs, Deputy Clerk) (Entered: 06/20/2006)

06/21/2006 15 ORDER granting [14-1] motion for Robert S. Blasi, JR to appear pro hac vice, granting [13-1] motion for Douglas J. Kline to appear pro hac vice, granting [12-1] motion for William A. Meunier to appear pro hac vice (Signed by Judge James Lawrence King on 06/21/06) [EOD Date: 6/23/06] (bs, Deputy Clerk) (Entered: 06/23/2006)

06/28/2006 16 Corporate Disclosure Statement by Rothschild Trust (kw, Deputy Clerk) (Entered: 06/29/2006)

07/21/2006 17 JOINT Scheduling Report of Scheduling Meeting by Rothschild Trust, Citrix Systems, Inc., Citrix Online, LLC (rb, Deputy Clerk) (Entered: 07/26/2006)

07/28/2006 22 Initial Disclosures/Exhibit and Witness List by Rothschild Trust (dg, Deputy Clerk) (Entered: 08/10/2006)

07/31/2006 18 ORDER rejecting joint scheduling report; parties to discuss all issues, exchange of list of witnesses and documents they intend to rely on for the respective sides of their case and to select discovery, pleading practice deadlines and trial date at the conference to be held 08/03/06 (Signed by Judge James Lawrence King on 07/28/06) [EOD Date: 8/1/06] (bs, Deputy Clerk) (Entered: 08/01/2006)

08/03/2006 19 Minutes of Scheduling Conference held before Judge James Lawrence King on 08/03/06; Court Reporter Name or Tape #: Bill Romanishin (bb, Deputy Clerk) (Entered: 08/04/2006)

08/03/2006 -- Scheduling conference held before Judge James Lawrence King (bb, Deputy Clerk) (Entered: 08/04/2006)

08/07/2006 20 ORDER on joint scheduling conference (Signed by Judge James Lawrence King on 08/07/06) [EOD Date: 8/8/06] (bs, Deputy Clerk) (Entered: 08/08/2006)

08/07/2006 21 ORDER setting continuation of Scheduling Conference and Markman Hearing date; set scheduling conference for 10:45 4/6/07 before Judge James Lawrence King , set Markman Hearing for 10:00 4/13/07 before Judge James Lawrence King (Signed by Judge James Lawrence King on 08/07/06) [EOD Date: (bs, Deputy Clerk) (Entered: 08/08/2006)

08/31/2006 23 MOTION by Rothschild Trust (Attorney) to extend time to file disclosure of asserted claims (kw, Deputy Clerk) (Entered: 09/01/2006)

09/01/2006 24 ORDER granting [23-1] motion to extend time to file disclosure of asserted claims (Signed by Judge James Lawrence King on 09/01/06) [EOD Date: 9/5/06] (bs, Deputy Clerk) (Entered: 09/05/2006)

09/08/2006 25 NOTICE of disclosure of asserted claims and preliminary infringement contentions by Rothschild Trust (cj, Deputy Clerk) (Entered: 09/11/2006)

12/18/2006 26 Unopposed MOTION for Extension of Time to File Joint Claim Construction and Prehearing Statement by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order) (Rebull, Thomas) (Entered: 12/18/2006)

12/19/2006 27 ORDER granting 26 Plaintiff's Unopposed Motion for Extension of Time to File Joint Claim Construction and Prehearing Statement. The parties have up to 12/20/2006 to file the Joint Claim Construction and Prehearing Statement.Signed by Judge James Lawrence King on 12/19/2006. (jw) (Entered: 12/19/2006)

12/20/2006 28 Statement of: Joint Claim Construction and Prehearing Statement by Rothschild Trust Holdings, LLC. (Traband, Rhett) (Entered: 12/20/2006)

01/24/2007 29 MOTION for Hearing Demonstrative Hearing by Rothschild Trust Holdings, LLC. (Rebull, Thomas) (Entered: 01/24/2007)

01/26/2007 30 Statement of: Order on Joint Scheduling Conference Prehearing Statement by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 01/26/2007)

02/05/2007 31 [VACATED by DE# 35] ORDER REFERRING MOTION to Magistrate Judge Barry L. Garber: 29 MOTION for Hearing Demonstrative Hearing filed by Rothschild Trust Holdings, LLC, Signed by Judge James Lawrence King on 2/5/2007 (lc1) Modified to reflect "vacated" on 2/28/2007 (wc). (Entered: 02/05/2007)

02/12/2007 32 MEMORANDUM in Opposition re 29 MOTION for Hearing Demonstrative Hearing filed by Citrix Systems, Inc.. (Cosio, J.) (Entered: 02/12/2007)

02/26/2007 33 MEMORANDUM OF LAW REGARDING CLAIM CONSTRUCTION BRIEF by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Declaration of Raj Rajkumar# 2 Exhibit Joint Claim and Prehearing Statement)(Bozza, Gabrielle) (Entered: 02/26/2007)

02/26/2007 34 Agreed MOTION for Leave to File Brief Which Exceeds Page Limit by Citrix Systems, Inc.. (Attachments: # 1 Exhibit Citrix's Brief on the Correct Construction of Disputed Claim Terms) (Cosio, J.) (Entered: 02/26/2007)

02/27/2007 35 ORDER Vacating 31 Order Referring Motion. Signed by Judge James Lawrence King on 2/27/2007 (lc1) (Entered: 02/27/2007)

02/27/2007 36 NOTICE of conventional filing of brief on the correct construction of disputed claim terms by Citrix Systems, Inc., Citrix Online, LLC (pa) (Entered: 02/28/2007)

02/27/2007 37 NOTICE of brief, by Citrix Systems, Inc., Citrix Online, LLC re 36 notice of filing (pa) Additional attachment(s) added on 2/28/2007 (pa). (Entered: 02/28/2007)

02/28/2007 -- Motions No Longer Referred: 29 MOTION for Hearing Demonstrative Hearing [This referral was vacated by DE# 35] (wc) (Entered: 02/28/2007)

03/06/2007 38 ORDER granting 34 Defendants' Assented to Motion for Leave to Exceed Page Limit Signed by Judge James Lawrence King on 3/2/2007 (jw) (Entered: 03/06/2007)

03/15/2007 39 NOTICE OF UNAVAILABILITY by Rothschild Trust Holdings, LLC for dates of 4/23-27; 5/7-11; 5/14-18; 5/21-25 (Traband, Rhett) (Entered: 03/15/2007)

03/22/2007 40 Joint MOTION for Protective Order (STIPULATED CONFIDENTIALITY ORDER) by Rothschild Trust Holdings, LLC. (Attachments: # 1 Stipulated Confidentiality Order# 2)(Bozza, Gabrielle) (Entered: 03/22/2007)

03/26/2007 41 ORDER denying 40 Motion for Protective Order. Signed by Judge James Lawrence King on 3/26/2007. (lc1) (Entered: 03/26/2007)

03/27/2007 42 Joint MOTION for Extension of Time to File Their Opposition Briefs by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 03/27/2007)

03/27/2007 43 Joint MOTION for Extension of Time to File Enlargement Of Time For The Parties To File Their Opposition Briefs by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order Order Granting Joint Motion For Enlargement of Time To File Opposition Briefs)(Bozza, Gabrielle) (Entered: 03/27/2007)

03/27/2007 44 CERTIFICATE of Interested Party by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 03/27/2007)

03/28/2007 45 ORDER granting 43 Motion for Extension of Time to File Opposition Briefs. The parties shall have until Monday, 4/2/2007.Signed by Judge James Lawrence King on 3/28/2007. (jw) (Entered: 03/28/2007)

03/29/2007 46 Plaintiff's MOTION to Bring Electronic Equipment into the courtroom by Rothschild Trust

Holdings, LLC. Responses due by 4/12/2007 (Attachments: # 1 Text of Proposed Order)(Rebull, Thomas) (Entered: 03/29/2007)

03/30/2007 47 ORDER granting 46Motion to Bring Electronic Equipment into the courtroom. Signed by Judge James Lawrence King on 3/30/07. (sd) Modified judge's signature date from 3/3/07 to 3/30/07 on 4/3/2007 (wc). (Entered: 04/02/2007)

04/02/2007 48 MEMORANDUM in Opposition re 33 Memorandum of Law in Opposition to Rothschild Trust Holdings, LLC's Claim Construction Brief filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Exhibit 11# 2 Exhibit 12)(Cosio, J.) (Entered: 04/02/2007)

04/02/2007 49 MEMORANDUM OF LAW Rothschild Trust Holdings, LLC Claim Construction Opposition Brief by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Notice of Filing In Conventional Form Exhibits A Through E)(Bozza, Gabrielle) (Entered: 04/02/2007)

04/03/2007 50 Unopposed MOTION to Bring Electronic Equipment into the courtroom and for Leave to Bring Audiovisual Equipment by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 4/17/2007 (Attachments: # 1 Text of Proposed Order Proposed Order Granting Def. Unopposed Motion Permitting the Use of Electronic Equip.)(Cosio, J.) (Entered: 04/03/2007)

04/04/2007 51 ORDER granting 50 Defendants'Motion to Bring Electronic Equipment and Audiovisual Equipment into the courtroom.Signed by Judge James Lawrence King on 4/4/07. (sd) (Entered: 04/04/2007)

04/06/2007 52 NOTICE OF CONVENTIONAL FILING form Exhibits A through E of Rothschild Trust Holdings LLC's claim construction opposition brief, by Rothschild Trust Holdings, LLC (Attachments: # 1 Appendix # 2 Appendix # 3 Appendix)(pa) (Entered: 04/06/2007)

04/10/2007 53 Defendant's MOTION to Strike 49 Memorandum of Law and Untimely Claim Constructions and Evidence by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 4/24/2007 (Attachments: # 1 Exhibit Exhibit A# 2 Exhibit Exhibit B# 3 Exhibit Exhibit C# 4 Errata Exhibit D# 5 Errata Exhibit E# 6 Errata Exhibit F# 7 Errata Exhibit G# 8 Exhibit Exhibit H)(Cosio, J.) (Entered: 04/10/2007)

04/12/2007 54 NOTICE by Rothschild Trust Holdings, LLC NOF Part of Pert. Pros. History (Rebull, Thomas) (Entered: 04/12/2007)

04/13/2007 55 Minute Entry for proceedings held before Judge James Lawrence King : Markman Hearing held on 4/13/2007. Court Reporter: Carly Horenkamp (jw) (Entered: 04/13/2007)

04/13/2007 56 Amended Minute Entry for proceedings held before Judge James Lawrence King : Markman Hearing held on 4/13/2007. Court Reporter: Carly Horenkamp (jw) (Entered: 04/13/2007)

04/23/2007 57 ORDER Setting Continuation of Markman Hearing set for 5/2/2007 09:30 AM in Miami Division before Judge James Lawrence King in Courtroom II, Eleventh Floor.Signed by Judge James Lawrence King on 4/23/2007.(jw) (Entered: 04/23/2007)

04/24/2007 58 ORDER Granting re 50 Unopposed MOTION to Bring Electronic Equipment into the courtroom and for Leave to Bring Audiovisual Equipment filed by Citrix Systems, Inc., Citrix Online, LLC, Signed by Judge James Lawrence King on 4/24/2007.(jw) (Entered: 04/24/2007)

04/25/2007 59 AMENDED ORDER GRANTING MOTION TO BRING IN ELECTRONIC EQUIPMENTSigned by Judge James Lawrence King on 4/25/2007.(jw) (Entered: 04/25/2007)

04/25/2007 60 Joint MOTION for Hearing on Claim #4 of the 534 Patent by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Text of Proposed Order on the Joint Request for Hearing on Claim #4 of the 534 Patent)(Cosio, J.) (Entered: 04/25/2007)

04/25/2007 61 TRANSCRIPT of Markman Hearing held on 4/13/07 @ 10:06am before Judge James Lawrence King. Court Reporter: Carly Horenkamp 1-178 pages. (nc) (Entered: 04/26/2007)

04/26/2007 62 NOTICE by Rothschild Trust Holdings, LLC Notice of Filing Exhibit 2 (Rebull, Thomas) (Entered: 04/26/2007)

04/27/2007 63 ORDER granting 60 Motion for Request for hearing on Claim #4 of the '534 Patent to be heard at the same hearing on May 2, 2007 at 9:30 a.m. Signed by Judge James Lawrence King on 4/27/2007. (jw) (Entered: 04/27/2007)

05/02/2007 64 Minute Entry for proceedings held before Judge James Lawrence King : Continuation of Markman Hearing held on 5/2/2007. Court Reporter: Lisa Edwards (jw) (Entered: 05/03/2007)

05/02/2007 65 Exhibit and Witness List by Rothschild Trust Holdings, LLC, Citrix Systems, Inc., Citrix Online, LLC.. (jw) (Entered: 05/03/2007)

05/14/2007 66 NOTICE by Citrix Systems, Inc., Citrix Online, LLC of Submission of Proposed Order (Cosio, J.) (Entered: 05/14/2007)

05/14/2007 67 NOTICE by Rothschild Trust Holdings, LLC of Submission of Proposed Order (Attachments: # 1 Text of Proposed Order)(Deutch, Gregory) (Entered: 05/14/2007)

06/05/2007 68 ORDER on Claims Construction.Signed by Judge James Lawrence King on 06/05/2007.(lc2) (Entered: 06/05/2007)

06/06/2007 69 ORDER on claims construction; Signed by Judge James Lawrence King on 06/05/2007.(bs) (Entered: 06/06/2007)

06/06/2007 70 SCHEDULING ORDER: Final Pretrial Conference set for 3/14/2008 10:30 AM in Miami Division before Judge James Lawrence King. Jury Trial set for 4/28/2008 09:00 AM in Miami Division before Judge James Lawrence King. Calendar Call set for 4/24/2008 02:00 PM in Miami Division before Judge James Lawrence King in Courtroom II, Eleventh Floor. Discovery due by 1/5/2008. Motions due by 1/10/2008. Pretrial Stipulation due by 3/7/2008.Signed by Judge James Lawrence King on 6/5/2007.(jw) (Entered: 06/06/2007)

06/12/2007 71 Notice of Docket Correction: re 69 Order; Correction: 69 Order is a duplicate of 68 Order. (bs) (Entered: 06/12/2007)

07/27/2007 72 Plaintiff's MOTION to Stay Pending Reexamination of the Patent in Suit by the US PTO by Rothschild Trust Holdings, LLC. Responses due by 8/10/2007 (Attachments: # 1 Exhibit Exhibit-A Order Granting Stay in Case 06-cv-22921)(Geldens, Jeffrey) (Entered: 07/27/2007)

08/13/2007 73 RESPONSE to Motion re 72 Plaintiff's MOTION to Stay Pending Reexamination of the Patent in Suit by the US PTO filed by Citrix Systems, Inc., Citrix Online, LLC. Replies due by 8/20/2007. (Cosio, J.) (Entered: 08/13/2007)

08/16/2007 74 ORDER denying 72 Motion to Stay. Signed by Judge James Lawrence King on 8/15/07. (ch1) (Entered: 08/16/2007) ✓

11/29/2007 75 Defendant's MOTION for Protective Order by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Text of Proposed Order Proposed Protective Order)(Cosio, J.) (Entered: 11/29/2007)

11/29/2007 76 MEMORANDUM OF LAW in Support of its Motion for Entry of a Protective Order by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) Modified on 11/30/2007 (ls). "Wrong Event Used, Re-docketed as Entry ([77]); Memorandum in Support". (Entered: 11/29/2007)

11/29/2007 77 MEMORANDUM in Support re 75 Defendant's MOTION for Protective Order filed by Citrix Systems, Inc., Citrix Online, LLC. [See Image at DE #76] (ls) (Entered: 11/30/2007)

11/30/2007 78 NOTICE of Docket Correction and Instruction to Filer: re 76 Memorandum of Law filed by Citrix Systems, Inc., Citrix Online, LLC, Error: Wrong Event Selected; Correction=Redocketed as Memorandum in Support. Instruction to Filer=In the future please select the proper Event; under "Motions and Related Filings" "Responses and Replies". (ls) (Entered: 11/30/2007)

11/30/2007 79 ORDER denying 75 Motion fto Seal Document Signed by Judge James Lawrence King on 11/30/2007. (jw) (Entered: 11/30/2007)

12/14/2007 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Ex A, Dec 10 Correspondence# 2 Exhibit Ex B, Defendants' Initial Disclosures# 3 Exhibit Ex C, Nov 26 Correspondence# 4 Exhibit Ex D, Nov 28 Correspondence# 5 Exhibit Ex E, Dec 6 Correspondence)(Geldens, Jeffrey) (Entered: 12/14/2007)

12/18/2007 81 Plaintiff's MOTION Oral Argument on Motion for Extension of Time re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates Pursuant to Local Rule 7.1.B by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) Modified text on 12/19/2007 (tp). See document [82] for Corrected Motion Entry (Entered: 12/18/2007)

12/18/2007 82 MOTION for Oral Argument re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates by Rothschild Trust Holdings, LLC. See document 81 for image (tp) (Entered: 12/19/2007)

12/19/2007 83 NOTICE of Docket Correction and Instruction to Filer: re 81 Plaintiff's MOTION Oral Argument on Motion for Extension of Time re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates Pursuant to Local Rule 7.1.B filed by Rothschild Trust Holdings, LLC, Error: Wrong Relief used. See document [82] for corrected entry. Document 81 has been terminated and replaced with [82] (tp) (Entered: 12/19/2007)

12/27/2007 84 Plaintiff's MOTION for Order of Referral to Mediation by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order for Mediation)(Rebull, Thomas) (Entered: 12/27/2007)

12/31/2007 85 RESPONSE in Opposition re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments:

1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I# 10 Exhibit J# 11 Exhibit K# 12 Exhibit L# 13 Exhibit M# 14 Exhibit N# 15 Exhibit O# 16 Exhibit P# 17 Exhibit Q# 18 Exhibit R# 19 Exhibit S# 20 Exhibit T# 21 Exhibit U# 22 Exhibit V# 23 Exhibit W# 24 Exhibit X)(Cosio, J.) (Entered: 12/31/2007)

01/02/2008 86 ORDER granting 84 Plaintiff's Motion for Mediation. Deadline for Mediation is 60 days before scheduled trial date of 04/28/2008Signed by Judge James Lawrence King on 1/2/2008. (jw) (Entered: 01/02/2008)

01/03/2008 87 REPLY to Response to Motion re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates filed by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) (Entered: 01/03/2008)

01/07/2008 88 ORDER denying 80 Motion for Extension of Time to Complete Discovery Signed by Judge James Lawrence King on 1/7/2008. (jw) (Entered: 01/07/2008)

01/10/2008 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 1/25/2008 (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9)(Cosio, J.) (Entered: 01/10/2008)

01/10/2008 90 Statement of: Material Facts in Support by Citrix Systems, Inc., Citrix Online, LLC re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9)(Cosio, J.) Modified on 1/11/2008 (ls). (Entered: 01/10/2008)

01/10/2008 91 MEMORANDUM OF LAW in Support of Citrix's Motion for Summary Judgment That It Does Not Infringe the '534 Patent by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) (Entered: 01/10/2008)

01/10/2008 92 NOTICE by Citrix Systems, Inc., Citrix Online, LLC re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent Notice of Filing (Attachments: # 1 Affidavit of Michael G. Strapp, Esq.)(Cosio, J.) (Entered: 01/10/2008)

01/10/2008 93 Plaintiff's MOTION to Compel Depositions by Rothschild Trust Holdings, LLC. Responses due by 1/25/2008 (Attachments: # 1 Exhibit Exhibit A, Citrix Website Excerpts# 2 Exhibit Exhibit B, Correspondence to Rebull# 3 Exhibit Exhibit C, Discovery Requests)(Geldens, Jeffrey) (Entered: 01/10/2008)

01/10/2008 94 MEMORANDUM in Support re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent filed by Citrix Systems, Inc., Citrix Online, LLC. [See Image at DE #91] (ls) (Entered: 01/11/2008)

01/11/2008 95 NOTICE of Docket Correction and Instruction to Filer: re 91 Memorandum of Law filed by Citrix Systems, Inc., Citrix Online, LLC, Error: Wrong Event Selected; Correction=Redocketed as Memorandum in Support. Instruction to Filer=In the future please select the proper Event; under "Motions and Related Filings" "Responses and Replies". (ls) (Entered: 01/11/2008)

01/15/2008 96 ORDER denying 93 Motion to Compel Signed by Judge James Lawrence King on 1/15/2008. (jw) (Entered: 01/15/2008)

01/17/2008 97 NOTICE of Mediator Selection: Barry L. Haley selected.(Geldens, Jeffrey) (Entered: 01/17/2008)

01/18/2008 98 NOTICE of Docket Correction and Instruction to Filer: re 97 Notice of Mediator Selection filed by Rothschild Trust Holdings, LLC, ERROR: In the future please remember to add the name of the mediator at the prompt.(tp) (Entered: 01/18/2008)

01/18/2008 99 NOTICE of Compliance by Citrix Systems, Inc., Citrix Online, LLC (Cosio, J.) (Entered: 01/18/2008)

01/28/2008 100 MEMORANDUM in Opposition re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent filed by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Declaration of Dr Raj Rajkumar# 2 Exhibit Declaration of Peter A Matos# 3 Exhibit Newman Deposition Excerpts)(Geldens, Jeffrey) (Entered: 01/28/2008)

01/28/2008 101 Statement of: Material Facts Pursuant to Rule 7.5(C) in Support of Plaintiff's Opposition to Defendants' Motion for Summary Judgment by Rothschild Trust Holdings, LLC re 90 Statement. (Geldens, Jeffrey) (Entered: 01/28/2008)

01/28/2008 102 Plaintiff's MOTION Oral Argument re 100 Memorandum in Opposition, and Defendants' Motion for Summary Judgment by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) (Entered: 01/28/2008)

02/07/2008 103 REPLY to Response to Motion re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1

Exhibit A)(Cosio, J.) (Entered: 02/07/2008)

02/07/2008 104 MOTION to Strike the Declarations of Peter A. Matos and Raj Rajkumar by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 2/22/2008 (Attachments: # 1 Text of Proposed Order) (Cosio, J.) (Entered: 02/07/2008)

02/07/2008 105 MEMORANDUM in Support re 104 MOTION to Strike the Declarations of Peter A. Matos and Raj Rajkumar filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G)(Cosio, J.) (Entered: 02/07/2008)

02/12/2008 106 Notice of Mediation Hearing before Mediator, Barry L. Haley filed by Rothschild Trust Holdings, LLC. Mediation Hearing set for 2/20/2008 09:30 AM (Attachments: # 1 Text of Proposed Order Order Scheduling Mediation)(Rebull, Thomas) (Entered: 02/12/2008)

02/13/2008 107 ORDER denying 104 MOTION to Strike the Declarations of Peter A. Matos and Raj Rajkumar as UntimelySigned by Judge James Lawrence King on 2/13/2008. (jw) (Entered: 02/13/2008)

02/13/2008 108 ORDER Scheduling Mediation before Barry L. Haley Mediation Hearing set for 2/20/2008 09:30 AM at Broad & Cassel, One Biscayne Tower, 21st Floor, 2 South Biscayne Boulevard, Miami, Florida 33131. Signed by Judge James Lawrence King on 2/13/2008.(jw) (Entered: 02/13/2008)

02/14/2008 109 MOTION for Reconsideration Because Plaintiff Did Not Disclose or File The Offending Declarations Until After The Court's Deadline by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) (Entered: 02/14/2008)

02/14/2008 110 RESPONSE to Rothschild's Request For Hearing on Citrix's Motion for Summary Judgment filed by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) (Entered: 02/14/2008)

02/22/2008 111 FINAL REPORT of Mediation Disposition: Impasse(Haley, Barry) (Entered: 02/22/2008)

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US District Court Civil Docket

U.S. District - Florida Southern
(Miami)

1:03cv20672

Trust Licensing v. Interactual Tech

This case was retrieved from the court on Thursday, May 24, 2007

Date Filed: 03/21/2003	Class Code: CLOSED
Assigned To: Judge James Lawrence King	Closed: Yes
Referred To:	Statute: 35:0271
Nature of suit: Patent (830)	Jury Demand: Both
Cause: Patent Infringement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

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Date	#	Proceeding Text
03/21/2003	1	COMPLAINT filed re: patent infringement; FILING FEE \$150.00 RECEIPT #879538; Magistrate Judge John J. O'Sullivan (hd, Deputy Clerk) (Entered: 03/24/2003)
03/21/2003	2	SUMMONS(ES) issued for Interactual Tech by serving Todd k. Collart, President of Interactual Tech (hd, Deputy Clerk) (Entered: 03/24/2003)
03/21/2003	--	FORM AO 120 sent to: Commissioner for Patents and Trademarks (hd, Deputy Clerk) (Entered: 03/26/2003)
04/17/2003	3	NOTICE of filing proof of service by Trust Licensing (mh, Deputy Clerk) (Entered: 04/18/2003)
04/17/2003	4	RETURN OF SERVICE executed for Interactual Tech on 4/4/03 Answer due on 4/24/03 for Interactual Tech (mh, Deputy Clerk) (Entered: 04/18/2003)
04/18/2003	5	SUMMONS(ES) issued for Interactual Tech (gz, Deputy Clerk) (Entered: 04/21/2003)
04/29/2003	6	ORDER granting Stipulated Motion for Extension of time for Defendant to respond to Complaint up to and including 5/1/03 (Signed by Judge James Lawrence King on 4/29/03) [EOD Date: 5/1/03] (gp, Deputy Clerk) (Entered: 05/01/2003)
04/29/2003	7	AGREED ORDER on Stipulated Motion for Extension of Time. Defendant shall have a one-week extension through and including 5/1/03 to file a response to Plaintiff's Complaint (Signed by Judge James Lawrence King on 4/28/03) [EOD Date: 5/1/03] (gp, Deputy Clerk) (Entered: 05/01/2003)
05/01/2003	8	ANSWER and Affirmative Defenses to Complaint; jury demand and COUNTERCLAIM by Interactual Tech (Robert Martin Schwartz, Peter Joel Frommer) against Trust Licensing (gp, Deputy Clerk) (Entered: 05/02/2003)
05/21/2003	9	ANSWER by Trust Licensing to [8-2] counter claim (gz, Deputy Clerk) (Entered: 05/22/2003)
05/23/2003	10	ORDER Setting Final Pre-Trial Conference and Trial Date Setting status conference for 10:30 4/2/04 before Judge James Lawrence King , Setting pretrial stipulation due for 3/26/04 (Signed by Judge James Lawrence King on 5/22/03) [EOD Date: 5/28/03] (gp, Deputy Clerk) (Entered: 05/28/2003)
06/25/2003	11	MOTION by Interactual Tech for Rudy I. Kratz to appear pro hac vice (gp, Deputy Clerk) (Entered: 06/26/2003)
06/25/2003	--	Filing Fee for Motion to Appear Pro Hac Vice Paid; FILING FEE \$ 75.00 RECEIPT # 884939 (gp, Deputy Clerk) (Entered: 06/26/2003)
06/25/2003	12	MOTION by Interactual Tech for Karl R. Fink to appear pro hac vice (gp, Deputy Clerk) (Entered: 06/26/2003)
06/25/2003	--	Filing Fee for Motion to Appear Pro Hac Vice Paid; FILING FEE \$ 75.00 RECEIPT # 884939 (gp, Deputy Clerk) (Entered: 06/26/2003)
06/27/2003	13	ORDER granting [11-1] motion for Rudy I. Kratz to appear pro hac vice (Signed by Judge James Lawrence King on 6/27/03) [EOD Date: 6/30/03] (gp, Deputy Clerk) (Entered: 06/30/2003)
06/27/2003	14	ORDER granting [12-1] motion for Karl R. Fink to appear pro hac vice (Signed by Judge James Lawrence King on 6/27/03) [EOD Date: 6/30/03] (gp, Deputy Clerk) (Entered: 06/30/2003)
08/20/2003	15	NOTICE of Unavailability by Interactual Tech, Interactual Tech for dates of: 9/5/03 to 9/15/03 (rb, Deputy Clerk) (Entered: 08/20/2003)
09/10/2003	16	MOTION by Interactual Tech to transfer Venue (gp, Deputy Clerk) (Entered: 09/11/2003)

09/10/2003 17 DECLARATION by Interactual Tech Re: [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 09/11/2003)

09/10/2003 18 MEMORANDUM by Interactual Tech in support of [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 09/11/2003)

09/25/2003 19 UNOPPOSED MOTION by Trust Licensing to extend time to respond to motion to transfer venue (gp, Deputy Clerk) Modified on 09/25/2003 (Entered: 09/25/2003)

09/26/2003 20 ORDER granting [19-1] motion to extend time to respond to motion to transfer venue Response to motion reset to 10/10/03 for [16-1] motion to transfer Venue (Signed by Judge James Lawrence King on 9/26/03) [EOD Date: 9/29/03] (gp, Deputy Clerk) (Entered: 09/29/2003)

10/09/2003 21 FIRST MOTION with memorandum in support by Trust Licensing for leave to file Amended Complaint (gp, Deputy Clerk) Modified on 11/13/2003 (Entered: 10/10/2003)

10/10/2003 22 MEMORANDUM by Trust Licensing in opposition to [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 10/14/2003)

10/10/2003 23 NOTICE of Filing Declaration of Leigh M. Rothschild in opposition to motion to transfer venue by Trust Licensing (gp, Deputy Clerk) (Entered: 10/14/2003)

10/10/2003 24 DECLARATION OF LEIGH M. ROTHSCHILD by Trust Licensing Re: [22-1] opposition memorandum (gp, Deputy Clerk) (Entered: 10/14/2003)

10/21/2003 25 REPLY MEMORANDUM by Interactual Tech in support of [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 10/22/2003)

10/21/2003 26 NOTICE of Filing Supplemental Declaration by Interactual Tech (gp, Deputy Clerk) (Entered: 10/22/2003)

10/21/2003 27 SUPPLEMENTAL DECLARATION of Todd Collart by Interactual Tech Re: [16-1] motion to transfer Venue (gp, Deputy Clerk) (Entered: 10/22/2003)

10/27/2003 28 ORDER granting [21-1] motion for leave to file Amended Complaint (Signed by Judge Paul C. Huck for James Lawrence King on 10/27/03) [EOD Date: 10/28/03] (gp, Deputy Clerk) (Entered: 10/28/2003)

10/27/2003 29 UNOPPOSED MOTION by Interactual Tech to extend time to file a response to Plaintiff's Motion for Leave to File amended complaint (gp, Deputy Clerk) (Entered: 10/28/2003)

10/28/2003 30 ORDER granting [29-1] motion to extend time to file a response to Plaintiff's Motion for Leave to File amended complaint Response to motion for leave to file amended complaint due on 11/3/03 (Signed by Judge Paul C. Huck on 10/28/03) [EOD Date: 10/29/03] (gp, Deputy Clerk) (Entered: 10/29/2003)

10/28/2003 31 AMENDED COMPLAINT by Trust Licensing , (Answer due 11/7/03 for Interactual Tech) amending [1-1] complaint (gp, Deputy Clerk) (Entered: 10/29/2003)

11/03/2003 32 ORDER denying [16-1] motion to transfer Venue (Signed by Judge James Lawrence King on 11/3/03) [EOD Date: 11/4/03] (gp, Deputy Clerk) (Entered: 11/04/2003)

11/03/2003 33 MEMORANDUM by Interactual Tech in opposition to [21-1] motion for leave to file Amended Complaint (gp, Deputy Clerk) (Entered: 11/04/2003)

11/12/2003 34 ORDER Setting Aside [28-1] order granting motion for leave to file amended complaint (Signed by Judge James Lawrence King on 11/12/03) [EOD Date: 11/13/03] (gp, Deputy Clerk) (Entered: 11/13/2003)

11/21/2003 35 REPLY MEMORANDUM by Trust Licensing to response to [21-1] motion for leave to file Amended Complaint (lk, Deputy Clerk) (Entered: 11/24/2003)

11/24/2003 36 MOTION with memorandum in support by Interactual Tech for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (gp, Deputy Clerk) (Entered: 11/25/2003)

12/09/2003 37 ORDER granting [21-1] motion for leave to file Amended Complaint. Defendant shall file an Answer to the Amended Complaint within twenty (20) days (Signed by Judge James Lawrence King on 12/9/03) [EOD Date: 12/10/03] (gp, Deputy Clerk) (Entered: 12/10/2003)

12/12/2003 38 UNOPPOSED MOTION by Trust Licensing for one-week enlargement of time to respond to defendant's motion for protective order (bb, Deputy Clerk) (Entered: 12/12/2003)

12/15/2003 39 ORDER granting [38-1] motion for one-week enlargement of time to respond to defendant's motion for protective order Response to motion reset to 12/19/03 for [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (Signed by Judge James Lawrence King on 12/15/03) [EOD Date: 12/16/03] (gp, Deputy Clerk) (Entered: 12/16/2003)

12/22/2003 40 MEMORANDUM by Trust Licensing in opposition to [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (gp, Deputy Clerk) (Entered: 12/22/2003)

12/24/2003 41 ANSWER and Affirmative Defenses by Interactual Tech to amended complaint; and Counterclaim jury demand (gp, Deputy Clerk) (Entered: 12/29/2003)

12/24/2003 42 MOTION with memorandum in support by Trust Licensing to compel Production of Documents and Things (gp, Deputy Clerk) (Entered: 12/29/2003)

01/02/2004 43 REPLY IN SUPPORT by Interactual Tech in support of [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (bs, Deputy Clerk) (Entered: 01/05/2004)

01/05/2004 44 ORDER OF REFERENCE Referring Motion(s) [42-1] motion to compel Production of Documents and Things referred to Magistrate Judge John J. O'Sullivan (signed by Judge James Lawrence King on 1/5/04) [EOD Date: 1/6/04] (gp, Deputy Clerk) (Entered: 01/06/2004)

01/05/2004 45 ORDER denying [36-1] motion for protective order for the confidentiality of documents and information produced by Interactual to Plaintiff (Signed by Judge James Lawrence King on 1/5/04) [EOD Date: 1/6/04] (gp, Deputy Clerk) (Entered: 01/06/2004)

01/08/2004 46 MOTION by Interactual Tech for Timothy R. Baumann to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)

01/08/2004 47 MOTION by Interactual Tech for Steven C. Schroer to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)

01/08/2004 48 MOTION by Interactual Tech for Nicholas T. Peters to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)

01/08/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 894609 for Timothy R. Baumann to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)

01/08/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 794608 for Steven C. Schroer to appear pro hac vice (bs, Deputy Clerk) Modified on 01/09/2004 (Entered: 01/09/2004)

01/08/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 894607 for Nicholas T. Peters to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/09/2004)

01/09/2004 49 JOINT MOTION by Trust Licensing, Interactual Tech for 30-day extension of the Discovery and motion deadlines (gp, Deputy Clerk) (Entered: 01/12/2004)

01/09/2004 50 ORDER granting [48-1] motion for Nicholas T. Peters to appear pro hac vice (Signed by Judge James Lawrence King on 01/09/04) [EOD Date: 1/12/04] (bs, Deputy Clerk) (Entered: 01/12/2004)

01/09/2004 51 ORDER granting [47-1] motion for Steven C. Schroer to appear pro hac vice (Signed by Judge James Lawrence King on 01/09/04) [EOD Date: 1/12/04] (bs, Deputy Clerk) (Entered: 01/12/2004)

01/09/2004 52 ORDER granting [46-1] motion for Timothy R. Baumann to appear pro hac vice (Signed by Judge James Lawrence King on 01/09/04) [EOD Date: 1/12/04] (bs, Deputy Clerk) (Entered: 01/12/2004)

01/09/2004 53 JOINT MOTION by Trust Licensing, Interactual Tech for 30-day extention of the time discovery and motion deadlines (bs, Deputy Clerk) (Entered: 01/12/2004)

01/12/2004 54 RESPONSE by Interactual Tech in opposition to [42-1] motion to compel Production of Documents and Things (bs, Deputy Clerk) (Entered: 01/13/2004)

01/13/2004 55 REPLY by Trust Licensing to [8-2] counter claim (bs, Deputy Clerk) (Entered: 01/13/2004)

01/13/2004 56 UNOPPOSED MOTION by Trust Licensing for Kevin C. Ecker to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/14/2004)

01/13/2004 57 ORDER OF REFERENCE Referring defendant's memorandum in opposition to plaintiff's motion to compel production of documents and things (signed by Judge James Lawrence King on 01/13/04) [EOD Date: 1/14/04] (bs, Deputy Clerk) (Entered: 01/14/2004)

01/13/2004 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 894850 for Kevin C. Ecker to appear pro hac vice (bs, Deputy Clerk) (Entered: 01/14/2004)

01/14/2004 58 MOTION with memorandum in support by Trust Licensing for sanctions (bs, Deputy Clerk) (Entered: 01/14/2004)

01/14/2004 59 ORDER Re-SETTING FINAL PRE-TRIAL CONFERENCE AND TRIAL DATE granting [53-1] motion for 30-day extention of the time discovery and motion deadlines vacating [10-3] order ,

Resetting pretrial conference for 10:00 5/7/04 before Judge James Lawrence King , Deadline for Filing pretrial stipulation due for 4/30/04 , Resetting Jury trial for 9:30 6/7/04 before Judge James Lawrence King , Resetting calendar call for 2:00 6/3/04 before Judge James Lawrence King (Signed by Judge James Lawrence King on 1/14/04) [EOD Date: 1/15/04] (gp, Deputy Clerk) (Entered: 01/15/2004)

01/14/2004 60 ORDER granting in part [49-1] joint motion for 30-day extension of the Discovery and motion deadlines, to the extent that it requests an extension of the discovery deadline and the motion cut-off date. (Signed by Judge James Lawrence King on 1/14/04) [EOD Date: 1/15/04] (gp, Deputy Clerk) (Entered: 01/15/2004)

01/15/2004 61 ORDER granting [56-1] motion for Kevin C. Ecker to appear pro hac vice (Signed by Judge James Lawrence King on 01/15/04) [EOD Date: 1/16/04] (bs, Deputy Clerk) (Entered: 01/16/2004)

01/23/2004 62 AGREED MOTION by Trust Licensing to extend time for five-day to serve its reply brief in support of its motion to compel (gp, Deputy Clerk) (Entered: 01/26/2004)

01/26/2004 63 ORDER granting [62-1] motion to extend time for five-day to serve its reply brief in support of its motion to compel (Signed by Judge James Lawrence King on 01/26/04) [EOD Date: 1/27/04] (bs, Deputy Clerk) (Entered: 01/27/2004)

01/30/2004 64 NOTICE of completion of mediation by Trust Licensing, Interactual Tech (bs, Deputy Clerk) (Entered: 02/02/2004)

01/30/2004 65 FINAL ORDER, order approving stipulation for dismissal with prejudice (Signed by Judge James Lawrence King on 01/30/04) [EOD Date: 2/2/04] (bs, Deputy Clerk) (Entered: 02/02/2004)

01/30/2004 -- CASE CLOSED. Case and Motions no longer referred to Magistrate. (bs, Deputy Clerk) (Entered: 02/02/2004)

01/30/2004 66 STIPULATION of dismissal with prejudice by Trust Licensing, Interactual Tech (gp, Deputy Clerk) (Entered: 02/02/2004)

02/04/2004 67 FINAL ORDER of dismissal with prejudice [66-1] dismissal stipulation (Signed by Judge James Lawrence King on 02/04/04) [EOD Date: (bs, Deputy Clerk) (Entered: 02/05/2004)

02/11/2004 68 SEALED DOCUMENT placed in vault (mh, Deputy Clerk) (Entered: 02/12/2004)

02/11/2004 69 SEALED DOCUMENT placed in vault (mh, Deputy Clerk) (Entered: 02/12/2004)

02/26/2004 70 MEMORANDUM by Interactual Tech in opposition to plaintiffs motion to set aside settlement, release and license agreement and for relief from final order of dismissal and request for evidentiary hearing (motions under seal?) (Former Deputy Clerk) (Entered: 02/27/2004)

03/05/2004 71 REPLY Brief by Trust Licensing in support of motion to set aside settlement, release and license agreement and for relief from final order of dismissal (gz, Deputy Clerk) (Entered: 03/08/2004)

03/05/2004 71 MOTION by Trust Licensing (Attorney) for evidentiary Hearing (gz, Deputy Clerk) (Entered: 03/08/2004)

03/09/2004 72 NOTICE of Unavailability by Trust Licensing for dates of: 4/8-16/04 (Former Deputy Clerk) (Entered: 03/09/2004)

04/08/2004 73 NOTICE OF WITHDRAWAL by Trust Licensing of pending motion to set aside settlement, release and license agreement and for relief from final order of dismissal (motion not on docket) (Former Deputy Clerk) (Entered: 04/09/2004)

05/06/2004 74 STIPULATION by Trust Licensing, Interactual Tech for entry of judgment (Former Deputy Clerk) (Entered: 05/06/2004)

05/07/2004 75 ORDER for entry of judgment ; case dismissed with prejudice (Signed by Judge James Lawrence King on 5/7/04) [EOD Date: 5/10/04] (Former Deputy Clerk) (Entered: 05/10/2004)

05/07/2004 -- AO 120 FORM sent to: Commissioner Patents/trademark (Former Deputy Clerk) (Entered: 09/24/2004)

05/12/2004 -- CASE CLOSED. Case and Motions no longer referred to Magistrate. [71-1] motion for evidentiary Hearing (mg, Deputy Clerk) (Entered: 05/12/2004)

US District Court Civil Docket

U.S. District - Florida Southern
(Miami)

1:02cv21192

Trust Licensing v. Disc Publishing, et al

This case was retrieved from the court on Saturday, February 15, 2003

Date Filed: 04/17/2002	Class Code: TEB CLOSED
Assigned To: Judge Jose E Martinez	Closed: Yes
Referred To:	Statute: 35:0145
Nature of suit: Patent (830)	Jury Demand:
Cause: Patent Infringement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

Litigants

Trust Licensing, Llc
Plaintiff

Attorneys

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FTS 858-0008

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305-858-8000
FTS 858-0008

Disc Publishing, Inc AKA Digital Media Publishing Group
Defendant

Digital Media Publishing Group
Defendant

Lorne Grierson, Individual
Defendant

Date	#	Proceeding Text
04/17/2002	1	COMPLAINT filed; FILING FEE \$150.00 RECEIPT # 861292 ; Magistrate Judge Bandstra (dg) [Entry date 04/18/02]
04/17/2002	2	SUMMONS(ES) issued for Disc Publishing (dg) [Entry date 04/18/02]
04/17/2002	3	SUMMONS(ES) issued for Disc Publishing (dg) [Entry date 04/18/02]
05/08/2002	4	ORDER requiring counsel to meet and file joint scheduling report and proposed order (Signed by Judge Patricia A. Seitz on 5/7/02) [EOD Date: 5/9/02] (dg) [Entry date 05/09/02]
08/08/2002	5	NOTICE of filing return of service by Trust Licensing (dg) [Entry date 08/09/02]
08/08/2002	6	RETURN OF SERVICE executed for Disc Publishing on 7/30/02 Answer due on 8/19/02 for Disc Publishing (dg) [Entry date 08/09/02]
08/15/2002	7	RETURN OF SERVICE executed for Disc Publishing on 8/5/02 Answer due on 8/25/02 for Disc Publishing (dg) [Entry date 08/16/02]
09/25/2002	8	ORDER OF REASSIGNMENT transferring case to the calendar of Judge Jose E. Martinez for all further proceedings (Signed by Judge Patricia A. Seitz on 9/23/02) [EOD Date: 9/26/02] (ra) [Entry date 09/26/02]
09/25/2002	--	Case reassigned to the calendar of Judge Jose E. Martinez for all further proceedings (ra) [Entry date 09/26/02]
10/07/2002	9	NOTICE of filing attached return of service of summons and complaint by Trust Licensing (ra) [Entry date 10/08/02]
10/07/2002	9	COPY OF RETURN OF SERVICE executed for Disc Publishing on 8/5/02 Answer due on 8/25/02 for Disc Publishing (ra) [Entry date 10/08/02]
10/10/2002	10	ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE, plaintiff shall file motion for clerk's entry of default no later than 10/31/02 (Signed by Judge Jose E. Martinez on 10/10/02) [EOD Date: 10/11/02] (ra) [Entry date 10/11/02]
10/23/2002	11	FIRST AMENDED COMPLAINT by Trust Licensing, (Answer due 8/25/02 amending [1-1] complaint adding Digital Media, Lorne Grierson (ra) [Entry date 10/24/02]
10/23/2002	12	SUMMONS issued for Digital Media (ra) [Entry date 10/24/02]
10/23/2002	13	SUMMONS issued for Lorne Grierson (ra) [Entry date 10/24/02]
10/23/2002	14	NOTICE of voluntary dismissal without prejudice of defendant Disc Publishing, Inc. by Trust Licensing (ra) [Entry date 10/24/02]
10/31/2002	16	DECLARATION of Peter A. Matos by Trust Licensing Re: [15-1] motion for entry of default as to Digital Media, [15-2] motion for default judgment against Digital Media (ra) [Entry date 11/01/02]
10/31/2002	15	Notice of compliance: by Trust Licensing with [10-1] ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE, plaintiff shall file motion for clerk's entry of default no later than 10/31/02 (ra) [Entry date 11/01/02]
10/31/2002	15	MOTION with memorandum in support by Trust Licensing for clerk's entry of default and default judgment against Digital Media (ra) [Entry date 11/01/02]
11/01/2002	17	MOTION by Digital Media, Lorne Grierson to extend time to answer amended complaint (ra) [Entry date 11/04/02]
11/14/2002	18	NOTICE of filing return of service by Trust Licensing (ra) [Entry date 11/15/02]
11/14/2002	19	RETURN OF SERVICE executed for Digital Media on 10/25/02 Answer due on 11/14/02 for Digital Media (ra) [Entry date 11/15/02]
11/14/2002	20	NOTICE of filing return of service by Trust Licensing (ra) [Entry date 11/15/02]
11/14/2002	21	RETURN OF SERVICE executed for Lorne Grierson on 10/29/02 Answer due on 11/18/02 for

Lorne Grierson (ra) [Entry date 11/15/02]

11/19/2002	22	RESPONSE by Trust Licensing to [17-1] motion to extend time to answer amended complaint (ra) [Entry date 11/20/02]
12/03/2002	23	FINAL ORDER OF DISMISSAL and order denying all pending motions as moot, mooted [17-1] motion to extend time to answer amended complaint, mooted [15-1] motion for clerk's entry of default and default judgment against Digital Media (Signed by Judge Jose E. Martinez on 12/03/02) [EOD Date: 12/4/02] (ra) [Entry date 12/04/02]
12/03/2002	--	CASE CLOSED. Case and Motions no longer referred to Magistrate. (ra) [Entry date 12/04/02]
12/05/2002	24	FINAL ORDER OF DISMISSAL and order denying all pending motions as moot (Signed by Judge Jose E. Martinez on 12/05/02) [EOD Date: 12/5/02] (ra)

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922926 (08) 6101534 August 8, 2000

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

6101534

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August 8, 2000

Interactive, remote, computer interface system

REEXAM-LITIGATE: April 11, 2007 - Reexamination requested April 11, 2007 by Van Mahamedi, Shemwell Mahamedi, LLP, San Jose, CA, Reexamination No. 90/008,591 (O.G. June 19, 2007) Ex. Gp.: 3992

NOTICE OF LITIGATION

Trust Licensing v. Interactual Tech, Filed March 21, 2003, D.C. S.D. Florida, Doc. No. 1:03cv20672

NOTICE OF LITIGATION

Rothschild Trust v. Citrix Systems, Inc, et al, Filed May 26, 2006, D.C. S.D. Florida, Doc. No. 1:06cv21359

NOTICE OF LITIGATION

Rothschild Trust Holdings, LLC v. ORB Networks, Inc, Filed December 1, 2006, D.C. S.D. Florida, Doc. No. 1:06cv22921

NOTICE OF LITIGATION

ORB Networks, Inc v. Rothschild Trust Holdings LLC, Filed January 22, 2007, D.C. N.D. California, Doc. No. 3:07cv400

APPL-NO: 922926 (08)


FILED-DATE: September 3, 1997

GRANTED-DATE: August 8, 2000

ASSIGNEE-AFTER-ISSUE: August 13, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., TRUST LICENSING, LLC SUITE 310 1108 KANE CONCOURSEMIAMI, FLORIDA, 33154, Reel and Frame Number: 012083/0609
August 13, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., LINN, JAY HOWARD (AS TRUSTEE OF IRREVOCABLE TRUST AGREEMENT "NUMBER 1" DATED

OCTOBER 8, 1997) 1108 KANE CONCOURSE, SUITE 310MIAMI, FLORIDA, 33154, Reel and Frame Number: 012083/0623
March 29, 2006 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ROTHSCHILD TRUST HOLDINGS, LLC 19333 COLLINS AVENUE, #2501 SUNNY ISLES BEACH FLORIDA 33160, Reel and Frame Number: 017681/0519

CORE TERMS: display, site, processor, real estate, computer, remote, structured, user, auxiliary, dimensional ...

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*491 F. Supp. 2d 1105, *; 2007 U.S. Dist. LEXIS 42102, **;
20 Fla. L. Weekly Fed. D 857*

Rothschild Trust Holdings, LLC v. Citrix Sys.

CASE NO. 06-21359-CIV-KING

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

491 F. Supp. 2d 1105; 2007 U.S. Dist. LEXIS 42102; 20 Fla. L. Weekly Fed. D 857

June 5, 2007, Decided

June 5, 2007, Entered

CASE SUMMARY:

PROCEDURAL POSTURE: After a Markham hearing in a patent infringement case, the court issued its decision on claims construction as to 13 disputed terms. The patent, entitled "Interactive, Remote, Computer Interface System," was issued to plaintiff trust in 2000. Defendant was a computer systems company.

OVERVIEW: The purpose of the interactive, remote, computer interface system claimed in the patent was to overcome problems associated with transporting large data files over the Internet. The system described in the patent permitted persons at locations away from a computer to access, communicate and interact with data stored on such computer. The patent contained one independent claim, as to which the court construed, inter alia, the following terms and phrases: remote server assembly, local processor assembly, primary site data, auxiliary site data, data storage assembly, a compact, portable and interchangeable computer readable medium, said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly, and local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly. The court construed dependent claims under 35 U.S.C.S. § 112, para. 2, 4, holding that it had authority to correct an obvious typographical error in one dependent claim because the specification made clear what the inventor intended. The claim term "full band broadcast signal" was found to be indefinite.

OUTCOME: The court ordered that the disputed terms be given the constructions it had outlined in the opinion.

CORE TERMS: assembly, site, remote, processor, server, auxiliary, user, readable, medium, interchangeable ...

OPINION

... **[*1108]** **[**1]** and Defendants Citrix Systems, Inc. and Citrix Online, LLC (herein collectively "Citrix") argued their proposed constructions of thirteen (13) disputed terms in U.S. Patent No. **6,101,534** (herein "the 534 Patent") before this Court. The Court heard oral argument, took testimony, and examined various exhibits. After a full development of the record ...

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1. Business Wire, May 24, 2005 Tuesday 1:00 PM GMT, , 849 words, Connected Media Technologies, Inc. Receives Notice of Allowance for U.S. Patent on "A Media Validation System" , PLANTATION, Fla. May 24, 2005
... US Patent No. **6,101,534**, "Interactive, Remote, Computer ...
2. Market News Publishing, May 24, 2005 Tuesday 8:05 AM EST, , 913 words, Receives Notice of Allowance for U.S. Patent on "A Media Validation System"
... US Patent No. **6,101,534**, "Interactive, Remote, Computer ...
3. Business Wire, May 19, 2005 Thursday 1:00 PM GMT, , 823 words, Trust Licensing, Inc. Changes Its Name to "Connected Media Technologies, Inc." , PLANTATION, Fla. May 19, 2005
... US Patent No. **6,101,534** ("534 Patent") relates to ...
4. Intellectual Property Today, June, 2003, RFC EXPRESS TM; Recently Filed Patent Cases; Pg. 24, 858 words
... INTERACTUAL TECHNOLOGIES INC. **6,101,534** 03-1067 -- Filed: ...
5. DVD REPORT, January 21, 2002, Vol. 7, No. 2, 558 words, News in Brief
... U.S. Patent No. **6,101,534**, called "Interactive, Remote, ...
6. Business Wire, January 10, 2002, Thursday, 639 words, Trust Licensing's EX-NET Patent has Many Implications for Enhanced DVD's & CD-ROM's; U.S. Patent No. 6,101,534 Addresses Interaction of DVD Content and the Internet, Jan. 10, 2002
... U.S. Patent No. **6,101,534** entitled "Interactive, Remote, ...
... U.S. Patent No. **6,101,534**. For additional information ...
7. London Free Press (Ontario, Canada), June 10, 2000, Saturday,, Final EDITION, FORUM,, Pg. F8,, 51 words, TIMMINS HIGH SCHOOL, P. TOFFANELLO, PRINCIPAL TIMMINS HIGH AND VOCATIONAL SCHOOL 451

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<i>Application Number</i> 	Application/Control No. 90/008,591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M. FLEMING	Art Unit 3992



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	REX.101	7502

7590 08/28/2008
Malloy & Malloy
2800 SW Third Avenue
Historic Coral Way
Miami, FL 33129

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 08/28/2008

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



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SHEMWELL MAHAMEDI LLP
4880 STEVENS CREEK BOULEVARD SUITE 301
SAN JOSE CA 95129-1034

Date:

MAILED

AUG 28 2008

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. : 90008591
PATENT NO. : 6101534
ART UNIT : 3900

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

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

Ex Parte Reexamination Communication	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner FRITZ M. FLEMING	Art Unit 3992	

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS LETTER. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c). If the specified period for response is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.


 Fritz M Fleming
 Primary Examiner
 Art Unit: 3992

cc: Requester (if third party requester)

Office Action in Ex Parte Reexamination	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner FRITZ M. FLEMING	Art Unit 3992	

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

- a Responsive to the communication(s) filed on 29 August 2007. b This action is made FINAL.
c A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 1 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 3. Interview Summary, PTO-474.
2. Information Disclosure Statement, PTO/SB/08. 4. _____.

Part II SUMMARY OF ACTION

- 1a. Claims 1-21 and 23-25 are subject to reexamination.
1b. Claims 22 are not subject to reexamination.
2. Claims _____ have been canceled in the present reexamination proceeding.
3. Claims _____ are patentable and/or confirmed.
4. Claims 1-21, 23-25 are rejected.
5. Claims _____ are objected to.
6. The drawings, filed on _____ are acceptable.
7. The proposed drawing correction, filed on _____ has been (7a) approved (7b) disapproved.
8. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
1 been received.
2 not been received.
3 been filed in Application No. _____
4 been filed in reexamination Control No. _____
5 been received by the International Bureau in PCT application No. _____
* See the attached detailed Office action for a list of the certified copies not received.
9. Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. Other: _____

Fritz M. Fleming
Fritz Fleming
Primary Patent Examiner
Central Reexamination Unit
AU 3992

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 24 and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Given the wording of new claims 24 and 25, the indicated area of support (column 13, lines 16-29 and Figures 1 and 2, without any further explanation or comment) only supports one aspect of the newly added limitations of claims 24 and 25. Column 13, lines 16-29 is reproduced below, as is the portion of claims 24 and 25 which contain the wording in question.

said local processor assembly being proximate to said compact, portable and interchangeable computer readable medium that contains said select portions of said auxiliary site data when use of said auxiliary site data is initiated by said remote server assembly regardless of whether a user is physically present at said local processor assembly when said use is initiated.

Art Unit: 3992

The local processor assembly 25' further includes at least one data storage assembly associated therewith and structured to contain a quantity of auxiliary site data thereon. Preferably, the auxiliary site data is associated with the primary site data for use in conjunction with one another as will be described in further detail subsequently. Moreover, while the data storage assembly may include a computer hard-drive of the local processor assembly 25', in the preferred embodiment and potentially in addition to the computer hard-drive associated with the local processor assembly 25', the data storage assembly will include a compact, portable and interchangeable computer readable medium 36 and its associated external or internal drive 35, which can be configured to merely read data or to both read and write data. The compact, portable and interchangeable computer readable medium 36 may be a computer disk or any other known computer readable medium, and preferably will include a CD-ROM or DVD medium. Indeed, for reason which will become apparent, it is further preferred that the CD ROM or DVD technology be writable so as to permit further auxiliary site data to be entered thereon. Along these lines, it is specifically noted that DVD technology is ultimately to be preferred because of its substantially greater data storing capabilities in a compact source. Using DVD technology, a substantial quantity of video images, audio signals, processor controls and other data can be contained in an accessible format.

As can be seen from column 13, lines 16-29, the local processor assembly (25') is "proximate" to the compact, portable and interchangeable computer readable medium (36) when use of the auxiliary site data is initiated by the remote server assembly (50), because the medium (36) will be in the associated drive (35). Since the associated drive (35) is described as being either internal or external to the local

processor assembly (25'), the medium (36) will be "proximate" to the local processor assembly (25') when use of the medium is initiated by the remote server assembly (50).

However, there is no support or explanation for the newly claimed "regardless of whether a user is physically present at said local processor when said use is initiated" in the referred to section of column 13, lines 16-29. In fact, this limitation would seem to contradict the stated operations and goals of the system which would seem to require the user to be physically present at the local processor assembly (25') when use of the medium (36) is initiated by the remote server assembly (50). See for example, column 14, lines 1-33 (especially lines 12-24), which are reproduced below, which seem to indicate that a user needs to be present at the local processor assembly (25') in order to access the remote server assembly (50) via its primary site address or website.

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Preferably, the compact, portable interchangeable computer readable medium 36 is structured to contain a plurality of separate and distinct video images, audio signals, graphical displays, etc. and various combinations thereof. Indeed, it is seen that the auxiliary site data contained on the compact, portable and interchangeable computer readable medium 36 primarily includes data types which are substantially difficult to quickly and effectively download from a remote server assembly 50 utilizing conventionally available data transmission systems, and/or data or executable programs which can more conveniently and quickly be maintained and accessed at the local site. As such, a user at the local processor assembly 25 is able to access a particular primary site address or "web site" utilizing normal means so as to interact with the data at the primary site address. When, however, utilization of the primary site address calls for interactive video and/or graphical displays with associated audio, downloading need not take place, but rather the remote server assembly 50 accesses the interchangeable computer readable medium 36 and initiates utilization of the auxiliary site data stored thereon by the local processor assembly 25 so as to significantly enhance the on-line experience with added information, graphical display, and advertising clips, if desired. Also, all of this information is utilized without any excessive download times or the need to download specified drivers and the like. Furthermore, when utilized with the display system 10 of the present invention, the auxiliary site data preferably includes the quantity of data associated with the three-dimensional space being displayed, along with a variety of operating instructions which instruct the local processor assembly 25 regarding the images to be generated from the auxiliary site data.

Once the user has accessed the website, access to the medium (36) will then be initiated by the remote server assembly (50), when necessary. At this point it is unclear if the user would be present or not when access to the medium (36) is actually initiated, as it would appear as though the initiation occurs without any user intervention. However, if the user were not physically present, then the benefits of the interactive displaying of data without any long download times (due to the fact that

this is the data accessed by the remote server (50), as the data is maintained and accessed at the local site) for the user would not be realized. In summary, since the portion of text relied upon by the Patent Owner does not support the new claim limitations regarding the physical presence of the user at initiation, the claims are deemed to contain "new matter" and therefore are rejected on the grounds indicated. In order to overcome this rejection, it is incumbent upon the Patent Owner to clarify the written record by indicating where support for the claim language can be found.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As noted above, there is a lack of support for "regardless of whether a user is physically present at said local processor when said use is initiated" in the specification.

Therefore, it is unclear how the "regardless of whether a user is physically present" is to be interpreted. Given a plain reading of this language, it would appear that the initiation would take place if the user is present or not. This would then seem to indicate that the claim limitation would be met in the instance when the user is present, as the claim would not appear to necessarily rule out the presence of the user at the moment when use is initiated. While this may be a scope of breadth issue, the claims do appear to be vague and indefinite as the exact role of the user presence (or lack thereof) at the moment when use is initiated is not clear based upon a reading of the specification. For purposes of examination, this particular limitation is being interpreted to mean that the user may or may not be physically present, and physical presence of the user at the time of initiation is not precluded and a lack of physical presence is not required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1,3-8 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Fidelibus, Jr. et al. (Fidelibus).

Claims 1,3-8 are reproduced below, with a side-by-side comparison to what Fidelibus teaches. Claim 24 is then discussed below, as it is a narrower version of claim 1; therefore, Fidelibus applied to claim 1 applies to claim 24, with further explanation provided.

Claims from 6,101,534	Teachings from Fidelibus
<p>1. An interactive, remote, computer interface system comprising:</p> <p>a remote server assembly, said remote server assembly including a quantity of primary site data;</p> <p>said remote server assembly including at least one primary site address, said primary site address including at least a</p>	<p>See the ABSTRACT which describes an interactive multimedia system which provides computer program intelligence and user interface for a remote computing device to communicate with a user's local computing device.</p> <p>A remote server assembly is shown at the remote computing device 110 which comprises a server 130 which includes a quantity of primary site data in the form of a webpage and website generated by the software 132 having a URL address and the interactive multimedia entertainment system 134 (IMES). See column 4, lines 40-65.</p> <p>As noted above, the remote server assembly has a URL address (i.e. http://www.webpage.com--see column 6,</p>

<p>portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p>a local processor assembly;</p> <p>said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p>said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p>at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;</p> <p>said data storage assembly including a compact, portable</p>	<p>lines 11-16). Since it is a unique address to identify the remote server on the Internet, it meets the limitations as claimed.</p> <p>A local processor assembly is seen as the local computing device 100 as it has a processor 102.</p> <p>Per column 6, lines 1-16, the local computing device 100 is coupled in a data transmitting and receiving communication manner with the remote server assembly 130.</p> <p>As seen in Figure 1, the local processor assembly 100 is structured to access the primary site address (i.e. the URL) via the MODEM 116 and the communication link 121 and the public communication network 120 and the communication link 122 and MODEM 1326 in the remote server assembly 130.</p> <p>The local processor assembly 100 has a data storage assembly in the form of the CD-ROM media drive 108 and the CD-ROM, which CD-ROM contains directory information recorded thereon, such as a sequential listing of the plurality of audio selections and the duration of each written on the CD-ROM, as well as the songs recorded on the CR-ROM (see column 5, lines 64-68). Therefore, the auxiliary site data is the directory information, which is associated with the primary site data such that the songs recorded on the CD-ROM are enhanced by components stored on the remote computing device (see column 2, lines 27-67).</p>
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<p>and interchangeable computer readable medium;</p> <p>said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p> <p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>The data storage assembly includes a CD-ROM which is a compact, portable and interchangeable computer readable medium.</p> <p>The CD-ROM includes a plurality of auxiliary site addresses encoded thereon (for example, the above mentioned directory information that encodes addresses therein in the form of directory information that provides track and length information, such that each song is at its own track address, wherein each song is a portion of the entirety of auxiliary site data stored on the CD-ROM). These auxiliary addresses are remotely accessible, as the user identifies the desired one or plurality of audio and or visual component entertainment elements recorded on the CD-ROM that the user wishes to have presented in multimedia format, wherein when the user selects the PLAY icon from the IMES control bar 330, the FRAME -A is activated simultaneously with the audio from the CD-ROM (see column 7, lines 27-67)</p> <p>The individual songs recorded at the specific tracks are structured such that they can be remotely accessed by the remote server assembly in the following manner. As noted above, the user identifies the desired one or plurality of audio or visual component entertainment elements recorded on the CD-ROM (these would represent the auxiliary site addresses) that the user wishes to have presented in multimedia format. When the user presses the PLAY icon from the IMES control bar 330, the remote server assembly 130 remotely accesses the auxiliary site addresses and initiates utilization of them by the local processor assembly 100, because a PLAY causes</p>
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	<p>the simultaneous activation of the FRAME A 310 (representing primary site data, as well as the content in FRAME B at 320) and the audio from the CD-ROM (this is located at the local processor assembly 100 at the media drive 108). Since the IMES 134 and the FRAME A/B are from the remote server assembly 130, the auxiliary site addresses are initiated in conjunction in order to achieve the desired multimedia presentation.</p>
<p>3. A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.</p>	<p>Column 6, lines 35-65 describes the validation steps 204 and 205, where it is described that the remote server assembly is limited to directing the local processor assembly to scan the recorded medium placed in the media drive 108 in a well known fashion to identify or authenticate the recorded medium. Therefore, some sort of security is present to the extent claimed to by permitting access only to the recorded medium placed in the media drive 108.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.</p>	<p>Since the CD-ROM is used in conjunction with the CD-ROM media drive 108, the process at step 204 will identify an internal site address of the CD-ROM via a scanning of the medium in media drive 108. As the validation process at 205 continues, the local processor assembly 100 can also locate a particular segment such as a track or a song (an internal site address on the CD-ROM) and pass this information to the remote server assembly 130. Also, the user can place the CD-ROM into the media drive in response to an instruction from the remote server assembly 130, and such mounting of the CD-ROM results in the CD-ROM being located at the particular drive location (perhaps the "d" or "e" drive) relative to the local processor assembly 100. See, for example, column 5, lines 50-67.</p>

<p>5. A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.</p>	<p>Per step 207, the remote server assembly is structured to transmit a "not mounted" or a "wrong medium mounted" message (i.e. a signal) to the local processor assembly. A "not mounted" condition is a "non-presence" condition. See column 6, lines 35-67.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>As noted above, the CD-ROM is structured with directory information and is located at the drive letter of the media drive 108, such that the drive letter represents an internal site address relative to the local processor assembly 100. This facilitates access thereto by the remote server assembly 130, as noted above in the validation process, as well as in the multimedia presentation itself.</p>
<p>7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least</p>	<p>Column 5, lines 9-20 indicates that the CD mounted in the CD-ROM drive 108 includes both audio and/or visual components. Hence the CD-ROM is structured to store at least one video image, being the visual component.</p>

<p>one video image.</p>	
<p>8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.</p>	<p>Column 5, lines 9-20 indicates that the CD mounted in the CD-ROM drive 108 includes both audio and/or visual components. Hence the CD-ROM is structured to store at least one audio signal, being the audio component. Note also that repeated reference is made to the audio stored on the CD-ROM as well.</p>
<p>Claim 24 adds the following limitations to claim 1:</p> <p>The local processor assembly is proximate the compact, portable and interchangeable computer readable medium when use of the auxiliary site data is initiated by the remote server assembly regardless of whether a user is physically present at the local processor assembly when the use is initiated.</p>	<p>Note that in Figure 1, the CD-ROM media drive 108 is part of the local processor assembly 100, which is disclosed as being a PC, workstation, multi-user computer or a network computer. Therefore, the proximate limitation is always met, as the remote server assembly 130 will not initiate use if the recorded medium (i.e. the CD-ROM) is not mounted (i.e. not proximate).</p> <p>In operation, the system responds to user selections and regulates operation of the entertainment media in the media drive of the computer as well as providing media presentations from the web site (see Step 211, Figure 2B). Specifically, after the user has clicked on the STOP icon of the IMES control bar 330 and then again clicks on the PLAY icon, the animation (from the website) and the audio program material (the auxiliary site data) are reinitiated from the beginning. A similar situation occurs after the user selects PAUSE and then PLAY, as the audio and animation 311 are simultaneously activated under control of the remote server assembly and pick up where they left off (see column 7, lines 64-67 and column 8, lines 1-24). While the user is physically present at the local processor assembly 100 when selecting</p>

	from the IMES control bar 330 (from the remote server assembly 130), the remote server assembly will initiate or reinstate use of the
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7. Claims 1-4, 6-8, 21 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Mages et al. (Mages).

Similar to Fidelibus, Mages discloses a CD-ROM which contains video imaging and/or audio data that is triggered for instant local access by the actions of remote server working in conjunction with a local computer (see Abstract).

As was done above with regard to Fidelibus, the claims of 6,101,534 are presented in a side-by-side manner with the relevant teachings of Mages.

Claims from 6,101,534	Relevant teachings of Mages
<p>1. An interactive, remote, computer interface system comprising:</p> <p style="padding-left: 40px;">a remote server assembly, said remote server assembly including a quantity of primary site data;</p> <p>said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p>	<p>See Figure 1 for a remote interactive computer interface system comprising:</p> <p>A remote server assembly is seen in Figure 1 as the host-computer server 7. Included in the primary site data is an uncripling key 5 and the URL and the conventionally provided web pages and the updated information. See column 4, lines 7-17, column 5, lines 55-60 and column 6, lines 1-27.</p> <p>Note that per column 6, lines 17-27, that the primary site address is the URL which identifies the remote server on the internet.</p>

<p>a local processor assembly;</p> <p>said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p>said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p>at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;</p> <p>said data storage assembly including a compact, portable and interchangeable computer readable medium;</p> <p>said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p>	<p>The local processor assembly is the end user computer 1, wherein the end user computer is coupled in an information transmitting/receiving communication via the internet 6 to the remote server assembly.</p> <p>The local processor assembly is structured per Figure 2 such that it automatically accesses the primary site address URL to achieve data transmitting/receiving communication when the CD-ROM is inserted (see column 4, lines 18-31).</p> <p>Here the CD-ROM 3 and its associated CD-ROM drive 2 are structured such that the CD-ROM itself contains a quantity of auxiliary site data in the form of the crippled data 4, which data is associated with the primary site data such as the uncrippling key and the updated information provided by the company (column 4, lines 7-17). The CD-ROM is a compact, portable and interchangeable computer readable medium.</p> <p>The CD-ROM has a plurality of remotely accessible, auxiliary site addresses encoded thereon in the form of the "crippled" informational audio and/or video data. These "crippled" data files each contain auxiliary site addresses in the form of the data files (the files are the addresses, wherein each file includes at least select portions of the quantity of auxiliary site data. The files, and hence the auxiliary site addresses, are remotely accessible, as the encoded uncrippling key 5 comes from the remote server assembly</p>
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<p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>7. Once the uncripping key 5 has been received by the local processor assembly 1, and then decoded and matched to the CD-ROM data files, the data files on the CD-ROM have an associated and complete header, allowing for instant playback. This also allows for specific tracks on the CD-ROM to be controlled by the remoter server 7. See column 4, especially lines 7-17 and 47-64.</p> <p>As noted above, once the crippled data files have been uncripped, the audio/video data is instantly played back. Note column 7, line 21 to column 8, line 17, where it is described in conjunction with Figures 7 and 8, that once the encoded key 5 arrives at the local processor assembly 1, a subroutine player in the program in the local processor assembly 1 decodes the trigger and invokes the correct track of the CD-ROM for immediate playback. This is an initiation of the crippled files, as they can now be utilized by the local processor assembly 1 in conjunction with the primary site data in the form of the encoded uncripping key, the remote server URL website, and the updated information provided by the company, by enabling server control of the local media data on the "crippled" CD-ROM (see column 4, lines 7-17).</p>
<p>2. A system as recited in claim 1 wherein said remotely accessible auxiliary site addresses are encoded so as to restrict access by said local processor assembly unless said</p>	<p>As noted above, the audio and/or video files are crippled (and therefore "encoded" to the extent claimed), so that the files can only be played back when they are "uncripped" by the encoded key 5 from the remote server assembly 7. Therefore, the</p>

<p>access is directed by said remote server assembly.</p>	<p>local processor assembly 1 can only access the data files after they have been "uncrippled" as directed by the remote server assembly 7.</p>
<p>3. A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.</p>	<p>As noted for claim 2 above, the "crippling" and "uncrippling" is a security protocol structured to limit/permit access of the local processor assembly 1 to the data files on the CD-ROM, unless the encoded key 5 has been provided under direction of the remote server assembly 7. Note also that due to the use of the encoded key 5, the remote server assembly can only control specific tracks on the CD-ROM, thereby permitting only limited access to the CD-ROM.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable</p>	<p>The remote server assembly 7 is structured with internal site (i.e. its own website and URL) and can identify an internal site address of the CD-ROM, as it sends the appropriate encoded key 5 and can control specific tracks of the CD-ROM.</p>

<p>computer readable medium relative to said local processor assembly.</p>	<p>Since a PC uses a lettering scheme to label drives, the CD-ROM drive will have a known address (i.e. the "d" drive) relative to the local processor assembly 1, and this will be identified so CD-ROM can be actuated with the remote server controlling the specific tracks of the CD-ROM. See column 4, lines 1-17.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>As noted above for claim 5, the CD-ROM drive will be given a letter and this will facilitate access to the drive by the remote server assembly so that the specific tracks can be controlled.</p>
<p>7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is</p>	<p>Column 4, lines 47-64 states that the data files stored on the CD-ROM are video/audio files, thereby meeting what is claimed.</p>

<p>structured to store at least one video image.</p>	
<p>8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.</p>	<p>Column 4, lines 47-64 states that the data files stored on the CD-ROM are video/audio files, thereby meeting what is claimed.</p>
<p>21. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.</p>	<p>There are various instructions stored on the CD-ROM. As mentioned above, the CD-ROM contains code representing the URL webpage of the host computer where the necessary deciphering key is located. Also, the CD-ROM is provided with software having the necessary routing information for directing the Internet connection to the host computer's server and webpage URL per block 34. Also, the data on the CD-ROM will automatically call up and connect the local processor assembly 1 to the remote host server 7. See column 6, lines 38-44 and column 7,</p>

	lines 1-20.
Claim 23 adds the following when compared to claim 1: the compact portable and interchangeable computer readable medium is structured to contain the auxiliary site data AND that this medium is distinct from a fixed hard drive.	Mages shows that the CD-ROM that contains the auxiliary site data is separate and distinct from the hard drive 11. Since the hard drive 11 is not described as being a removable drive, it is understood to be a fixed drive.
Claim 24 adds the following when compared to claim 1: The local processor assembly is proximate the compact, portable and interchangeable computer readable medium when use of the auxiliary site data is initiated by the remote server assembly regardless of whether a user is physically present at the local processor assembly when the use is initiated.	Mages shows that the local processor has both a CD-ROM drive 2 and a hard drive 11. Since the CD-ROM drive 2 is a part of the local processor assembly 1, the CD-ROM itself will be proximate the local processor assembly when use is initiated. See for example Figures 1 and 2. The actual initiation of the data files on the CD-ROM will happen regardless of physical presence of a user at the local processor assembly because once the encoded key is received and is decoded, the data file headers are complete allowing for instant playback of the video-audio data on the CD-ROM. See column 4, lines 47-64.

	<p>Note also per column 6, lines 41-58 that the connection and playback are automatic and do not require a user's physical presence.</p>
<p>Claim 25 adds the following when compared to claim 1: it is a combination of limitations added via claims 23 and 24.</p>	<p>The combined limitations are addressed in the discussion of claims 1, 23 and 24.</p>

8. Claims 1, 6-21 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Reisman 6,594,692 (Reisman).

Claims from 6,101,534	Relevant teachings from Reisman
<p>1. An interactive, remote, computer interface system comprising:</p> <p style="padding-left: 40px;">a remote server assembly, said remote server assembly including a quantity of primary site data;</p> <p style="padding-left: 40px;">said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p style="padding-left: 40px;">a local processor assembly;</p> <p style="padding-left: 40px;">said local processor</p>	<p>See Figure 12.</p> <p>Note a web server 132 with primary site data in the form of its URL and the webpages it supplies.</p> <p>The web server 132 includes a primary site address in the form of its URL that identifies the location of a file on an internet server (see column 38, lines 43-55).</p> <p>Note local processor assembly station 122, being coupled to the remote server</p>

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assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being

132 in data transmitting/receiving communication via the connections to the telephone network and internet. See Figure 12.

Figure 1 shows how the local processing assembly 122 is structured so as to achieve this. The actual connection is shown in Figure 12 via the online connection to the ISP and internet.

The data storage assembly associated with the local processor assembly is shown in Figure 12 to include removable (i.e. portable) computer readable media in the form of the CD-ROM, as well as fixed media in the form of the disk drive. See column 42, lines 54-67. It is the CD-ROM that contains a quantity of auxiliary site data in the form of local web content pre-distributed on the CD-ROM, such data associated with additional content obtained from the sponsor's website (see column 42, lines 18-45).

The CD-ROM contains a plurality of remotely accessible, auxiliary site addresses encoded therein in the form of locally browsable web pages 140, wherein the relevant web page URLs are replaced with local paths or local resource locators. These URLs are remotely accessible as they are updatable from a website or another remote server. This is the case of the initial CD-ROM that contains a realtor's listings, wherein the offline browsing system allows for these listings to be updated and then stored locally, which requires remote accessibility to the extent claimed. See column 42, lines 18-53.

<p>structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>Per column 41, lines 15-42, the new content element can be an update of a local content element, and is preferably locally stored and is transparently accessed and integrated with other local content elements. Per columns 42 and 43, the local web content (the auxiliary site addresses) is pre-distributed on the CD-ROM, and these are updated with more current content from the sponsor's website or other remote location, thereby making the remotely accessed by the remote server when supplying the current content. When an update is thusly used with the off-line browsing, the remote server has in effect accessed the locally stored URLs and initiated utilization by the local processor assembly of both the information stored on the CD-ROM and the update from the primary site data.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.</p>	<p>As noted above, the remote web site server 132 is able to update the initially supplied local pages on the CD-ROM. The local pages have URLs replaced with appropriate local paths or other resource locators (column 43, lines 1-24). Therefore, when the remote server updates local pages, the remote server identifies the internal site addresses of the CD-ROM by use of the local paths. See also the paragraph spanning columns 41 and 42 for the local page update options.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable</p>	<p>As noted for claim 4, the CD-ROM itself contains the local paths or resource locators in order to facilitate proper local page updates by the remote web server.</p>

<p>computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	
<p>7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.</p>	<p>Column 41, lines 1-14 disclose that a multimedia music product (i.e. the CD-ROM) can combine music (audio) with still pictures or video.</p>
<p>8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.</p>	<p>Column 41, lines 1-14 disclose that a multimedia music product (i.e. the CD-ROM) can combine music (audio) with still pictures or video.</p>
<p>9. A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary</p>	<p>As noted above, the basis for the offline browsing system is the use of URLs at the remote server and local URLs which have</p>

<p>site addresses include URL addresses accessible through an online connection.</p>	<p>been replaced with local paths.</p>
<p>10. A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.</p>	<p>As there is no specific structure for the cited data entry assembly to provide the claimed input of data, this is shown by the above mentioned updated of the local pages by the remote server. Therefore the updating by the remote server constitutes a data entry assembly associated with the local processor, as such also involves at least the API and communications module shown in Figure 1.</p>
<p>11. A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said</p>	<p>Column 21, lines 19-25 states that a fetched information object, such as an update, is automatically decompressed and stored on the hard disk storage device 18 as additional information object 26 for integration with the original CD-ROM</p>

<p>compact, portable and interchangeable computer readable medium.</p>	<p>product. This means that the fetched information object was compressed was inputted to the local processor assembly, noting that the claim does not specify wherein the system the compression assembly is located.</p>
<p>12. A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.</p>	<p>The communications module 36 functions as a receiver assembly when it fetches an update remotely from the remote server.</p>
<p>13. A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.</p>	<p>A full band signal is seen as a satellite or FM broadcasting (column 26, lines 20-44).</p>
<p>14. A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.</p>	<p>An interlaced signal is seen as a TV subchannel or cable TV system broadcasting (column 26, lines 20-44).</p>
<p>15. A system as recited in</p>	<p>A satellite transmission is seen at column</p>

claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.	26, lines 20-44.
16. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.	A radio transmitter is seen as the FM broadcasting (column 26, lines 20-44). Note also the use of a wireless common carrier as the communications network 20 (column 11, lines 18-30).
17. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.	The use of a cabled transmitter is seen as the cable transmission for cable TV systems (column 26, lines 20-44). Note also the use of a cable television system as the communications network 20 (column 11, lines 18-30).
18. A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.	Telephone lines are disclosed at Figure 12. Note also the use of telephone networks as the communications network 20 (column 11, lines 18-30).
19. A system as recited in	A broadband cable would be seen as the

<p>claim 17 wherein said cabled transmitter includes a broadband cable.</p>	<p>cable TV system providing the online connection 128 of Figure 12. Column 43 distinguishes between an online internet connection 128 and a dialup connection 142, noting that connection 128 can be any kind of direct internet connection (column 43, lines 14-37). Note also the use of a cable television system as the communications network 20 (column 11, lines 18-30).</p>
<p>20. A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.</p>	<p>Cable TV systems include fiber optic cable somewhere in the system, as the claim places no limitations where the fiber optic cable is, only that it be present.</p>
<p>21. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.</p>	<p>The CD-ROM includes the information transport component 14 along with the news magazine product such that new issues can be fetched from the remote server 22 (column 20, lines 43-56). This directs the local processor assembly to fetch and store updates.</p>

<p>Claim 23 adds the following when compared to claim 1: the compact portable and interchangeable computer readable medium is structured to contain the auxiliary site data AND that this medium is distinct from a fixed hard drive.</p>	<p>Figure 12 shows the CD-ROM being distinct from the hard drive. As the hard drive is not described as being "removable", it is construed as being a conventional fixed hard disk drive.</p>
<p>Claim 24 adds the following when compared to claim 1: The local processor assembly is proximate the compact, portable and interchangeable computer readable medium when use of the auxiliary site data is initiated by the remote server assembly regardless of whether a user is physically present at the local processor assembly when the use is initiated.</p>	<p>As seen in Figure 12, the CD-Rom is proximate the local processor assembly. When use of the auxiliary site data is initiated by the remote server during an update of the local web pages, such does not need the physical presence of the user, as local pages 140 can be obtained in an automated unattended schedule.</p>
<p>Claim 25 adds the following when compared to claim 1: it is a combination of limitations added via claims 23 and 24.</p>	<p>As noted above fro claims 23 and 24, the additional limitations are met.</p>

9. Claims 1,4,6-8,24 are rejected under 35 U.S.C. 102(e) as being anticipated by Uranaka.

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Claims from 6,101,534	Relevant teachings from Uranaka
<p>1. An interactive, remote, computer interface system comprising:</p> <p style="padding-left: 40px;">a remote server assembly, said remote server assembly including a quantity of primary site data;</p> <p style="padding-left: 40px;">said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p style="padding-left: 40px;">a local processor assembly;</p> <p style="padding-left: 40px;">said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p style="padding-left: 40px;">said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p style="padding-left: 40px;">at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data</p>	<p>See Figure 12 for an interactive, remote computer system in the form of a DVD based catalog shopping system.</p> <p>A remote server assembly is seen at 1220, the catalog shopping server. Primary site data is seen as the network address of the catalog shopping service and the information used to generate the script. See column 17, line 17 to column 18, line 21.</p> <p>As noted above, the catalog shopping server 1220 has a network address that is contained at 1304 of the electronic catalog DVD 1200.</p> <p>A local processor assembly is the catalog shopping client 1210.</p> <p>The catalog shopping client 1210 and the catalog shopping server 1220 are coupled in a data transmitting and receiving communication by the information transmitting and receiving means 1212 and 1222.</p> <p>The catalog shopping client 1210 is structured to access the catalog shopping server per STEP 1402 or 1409 in order to achieve the data transmitting and receiving communication.</p> <p>The data storage assembly is the catalog DVD 1200, and such is associated with the catalog shopping client 1210 via the DVD</p>

thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in

driving means 1213. The DVD contains auxiliary site data in the form of the media utilizing information recording area 1201, the certifying information storage area 1202, the purchase history information storage area 1203, and the other data stored on the DVD relating to specification, external appearance, price, commodity code, etc. This auxiliary site data is associated with the primary site data, in that the auxiliary site data is used for the catalog purchases as well as the items to be displayed by the script. See column 17.

This is what the DVD 1200 is.

As noted above, the DVD stores the various types of auxiliary site data thereon. The areas 1201-1203 are remotely accessible in that this information is passed on to the catalog shopping server 1220 per Figure 14. The auxiliary site data is at certain locations of the DVD, hence at auxiliary site addresses (e.g. 1201-1203), see Figure 13. Also the other data stored on the DVD (as noted above) has to be stored at certain known address locations on the DVD, as the script generated by the catalog shopping server 1220 tells which of these to display at the catalog shopping client 1210/1216 and how (see the paragraph spanning columns 17 and 18).

When the script is passed from the catalog shopping server 1220 to the catalog shopping client 1210, the auxiliary site addresses of the data to be displayed is accessed remotely by the catalog shopping server 1220 via the script. This

<p>conjunction with said primary site data.</p>	<p>action initiates utilization of the quantity of the auxiliary site data stored on the DVD in conjunction with the primary site data in the form of the script by the catalog shopping client 1210. See STEP 1402.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.</p>	<p>Based upon step 1401 and a purchase history is present, the catalog shopping server 1220 is structured "internal site" and identifies internal site addresses (catalog content) of the DVD in order to display the desired content of the electronic catalog DVD. Such is made relative to the catalog shopping client, as this is where the DVD and its drive are located.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>Similar to claim 4 above, the DVD itself contains the purchase history information 1203 and DVD identifying information 1303 which are transmitted to the catalog shopping server 1220. This facilitates the generation of the script, as again the content of the electronic catalog DVD is identified by the script which effects an access to the internal site addresses (catalog content) by the catalog shopping</p>

	server.
7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.	The manner in which the claim is drafted only requires that the medium be structured to store at least one video image (e.g. be capable of storing), but does not actually require data to be stored. Since the medium is a DVD, the claim language is met, as DVDs are structured to store video images/data.
8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.	The same argument for claim 7 applies here, as DVDs are structured to store audio signals as well.
Claim 24 adds the following limitations to claim 1: The local processor assembly is proximate the compact, portable and interchangeable computer readable medium when use of the auxiliary site data is initiated by the remote server assembly regardless of whether a user is physically	As seen in Figure 12, the DVD driving means 1213 is part of the local processor assembly. Therefore, when the DVD is inserted therein, proximate location is achieved. When use of the auxiliary site data is initiated via the script, such is done regardless of the physical presence (or

<p>present at the local processor assembly when the use is initiated.</p>	<p>lack thereof) of the user. Per the description of Figure 14, the user inserts the DVD into the catalog shopping client1210 and starts the catalog shopping. If the DVD has a purchase history recorded, the catalog shopping server determines the display method via the script sent to the catalog shopping client, thereby initiating use of the auxiliary site data. At the moment of initiation of use, the user need not (but could be present), as the server does so based upon information recorded on the DVD (STEP 1403).</p>
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Claim Rejections - 35 USC § 103

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fidelibus.

Claims 23 and 25 are very similar to claim 1 which was anticipated by Fidelibus. Claim 23 differs from claim 1 in that claim 23 narrows the type of "data storage assembly" to be one that is "compact, portable and interchangeable". Fidelibus shows this by the use of a CD-ROM, which is compact, portable and interchangeable. Claim 23 also specifies that the compact, portable and interchangeable computer readable medium be distinct from a fixed hard drive of the local processor assembly. Fidelibus, Figure 1, does show that CD-ROM media drive 108, and hence the CD-ROM that is placed therein, is separate and distinct from the writable memory 112, also referred to as memory 112. Fidelibus also does disclose that the local processor assembly 100 can be a PC. While writable memory 112 is a general form of a type of memory representative of a "fixed hard drive", the writable memory 112 is not expressly described as a "fixed hard drive". It is obvious to one of ordinary skill in the art, that the writable memory 112 could take the form of a fixed hard drive, as the use of a fixed hard drive in a PC is an old and well known form of writable memory used for storage. The use of a fixed hard drive in a PC in place of the more general type of writable memory 112 is therefore viewed as a simple substitution of one known element for another to obtain the same predictable results involving the storage of data in a device separate from the CD-ROM media drive 108.

Turning to claim 25, it represents a combination of the elements of claims 23 and 24 regarding the "compact, portable and interchangeable" and the compact, portable and

interchangeable computer readable medium be distinct from a fixed hard drive of the local processor assembly from claim 23 and the “regardless of whether a user is physically present” from claim 24. Since these limitations and the application of Fidelibus is discussed in detail above, the same is applied to claim 25, wherein claim 25 is deemed to be obvious in light of the teachings of Fidelibus taken as a whole.

12. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mages. Claim 9 adds the limitation of “A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.” Mages teaches the use of an address in the form of the URL of the remote server webpage URL, not “URL addresses” as set forth by the claim. However, to merely include more than one URL address would be obvious to one having ordinary skill in the art for the following reason. Note that Mages has taught that an aspect of the invention is to provide video imaging, with or without audio, accessed off the end-user’s CD-ROM. One of ordinary skill in the art would therefore be lead to modify Mages to provide at least two URLs, one being for a webpage URL that uncripples the CD-ROM for video imaging with audio, and another without audio (column 4, lines 37-42). Mages also teaches that additional information pertinent to the information contained on the CD-ROM may be sent to the end user, along with the encoded data (column 4, line 65 to column 5, line 5). It would have been obvious to provide another webpage URL on the CD-ROM for this functionality. By providing multiple URLs for different levels of functionality, the company would have more flexibility to carry out the desired goals of

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better company control of the content (column 4, lines 7-17) by allowing the user to select from a variety of "decripling" options of the "crippled" data files on the CD-ROM, and the provision of valuable marketing content targeting the particular user (column 4, lines 18-31).

Comments on Other References

Cloutier et al. (Cloutier): While Cloutier did raise an SNQ with teachings related to local access to a local database and shared remote access to a utility database, Cloutier does not anticipate any of the independent claims, as it does not set forth:

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly ***so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary***

site data.

As noted and relied upon in the request, Cloutier does initially search the local database when Element E has been requested, and if it has not been deactivated, Element E is fetched from the CD-ROM. If however, the address X is not and the deactivated list and no alternative pointer for Element E on the CD-ROM exists, then Element E is fetched from the utility database (i.e. the remote server) and sent to the IMP and used there. Thus Cloutier would appear to teach only the fetching of a data element from a remote server and then the use of only this data element at the local processing assembly (the IMP). There is no mention of any "so as to initiate utilization" of the select portions of the auxiliary site data (data on the CD-ROM) by the local

processor assembly in conjunction with the retrieved Element E (i.e. primary site data) at the IMP.

Stevens: While Stevens did raise an SNQ with teachings related to the remote access of the local storage disk via a remote server, for the purpose to repair, replace, or delete data provided on the local disk (see request, page 21), Stevens does not anticipate any of the independent claims, as it does not set forth:

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly ***so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary***

site data.

As noted and relied upon in the request, Stevens does allow for the ability to "undo" the modifications to the local storage device 26, but there is no mention of any "so as to initiate utilization" of the select portions of the auxiliary site data by the local processor assembly in conjunction with the primary site data.

Uenoyama et al. (Uenoyama): While Uenoyama did raise an SNQ related to the server computer 3 being able to directly access each of the stored subject matter data files in the list, the data and title storage devices of the common data storage section 2 do not constitute a "a compact, portable and interchangeable computer readable medium". The common data storage devices making up the common data storage section 2 would not be deemed to be a "compact, portable and interchangeable computer readable medium". Each "storage device" does not

necessarily consist of a single physical storage device, as the common data storage section 2 actually consists of physical data storage devices in conjunction with one or more machines (e.g. server computers) for controlling them. Each of the "storage devices" can be constituted by a suitably controlled plurality of physical storage devices (e.g. hard disk drives) or as a partition/volume within a physical storage device. The use of "dedicated storage devices" does not necessarily mean that the storage devices are "compact, portable and interchangeable", but that each of the storage devices 201,202, and 203 are appropriate for storing respectively different types of monomedia data (e.g. a video data storage device, a still picture storage device, and a text data storage device). See column 14, lines 31-45. Given the entirety of this passage in context, the "dedicated storage devices" are certainly not "interchangeable" as each one stores a different type of data. Hence Uenoyama does not anticipate any of the independent claims.

Berlin et al. (Berlin): While Berlin did raise an SNQ related to the server 12 and the computer 10 and the disk tokens (which may be CD-ROMs), the disk tokens do not store any URLs, contrary to what was described in the request. A close inspection of the details of the disk tokens (20,22,24) and the server 12 (token records 36,38,40) reveals that the disk tokens only contain token identifier 26, which is preferably a serial number that uniquely identifies the disk token upon which it is stored, and also corresponds to an information type, referring to a category of information that a user may desire to receive. Each of the token records (36,38,40) is stored in a memory 42 of the central computer 12. It is the token records (36,38,40) which contains the URLs

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which in turn point to other remote computers (14,16,18, respectively) and the token identifiers and access unit balances. Therefore, Berlin fails to anticipate any of the independent claims, as Berlin does not teach the "compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data". The request pointed to column 7, lines 18-22 as support for each disk token including a URL, but a careful reading shows that it is the token record 38 that includes the URL, and the disk token does not contain the URL ("Similarly, disk token 22 corresponds to the token identifier included in token record 38, **and the URL included in token record 38 points to remote computer 16**").

Shuster combined with Uranaka: While Shuster combined with Uranaka did raise an SNQ due to teachings directed to a user being able to select links in a WWW browser application (e.g. at a travel agent server) to access databases and services of a content provider and to trigger the presentation of the multimedia information (audio and video) from the CD-ROM, as well as checking for correct VOLUME, VERSION, and DISK (Shuster) and Uranaka teaches the use of server based script files directing the display of stored content, Shuster does expressly teach that the "custom software" is installed on the computer system 12 (see column 2, lines 6-21). Per Figure 3 of Shuster, the memory 24 of the computer system 12 (notice this is not on the server 16), contains the BROWSER APP 50 and the ULPLAYER 52. Per Figure 4, the BROWSER

APP 50 calls the ULPLAYER 52 without any interaction from the server 16, based upon the actions of the user selecting a WWW link (column 2). Therefore, the display of the multimedia data from the CD-ROM is initiated at the computer system 12 and not at the server 16, and there appears to be no remote access of the multimedia data by the server 16 at all, as this appears to be the role of the "custom software" installed on the computer system 12. Although the goal of Shuster is display locally stored multimedia information with data obtained via a browser from a content provider server, such is done without any access of the locally stored multimedia information by the server. In fact, the bottom of column 4 (block 150) indicates that the display of the locally stored multimedia file is initiated by a user selection (e.g. request more information about a cruise or vacation or cruise ship) in the browser application 50. While there is "interaction" with the server (see for example, claims 1 and 9), such is not the type that is claimed, as the server 16 does not appear to require, or need, any access to the multimedia data stored in the computer system 12. While Uranaka does teach the use of a server side generated script to command the display of the locally stored data, a combination with Shuster as suggested in the request would appear to defeat the entire purpose of Shuster's "custom software" installed at the computer, as the locally stored multimedia files appear to be structured in such a way that they are only accessed by the computer system 12 and not the server 16.

Information Disclosure Statement

13. The IDS submissions of 8/22/2007, 9/6/2007, and 1/16/2008 have been considered. It is to be noted, however, that where patents, publications, and other such

items of information are submitted by a patent owner in compliance with the requirements of the rules, the requisite degree of consideration to be given to such information will be limited by the degree to which the patent owner has explained the content and relevance of the information. In instances where no explanation of citations (items of information) is required and none is provided for an information citation, only a cursory review of that information is required. The examiner need only perform a cursory evaluation of each unexplained item of information, to the extent that the he/she needs in order to determine whether he/she will evaluate the item further. If the cursory evaluation reveals the item not to be useful, the examiner may simply stop looking at it. This review may often take the form of considering the documents in the same manner as other documents in Office search files are considered by the examiner while conducting a search of the prior art in a proper field of search. The initials of the examiner, in this proceeding, placed adjacent to the citations on the PTO-1449 or PTO/SB/08A and 08B or its equivalent, without an indication in the record to the contrary in the record, do not signify that the information has been considered by the examiner any further than to the extent noted above. See MPEP 609, seventh paragraph, Revision 5, Aug. 2006 [page 600-141].

14. It is to be noted that many of the documents submitted are not "formal publications", but court related documents. The Patent Owner has not provided any explanations for any of the items listed, and hence, review has been made in accordance with the above. It is also to be noted, that the court related documents have been considered in accordance with the above, although they have been lined

through. The "line through" only means that they will not be printed on the reexamination certificate to be issued at the end of the current proceedings, but the references have indeed been considered.

Conclusion

15. The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,101,534 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286. A review of what appears to be currently pending litigation shows that A Motion to Stay Litigation Pending Reexamination of U.S. Patent No. 6,101,534 was granted (7/23/2007) in Rothschild Trust Holdings, LLC v. Orb Networks, INC [US District Court Civil Docket, U.S. District-Florida Southern (Miami), 1:06cv2291, filed 12/01/2006]. Note the period for response has been set accordingly.

16. In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office action. Submissions after the next Office action, which is intended to be a final action, will be governed by the requirements of 37 CFR 1.116, after final rejection and 37 CFR 41.33 after appeal, which will be strictly enforced.

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17. Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.550(a)). Extension of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).

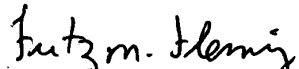
18. All correspondence relating to this *ex parte* reexamination proceeding should be directed:

By Mail to: Mail Stop *Ex Parte* Reexam
Central Reexamination Unit
Commissioner for Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX to: (571) 273-9900
Central Reexamination Unit

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Fritz Fleming at telephone number 571-272-4145 or to the Central Reexamination Unit at 571-272-7705.

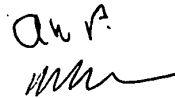

Fritz M. Fleming

Primary Patent Examiner

Central Reexamination Unit, Art Unit 3992

8/25/2008

Conferees:



MARK J. REINHART
CRU SPE-AU 3992

Notice of References Cited	Application/Control No. 90/008,591	Applicant(s)/Patent Under Reexamination 6101534	
	Examiner FRITZ M. FLEMING	Art Unit 3992	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-5,931,906	08-1999	Fidelibus et al.	709/217
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
V	
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X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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.

Substitute for form 1449/PTO		Complete if Known	
		Application Number	90/008,591
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Barankhan Fritz Fleming
		Attorney Docket Number	7.062.07
Sheet	1	of	3

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 ²
		U.S. District Court - S.D. of Florida (Miami), Civil Docket for Case No. 06-CV-21359, Rothschild Trust v. Citrix Systems, Inc., et al. (Dated Aug 22, 2007 / Miami, FL)	
		Complaint [Case No. 06-CV-21359 / Filed May 26, 2006 / Miami, FL]	
		Defendants' Answer to Complaint [Case No. 06-CV-21359 / Filed Jun 15, 2006 / Miami, FL]	
		Plaintiff's Disclosure of Asserted Claims and Preliminary Infringement Contentions [Case No. 06-CV-21359 / Filed Sep 8, 2006 / Miami, FL]	
		Joint Claim Construction and Prehearing Statement [Case No. 06-CV-21359 / Filed Dec 19, 2006 / Miami, FL]	
		Rothschild Trust's Prehearing Statement [Case No. 06-CV-21359 / Filed Jan 26, 2007 / Miami, FL]	
		Rothschild Trust Holdings, LLC's Claim Construction Brief [Case No. 06-CV-21359 / Filed Feb 26, 2007 / Miami, FL]	
		Citrix Systems Inc.'s and CitrixOnline, LLC's Brief on the Correct Construction of Disputed Claim Terms [Case No. 06-CV-21359 / Filed Feb 27, 2007 / Miami, FL]	
		Citrix Systems Inc.'s and Citrix Online, LLC's Opposition to Rothschild Trust Holdings, LLC's Claim Construction Brief [Case No. 06-CV-21359 / Filed Apr 2, 2007 / Miami, FL]	
		Rothschild Trust Holdings, LLC's Claim Construction Opposition Brief [Case No. 06-CV-21359 / Filed Apr 2, 2007 / Miami, FL]	

Examiner Signature	<i>Fritz Fleming</i>	Date Considered	8/25/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 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 2 hours 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, 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.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

References "lined through" have been considered, but will not be printed.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	90/008,591
		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Banankhah Fritz Fleming
Sheet 2 of 3	Attorney Docket Number	7.062.07	

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 ²
		Notice of Filing in Conventional Form Exh. A - E of Rothschild Trust Holdings, LLC's Claim Construction Opposition Brief [Case No. 06-CV-21359 / Filed Apr 3, 2007 / Miami, FL]	
		Citrix Systems Inc.'s & Citrix Online, LLC's Motion to Strike Untimely Claim Construction & Evidence & Memorandum of Law [Case No. 06-CV-21359 / Filed Apr 10, 2007 / Miami, FL]	
		Order on Claims Construction [Case No. 06-CV-21359 / Filed Jun 5, 2007 / Miami, FL]	
		U.S. District Court - S.D. of Florida (Miami), Civil Docket for Case No. 06-CV-22921, Rothschild Trust Holdings, LLC v. ORB Networks, Inc. (Dated Aug 22, 2007 / Miami, FL)	
		Complaint [Case No. 06-CV-22921 / Filed Dec 1, 2006 / Miami, FL]	
		U.S. District Court - N.D. of CA (SF), Civil Docket for Case No. 07-CV-00400, Orb Networks, Inc. v. Rothschild Trust Holdings, LLC v. (Dated Aug 22, 2007 / Miami, FL)	
		Complaint [Case No. 07-CV-00400 / Filed Jan 22, 2007 / Miami, FL]	
FNF		Citrix Winview For Networks Installation Guide. Citrix Systems, Inc. 1990. Version WV.2.3.emj.	
FNF		REISMAN, RICHARD R. "Raising a Bumper Crop of CD-ROM hybrids." Mass High Tech. Mass Tech Times, Inc. Boston, MA: September 2, 1996. Vol. 14, No. 29, pg. 17.	
RFN		BRITTON, MIKE & VAN CLEVE, SUZANNE. "Discover Desktop Conferencing with Netmeeting 2.0." IDG Books Worldwide, Inc. 1997.	

Examiner Signature	<i>Fritz Fleming</i>	Date Considered	8/25/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 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 2 hours 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, 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.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.
 References "lined-through" ~~are~~ have been considered but will not be printed.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	90/008,591
		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Banankhah <i>Fritz Flaming</i>
Sheet 3 of 3	Attorney Docket Number	7.062.07	

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 ²
<i>FAE</i>		TAKAHASHI, DEAN. "A New Medium – The Bridge Solution: CD-Roms help give the illusion that the PC has No limits ..." The Wall Street Journal. Dow Jones & Co. Mar. 20, 1997.	
<i>PAF</i>		LADD, ERIC. "The Document Tags." October 23, 2006. < http://www.sunsite.serc.iisc.ernet.in/virlib/html/platinum/ch4.htm >.	
<i>PAF</i>		Creative Wonders/Electronic Arts. "ABC News Links – from CD-ROM Access." August 17, 2007. < http://www.cdaccess.com/html/pc/abcnews.htm >.	
<i>PAF</i>		KRUSHENISKY, CINDY. "Reference Resources That Make The Best Reports Even Better." Smart Computing. Aug. 17, 2007. < http://www.smartcomputing.com >.	

Examiner Signature <i>[Signature]</i>	Date Considered <i>8/25/2008</i>
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	90/008,591
		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Banankhan <i>Frizem Fleming</i>
Sheet 1 of 1	Attorney Docket Number	7.062.07	

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 ²
<i>PM</i>		IQBAL, M.S. & POON, F.S.F, "A Simplified & an Efficient Packet Level Internet Access Control Scheme." Ethertech Constl Ltd., U.K. 1992.	
<i>PM</i>		HEYLIGHEN, FRANCIS, "World Wide Web: a distributed hypermedia paradigm for global networking." SHARE Europe Spring Conference, pages 355-368. Brussels, Belgium. Apr. 1994.	

Examiner Signature	<i>[Signature]</i>	Date Considered	8/5/07
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 1.88. 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 2 hours 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, 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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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.

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	90/008,591
		Filing Date	April 11, 2007
		First Named Inventor	Leigh M. Rothschild
		Art Unit	3992
		Examiner Name	Majid A. Banankhah
		Attorney Docket Number	7.062.07
Sheet	1	of	1


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 ²
		U.S. District Court S.D. of Florida (Miami), Civil Docket for Case No. 06-CV-21359, Rothschild Trust v. Citrix Systems, Inc., et al. (Dated Jan 16, 2008 / Miami, FL)	
		Citrix Motion for Summary Judgment That It Does Not Infringe the '534 Patent Exhibit 1 through 9 [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		L.R. 7.5(c) Statement of Material Facts in Support of Citrix's Motion for Summary Judgment (Exhibits 1 through 9) [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Memorandum of Law in support of Citrix's Motion for Summary Judgment that it Does Not Infringe the '534 Patent [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Notice of Filing Declaration of Michael G. Strapp in Support of Citrix's Motion for Summary Judgment [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Dec. of Michael G. Strapp in support Citrix's Mot. for Summary Judgment that it Does Not Infringe the '534 Pat. [Case No. 06-CV-21359 / Filed Jan 10, 2008 / Miami, FL]	
		Rule 26(a)(2)(B) Report of Richard E. Newman, PH.D. [Case No. 06-CV-21359 / Executed Dec 14, 2007 (Ex. A-C)]	

Examiner Signature		Date Considered	8/25/2008
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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

References "line-through" have been considered but will not be printed.

Search Notes 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M FLEMING	Art Unit 3992

SEARCHED			
Class	Subclass	Date	Examiner
NONE	NONE	8/7/08	FMF

SEARCH NOTES		
Search Notes	Date	Examiner
Review of patent file wrapper	8/7/08	FMF
See EAST Search Notes, text search history	8/7/08	FMF

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
NONE	NONE	8/7/08	FMF

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/01 15:46
S2	8	((("5892825") or ("6594692") or ("5555407") or ("6145088") or ("5857187") or ("5937158") or ("5915093") or ("5996000")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/01 15:52
S3	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/05 08:49
S4	1	S3 and user	US-PGPUB; USPAT	OR	OFF	2008/08/05 08:49
S5	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/05 11:29
S6	1	S5 and initiate\$	US-PGPUB; USPAT	OR	OFF	2008/08/05 11:29
S7	4	((("4672572") or ("5694546") or ("5805442") or ("5922045")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/05 12:23
S8	6	hypercd or (hyper adj cd)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:01
S9	4	music same cd same album same art same liner same notes	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:03
S10	0	cd same local same remote same server same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:05
S11	120	cd same server same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:05
S12	61	cd same remote\$ same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:10

EAST Search History

S13	96	cd same (internet or web or website) same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:13
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S15	3453	cd same network same (enable or enabling)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:15
S16	2935	cd same (internet or web or website) same (enable or enabling)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:16
S17	729	cd same (internet or web or website) same (enable or enabling) same server	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:16
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S19	939	remote\$ same interactive\$ same multimedia	US-PGPUB; USPAT	OR	ON	2008/08/05 14:25
S20	1048	remote\$ same interactive\$ same multimedia	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:25
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EAST Search History

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S25	45	hybrid same multimedia same cd	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2008/08/06 11:38
S26	45	hybrid same multimedia same cd	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/06 11:39
S27	175	multimedia same cd same online	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/06 11:41
S28	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/06 14:14
S29	14	"5931906" and "112"	US-PGPUB; USPAT	OR	OFF	2008/08/16 20:01
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S31	1	S30 and fixed	US-PGPUB; USPAT	OR	OFF	2008/08/20 07:20
S32	1	("6594692").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/20 09:00
S33	1	("6594692").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/20 14:42
S34	1	S33 and (compressed or compression)	US-PGPUB; USPAT	OR	OFF	2008/08/20 14:42
S35	1	S33 and (decompressed or decompression or decompress)	US-PGPUB; USPAT	OR	ON	2008/08/20 14:44
S36	1	S33 and unattended	US-PGPUB; USPAT	OR	ON	2008/08/20 15:47
S37	2	((("6101534") or ("5937158"))).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/23 21:08
S38	3	((("6101534") or ("5937158") or ("5996000"))).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/25 01:18

8/25/08 11:17:39 AM

Page 3

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Index of Claims 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M FLEMING	Art Unit 3992

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected <i>NOT SUBJECT TO REEXAMINATION</i>
I	Interference


A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
Final	Original	08/25/2008									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
	6	✓									
	7	✓									
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	18	✓									
	19	✓									
	20	✓									
	21	✓									
	22	N									
	23	✓									
	24	✓									
	25	✓									

Reexamination 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Certificate Date	Certificate Number C1

Requester Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party
<p> Van Mahamedi Shemwell Mahamedi LLP 4880 Stevens Creek Boulevard Suite 301 San Jose, CA 95129-1034 </p>		

LITIGATION REVIEW <input checked="" type="checkbox"/>	FmF (examiner initials)	08/07/2008 (date)
Case Name		Director Initials
Orb Networks, INC v. Rothschild Trust Holdings 3:07cv400		<i>Morse for Gregory Morse</i> 
Rothschild Trust Holdings, Llc v. Orb Networks, Inc 1:06cv229		
Rothschild Trust v. Citrix Systems, Inc, et al 1:06cv21359		
Trust Licensing v. Interactual Tech, 1:03cv20672		
Trust Licensing v. Disc Publishing et al 1:02cv21192		

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1. None	

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**Malloy &
Malloy, P.A.**

FAX COVER SHEET
Patent, Trademark & Copyright Law

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DATE: September 15, 2008

TO: Frits M. Fleming, Examiner

FROM: U.S. Patent and Trademark Office

FAX NO.: (571) 273-9900

FROM: Irma Gomez, Patent Assistant

OUR REF: Applicant: Leigh M. Rothschild
Reexamination Control No.: 90/008,591
Filing Date: April 11, 2007
U.S. Patent No.: 6,101,534
Our Ref.: 7.062.07

NO. OF PAGES, INCLUDING THIS FAX COVER SHEET: 8

MESSAGE:

We ask that you please deliver the attached to Examiner Frits M. Fleming, in Art Unit 3992, since our deadline is September 28, 2008. The following documents are attached:

1. Certificate of Facsimile Transmission
2. Request for Extension of Time;
3. Certificate of Service and
4. Authorization to Charge Fees to Deposit Account.

Please confirm receipt of this communication for our records by calling (305) 858-8000 and ask for Irma Gomez.

2800 S.W. Third Avenue • Miami, Florida 33129 • Tel (305) 858-8000 • Fax (305) 858-0008

F:\MM DOCS\7-GEN\GEN 2007\7062-07 ROTHSCHILD\7062 EXT OF TIME -FAX CERTIFICATE.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leigh M. Rothschild
 Reexamination Control No.: 90/008,591
 Filing Date: April 11, 2007
 U.S. Patent No.: 6,101,534

Confirmation Number 7502
 Customer Number 04219
 Frits M. Fleming, Examiner
 Group Art Unit 3992

2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129

Mail Stop "Ex Parte Reexam"
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

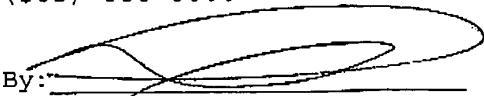
Dear Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the Request for Extension of Time dated September 15, 2008 is being transmitted via facsimile to the U.S. Patent and Trademark Office, telefax number (571) 273-9900, as of the date shown below.

Respectfully submitted,

MALLOY & MALLOY, P.A.
 2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129
 (305) 858-8000

By: 
 Peter A. Matos
 Reg. No. 37,884

Date: 9/15/08

F:\MM DOCS\7-GEN\GEN 2007\7062-07 ROTHSCHILD\EXT OF TIME\7062 EXTENSION OF TIME.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Leigh M. Rothschild
 Re-Examination Control No.: 90/008,591
 Re-Examination Filing Date: April 11, 2007
 U.S. Patent No.: 6,101,534

Group Art Unit 3900
 Fleming, Fritz M., Examiner

2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129

Mail Stop "Ex Parte Reexam"
 Central Reexamination Unit
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

09/18/2008 PVELPE 00000001 021227 90002591
 01 FD:1453 200.00 DA ✓

REQUEST FOR EXTENSION OF TIME

Sir:

A two (2) month extension of time is hereby requested pursuant to 37 C.F.R. §1.550(c) in order to respond to the Office Action dated August 28, 2008. In the event that the requested two (2) month extension is deemed excessive, in the alternative, a (1) month extension is hereby requested as well.

As grounds for this request for extension of time, the undersigned Attorney sets forth the following:

1. Patentee and the undersigned having taken some time to review the basis for the Examiner's refusal have conferred extensively regarding the nature of the references, the relevant priority dates associated therewith, and the terminology of the

F:\MM DOCS\7-GRN\GEN 2007\7062-07 ROTHSCHILD\EXT OF TIME\062 EXTENSION OF TIME.DOC

patent, and it has become apparent that a great deal of additional review and analysis of the references cited by the Examiner are necessary in order to effectively address the grounds for rejection and present, with sufficient clarity, the distinctions present in the patented invention;

2. Given the complexity of the technology and the significance of the Examiner's rejection of all claims subject to reexamination of the issued patent, and the typically limited opportunity for a further response and/or presentation of arguments before being faced with the recourse of needing to request an appeal, Patentee and the undersigned are in the process of outlining and drafting explanations of each and every basis for allowance of the issued patent claims, each of which must be fully researched and prepared in order to present a competent response and explanation;

3. The already brief one (1) month time period for response set by the Examiner is further undermined by the Labor Day holiday on September 1, 2008, during which the undersigned was unavailable, as well as the time spent by the undersigned and the Patentee in preparation for the anticipated and potentially devastating effects from Tropical Storm Hanna and Hurricane Ike in South Florida.

In view of these factors which will prejudice the Patentee's ability to prepare a diligent response required by the Office Action dated August 28, 2008, a two (2) month extension of time, or in the alternative, a one (1) month extension of time is believed

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to be reasonable and is hereby requested. During this time period, Patentee and the undersigned intend to confer on multiple occasions to outline all of the arguments in favor of reversal of the Examiner's rejections previously discussed and identified, as well the potential for amended claims that may properly be presented. Thereafter, an initial draft response will be prepared incorporating and expanding upon the basis previously developed. Once this initial draft has been completed, the remaining time period will be spent finalizing the response and developing all necessary support for the arguments in the response.

In view of the preceding, it is believed that sufficient cause has been shown for the approval of the extension of time requested herein, pursuant to 37 C.F.R. 1.550(c).

The Commissioner is hereby authorized to charge and/or credit any fees which may be required by filing this paper to **Deposit Account No. 13-1227**. Please note our **Docket No. 7.062.07** in the Deposit Account Statement.

Respectfully Submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305)858-8000

By: 

Peter A. Matos
Reg. No. 37,884

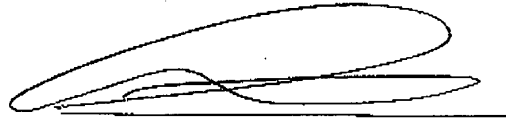
Date: 9/15/08

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon the following via first class United States Mail, postage prepaid this 15 day of September, 2008.

Van Mahamedi
Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard Suite 301
San Jose, California 95129-1034



Peter A. Matos
Reg. No. 37,884

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leigh M. Rothschild
 Reexamination Control No.: 90/008,591
 Filing Date: April 11, 2007
 U.S. Patent No.: 6,101,534

Confirmation Number 7502
 Customer Number 04219
 Frits M. Fleming, Examiner
 Group Art Unit 3992

2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129

Mail Stop "Ex Parte Reexam"
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

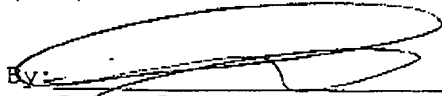
Dear Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the Request for Extension of Time dated September 15, 2008 is being transmitted via facsimile to the U.S. Patent and Trademark Office, telefax number (571) 273-9900, as of the date shown below.

Respectfully submitted,

MALLOY & MALLOY, P.A.
 2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129
 (305) 858-8000

By: 
 Pefer A. Matos
 Reg. No. 37,884

Date: 9/15/08

F:\MM\DOCS\7-GEN\GEN 2007\7062-07 Rothschild\7062 Deposit Account Authorization.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leigh M. Rothschild
Reexamination Control No.: 90/008,591
Filing Date: April 11, 2007
U.S. Patent No.: 6,101,534

Confirmation Number 7502
Customer Number 04219
Frits M. Fleming, Examiner
Group Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
September 15, 2008

Mail Stop "Ex Parte Reexam"
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

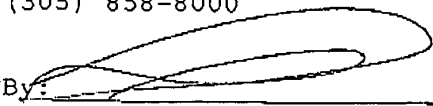
Dear Sir:

AUTHORIZATION TO CHARGE FEES TO DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge and/or credit any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 13-1227**. Please note that our Docket No. is **7.062.07**.

Respectfully submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000

By: 
Peter A. Matos
Reg. No. 37,884

Date: 9/15/08



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Malloy & Malloy
2800 SW Third Avenue
Historic Coral Way
Miami, FL 33129

(For Patent Owner)

MAILED

SEP 22 2008

CENTRAL REEXAMINATION UNIT

SHEMWELL MAHAMEDI LLP
4880 Stevens Creek Blvd
Suite 201
San Jose, CA 95129

(For Requester)

In re Rothschild
Reexamination Proceeding
Control No. 90/008,591
For: U.S. Patent No. 6,101,534

: DECISION GRANTING
: IN PART PETITION
: FOR EXTENSION OF TIME
: [37 CFR 1.550(c)]

This is a decision on the September 15, 2008, "REQUEST FOR EXTENSION OF TIME" requesting that the time to submit a Patent Owner response be extended an additional two months.

The petition is before the Director of the Central Reexamination Unit for consideration.

The petition is granted-in-part and a two-week extension of time is granted for the reasons set forth below.

REVIEW OF RELEVANT FACTS

1. U.S. Patent No. 6,101,534 (hereinafter, the '534 patent), issued to Rothschild, on August 8, 2000.
2. On April 11, 2007, a third party deposited a Request for *Ex Parte* Reexamination of the '534 patent. The reexamination proceeding was assigned Control No. 90/008,591 (hereinafter, the '8591 proceeding).
3. The reexamination order was granted in the '8591 proceeding on June 21, 2007.
4. A non-final rejection was mailed on August 28, 2008 setting a one-month period for response because litigation has been stayed pending the reexamination of the '534 patent.

Application/Control Number: 90/008,591
Art Unit: 3992

Page 2

5. The present petition was filed on September 15, 2008.

DECISION

The Patent Owner requests an extension of time to respond to the non-final office action mailed August 28, 2008. The request for extension is the first request for an extension of time. The present petition for extension of time was timely filed on September 15, 2008, together with authorization to charge the petition fee required by 37 CFR 1.515(c).

37 CFR 1.550 (c) states:

(c) The time for taking any action by a patent owner in an ex parte reexamination proceeding will be extended only for sufficient cause and for a reasonable time specified. Any request for such extension must be filed on or before the day on which action by the patent owner is due, but in no case will the mere filing of a request effect any extension. Any request for such extension must be accompanied by the petition fee set forth in § 1.17(g). See § 1.304(a) for extensions of time for filing a notice of appeal to the U.S. Court of Appeals for the Federal Circuit or for commencing a civil action.

Addressing the requirement of 37 CFR 1.550 (c) to make a showing of "sufficient cause" to grant an extension of time request, MPEP 2265 states, in pertinent part:

Evaluation of whether sufficient cause has been shown for an extension must be made in the context of providing the patent owner with a fair opportunity to present an argument against any attack on the patent, and the requirement of the statute (35 U.S.C. 305) that the proceedings be conducted with special dispatch

Any request for an extension of time in a reexamination proceeding must fully state the reasons therefor

The reasons stated in the request will be evaluated by the CRU Director, and the requests will be favorably considered where there is a factual accounting of reasonably diligent behavior by all those responsible for preparing a response within the statutory time period.

Patent Owner's Showing of Sufficient Cause to Grant an Extension of Time

The request generally notes that Patent Owner has "taken some time to review the basis for the Examiner's refusal" and has "conferred extensively regarding the nature of the references, the relevant priority dates associated therewith, and the terminology of the patent, and it has become apparent that a great deal of additional review and analysis of the references cited by the examiner are necessary..." The request also notes time has been spent "in preparation for the anticipated and potentially devastating effects from Tropical Storm Hanna and Hurricane Ike in South Florida." Reference is made to the petition for details of these and other issues.

Application/Control Number: 90/008,591

Page 3

Art Unit: 3992

Analysis and Findings

On balance it is considered that the petition explains the "sufficient cause" for an extension of time. It is clear Patent Owner requires some additional time to prepare a complete response. An extension of time of two weeks is considered sufficient. It is noted that the examiner has only cited one reference not already of record and the terminology of the patent should be well known to Patent Owner. The rest of the work outlined in the petition that is associated with the response appears to be routine prosecution. However, the time spent in preparation for a tropical storm and hurricane is noteworthy and warrants some additional time.

Accordingly, the time for filing the response is extended for two weeks and therefor the response is due on or before October 14, 2008.

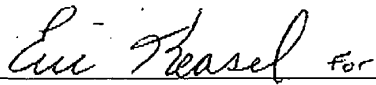
Patent Owner should expect that future requests for extensions will not be granted absent strong and compelling reasons that establish the existence of an extraordinary situation necessitating the additional time.

CONCLUSION

1. Petitioner's request is granted in part. The period during which Patent Owner may file a response has been extended to October 14, 2008.
2. Any response to this decision should be directed to:

By Mail: Mail Stop *Ex Parte* Reexam"
 Attn: Central Reexamination Unit
 Commissioner for Patents
 P. O. Box 1450
 Alexandria VA 22313-1450

By hand: Customer Service Window
 Attn: Central Reexamination Unit
 Randolph Building, Lobby Level
 401 Dulany Street
 Alexandria, VA 22314
3. Telephone inquiries related to this decision should be directed to Eric Keasel, at (571) 272-4929, or Mark Reinhart, at (571) 272-1611.



Gregory Morse
Director, Central Reexamination Unit

RECEIVED

OCT 29 2008

**Malloy &
Malloy, P.A.**

FAX COVER SHEET
Patent, Trademark & Copyright Law

CENTRAL REEXAMINATION UNIT

NOTICE: This facsimile contains CONFIDENTIAL INFORMATION which also may be LEGALLY PRIVILEGED. It is intended only for the use of the Addressee(s) named below. If you are not the Addressee or the employee or agent responsible for delivering it to the Addressee, you are hereby notified that any dissemination or copying of this facsimile may be strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the address below via the U.S. Postal Service.

DATE: October 29, 2008
TO: Examiner, James Mathews
OF: U.S. Patent and Trademark Office
FAX NO.: (571) 273-9900
FROM: Peter A. Matos
OUR REF: Applicant: Leigh M. Rothschild
Reexamination Control No.: 90/008,591
Filing Date: April 11, 2007
U.S. Patent No.: 6,101,534
Our Ref.: 7.062.07

NO. OF PAGES, INCLUDING THIS FAX COVER SHEET: 4

MESSAGE:

In accordance with our telephone conference earlier today, attached is a copy of the Decision Granting in Part Petition for Extension of Time, as requested.

If you have any questions, please do not hesitate to contact our office.

2800 S.W. Third Avenue • Miami, Florida 33129 • Tel (305) 858-8000 • Fax (305) 858-0008



10/17/08 F:\MM DOCS\7-GEN\GEN 2007\7062-07 Rothschild\7062 Amendment FILED.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Leigh M. Rothschild
Control No.: 90/008,591
Filing Date: April 11, 2007
Patent No.: 6,101,534
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Fleming, Fritz M., Examiner
Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
October 14, 2008

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

A M E N D M E N T

Dear Sir:

In response to the Office Action dated August 28, 2008, please amend the above-referenced application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

Appendix I, attached hereto, includes the Status of the Claims and Support for Claim Changes

Appendix II, attached hereto, includes Declarations of Leigh M. Rothschild, Jay Howard Linn, and Peter A. Matos.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) An interactive, remote, computer interface system comprising:

 a remote server assembly, said remote server assembly including a quantity of primary site data;

 said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

 a local processor assembly;

 said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

 said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

 at least one data storage assembly associated with said local processor assembly and structured to contain a

quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

2. (Cancelled).
3. (Original) A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. (Original) A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.
5. (Original) A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.
6. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.
7. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.
8. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.
9. (Original) A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. (Original) A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.
11. (Original) A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.
12. (Original) A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.
13. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.
14. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.
15. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver

assembly by a satellite transmitter.

16. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.
17. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.
18. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.
19. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.
20. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.
21. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.
22. (Original) A system as recited in claim 21 wherein said local processor assembly includes an overlay processor and a direct view processor;

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate a floor plan

display of a three dimensional space at least partially from said quantity of auxiliary site data; and

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

23. (New) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote

server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

24. (Cancelled).

25. (Cancelled).

26. (New) An interactive, remote, computer interface system

comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely

accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data; and

said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.

REMARKS

This paper is submitted in full response to the outstanding office action of August 28, 2008 in connection with the re-examination of the above-referenced U.S. Patent No. 6,101,534 ("the '534 patent"). As an initial point, newly submitted claims 24 and 25 stand rejected under Section 112, first paragraph as containing new matter. Moreover, all of the re-examined claims stand rejected based upon one or more of the references to Fidelibus et al, Mages et al, Reisman and/or Uranaka, the Patentee noting, with great thanks, the Examiner's very clear and detailed claim chart style discussion of these references as they apply to the claims at issue. Nevertheless, these substantive refusals are respectfully traversed herein.

Looking first, however, to the Examiner's refusal of claims 24 and 25 as containing new matter, the Patentee respectfully disagrees with the Examiner's comments that the benefits of the patented invention would be lost if the user were not physically present, as there are a number of applications, including for example the remote control of a user's local computer using a media player interface in another room so as to achieve the playback of content by the local computer via a television or stereo system in a location remote from the computer itself. Moreover, it is noted that the originally presented claims do not include any limitation whatsoever relating to the user

and/or the users proximity to the local processor, and as such the Patentee asserts such a claim covers a system that functions, as recited in the new claims, regardless of whether the user is physically present at the local processor assembly. Nevertheless, as the clarifying limitation included in newly presented claims 24 and 25 could arguably be considered duplicative of the language of claims 1 and 23, which also do not include a limitation as to the user's location and extend to the same scope, claims 24 and 25 have been cancelled rendering that basis for refusal moot.

As an additional matter, Patentee notes that in accordance with 37 C.F.R. 1.530(i), the present Amendment must be made relative to the patent specification, including the claims, which were in effect as of the date of filing the request for reexamination. However, for purposes of clarity, because claims 24 and 25 previously presented for the first time in Patentee's Preliminary Amendment dated August 29, 2007 are cancelled herein, Patentee's newly added claim is presented herein as independent claim 26 (rather than 24). Independent claim 23, as presented herein is identical to independent claim 23 previously presented for the first time in Patentee's Preliminary Amendment.

We now turn to the substantive refusal of the patented claims and new claim 23 set forth by the Examiner. In so doing,

we focus our discussion on certain claim language common to both of these independent claims, along with new independent claim 26, which represents original dependent claim 2 in independent form. Specifically, each of these claims recited that:

*said remotely accessible, auxiliary site addresses being structured to be remotely **accessed by said remote server assembly so as to initiate utilization** of said select portions of said quantity of auxiliary site data by said local processor assembly **in conjunction with** said primary site data. (Emphasis Added)*

In particular, the Patentee's claimed system very clearly recites that it is the remote server assembly that initiates utilization of the auxiliary site data, and that the use of that data is in conjunction with the primary site data that is on said remote server. As will be described in greater detail subsequently with regard to the references of record, these are two very important features which respectively, help to maintain the security of the local processor assembly, and achieve important real time interactivity between the content at the two locations, while collectively eliminating the potentially time consuming step of requiring that a file be downloaded by the local computer. Moreover, these features are simply not present in the relevant prior art references, whether considered alone, such as in connection with the Section 102 refusals set forth by the Examiner as to claims 1, original claim 2, and 23, or in combination with other references. A discussion of the relevant

references of record as they apply to these features follows.

I. Mages et al (Applied to claims 1, 2/26 and 23).

Mages relates to a system for unlocking a locally maintained 'crippled' file. As the Examiner correctly notes, in the Mages system an un-crippling key file is transmitted from the remote server to the local computer (a process that could take some time if the un-crippling key file is large and/or the connection slow) and once received, software on the local computer combines the key file with the locally maintained 'crippled' file, resulting in playback of that file. (Column 7, Lines 35-45). Significantly, however, under such a circumstance it is not actually the remote server that 'initiates the utilization of' the locally maintained data, but rather it is the un-crippling key file that does so, which is an important distinction that cannot be circumscribed merely by concluding that the remote server sent the key file. In particular, the Mages system, and systems such as Mages that require the local computer to receive a file which then initiates the use of local data, can pose a very serious threat to the security and integrity of the local processor, and defeats the purpose of avoiding potentially slow downloads. For example, in such a system the local processor must open itself to accept, receive and run a file which could have been corrupted, compromised,

intercepted and replaced with another file, or which could have been originally designed as a computer virus, computer trojan, or worm, such that instead of or in addition to functioning to combine with the 'crippled' file to achieve its intended purpose could be configured to significantly compromise and damage the local processor. As is well known, a most significant every day threat to computers are computer viruses, and the primary manner in which these viruses are launched is by an unsuspecting user downloading it, such as via an email attachment, and then running or executing it. As a result, a system such as Mages wherein the remote server merely acts a repository for a file, in this case the un-crippling key file, and then requires the local processor to download the file, the file itself being what initiates the use of the local data, provides a serious security risk in that the file is on the local computer when run, and is vastly different from the Patentee's claimed system wherein it is the remote server itself that initiates the use of the local data, such as by providing the auxiliary site address to the web browser, without the need for any file to be downloaded by the local computer. It is also noted, that using the Patentee's system, the added security of only allowing access to the interchangeable medium versus the computer's main memory, could be implemented in some embodiments, whereas the Mages system requires the main memory of the computer to receive, store and

run the received file. (Column 7, Lines 35-45)

In further support of this distinction that in Mages it is NOT the remote server that initiates the use of the local data, it is also noted that in the Mages system the local computer does not need to be connected with the remote server when use of the local data is initiated. (Column 8, Lines 39-47) Specifically, even though the de-crippling key file may be set to automatically execute and run once fully downloaded by the local computer, this is not required and even if the connection between the remote server and the local computer is severed, the un-crippling key file can thereafter still be run and combined with the crippled file in order to initiate its playback. Furthermore, once the file is de-crippled, it can be run again and again without any interaction with the remote server. (Column 8, Lines 39-47) To this end, because in Mages the combination of the de-crippling key file and the crippled file can take place at any point after the file is downloaded, whether or not a connection between the remote server and local computer is maintained, it is also urged that unlike the Patentee's claimed system, the local data is not used in conjunction with the primary site data, but rather with data maintained on the local computer in the form of a de-crippling key file that has been downloaded at some point in the past. This is also in direct contrast to a stated benefit of the

Patentee's system, which is to eliminate the need to download potentially large files.

Accordingly, it is seen that Mages discloses a security system for unlocking crippled files that merely uses the remote connection as a means to request an unlocking file and download an unlocking file to a local computer. Such a system does not anticipate, teach, or suggest the Patentee's claimed invention. Further, it is noted that the unlocking file may be rather large, and thus would seemingly contradict one benefit of the Patentee's system, namely to reduce download times to the local computer.

II. Reisman (Applied to independent claims 1 and 23).

Looking to Reisman, it is directed towards a system whereby locally maintained content is updated with content from a remote source. As the Examiner points out, however, this involves the local computer 'fetching' new content elements and thereafter using a special "offline browser system" to combine these new content elements with local content elements on a pre-distributed media such as a CD-ROM. Here again, the system of Reisman requires that a file be downloaded and then combined with other content to create more current content, a procedure that in addition to being potentially time consuming if the file is large or the connection slow, can also lead to potentially

very serious security breaches if the file that is fetched/downloaded has been compromised. Thus, the remote server does not actually initiate the use of the local content, but rather if the mere combining of the files is considered use of the local content, it is either the file and/or the "offline browser" referenced by Reisman (see Column 41, Lines 15-42 which were referenced by the Examiner, as well as Lines 42-61), and if use of the local data is considered to be actual use of the content, then it is the user via the local "offline browser" that initiates the use of the local data. In fact, Reisman very clearly states that after a "transporter" fetches the completing elements and content from a remote site, it can be set to disconnect automatically so as to "limit line or access charges" (Column 41, Lines 42-50).

Accordingly, the remote server of Reisman cannot and does not initiate use of the local data, as it need not even be connected with the local computer when that use is initiated. Instead, all the remote server of Reisman does is to transmit, in response to a request, a specific update to the local computer, requiring the local computer to open itself up to receive and run the file from an outside source. Moreover, the locally maintained data in Reisman is not used with primary site data on the remote server, but rather, is used with additional locally stored data in the form of the 'new content element'

that must have been fully downloaded and integrated. Indeed, the downloaded files might be rather large in size and slow to download, such as in the embodiment of an online magazine where the new content may be new articles, photos, advertisements, etc., with the Reisman system specifically designed to avoid the need to stay connected to a remote server for extended periods of time beyond what is required to transmit an update file. Therefore, the Reisman system does not contemplate one benefit of the Patentee's system, namely to reduce download times, as it must still download files before it can function.

Accordingly, based upon the preceding, the reference to Reisman does not and could not anticipate the Patentee's claimed invention as recited in claims 1 and 23 as it is clearly missing significant claimed elements therein.

III. Urinaka (Applied to independent claim 1 only).

Urinaka relates to a remote shopping system which utilizes a locally maintained catalog. In this system, a user browses an online catalog on a DVD, makes certain selections, communicates those selection to a remote server - Step 1402 as correctly referenced by the Examiner - ("as shown in Step 1402, the central control means 1211 of the catalog shopping client 1210 transmits the purchase history information recorded in the purchase history information storage area 1203 together with the

DVD identifying information 1303 to the catalog shopping server 1220 using the information transmitting and receiving means 1212." Col. 19, Lines 7-13 - first reference to step 1402), whereafter the remote server creates a "script" and transmits the script back to the local computer. The "script" is then run and portions of the locally maintained DVD are displayed. (Col. 19, Lines 7-26).

Here again, as with the previous references, Urinaka requires that a "script", essentially a program with a set of instructions, be downloaded by the local computer and then run. Again, unlike the Patentee's claimed system, it is the "script" and not the remote server that initiates the utilization of the local data, a procedure that not only requires the downloading of a file which could be time consuming, but also opens up the local computer to a potentially very serious threat as that script can be compromised or corrupted with viruses, computer trojans, worms, etc. such that when run, significant damage can be done to the local computer.

Further, as with the previously discussed systems, Urinaka does not require the connection to the remote server be in effect when utilization of the local content is initiated as it is the script that is fully downloaded that initiates the use. Additionally, as with the previous systems, the local data is not used in conjunction with the remote data, as a connection

with the remote server and the primary site data need not be in place and to the extent that the script is considered site data, it is maintained on the local computer when implemented.

Thus, Urinaka does not disclose a remote server that initiates the use of the locally maintained data and uses that local data in conjunction with primary site data, and cannot be considered to anticipate claim 1 of the patent.

IV. Fidelibus et al (Applied to Claims 1 and 23).

Although the Patentee respectfully disagrees with the Examiner's characterization of Fidelibus as it relates to the Patentee's claimed invention, as supported by the attached Declarations of Leigh M. Rothschild ("Dec. Rothschild"), Jay Howard Linn, and supporting evidence, Fidelibus, which was filed April 18, 1997, less than five (5) months prior to the filing date of the Patent at issue, namely September 3, 1997, is not a proper prior art reference.

Specifically, as supported by the Declaration of Jay Linn and the references in the described proceedings to the then already in existence inventions of the Patentee, and the Patentee's own Declaration, Patentee personally conceived of the claimed invention at least as early as April 17, 1997 and worked diligently to its ultimate constructive reduction to practice on September 3, 1997. (Dec. Rothschild, ¶2). In particular,

between October 1996 and December 2003, Patentee was involved in a bankruptcy proceeding with Intracorp Entertainment, Inc. ("Debtor"). (Dec. Rothschild ¶4). A genuine dispute existed as to whether Debtor or Patentee possessed authority to prosecute Patentee's inventions, which, because Debtor was involved in the bankruptcy proceeding, necessarily required the Court's approval before any action or agreement could be undertaken. (Dec. Rothschild ¶5).

At least as early as October 24, 1996, Patentee and Debtor worked diligently with one another, by and through their respective counsel, to obtain authorization from the Court to pursue a patent. Although initially the Court only granted the authority to use cash collateral for purposes of conducting patent searches, thereafter on April 28, 1997 the Court authorized the parties to enter into certain negotiated agreements so as to resolve disputes regarding the invention and/or who had authority and/or control over prosecution of the invention with the PTO. (Dec. Rothschild ¶¶7-11).

As detailed in the attached Declaration of Leigh Rothschild, immediately following court approval to enter into an agreement based upon an initial term sheet, an agreement was negotiated and entered into, culminating in the execution of an Addendum to the Agreement of Settlement in Controversy on June 20, 1997. (Dec. Rothschild ¶12). Thereafter, Patentee began to

diligently prepare and draft documents detailing his inventions for presentation to the undersigned, his personal patent attorney. (Dec. Rothschild ¶13). On or about July 17, 1997, Patentee met with the undersigned and provided disclosure and materials regarding the inventions so that two (2) separate patent applications, including the one that matured into the '534 patent, could be drafted for filing with the PTO. (Dec. Rothschild ¶¶14-15). After receiving the disclosure materials from Patentee, the undersigned worked diligently, taking into consideration the reasonable backlog of unrelated cases, which were taken up in chronological order and carried out expeditiously, until the patent application which led to the '534 patent was completed, reviewed and approved by Patentee, and ultimately filed on September 3, 1997. (Dec. Rothschild ¶16; Dec. Matos ¶4).

Thus, taking into consideration the foregoing, as well as the attached Declarations of Leigh M. Rothschild, Peter A. Matos, and Jay Howard Linn, and all supporting evidence, Fidelibus is sufficiently removed as reference and cannot be considered to anticipate or render obvious any claim of the '534 patent.

V. Conclusion.

Accordingly, in view of the preceding, the Patentee urges

that new claim 26, namely original claim 2 re-written in independent form, is allowable as the reference to Mages, the sole basis for refusal of original claim 2, does not disclose "auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data" as recited in new independent claim 26.

Further, claim 23, which stands rejected only in view of Mages, Reisman and Fidelibus, is also allowable, as the reference to Fidelibus is not a proper reference, and Mages and Reisman do not disclose "auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data" as recited in independent claims 23.

Finally, independent claim 1, which stands rejected in view of Mages, Reisman, Urinaka and Fidelibus, is also allowable, as the reference to Fidelibus is not a proper reference, and neither Mages, Reisman nor Urinaka disclose "auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said

select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data" as recited in independent claim 1. Further, all of the claims depending therefrom, including claim 22 that is not subject to re-exam, are also allowable.

In the event that any fee may be required by the filing of this paper, an Authorization to Charge Fees to Deposit Account, **Deposit Account No. 13-1227**, is being filed concurrently with this Amendment.

Respectfully submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000

By: 

Peter A. Matos
Reg. No. 37,884

Date: 10/14/08

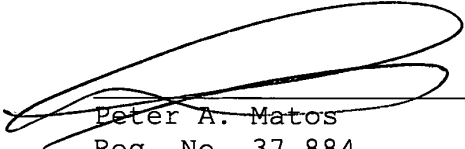


10/17/08:\MM DOCS\7-GEN\GEN 2007\7062-07 Rothschild\7062 Amendment FILED.doc

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon the following via first class United States Mail, postage prepaid this 14th day of October, 2008.

Van Mahamedi
Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard Suite 201
San Jose, California 95129-1034


Peter A. Matos
Reg. No. 37,884

APPENDIX I

Status of the Claims

Patentee respectfully submits herewith for the Examiner's consideration originally issued claims 1 and 3-21, previously presented claim 23, and newly presented claim 26, which represents original claim 2 re-written in independent form. Dependent claim 2 and independent claims 24 and 25 previously presented in Patentee's Preliminary Amendment are cancelled.

Support For Claim Changes

In accordance with 37 C.F.R. §1.530(j), as presented herein, claims 23 and 26, as compared to Patentee's Preliminary Amendment, do not enlarge the scope of the originally issued claims of the patent or introduce new matter. Specifically, independent claim 23 includes the recitation "said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly." This language is fully and clearly disclosed and supported by the specification and Figures, including at least at column 5, lines 41-45; column 13, lines 21-42; and Figures 1 and 2.

In addition, newly presented independent claim 26, as compared to Patentee's Preliminary Amendment, merely represents original claim 2 re-written in independent form and thus does not introduce new matter.

APPENDIX II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Leigh M. Rothschild
Control No.: 90/008,591
Filing Date: April 11, 2007
Patent No.: 6,101,534
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Fleming, Fritz M., Examiner
Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
October 14, 2008

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF LEIGH M. ROTHSCHILD
PURSUANT TO 37 C.F.R. §1.131**

I, Mr. Leigh M. Rothschild, the sole inventor and applicant of U.S. Patent No. 6,101,534 ("the '534 patent"), declare as follows:

1. I am a citizen of the United States, at least 18 years of age, and have knowledge of the facts set forth herein.

2. As explained in detail below, prior to April 18, 1997, i.e., the filing date of U.S. Patent No. 5,931,906 to Fidelibus, Jr. et al. ("Fidelibus"), I personally and solely conceived of an Interactive, Remote, Computer Interface System, and jointly

with two other individuals, developed a Real Estate Display System For the Remote Exhibition of a Real Estate Space (collectively "the Inventions") and within a short amount of time diligently worked to prepare and file two (2) separate patent applications, both of which were ultimately filed with the United States Patent and Trademark Office on September 3, 1997 (Serial Nos. 08/922,926 and 08/922,927, respectively), less than five (5) months after Fidelibus. The patent application which disclosed and claimed the Interactive, Remote, Computer Interface System eventually lead to the issuance of the '534 patent.

3. Both of the Inventions were conceived well prior to April 18, 1997, the effective date of the Fidelibus reference, as evidenced from the proceedings set forth below regarding my dispute with Intracorp Entertainment concerning ownership and authority related to said Inventions. Moreover, as further evidence of my conception at least prior to April 18, 1997, I confided the details of my sole invention which ultimately matured into the '534 patent, to Intracorp Entertainment, Inc. board member Jay Howard Linn, who was also my long time financial advisor and CPA.

4. Between October 1996 and December 2003, I was involved in a bankruptcy proceeding with Intracorp Entertainment, Inc. ("Debtor"). Specifically, the bankruptcy proceeding was filed

on October 4, 1996 under chapter 11, converted to chapter 7 on March 20, 1998, and terminated on December 12, 2003. See Docket Report, Exhibit A. At the time of the bankruptcy proceeding, I was the Chairman and Chief Executive Office ("CEO") of Debtor.

5. As provided below, a genuine dispute existed as to ownership and control of the Inventions, and whether Debtor or I possessed authority to prosecute the Inventions, which, because Debtor was involved in the bankruptcy proceeding, necessarily required the Court's approval before any action could be undertaken.

6. In view of this dispute I retained as my personal Patent Attorneys the law firm of Malloy & Malloy, P.A. to represent my interests in connection with the patent related issues.

7. In the early stages of the bankruptcy proceeding, on October 24, 1996, Debtor filed a Motion for Authority to Use Additional Cash Collateral, or in the alternative, for Authorization to Allow Mr. Leigh Rothschild to Proceed in his Individual Capacity in Obtaining Patents. [D.E. #22]¹. In essence, this motion was filed by the Debtor in an effort to obtain authorization from the Court to use cash collateral for purposes of conducting patent searches and in preparing and filing patent applications, or to grant me authority to proceed.

¹ Documents listed on the Docket Report of Case No. 96-16276-RAM attached in Exhibit A are cited by corresponding Docket Entry Number [D.E. #_].

Subsequently, on November 12, 1996, the Court ruled, only permitting the Debtor to use a certain amount of cash collateral for conducting patent searches alone. [D.E. #41].

8. In accordance with the Court's Order, and not wanting to create a potential conflict as to my personal patent attorneys, I proceeded, on November 14, 1996, on behalf of Debtor, to retain Mr. John White of Longacre & White to act on behalf of Debtor, and to conduct a patent search. This was done, at least as to the joint invention, in compliance with the Court order and in the hopes that such compliance would result in the Court ruling on the merits of the patent authority and ownership issue such that patent applications could be prepared and filed.

9. On February 13, 1997, still more than two (2) months prior to Fidelibus' effective date, Debtor filed a Motion for Authorization to Enter into an Exclusive Licensing Agreement with me regarding the Inventions, seeking thus to clear the way for securing patent protection. [D.E. #102]. Thereafter, certain creditors and interested parties objected to the motion. Accordingly, at least one meeting was subsequently scheduled so that the creditors and/or interested parties could voice their concerns over the motion and thus potentially resolve the dispute. However, at least one creditor or interested party maintained their objections related to obtaining patent

protection.

10. Accordingly, by and through our respective counsel, Debtor and I continued to negotiate and work out general terms which could form an agreement as to who had ownership, control, and authorization over the Inventions. After reaching mutual terms, on March 24, 1997, still twenty-five (25) days prior to the effective date of Fidelibus, Debtor filed a Motion to Approve Compromise of Controversy [D.E. #124] which, in essence, was an attempt to obtain the Court's approval to allow Debtor to enter into an agreement with me to resolve disputes regarding ownership of the Inventions and/or who had the authority and/or control over prosecution of the Inventions with the PTO.²

11. Between March 24, 1997 and April 28, 1997, Debtor's Motion to Approve Compromise of Controversy remained pending with the Court. Specifically, the Court held a hearing on April 22, 1997 regarding the motion, and subsequently, on April 28, 1997, the Court granted the Debtor's motion (See Exhibit C - Order Granting Debtor's Motion to Approve Compromise of Controversy), thus authorizing us to enter into an agreement which would to resolve disputes regarding ownership of the Inventions and/or who had the authority and/or control over

² Although I have been unable to locate the document which was filed with the Court, attached hereto as Exhibit B is a "proposed" draft of the motion, which is believed to be in substantially similar form and have substantially the same content (if not exactly the same) as the finally signed and filed motion.

prosecution of the Inventions with the PTO.

12. Shortly thereafter, and pursuant to the Court's authorization, Debtor and I executed an initial Agreement of Settlement in Controversy, although certain relevant terms impacting the Inventions were still open. Subsequently, by and through our respective attorneys, and also including the input of the Creditor's and Trustee's attorneys, Debtor and I continued to diligently and expeditiously negotiate certain terms of the Agreement of Settlement in Controversy, and then on June 19, 1997 and June 20, 1997, merely a couple of weeks after the Court authorized us to do so, we duly executed an Addendum to the Agreement of Settlement in Controversy, thus enabling me to proceed with the patent process.

13. Immediately following the execution of the Addendum to the Agreement of Settlement in Controversy, I began to diligently prepare and draft documents detailing my Inventions for presentation to my personal patent attorney, Peter A. Matos of Malloy & Malloy, P.A. and computer programmers.

14. On or about July 17, 1997, I met with my patent attorney, Peter A. Matos, and provided him with materials regarding the Inventions so that two separate patent applications could be drafted for filing with the PTO.

15. Even after this initial meeting concerning the details of the Inventions, I continued to prepare materials that could

be of assistance to my patent attorney in connection with the two applications.

16. As provided by the Declaration of Peter A. Matos, my patent attorney at Malloy & Malloy, P.A., after receiving the disclosure materials from me, he worked diligently, taking into consideration the reasonable backlog of unrelated cases, which were taken up in chronological order and carried out expeditiously, until the patent application which led to the '534 patent was completed, reviewed and approved by me, and ultimately filed on September 3, 1997.

17. Moreover, it has been more than eleven (11) years since the creation of certain documents identified and/or relied upon herein, and due to this significant amount of time, I no longer have in my possession, nor am I able to recall exactly where all of the motions, agreements, addendums, and/or notes are, and that at least some of them may have been lost and/or disposed of sometime in the last eleven (11) years. To the extent necessary, and to the best of my recollection, the contents of the documents not provided have been sufficiently and accurately explained and/or identified. Furthermore, although the Docket of the Bankruptcy proceeding reference herein has been provided, the associated documents are no longer available for retrieval from the Courts online database.

18. 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.

Executed on: 12-14-08, 2008

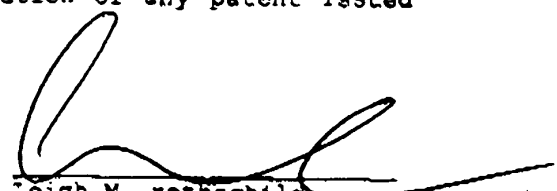
By: 
Leigh M. Rothschild

EXHIBIT A

CLOSED

**U.S. Bankruptcy Court
Southern District of Florida (Miami)
Bankruptcy Petition #: 96-16276-RAM**

Assigned to: Robert A Mark
Chapter 7
Previous chapter 11
Voluntary
Asset

Date Filed: 10/04/1996
Date Converted: 03/20/1998
Date Terminated: 12/12/2003

Debtor
Intracorp Entertainment, Inc.
501 Brickell Key Dr 6 Fl
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(305)
Tax id: 59-2586701
dba
Intracorp, Inc.

represented by **Howard J Berlin, Esq**
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Email: hberlin@kpkb.com

Trustee
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Miami, FL 33256-1507
305-275-2733

represented by **James B Miller, Esq**
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(305) 374-0200
Fax : (305) 374-0250
Email: bkcmiami@gmail.com

U.S. Trustee
Office of the US Trustee
51 SW 1st Ave
Suite 1204
Miami, FL 33130
(305) 536-7285

Creditor Committee
Creditors Committee

represented by **John A Moffa, Esq**
7771 W Oakland Park Blvd
#141
Sunrise, FL 33351
(954) 634-4733
Fax : 954-634-4741
Email:
trusteeattorney@gmail.com

Filing Date	#	Docket Text
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10/04/1996	1	Voluntary Petition Filed Under Chapter 11; missing documents: All Schedules and Statements Due on 10/21/96, Disclosure statement due 2/1/97, Chapter 11 Plan due 2/1/97. List of 20 largest unsecured creditors filed. (Reynolds M cm) (Entered: 10/07/1996)
10/04/1996	3	Motion By Debtor Intracorp Entertainment, Inc. for Authorization To Reject Unexpired Lease with Hiram Walker & Sons, Inc . (Banoovong B cm) (Entered: 10/09/1996)
10/04/1996	8	Application By Debtor Intracorp Entertainment, Inc. To Employ Howard J Berlin as Attorney for the Debtor-In-Possession. . (Bryan G cm) (Entered: 10/16/1996)
10/04/1996	9	Emergency Motion By Debtor Intracorp Entertainment, Inc. For Authority To Use Cash Collateral (Bryan G cm) (Entered: 10/16/1996)
10/04/1996	10	Affidavit by Howard J Berlin for Debtor Intracorp Entertainment, Inc. In Support of: Proposed Attorney for Debtor-In-Possession. (Bryan G cm) (Entered: 10/16/1996)
10/07/1996	2	Notice of Deficiency for Incomplete Filings. [2-1] (Bryan G cm) (Entered: 10/07/1996)
10/08/1996		First Meeting of Creditors Scheduled For 1:00 11/4/96 At 51 SW 1 Ave, Room 105 ;Last Day to File Proofs Of Claim: 2/2/97 Interested Party AUST. Added. (DeLaurentos J cm) (Entered: 10/08/1996)
10/09/1996	4	Change of Address for Attorney filed by Howard J Berlin for Debtor Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 10/10/1996)
10/10/1996	5	Courts Certificate of Mailing Re: [2-1] Deficiency Notice # of notices: 2 . (DeLaurentos J cm) (Entered: 10/11/1996)
10/11/1996	7	Notice of Appearance And Request For Service Of Notice By Glenn J Waldman for Creditor Randall Masteller. (Bryan G cm) (Entered: 10/16/1996)
10/15/1996	6	Court's Certificate of Mailing Re: [0-0] First Meeting ; Served on: 10/12/96 # of Notices: 31 . [6-1] (Reynolds M cm) (Entered: 10/16/1996)
10/15/1996	11	Motion by Debtor Intracorp Entertainment, Inc. To Reject Unexpired Lease (Reynolds M cm) (Entered: 10/17/1996)
10/17/1996	15	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [3-1] Motion for Authorization To Reject Unexpired Lease with Hiram Walker & Sons, Inc by Intracorp Entertainment, Inc. schd For 11:00 10/29/96 at Room 1406, Miami (Reynolds M cm) (Entered: 10/24/1996)

10/17/1996	16	Motion by Debtor Intracorp Entertainment, Inc. To Extend Time to file schedules (Reynolds M cm) (Entered: 10/28/1996)
10/18/1996	12	Notice of Appearance And Request For Service Of Notice By Sandra L Cross for Creditor Three-Sixty Pacific, Inc.. (Banoovong B cm) (Entered: 10/22/1996)
10/21/1996	13	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [11-1] Motion To Reject Unexpired Lease by Intracorp Entertainment, Inc. schd For 11:00 10/29/96 at Room 1406, Miami (Reynolds M cm) (Entered: 10/24/1996)
10/21/1996	17	Notice of Appearance And Request For Service Of Notice by Michael C Washburn for Creditor Data Duplicating Corp. (Reynolds M cm) (Entered: 10/28/1996)
10/21/1996	18	Motion by Creditor Randall Masteller to Limit Compensation of Insiders (Reynolds M cm) (Entered: 10/28/1996)
10/22/1996	14	Order (10/22/96) Granting [9-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (EOD 10/24/96) (Reynolds M cm) (Entered: 10/24/1996)
10/22/1996	19	Amended Motion by Debtor Intracorp Entertainment, Inc. To Reject Lease with Hiram Walker & Sons, Inc. [3-1] terminated. (Reynolds M cm) (Entered: 10/28/1996)
10/22/1996	20	Response by: Debtor Intracorp Entertainment, Inc. Re: [18-1] Motion to Limit Compensation of Insiders by Randall Masteller (Reynolds M cm) (Entered: 10/28/1996)
10/24/1996	21	Motion by Debtor Intracorp Entertainment, Inc. for authorization to Sublease Property /emergency hrg requested (Reynolds M cm) (Entered: 10/28/1996)
10/24/1996	22	Motion by Debtor Intracorp Entertainment, Inc. For Authority To Use Additional Cash Collateral , or in the alternative, for Authorization to Allow Mr Leigh Rothschild to proceed in his individual capacity obtaining patents (Reynolds M cm) (Entered: 10/28/1996)
10/24/1996	23	Order (10/24/96) Granting [8-1] Application To Employ Howard J Berlin as Attorney for the Debtor-In-Possession by Intracorp Entertainment, Inc. (EOD 10/28/96) (Reynolds M cm) (Entered: 10/28/1996)
10/24/1996	24	Order (10/24/96) Granting [16-1] Motion To Extend Time to file schedules by Intracorp Entertainment, Inc. Missing Documents due: 10/29/96. (EOD 10/28/96) (Reynolds M cm) (Entered: 10/28/1996)

10/25/1996	25	Notice of Appearance And Request For Service Of Notice By William C Davell for Creditor Bankatlantic. (Reynolds M cm) (Entered: 10/29/1996)
10/28/1996	27	Notice of Hearing by Glenn J Waldman for Creditor Randall Masteller RE: [18-1] Motion to Limit Compensation of Insiders by Randall Masteller schd For 11:00 10/29/96 at Room 1406, Miami (Reynolds M cm) (Entered: 11/01/1996)
10/28/1996	55	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [13-1] Notice by Howard J Berlin Esq, [15-1] Notice by Howard J Berlin Esq, [21-1] Motion for authorization to Sublease Property by Intracorp Entertainment, Inc., [22-1] Motion For Authority To Use Additional Cash Collateral by Intracorp Entertainment, Inc., [19-1] Motion To Reject Lease with Hiram Walker & Sons, Inc. by Intracorp Entertainment, Inc., [33-1] Notice by Howard J Berlin Esq, [22-2] Motion for Authorization to Allow Mr Leigh Rothschild to proceed in his individual capacity obtaining patents by Intracorp Entertainment, Inc., [23-1] Order, [20-1] Response by Intracorp Entertainment, Inc., [11-1] Motion To Reject Unexpired Lease by Intracorp Entertainment, Inc. (DeLaurentos J cm) (Entered: 11/26/1996)
10/29/1996	29	Notice of Appearance And Request For Service Of Notice by John A Northen for Creditor American Multimedia Inc. (Reynolds M cm) (Entered: 11/01/1996)
10/30/1996	26	Documents Filed: All schedules and statements. Missing Document Deadline Satisfied. (Reynolds M cm) (Entered: 10/30/1996)
10/30/1996	28	Certificate Appointing Creditors' Committee. (Reynolds M cm) (Entered: 11/01/1996)
10/30/1996	30	Certificate Of Service by Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [14-1] Order, [0-0] First Meeting. (Reynolds M cm) (Entered: 11/05/1996)
10/30/1996	31	Supplemental Matrix by: Howard J Berlin for Debtor Intracorp Entertainment, Inc/creditors to be added (Reynolds M cm) (Entered: 11/05/1996)
10/30/1996	32	Disclosure of Compensation by Attorney for Debtor in the amount of \$48,500.00. (Reynolds M cm) (Entered: 11/05/1996)
10/30/1996	33	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [22-1] Motion For Authority To Use Additional Cash Collateral by Intracorp Entertainment, Inc. schd For 11:00 10/29/96 at Room 1406, Miami, [22-2] Motion for Authorization to Allow Mr Leigh Rothschild to proceed in his individual capacity obtaining patents by Intracorp Entertainment, Inc. schd For 11:00 10/29/96 at Room 1406, Miami (Reynolds M cm) (Entered: 11/05/1996)

10/31/1996	34	Notice of Appearance And Request For Service Of Notice By Marte Singerman for Creditor ZBR Publications Inc. (Haas E) (Entered: 11/05/1996)
10/31/1996	36	Ex parte Motion by Debtor Intracorp Entertainment, Inc. To Limit Notice (Reynolds M cm) (Entered: 11/08/1996)
11/01/1996	35	Notice of Appearance And Request For Service Of Notice By Richard Stone for Creditor Ziff Davis Publishing Co Inc. (Haas E) (Entered: 11/05/1996)
11/05/1996	37	Order (11/5/96) Granting [36-1] Motion To Limit Notice by Intracorp Entertainment, Inc. (EOD 11/8/96) (Reynolds M cm) (Entered: 11/08/1996)
11/05/1996	38	Notice of Appearance And Request For Service Of Notice By Jose E Cil for Creditor Holland & Knight. (Reynolds M cm) (Entered: 11/08/1996)
11/05/1996	39	Notice of Appearance And Request For Service Of Notice by Susan P Rosenfeld for Creditor US Small Business Administration. (Reynolds M cm) (Entered: 11/08/1996)
11/08/1996	40	Amended [28-1] Appoint Creditors Committee Certificate. Filed by: Interested Party AUST (Reynolds M cm) (Entered: 11/15/1996)
11/08/1996	45	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [37-1] Order . (Reynolds M cm) (Entered: 11/15/1996)
11/12/1996	41	Order (11/12/96) Granting in Part, Denying in Part [22-1] Motion For Authority To Use Additional Cash Collateral by Intracorp Entertainment, Inc. Granting in Part, Denying in Part [22-2] Motion for Authorization to Allow Mr Leigh Rothschild to proceed in his individual capacity obtaining patents by Intracorp Entertainment, Inc. (EOD 11/15/96) (Reynolds M cm) (Entered: 11/15/1996)
11/12/1996	42	Order (11/12/96) Granting [21-1] Motion for authorization to Sublease Property by Intracorp Entertainment, Inc. (EOD 11/15/96) (Reynolds M cm) (Entered: 11/15/1996)
11/12/1996	43	Order (11/12/96) Denying w/o prejudice [18-1] Motion to Limit Compensation of Insiders by Randall Masteller. (EOD 11/15/96) (Reynolds M cm) (Entered: 11/15/1996)
11/12/1996	44	Order (11/12/96) Granting [11-1] Motion To Reject Unexpired Lease by Intracorp Entertainment, Inc. (EOD 11/15/96) (Reynolds M cm) (Entered: 11/15/1996)
11/12/1996	46	Objection By Creditor Randall Masteller To [36-1] Motion To Limit Notice by Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 11/15/1996)

11/12/1996	47	Notice of Appearance And Request For Service Of Notice by Richard J Stone for Creditor Zero 1 Media Resources. (Reynolds M cm) (Entered: 11/15/1996)
11/13/1996	48	Notice of Appearance And Request For Service Of Notice By Jerry M Markowitz for Creditor Leigh M Rothschild. (Reynolds M cm) (Entered: 11/15/1996)
11/13/1996	49	Notice Filed By Creditor Randall Masteller To Withdraw Document. Terminating [46-1] Objection by Randall Masteller (Reynolds M cm) (Entered: 11/15/1996)
11/14/1996	50	Notice of Appearance And Request For Service Of Notice By Geoffrey S Aaronson for Creditor Larry Bond, Creditor Applied Computer Services Inc. (Reynolds M cm) (Entered: 11/19/1996)
11/18/1996	51	Certificate Of Service by Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [44-1] Order, [43-1] Order, [42-1] Order, [41-1] Order. (Reynolds M cm) (Entered: 11/22/1996)
11/20/1996	52	Agreed Order (11/20/96) Granting [19-1] Motion To Reject Lease with Hiram Walker & Sons, Inc. by Intracorp Entertainment, Inc. (EOD 11/22/96) (Reynolds M cm) (Entered: 11/22/1996)
11/20/1996	53	Motion By Debtor Intracorp Entertainment, Inc. For Authorization to Sell Property Free And Clear of Liens, Interests and/or Encumbrances and For Authorization to Pay Net Proceeds to Creditor Bankatlantic (DeLaurentos J cm) (Entered: 11/25/1996)
11/20/1996	57	Agreed Second Motion by Debtor Intracorp Entertainment, Inc. For Authority To Use Cash Collateral (Reynolds M cm) (Entered: 12/03/1996)
11/22/1996	54	Request by Creditor Prima Publishing For Notice. (DeLaurentos J cm) (Entered: 11/25/1996)
11/26/1996	56	Notice of Appearance And Request For Service Of Notice By Caroline M Nitsche for Creditor MCA/Universal Merchandizing Inc. (DeLaurentos J cm) (Entered: 11/26/1996)
11/27/1996	58	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [53-1] Motion For Authorization to Sell Property Free And Clear of Liens, Interests and/or Encumbrances by Intracorp Entertainment, Inc. schd For 11:00 12/17/96 at Room 1406, Miami, [53-2] Motion For Authorization to Pay Net Proceeds to Creditor Bankatlantic by Intracorp Entertainment, Inc. schd For 11:00 12/17/96 at Room 1406, Miami (Reynolds M cm) (Entered: 12/03/1996)

11/27/1996	61	Amended Motion by Debtor Intracorp Entertainment, Inc. To Sell Property Free And Clear of Liens, Interests and/or Encumbrances , and for authorization To Pay Net Proceeds to Creditor Bankatlantic. [53-2], [53-1] terminated. (emergency hrg requested) (Reynolds M cm) (Entered: 12/05/1996)
12/02/1996	59	Agreed Order (12/2/96) Granting [57-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (EOD 12/3/96) (Reynolds M cm) (Entered: 12/03/1996)
12/02/1996	60	Notice of Appearance And Request For Service Of Notice by Mark Bradley Roth for Creditor Roth-Paris Marketing, Inc. (Reynolds M cm) (Entered: 12/05/1996)
12/04/1996	63	Notice of Emergency Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [61-2] Motion To Pay Net Proceeds to Creditor Bankatlantic. by Intracorp Entertainment, Inc. schd For 10:30 12/6/96 at Room 1406, Miami, [61-1] Motion To Sell Property Free And Clear of Liens, Interests and/or Encumbrances by Intracorp Entertainment, Inc. schd For 10:30 12/6/96 at Room 1406, Miami (Reynolds M cm) (Entered: 12/10/1996)
12/06/1996	62	Order (12/6/96) Granting [61-1] Motion To Sell Property Free And Clear of Liens, Interests and/or Encumbrances by Intracorp Entertainment, Inc. (EOD 12/10/96) (DeLaurentos J cm) (Entered: 12/10/1996)
12/06/1996	64	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [59-1] Agred Order Authorizing Debtor's Use of Cash Collateral. (Montilla M cm) (Entered: 12/11/1996)
12/06/1996	65	Application By Debtor Intracorp Entertainment, Inc. To Employ Auctioneer Robert H. Ewald of Moecker Auctions, Inc. . Affidavit Attached. (Montilla M cm) (Entered: 12/16/1996)
12/06/1996	66	Order (12/6/96) Granting [65-1] Application To Employ Auctioneer Robert H. Ewald of Moecker Auctions, Inc. by Intracorp Entertainment, Inc. (EOD 12/16/96) (Montilla M cm) (Entered: 12/16/1996)
12/10/1996	67	Order (12/10/96) Granting [65-1] Application To Employ Auctioneer Robert H. Ewald of Moecker Auctions, Inc. by Intracorp Entertainment, Inc. (EOD 12/16/96) (Montilla M cm) (Entered: 12/16/1996)
12/12/1996	68	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [62-1] Order Authorizing Debtor to Sell Property Free and Clear of All Liens, Interests, and/or Encumbrances, [65-1] Application To Employ Auctioneer Robert H. Ewald of Moecker Auctions, Inc. by Intracorp Entertainment, Inc., [66-1] Order Approving Employment of Auctioneer. (Montilla M cm) (Entered: 12/16/1996)

12/12/1996	69	Motion By Debtor Intracorp Entertainment, Inc. For Sanctions , or in the Alternative, For Order Prohibiting Certain Actions Against the Debtor and Property of the Estate (Montilla M cm) (Entered: 12/18/1996)
12/18/1996	70	Objection By Creditor George May To [69-1] Motion For Sanctions by Intracorp Entertainment, Inc., or in the Alternative [69-2] Motion For Order Prohibiting Certain Actions Against the Debtor Property of the Estate by Intracorp Entertainment, Inc. . (Montilla M cm) (Entered: 12/19/1996)
12/18/1996	71	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [69-1] Motion For Sanctions by Intracorp Entertainment, Inc. Schd For 1:30 1/7/97 at Room 1406, Miami, [69-2] Motion For Order Prohibiting Certain Actions Against the Debtor and Property of the Estate by Intracorp Entertainment, Inc. Schd For 1:30 1/7/97 at Room 1406, Miami (Montilla M cm) (Entered: 12/20/1996)
12/20/1996	72	Notice of Appearance And Request For Service Of Notice By Michael Reed for Creditor County of Brazos. (Montilla M cm) (Entered: 12/26/1996)
12/20/1996	74	Third Agreed Motion By Debtor Intracorp Entertainment, Inc. For Authority To Use Cash Collateral (Montilla M cm) (Entered: 01/02/1997)
12/24/1996	73	Notice of Taking 2004 Examination Duces Tecum of Intracorp Entertainment Inc on 1/14/97 @9:30, and Production of Documents by Agreement. Filed by: Creditor Bankatlantic . (Montilla M cm) (Entered: 12/26/1996)
12/31/1996	75	Agreed Order (AJC 12/31/96) Granting [74-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (EOD 1/2/97) (Montilla M cm) (Entered: 01/02/1997)
01/03/1997	76	Application By The Official Committee of Unsecured Creditors To Employ Attorney John A Moffa . (Verified Stmt of Proposed Atty Attached) (Montilla M cm) (Entered: 01/08/1997)
01/06/1997	85	Motion by Creditor Randall Masteller To Treat AFC Licensing & Distribution Agreement in Default by the Debtor (DeLaurentos J cm) (Entered: 01/17/1997)
01/08/1997	77	Order (1/7/97) Granting [76-1] Application To Employ Attorney John A Moffa for The Committee of Unsecured Creditors by Creditors Committee. (EOD 1/8/97) (Montilla M cm) (Entered: 01/08/1997)
01/09/1997	78	Notice of Appearance And Request For Service Of Notice By Robert E Venney for Creditor Three-Sixty Pacific, Inc.. (Montilla M cm) (Entered: 01/10/1997)
01/09/1997	79	Notice of Filing By Debtor Intracorp Entertainment, Inc. Re: Auctioneer's Report. (Montilla M cm) (Entered: 01/10/1997)

01/13/1997		Debtor's Monthly financial Report for the period of 11/1/96 to 11/30/96 . (Montilla M cm) (Entered: 01/13/1997)
01/13/1997	80	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [75-1] Agreed Order Authorizing Debtor's Use of Cash Collateral. (Montilla M cm) (Entered: 01/13/1997)
01/13/1997	81	Order (1/13/97) Granting in Part [69-1] Motion For Sanctions by Intracorp Entertainment, Inc. Granting in Part [69-2] Motion For Order Prohibiting Certain Actions Against the Debtor and Property of the Estate by Intracorp Entertainment, Inc. (See Order) (EOD 1/15/97) (Montilla M cm) (Entered: 01/15/1997)
01/15/1997	82	Certificate Of Service By John A Moffa for Creditor Committee Of [77-1] Order Granting Mtn to Employ Atty John A Moffa for The Committee of Unsecured Creditors. (Montilla M cm) (Entered: 01/16/1997)
01/15/1997	83	Notice of Appearance And Request For Service Of Notice By John A Moffa for The Committee of Unsecured Creditors. (Montilla M cm) (Entered: 01/16/1997)
01/15/1997	84	Re-Notice of Taking 2004 Examination (Duces Tecum) of Intracorp Entertainment Inc On 2/4/97 @9:30, and Production of Documents by Agreement. Filed by: Creditor Bankatlantic. (Montilla M cm) (Entered: 01/16/1997)
01/22/1997	86	Notice of Appearance And Request For Service Of Notice By Caroline M Nitsche for Creditor MCA/Universal Merchandizing Inc. (DeLaurentos J cm) (Entered: 01/28/1997)
01/27/1997	87	Motion By Creditor Applied Computer Services Inc and Creditor Larry Bond For Relief From Stay . (Negative Notice) (Montilla M cm) (Entered: 01/29/1997)
01/30/1997	88	Second Re-Notice of Taking 2004 Examination (Duces Tecum) of Intracorp Entertainment Inc On 2/4/97 @10:30, and Production of Documents by Agreement. Filed by: Creditor Bankatlantic . (Montilla M cm) (Entered: 01/30/1997)
01/30/1997	93	Response By Intracorp Entertainment, Inc. and Incorporated Memorandum of Law in Opposition To: [87-1] Motion For Relief From Stay by Larry Bond, Applied Computer Services Inc (Montilla M cm) (Entered: 02/07/1997)
01/31/1997	89	Notice of Appearance And Request For Service Of Notice By Mark C Rutecki for Creditor Premier Search Inc. (Montilla M cm) (Entered: 02/04/1997)

01/31/1997	90	Motion By Debtor Intracorp Entertainment, Inc. To Extend Exclusive Period Within Which to File Plan and Solicit Votes . (Montilla M cm) (Entered: 02/04/1997)
02/03/1997	91	Notice of Appearance And Request For Service Of Notice By D Wade Cloud, Jr. for Creditor Id Software Inc. (Montilla M cm) (Entered: 02/04/1997)
02/03/1997	92	Motion By Debtor Intracorp Entertainment, Inc. For Protective Order . (Montilla M cm) (Entered: 02/05/1997)
02/05/1997	98	Notice of Hearing by special counsel Michael D Seese RE: [90-1] Motion To Extend Exclusive Period Within Which to File Plan and Solicit Votes by Intracorp Entertainment, Inc. schd For 9:30 2/20/97 at Room 1406, Miami (Reynolds M cm) (Entered: 02/11/1997)
02/06/1997	94	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [92-1] Motion For Protective Order by Intracorp Entertainment, Inc. Schd For 9:30 2/20/97 at Room 1406, Miami (Montilla M cm) (Entered: 02/07/1997)
02/07/1997	95	Notice of Taking 2004 Examination of Leigh Rothchild On 2/12/97 @11:30, and Production of Documents by Agreement. Filed by: The Committee of Unsecured Creditors. (Montilla M cm) (Entered: 02/07/1997)
02/07/1997	96	Order (2/6/97) Denying [85-1] Motion To Treat AFC Licensing & Distribution Agreement in Default by the Debtor by Randall Masteller. (EOD 2/7/97) (Montilla M cm) (Entered: 02/07/1997)
02/07/1997	97	Notice of Hearing by Geoffrey S Aaronson for Creditor Larry Bond, Creditor Applied Computer Services Inc RE: [87-1] Motion For Relief From Stay by Larry Bond, Applied Computer Services Inc Schd For 9:30 2/20/97 at Room 1406, Miami, [93-1] Response by Intracorp Entertainment, Inc. Schd For 9:30 2/20/97 at Room 1406, Miami (Montilla M cm) (Entered: 02/10/1997)
02/10/1997	99	Request by Creditor Comdisco Inc For Notice. (Montilla M cm) (Entered: 02/11/1997)
02/10/1997	100	Cross Notice of Taking 2004 Examination Duces Tecum of Intracorp Entertainment Inc On 2/12/97 @11:30, and Production of Documents by Agreement. Filed by: Creditor Bankatlantic . (Montilla M cm) (Entered: 02/11/1997)
02/12/1997	101	Request by Creditor Dade County Tax Collector For Notice. (Montilla M cm) (Entered: 02/13/1997)
02/13/1997	102	Motion by Debtor Intracorp Entertainment, Inc. For Authorization to Enter Into Exclusive Licensing Agreement (DeLaurentos J cm) (Entered: 02/18/1997)

02/13/1997	104	Motion by Creditor Applied Computer Services Inc To Continue Hearing On: ([93-1] Response by Intracorp Entertainment, Inc.) (Reynolds M cm) (Entered: 02/21/1997)
02/14/1997	103	Notice of Hearing by special counsel Michael D Seese RE: [102-1] Motion For Authorization to Enter Into Exclusive Licensing Agreement by Intracorp Entertainment, Inc. schd For 9:30 2/20/97 at Room 1406, Miami (Reynolds M cm) (Entered: 02/20/1997)
02/19/1997	105	Objection by Creditor Bankatlantic To [102-1] Motion For Authorization to Enter Into Exclusive Licensing Agreement by Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 02/21/1997)
02/20/1997	106	Order (2/19/97) To Continue Hearing On:([104-1] Motion To Continue Hearing On: ([93-1] Response by Intracorp Entertainment, Inc.) by Applied Computer Services Inc Hearing reset to 9:30 3/4/97 at Room 1406, Miami, [87-1] Motion For Relief From Stay by Larry Bond, Applied Computer Services Inc Hearing reset to 9:30 3/4/97 at Room 1406, Miami) . (EOD 2/21/97) (Reynolds M cm) (Entered: 02/21/1997)
02/24/1997	107	Certificate Of Service By Geoffrey S Aaronson for Creditor Larry Bond, Creditor Applied Computer Services Inc Of [106-1] Order To Continue Hearing On:([104-1] Motion To Continue Hearing On: ([93-1] Response by Intracorp Entertainment, Inc.) by Applied Computer Services Inc Hearing reset to 9:30 3/4/97 at Room 1406, Miami, [87-1] Motion For Relief From Stay by Larry Bond, Applied Computer Services Inc Hearing reset to 9:30 3/4/97 at Room 1406, Miami) . (Reynolds M cm) (Entered: 02/26/1997)
02/25/1997		Debtor's Monthly Financial Report for the period of 1/1/97 to 1/31/97. (Reynolds M cm) (Entered: 02/26/1997)
02/25/1997	108	Re-Notice of Hearing filed by special counsel Michael D Seese Re: [102-1] Motion For Authorization to Enter Into Exclusive Licensing Agreement by Intracorp Entertainment, Inc. schd For 9:30 3/4/97 at Room 1406, Miami. (Reynolds M cm) (Entered: 03/03/1997)
02/26/1997	109	Notice of Appearance And Request For Service Of Notice By David C Cimo for Creditor Mainstream Interactive Inc. (Reynolds M cm) (Entered: 03/03/1997)
02/27/1997	110	Order (2/26/97) Granting [90-1] Motion To Extend Exclusive Period Within Which to File Plan and Solicit Votes by Intracorp Entertainment, Inc. Chapter 11 Plan Due: 5/4/97; period to solicit votes extended to 7/2/97. (EOD 3/3/97) (Reynolds M cm) (Entered: 03/03/1997)
02/27/1997	111	Motion by Debtor Intracorp Entertainment, Inc. For Authority To Use Cash Collateral /emergency hrg requested (Reynolds M cm) (Entered: 03/03/1997)

02/28/1997	112	Notice of Hearing by special counsel Michael D Seese RE: [111-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. schd For 9:30 3/4/97 at Room 1406, Miami/emergency hrg requested (Reynolds M cm) (Entered: 03/06/1997)
03/03/1997	113	Notice of Appearance And Request For Service Of Notice By Christopher P Kelley for Creditor K-Sport. (Reynolds M cm) (Entered: 03/06/1997)
03/05/1997	114	Order (3/4/97) To Continue Hearing On:([102-1] Motion For Authorization to Enter Into Exclusive Licensing Agreement by Intracorp Entertainment, Inc. Hearing reset to 9:30 3/4/97 at Room 1406, Miami) (Reynolds M cm) (Entered: 03/10/1997)
03/05/1997	115	Certificate Of Service By special counsel Michael D Seese Of [110-1] Order. (Reynolds M cm) (Entered: 03/10/1997)
03/07/1997	116	Agreed Order (3/7/97) Granting [111-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (EOD 3/13/97) (Reynolds M cm) (Entered: 03/13/1997)
03/07/1997	117	Order (3/7/97) Denying w/o prejudice [102-1] Motion For Authorization to Enter Into Exclusive Licensing Agreement by Intracorp Entertainment, Inc. (EOD 3/13/97) (Reynolds M cm) (Entered: 03/13/1997)
03/07/1997	118	Order (3/7/97) Denying [87-1] Motion For Relief From Stay by Larry Bond, Applied Computer Services Inc. (EOD 3/13/97) (Reynolds M cm) (Entered: 03/13/1997)
03/13/1997	119	Motion by Debtor Intracorp Entertainment, Inc. To Assume Executory Contract (Reynolds M cm) (Entered: 03/18/1997)
03/17/1997	120	Motion by Creditor Mainstream Interactive Inc To Compel Assumption or Rejection of Executory Contract (Reynolds M cm) (Entered: 03/19/1997)
03/18/1997	121	Certificate Of Service by special counsel Michael D Seese Of [118-1] Order, [117-1] Order, [116-1] Order. (Reynolds M cm) (Entered: 03/20/1997)
03/18/1997	122	Notice of Hearing by Debtor Intracorp Entertainment, Inc. RE: [119-1] Motion To Assume Executory Contract by Intracorp Entertainment, Inc. schd For 10:00 4/10/97 at Room 1406, Miami (Reynolds M cm) (Entered: 03/21/1997)
03/20/1997	123	Notice of Hearing by David C Cimo for Creditor Mainstream Interactive Inc RE: [120-1] Motion To Compel Assumption or Rejection of Executory Contract by Mainstream Interactive Inc schd For 10:00 4/10/97 at Room 1406, Miami (Reynolds M cm) (Entered: 03/24/1997)

03/24/1997	124	Motion by Debtor Intracorp Entertainment, Inc. To Approve Compromise of Controversy (Reynolds M cm) (Entered: 03/27/1997)
03/26/1997	125	Application by Debtor Intracorp Entertainment, Inc. To Employ Jay Howard Linn as acct /afdt attached (Reynolds M cm) (Entered: 03/31/1997)
03/27/1997	126	Notice of Hearing by Michael Seese for Debtor Intracorp Entertainment, Inc. Re: [124-1] Motion To Approve Compromise of Controversy by Intracorp Entertainment, Inc. Schd For 2:00 4/22/97 at Room 1406, Miami. (Haas E) (Entered: 03/31/1997)
03/31/1997	127	Notice of Hearing by special counsel Michael D Seese RE: [125-1] Application To Employ Jay Howard Linn as acct by Intracorp Entertainment, Inc. schd For 10:00 4/10/97 at Room 1406, Miami (Reynolds M cm) (Entered: 04/03/1997)
04/04/1997	128	Motion by Debtor Intracorp Entertainment, Inc. To Reject Executory Contract (Reynolds M cm) (Entered: 04/09/1997)
04/04/1997	129	Amended Schedules F G And Declaration Concerning Amendments (Reynolds M cm) (Entered: 04/09/1997)
04/04/1997	130	Certificate Of Service by special counsel Michael D Seese Of [129-1] Amended Schedules. (Reynolds M cm) (Entered: 04/09/1997)
04/04/1997	131	Supplemental by: Special counsel Michael D Seese To [129-1] Amended Schedules (Reynolds M cm) (Entered: 04/09/1997)
04/07/1997	132	Motion by Creditor Random Programming To Compel Assumption or Rejection of Executory Contract (Reynolds M cm) (Entered: 04/09/1997)
04/07/1997	133	Motion by Creditor Applied Computer Services Inc, Creditor Larry Bond To Continue Hearing On:([119-1] Motion To Assume Executory Contract by Intracorp Entertainment, Inc.) (Reynolds M cm) (Entered: 04/09/1997)
04/08/1997	134	Notice of Hearing by Geoffrey S Aaronson for Creditor Larry Bond, Creditor Applied Computer Services Inc RE: [133-1] Motion To Continue Hearing On:([119-1] Motion To Assume Executory Contract by Intracorp Entertainment, Inc.) by Larry Bond, Applied Computer Services Inc schd For 10:00 4/10/97 at Room 1406, Miami (Reynolds M cm) (Entered: 04/10/1997)
04/08/1997	135	Objection by Debtor Intracorp Entertainment, Inc. To [133-1] Motion To Continue Hearing On:([119-1] Motion To Assume Executory Contract by Intracorp Entertainment, Inc.) by Larry Bond, Applied Computer Services Inc. (Reynolds M cm) (Entered: 04/16/1997)
04/11/1997	136	Motion by Creditor Carole Ramsay To Allow Late File Claim (Reynolds M cm) (Entered: 04/17/1997)

04/14/1997	138	Notice of Hearing by special counsel Michael D Seese RE: [128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. schd For 2:00 4/22/97 at Room 1406, Miami (Reynolds M cm) (Entered: 04/18/1997)
04/14/1997	139	Notice of Hearing by Geoffrey S Aaronson for Creditor Larry Bond, Creditor Applied Computer Services Inc RE: [128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. schd For 2:00 4/22/97 at Room 1406, Miami (Reynolds M cm) (Entered: 04/18/1997)
04/14/1997	140	Notice by Creditor Applied Computer Services Inc To Take Deposition Of Debtor's Rep. 4/21/97 (Reynolds M cm) (Entered: 04/18/1997)
04/15/1997	137	Order to Set Hearing Re: [136-1] Motion To Allow Late File Claim by Carole Ramsay schd For 2:00 4/22/97 at Room 1406, Miami (Reynolds M cm) (Entered: 04/17/1997)
04/15/1997	141	Order (4/15/97) Granting [125-1] Application To Employ Jay Howard Linn as acct by Intracorp Entertainment, Inc. (EOD 4/17/97) (Reynolds M cm) (Entered: 04/18/1997)
04/18/1997	142	Agreed Motion by Debtor Intracorp Entertainment, Inc. To Continue Hearing On:([128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc.) (Reynolds M cm) (Entered: 04/23/1997)
04/18/1997		Complaint (97-416) Intracorp Entertainment, Inc. vs. American Software And Hardware . NOS 454 Recover Money/Property . Deadline to Provide Adversary Summons is 4/26/97 (Rodriguez M cm) (Entered: 04/24/1997)
04/18/1997		Complaint (97-416) Intracorp Entertainment, Inc. vs. American Software And Hardware . NOS 454 Recover Money/Property . (Shuler P cm) (Entered: 04/24/1997)
04/21/1997		Debtor's Monthly Financial Report for the period of 3/1/97 to 3/31/97. (Reynolds M cm) (Entered: 04/23/1997)
04/21/1997	143	Notice of Hearing by Glenn J Waldman for Creditor Random Programming, Creditor Randall Masteller RE: [132-1] Motion To Compel Assumption or Rejection of Executory Contract by Random Programming schd For 2:00 4/22/97 at Room 1406, Miami (Reynolds M cm) (Entered: 04/23/1997)
04/21/1997		Complaint (97-417) Intracorp Entertainment, Inc. vs. Lasersoft, Inc. . NOS 454 Recover Money/Property . (Rodriguez M cm) (Entered: 04/24/1997)
04/23/1997	144	Order (4/22/97) Granting [142-1] Motion To Continue Hearing On:([128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc.) by Intracorp Entertainment, Inc. Hearing reset To 2:00 5/7/97 at Room 1406, Miami. (EOD 4/25/97) (Reynolds M cm) (Entered: 04/25/1997)

04/24/1997	145	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [141-1] Order Employing Accountant. (DeLaurentos J cm) (Entered: 04/28/1997)
04/28/1997	146	Order (4/25/97) Granting [124-1] Motion To Approve Compromise of Controversy by Intracorp Entertainment, Inc. (EOD 4/29/97) (DeLaurentos J cm) (Entered: 04/29/1997)
04/28/1997	147	Agreed Order (4/25/97) Granting [132-1] Motion To Compel Assumption or Rejection of Executory Contract by Random Programming (EOD 4/29/97) (DeLaurentos J cm) (Entered: 04/29/1997)
04/28/1997	148	Order (4/25/97) Granting [136-1] Motion To Allow Late File Claim by Carole Ramsay (Rodriguez M cm) (Entered: 04/29/1997)
05/02/1997	149	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [144-1] Agreed Order Granting Motion To Continue Hearing. (Rodriguez M cm) (Entered: 05/06/1997)
05/02/1997	150	Fourth Agreed Motion By Debtor Intracorp Entertainment, Inc. For Authority To Use Cash Collateral (Rodriguez M cm) (Entered: 05/06/1997)
05/06/1997	151	Second Motion by Debtor Intracorp Entertainment, Inc. To Extend Exclusive Period within which to file Plan and Solicit Votes (Reynolds M cm) (Entered: 05/08/1997)
05/08/1997	152	Motion by Debtor Intracorp Entertainment, Inc. To Reject Executory Contract (Reynolds M cm) (Entered: 05/15/1997)
05/08/1997	153	Motion by Debtor Intracorp Entertainment, Inc. To Continue Hearing On:([128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc.) . (Reynolds M cm) (Entered: 05/15/1997)
05/08/1997	154	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [151-1] Motion To Extend Exclusive Period within which to file Plan and Solicit Votes by Intracorp Entertainment, Inc. schd For 1:30 5/20/97 at Room 1406, Miami (Reynolds M cm) (Entered: 05/15/1997)
05/08/1997	155	Agreed Order (5/7/97) Granting [150-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (EOD 5/15/97) (Reynolds M cm) (Entered: 05/15/1997)
05/12/1997	156	Order (5/12/97) To Continue Hearing On:([152-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. Hearing reset to 10:00 5/28/97 at Room 1406, Miami) (Reynolds M cm) (Entered: 05/19/1997)
05/12/1997	157	Notice of Hearing by special counsel Michael D Seese RE: [128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. schd For 10:00

		5/28/97 at Room 1406, Miami, [152-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. schd For 10:00 5/28/97 at Room 1406, Miami (Reynolds M cm) (Entered: 05/19/1997)
05/12/1997	158	Re-Notice of Hearing filed by special counsel Michael D Seese Re: [151-1] Motion To Extend Exclusive Period within which to file Plan and Solicit Votes by Intracorp Entertainment, Inc. schd For 10:00 5/28/97 at Room 1406, Miami. (Reynolds M cm) (Entered: 05/19/1997)
05/15/1997	159	Agreed Order (5/14/97) Granting [128-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. (5/19/97) (Reynolds M cm) (Entered: 05/19/1997)
05/15/1997	160	Notice of Appearance And Request For Service Of Notice by Eric P Ferleger for Creditor MVP Entertainment Inc. (Reynolds M cm) (Entered: 05/20/1997)
05/15/1997	161	Ex parte Motion by Debtor Intracorp Entertainment, Inc. for entry of amended agreed order authorizing use of cash collateral (Reynolds M cm) (Entered: 05/21/1997)
05/16/1997	162	Application by Debtor Intracorp Entertainment, Inc. To Employ Len Dugow & Associates, Inc. as Marketing Consultant /Len Dugow afdt attached. (Reynolds M cm) (Entered: 05/21/1997)
05/20/1997	163	Ex parte Motion by Debtor Intracorp Entertainment, Inc. To Shorten Time To Respond to Request for Production of Documents (Reynolds M cm) (Entered: 05/23/1997)
05/20/1997	164	Notice of Filing Original Affidavit of Marketing Consultant by special counsel Michael D Seese Re: [162-1] Application To Employ Len Dugow & Associates, Inc. as Marketing Consultant by Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 05/23/1997)
05/21/1997	165	Order (5/21/97) Granting [161-1] Motion for entry of amended agreed order authorizing use of cash collateral by Intracorp Entertainment, Inc. (EOD 5/23/97) (Reynolds M cm) (Entered: 05/23/1997)
05/21/1997	167	Amended Agreed Order (5/21/97) Authorizing [150-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (EOD 5/27/97) (Reynolds M cm) (Entered: 05/27/1997)
05/22/1997	166	Order (5/21/97) Granting [163-1] Motion To Shorten Time To Respond to Request for Production of Documents by Intracorp Entertainment, Inc. Response due 5/26/97. (EOD 5/23/97) (Reynolds M cm) (Entered: 05/23/1997)
05/23/1997	168	Notice of Hearing by special counsel Michael D Seese RE: [162-1] Application To Employ Len Dugow & Associates, Inc. as Marketing

		Consultant by Intracorp Entertainment, Inc. schd For 10:00 5/28/97 at Room 1406, Miami (Reynolds M cm) (Entered: 05/29/1997)
05/27/1997		Debtor's Monthly Financial Report for the period of 4/1/97 to 4/30/97. (Reynolds M cm) (Entered: 05/29/1997)
05/29/1997	169	Transcript of Deposition of Leigh M Rothschild 4/25/97 (Reynolds M cm) (Entered: 05/30/1997)
05/29/1997	170	Certificate Of Service by special counsel Michael D Seese Of [162-1] Application To Employ Len Dugow & Associates, Inc. as Marketing Consultant by Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 06/03/1997)
05/30/1997	171	Amended Notice of Hearing filed by special counsel Michael D Seese Re: [162-1] Application To Employ Len Dugow & Associates, Inc. as Marketing Consultant by Intracorp Entertainment, Inc. schd For 3:00 6/17/97 at Room 1406, Miami. (Reynolds M cm) (Entered: 06/03/1997)
06/02/1997	172	Certificate Of Service by special counsel Michael D Seese Of [167-1] Amended Order, [165-1] Order, [161-1] Motion for entry of amended agreed order authorizing use of cash collateral by Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 06/04/1997)
06/03/1997	173	Order (6/3/97) Granting [151-1] Motion To Extend Exclusive Period within which to file Plan and Solicit Votes by Intracorp Entertainment, Inc. Chapter 11 Plan Due: 8/2/97. The Time to Solicit Votes is Extended to 9/30/97. (EOD 6/4/97) (Reynolds M cm) (Entered: 06/04/1997)
06/05/1997	174	Order (6/5/97) Reserving Ruling On [119-1] Motion To Assume Executory Contract by Intracorp Entertainment, Inc. with ACSL. (EOD 6/6/97) (Reynolds M cm) (Entered: 06/06/1997)
06/06/1997	175	Transcript of Excerpt from Proceedings: Debtor's Motion for Authorization to Assume Executory Contract 5/28/97 (Reynolds M cm) (Entered: 06/09/1997)
06/09/1997	176	First Application by John A Moffa for Creditor Creditors Committee For Interim Compensation (Fees: \$7,787.50, Expenses: \$211.99) (Reynolds M cm) (Entered: 06/10/1997)
06/10/1997	177	Certificate Of Service by special counsel Michael D Seese Of [173-1] Order Extending Exclusive Period. (Reynolds M cm) (Entered: 06/12/1997)
06/12/1997	178	Joint Ex parte Motion by Debtor Intracorp Entertainment, Inc, Creditor Applied Computer Services Inc To Extend Time To File Stipulation of Settlement (Reynolds M cm) (Entered: 06/16/1997)

06/13/1997	179	Transcript of Excerpt from Proceedings: Continued Hearing on Debtor's Motion for Authorization to Assume Executory Contract 6/2/97 (Reynolds M cm) (Entered: 06/16/1997)
06/17/1997	180	Order (6/16/97) Granting [178-1] Motion To Extend Time To File Stipulation of Settlement by Applied Computer Services Inc, Intracorp Entertainment, Inc. Extended to 6/20/97. (EOD 6/19/97) (Reynolds M cm) (Entered: 06/19/1997)
06/17/1997	181	Agreed Order (6/16/97) Granting [152-1] Motion To Reject Executory Contract by Intracorp Entertainment, Inc. (EOD 6/19/97) (Reynolds M cm) (Entered: 06/19/1997)
06/17/1997	182	Notice of Hearing by John A Moffa for Creditor Committee Creditors Committee RE: [176-1] Application For Interim Compensation (Fees: \$7,787.50, Expenses: \$211.99) by John A Moffa Esq schd For 2:30 7/22/97 at Room 1406, Miami (Reynolds M cm) (Entered: 06/20/1997)
06/20/1997	183	Agreed Motion by Debtor Intracorp Entertainment, Inc. To Extend Time to file Stipulation of Settlement with Applied Computing Services and Mr Larry Bond (Reynolds M cm) (Entered: 06/25/1997)
06/23/1997		Debtor's Monthly Financial Report for the period of 5/1/97 to 5/31/97. (Reynolds M cm) (Entered: 06/25/1997)
06/26/1997	184	Agreed Order (6/25/97) Granting [183-1] Motion To Extend Time to file Stipulation of Settlement with Applied Computing Services and Mr Larry Bond by Intracorp Entertainment, Inc. Extended to 6/27/97. (EOD 7/1/97) (Reynolds M cm) (Entered: 07/01/1997)
06/27/1997	186	Agreed Second Motion by Debtor Intracorp Entertainment, Inc. To Extend Time to file Stipulation of Settlement with Allied Computing Services, Inc. and Mr Larry Bond (Reynolds M cm) (Entered: 07/10/1997)
07/02/1997	187	Agreed Order (7/2/97) Granting [186-1] Motion To Extend Time to file Stipulation of Settlement with Allied Computing Services, Inc. and Mr Larry Bond by Intracorp Entertainment, Inc. Extended to 7/4/97. (EOD 7/10/97) (Reynolds M cm) (Entered: 07/10/1997)
07/03/1997	185	Motion by Debtor Intracorp Entertainment, Inc. To Employ Robert M Levy as Real Estate Broker /afdt attached (Reynolds M cm) (Entered: 07/10/1997)
07/07/1997	189	Agreed Third Motion By Debtor Intracorp Entertainment, Inc. To Extend Time To File Stipulation of Settlement . (Haas E) (Entered: 07/12/1997)
07/07/1997	190	Affidavit by Broker Robert M Levy In Support of Employment. (Haas E) (Entered: 07/12/1997)

07/07/1997	190	Notice of Filing By Debtor Intracorp Entertainment, Inc. Re: Original [190-1] Affidavit by Robert M Levy. (Haas E) (Entered: 07/12/1997)
07/08/1997	191	Order (7/7/97) Granting [162-1] Application To Employ Len Dugow & Associates, Inc. as Marketing Consultant by Intracorp Entertainment, Inc. Nunc Pro Tunc to 5/16/97. [EOD 7/12/97] (Haas E) (Entered: 07/12/1997)
07/10/1997	188	Order (7/9/97) Granting [185-1] Motion To Employ Robert M Levy as Real Estate Broker by Intracorp Entertainment, Inc. [EOD 7/11/97] (Haas E) (Entered: 07/11/1997)
07/10/1997	192	Agreed Order (7/9/97) Granting [189-1] Motion To Extend Time To File Stipulation of Settlement by Intracorp Entertainment, Inc. Extended to 7/18/97. (EOD 7/14/97) (Reynolds M cm) (Entered: 07/14/1997)
07/14/1997	193	FIFTH Agreed Motion By Debtor Intracorp Entertainment, Inc. For Authority To Use Cash Collateral (Through 10/29/97) (Vazquez S cm) (Entered: 07/16/1997)
07/14/1997	194	THIRD Motion By Debtor Intracorp Entertainment, Inc. To Extend Exclusive Period Within Which To File Plan and Solicit Votes (Vazquez S cm) (Entered: 07/16/1997)
07/16/1997	195	Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [194-1] Motion To Extend Exclusive Period Within Which To File Plan and Solicit Votes by Intracorp Entertainment, Inc. Schd For 2:30 7/22/97 at Room 1406, Miami (DeLaurentos J cm) (Entered: 07/17/1997)
07/16/1997	196	Agreed Order (7/16/97) Granting [193-1] Motion For Authority To Use Cash Collateral by Intracorp Entertainment, Inc. (eod 7/18/97) (Sanabria N cm) (Entered: 07/18/1997)
07/17/1997	197	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [194-1] Motion To Extend Exclusive Period Within Which To File Plan and Solicit Votes by Intracorp Entertainment, Inc., [196-1] Order Auth Db's Use of Cash Collateral (Sanabria N cm) (Entered: 07/18/1997)
07/18/1997	198	Stipulation of Settlement by and between Debtor Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 07/23/1997)
07/18/1997	199	Notice of Filing by Geoffrey S Aaronson for Creditor Larry Bond, Creditor Applied Computer Services Inc Re: [198-1] Stipulation by Intracorp Entertainment, Inc. (Reynolds M cm) (Entered: 07/23/1997)
07/21/1997	200	Application by Creditor Committee Creditors Committee To Employ Darlene Nelson-Oliphant, CPA /afdt attached. (Reynolds M cm) (Entered: 07/24/1997)

07/22/1997		Debtor's Monthly Financial Report for the period of 7/1/97 to 7/31/97. (Reynolds M cm) (Entered: 07/24/1997)
07/23/1997	201	Order (7/22/97) Granting [176-1] Application For Interim Compensation (Fees: \$7,787.50, Expenses: \$211.99) by John A Moffa Esq. Payment to John A. Moffa of \$5840.63 in fees and \$211.99 in expenses. (EOD 7/24/97) (Reynolds M cm) (Entered: 07/24/1997)
07/24/1997	203	Certificate Of Service by John A Moffa for Creditor Creditors Committee Of [201-1] Order by John A Moffa Esq. (Reynolds M cm) (Entered: 07/29/1997)
07/24/1997	204	Motion by Creditor George May for an accounting of the profits made from registered copyrights (Reynolds M cm) (Entered: 07/29/1997)
07/25/1997	202	Order (7/24/97) Granting [200-1] Application To Employ Darlene Nelson-Oliphant, CPA by Creditors Committee. (EOD 7/28/97) (Reynolds M cm) (Entered: 07/28/1997)
07/30/1997	205	Order (7/30/97) Granting [194-1] Motion To Extend Exclusive Period Within Which To File Plan and Solicit Votes by Intracorp Entertainment, Inc. Chapter 11 Plan Due: 10/31/97 and Extended to 12/30/97 to Solicit Votes. (EOD 8/2/97) (Reynolds M cm) (Entered: 08/02/1997)
07/31/1997		Disposition of Adversary (97-417) Granting [1-1] Complaint NOS 454 Recover Money/Property (Reynolds M cm) (Entered: 07/31/1997)
07/31/1997		Adversary Case (97-417) Closed. (Reynolds M cm) (Entered: 07/31/1997)
08/04/1997	206	Order (8/4/97) Setting Hearing Re: [204-1] Motion for an accounting of the profits made from registered copyrights by George May Schd For 10:30 8/26/97 at Room 1406, Miami. (EOD 8/5/97) (Montilla M cm) (Entered: 08/05/1997)
08/05/1997	207	Certificate Of Service by John A Moffa for Creditor Creditors Committee Of [202-1] Order. (Reynolds M cm) (Entered: 08/08/1997)
08/12/1997	208	Motion by: Debtor Intracorp Entertainment, Inc. For Rehearing and/or To Reconsider Re: [202-1] Order Employing CPA for Creditors Committee (Reynolds M cm) (Entered: 08/15/1997)
08/22/1997	212	Objection by Debtor Intracorp Entertainment, Inc. To [204-1] Motion for an accounting of the profits made from registered copyrights by George May. (Reynolds M cm) (Entered: 09/10/1997)
08/28/1997		Debtor's Monthly financial Report for the period of 7/1/97 to 7/31/97 . (Shuler P cm) (Entered: 08/29/1997)

09/03/1997	209	Order (9/2/97) Denying [204-1] Motion for an accounting of the profits made from registered copyrights by George May. (EOD 9/5/97) (Reynolds M cm) (Entered: 09/05/1997)
09/03/1997	210	Certificate Of Service by special counsel Michael D Seese Of [205-1] Order Extending Exclusive Period. (Reynolds M cm) (Entered: 09/05/1997)
09/05/1997	211	Motion by Debtor Intracorp Entertainment, Inc. For Sanctions (Reynolds M cm) (Entered: 09/08/1997)
09/10/1997	213	Notice of Hearing by special counsel Michael D Seese RE: [211-1] Motion For Sanctions by Intracorp Entertainment, Inc. schd For 11:00 10/7/97 at Room 1406, Miami (Reynolds M cm) (Entered: 09/15/1997)
09/12/1997	214	Notic to Withdraw Request for payment by IRS re: Claim amt \$140.95 dated 7/21/97 (Reynolds M cm) (Entered: 09/15/1997)
09/25/1997	215	First Interim Application By Howard J Berlin (for Michael D. Seese) for Debtor Intracorp Entertainment, Inc. For Compensation (Fees: \$ 140,865.40, Expenses: \$ 15,435.76) . (Rodriguez A cm) (Entered: 09/26/1997)
09/29/1997	216	Joint Motion by Debtor Intracorp Entertainment, Inc. Creditor Applied Computer Services Inc, Creditor Larry Bond For Approval of Settlement Agreement with Applied Computing Services, Inc. /neg. ntc. (Reynolds M cm) (Entered: 10/01/1997)
09/30/1997	217	Notice of Hearing by special counsel Michael D Seese RE: [215-1] Application For Compensation (Fees: \$ 140,865.40, Expenses: \$ 15,435.76) by Howard J Berlin Esq schd For 11:30 10/22/97 at Room 1406, Miami (Reynolds M cm) (Entered: 10/02/1997)
10/06/1997	218	Notice of Appearance And Request For Service Of Notice By F Lorraine Jahn for Creditor Leigh M Rothschild. (Rodriguez A cm) (Entered: 10/07/1997)
10/09/1997	219	Re-Notice of Hearing filed by special counsel Michael D Seese Re: [213-1] Notice of hearing Debtor's Motion for Sanctions by Michael D Seese Rschd For 11:30 10/22/97 at Room 1406, Miami . (Rodriguez A cm) (Entered: 10/14/1997)
10/09/1997	220	Objection By Creditor Bankatlantic To [215-1] Application For Compensation (Fees: \$ 140,865.40, Expenses: \$ 15,435.76) by Howard J Berlin Esq . (Rodriguez A cm) (Entered: 10/16/1997)
10/09/1997	221	Certificate Of Service By Janice Danziger Of [220-1] Objection by Bankatlantic . (Rodriguez A cm) (Entered: 10/16/1997)

10/10/1997		Debtor's Monthly financial Report for the period of 8/1/97 to 8/31/97 . (Rodriguez A cm) (Entered: 10/14/1997)
10/14/1997	223	Notice of Filing By Debtor Intracorp Entertainment, Inc. Exhibit A & Exhibit B Re: [211-1] Motion For Sanctions by Intracorp Entertainment, Inc. (Rodriguez A cm) (Entered: 10/16/1997)
10/14/1997	222	Response By: Creditor George May Re: [211-1] Motion For Sanctions by Intracorp Entertainment, Inc. (Rodriguez A cm) (Entered: 10/17/1997)
10/17/1997	224	Notice of Taking 2004 Examination of Mr. Leigh M. Rothschild/Intracorp Entertainment Inc, and Production of Documents by Agreement on 10/21/97 at 1:30 p.m.. Filed by: Creditor Three-Sixty Pacific, Inc. . (Rodriguez A cm) (Entered: 10/17/1997)
10/17/1997	225	Objection By Creditors Committee To [215-1] Application For Compensation (Fees: \$ 140,865.40, Expenses: \$ 15,435.76) by Howard J Berlin Esq . (Rodriguez A cm) (Entered: 10/21/1997)
10/23/1997	226	Re-Notice of Hearing by special counsel Michael D Seese RE: [211-1] Motion For Sanctions by Intracorp Entertainment, Inc. Schd For 11:30 10/29/97 at Room 1406, Miami, [215-1] Application For Compensation (Fees: \$ 140,865.40, \$ 15,435.76) by Howard J Berlin Esq Schd For 11:30 10/29/97 at Room 1406, Miami (previously set for 10/22/97) (Rodriguez A cm) (Entered: 10/24/1997)
10/29/1997	227	Sixth Agreed Motion By Debtor Intracorp Entertainment, Inc. For Authorization to Use Cash Collateral (Rodriguez A cm) (Entered: 10/29/1997)
10/29/1997	229	Agreed Order (10/29/97) Granting [227-1] Sixth Agreed Motion For Authorization to Use Cash Collateral by Intracorp Entertainment, Inc. (eod 10/31/97) (Rodriguez A cm) (Entered: 10/31/1997)
10/30/1997	228	Response By: Creditor George May Re: [211-1] Motion For Sanctions by Intracorp Entertainment, Inc. (Rodriguez A cm) (Entered: 10/31/1997)
11/03/1997	230	Order (10/31/97) Granting [211-1] Motion For Sanctions by Intracorp Entertainment, Inc. and Directing Respondent to Comply with Automatic Stay (eod 11/3/97) (Rodriguez A cm) (Entered: 11/03/1997)
11/03/1997	231	Amended [224-1] Notice of Rule 2004 Examination . Filed by: Creditor Three-Sixty Pacific, Inc. (Examination scheduled for 11/7/97 at 1:30 a.m.) (Rodriguez A cm) (Entered: 11/04/1997)
11/05/1997	232	Order (11/4/97) Denying Without Prejudice [216-1] Motion For Approval of Settlement Agreement with Applied Computing Services, Inc. by Larry Bond, Applied Computer Services Inc, Intracorp Entertainment, Inc. (eod 11/7/97) (Rodriguez A cm) (Entered: 11/07/1997)

11/06/1997	233	Order (11/6/97) Granting [215-1] Application For Compensation (Fees: \$ 140,865.40, Expenses: \$ 15,435.76) by Howard J Berlin Esq payment to Howard J. Berlin (for Michael D Seese) of \$140,865.40 in fees and \$15,435.76 in expenses (eod 11/7/97) (Rodriguez A cm) (Entered: 11/07/1997)
11/12/1997	234	Certificate Of Service By special counsel Michael D Seese Of [233-1] Order Awarding Interim Compensation & Reimbursement of Expenses by Howard J Berlin Esq . (Rodriguez A cm) (Entered: 11/14/1997)
11/13/1997	236	Affidavit by special counsel Michael D Seese In Support of: Fees and Costs (Rodriguez A cm) (Entered: 11/18/1997)
11/13/1997	237	Motion By Debtor Intracorp Entertainment, Inc. To Dismiss Notice of Appeal (notice of appeal not on docket) (Rodriguez A cm) (Entered: 11/24/1997)
11/17/1997	235	Supplemental Order (11/14/97), Awarding Fees and Costs as Sanctions (Fees: \$ 945.00,) payment to Michael D. Seese of \$945.00 in fees (eod 11/19/97) (Rodriguez A cm) (Entered: 11/19/1997)
11/19/1997	238	Transcript of First Interim Fee Application of Debtor's Counsel 10/29/97 (Rodriguez A cm) (Entered: 11/19/1997)
11/26/1997	243	Certificate of No Response By: Creditor Applied Computer Services Inc, Debtor Intracorp Entertainment, Inc. in re: Motion For Approval of Settlement Agreement with Applied Computing Services, Inc. [216-1] by Creditor Larry Bond, Applied Computer Services Inc, Debtor Intracorp Entertainment, Inc. . (Rodriguez A cm) (Entered: 12/09/1997)
11/28/1997	239	Notice Of Appeal By George May RE: [230-1] Order Granting Motion for Sanctions and Directing Respondent to Comply with Automatic Stay (no fee pd) (Rodriguez A cm) (Entered: 12/02/1997)
11/28/1997	240	Objection (Notice of Void) By Creditor George May To [235-1] Supplemental Order Awarding Fees and Costs as Sanctions (Fees: \$ 945.00,) payment to Michael D. Seese of \$945.00 in fees by Michael D Seese, [230-1] Order Granting Motion for Sanctions & Directing Respondent to Comply With Automatic Stay . (Rodriguez A cm) (Entered: 12/02/1997)
12/03/1997	241	Order (12/3/97), To Dismiss Notice Appeal [239-1] by Creditor George May. (Appeal was filed after the time specified in FRBP 8002). (eod 12/3/97) (Rodriguez A cm) (Entered: 12/03/1997)
12/04/1997	242	Notice Of Appeal By George May RE: [230-1] Order Granting Motion for Sanctions and Directing Respondent to Comply with Automatic Stay (fee pd) (Rodriguez A cm) (Entered: 12/05/1997)

12/15/1997		Disposition of Adversary (97-416) Dismissing [1-1] Complaint NOS 454 Recover Money/Property (Rodriguez A cm) (Entered: 12/15/1997)
12/15/1997		Adversary Case (97-416) Closed. (Rodriguez A cm) (Entered: 12/15/1997)
12/15/1997	244	Order (12/11/97), Dismissing Second Tardy [242-1] Notice of Appeal by Creditor George May (eod 12/15/97) (Rodriguez A cm) (Entered: 12/15/1997)
12/17/1997	245	Application By consultant Len Dugow and Assoc For Fees and Costs (Fees: \$ 10,000.00,) . (Rodriguez A cm) (Entered: 12/18/1997)
12/17/1997	246	Ex Parte Motion By Debtor Intracorp Entertainment, Inc. To Shorten Time To Notice Period . (Rodriguez A cm) (Entered: 12/18/1997)
12/17/1997	247	Motion to Approve By: Debtor Intracorp Entertainment, Inc. Re: Compromise of Controversy (settlement agreement attached) (negative notice) (Rodriguez A cm) (Entered: 12/18/1997)
12/18/1997	248	Order (12/18/97) Granting [246-1] Motion To Shorten Time To Notice Period by Intracorp Entertainment, Inc. (eod 12/19/97) (Rodriguez A cm) (Entered: 12/19/1997)
12/19/1997	249	Order (12/19/97) Granting [216-1] Motion For Approval of Settlement Agreement with Applied Computing Services, Inc. by Larry Bond, Applied Computer Services Inc, Intracorp Entertainment, Inc. (eod 12/19/97) (Rodriguez A cm) (Entered: 12/19/1997)
12/23/1997	250	Certificate Of Service By special counsel Michael D Seese Of [248-1] Order Granting Debtor's Ex Parte Motion to Shorten Notice Period. (Rodriguez A cm) (Entered: 12/24/1997)
12/31/1997		Debtor's Monthly financial Report for the period of 10/1/97 to 10/31/97 . (Garcia N cm) (Entered: 01/05/1998)
01/02/1998	251	Certificate of No Response By: special counsel Michael D Seese in re: Motion to Approve Compromise of Controversy [247-1] by Debtor Intracorp Entertainment, Inc. . (Rodriguez A cm) (Entered: 01/06/1998)
01/07/1998	252	Certificate Of Service By consultant Len Dugow and Assoc Of Notice of Hearing (notice not on docket) and [245-1] Application For Fees and Costs (Fees: \$ 10,000.00,) by Len Dugow and Assoc . (Rodriguez A cm) (Entered: 01/12/1998)
01/09/1998	253	Motion by Debtor Intracorp Entertainment, Inc. For Order Surcharging the Collateral of BankAtlantic and the SBA and Incorporated Memorandum of Law (Rodriguez A cm) (Entered: 01/12/1998)

01/12/1998	254	Amended [251-1] No Response Certificate filed by: Special Counsel Michael D Seese (Reynolds M cm) (Entered: 01/13/1998)
01/12/1998	255	Order (1/12/98) Granting [247-1] Motion to Approve Compromise Controversy by Intracorp Entertainment, Inc. (eod 1/14/98) (Rodriguez A cm) (Entered: 01/14/1998)
01/16/1998	256	Certificate Of Service By special counsel Michael D Seese Of [255-1] Order Approving Compromise of Controversy. (Rodriguez A cm) (Entered: 01/20/1998)
01/16/1998	257	Certificate Of Service By special counsel Michael D Seese Of [253-1] Motion For Order Surcharging the Collateral of BankAtlantic and the SBA and Incorporated Memorandum of Law by Intracorp Entertainment, Inc. . (Rodriguez A cm) (Entered: 01/20/1998)
01/20/1998	258	Agreed Order (1/19/98), Authorizing Debtor's Use of Cash Collateral (seventh agreed motion to authorize use of cash collateral - motion not on docket) (eod 1/23/98) (Rodriguez A cm) (Entered: 01/23/1998)
01/26/1998	259	Re-Notice of Hearing by Howard J Berlin for Debtor Intracorp Entertainment, Inc. RE: [253-1] Motion For Order the Collateral of BankAtlantic and the SBA and Incorporated Memorandum of Law by Intracorp Entertainment, Inc. Schd For 11:00 2/2/98 at Room 1406, Miami (DeLaurentos J cm) (Entered: 01/27/1998)
02/02/1998	260	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [258-1] Order Authorizing Debtor's Use of Cash Collateral (seventh agreed motion to authorize use of cash collateral), [258-2] Order . (DeLaurentos J cm) (Entered: 02/04/1998)
02/04/1998	261	Order (2/4/98) To Show Cause re: Why This Case Should Not Be Dsm or Converted; Show Cause Hearing Set For 1:30 3/17/98 AT Room 1406, Miami (EOD 2/4/98) (DeLaurentos J cm) (Entered: 02/04/1998)
02/06/1998	262	Order (2/6/98) Granting [245-1] Application For Fees and Costs (Fees: \$10,000.00,) by Len Dugow and Assoc payment to Len Dugow of \$3709.00 in fees. (EOD 2/9/98) (Reynolds M cm) (Entered: 02/09/1998)
02/12/1998	263	Order (2/11/98) Granting [253-1] Motion For Order Surcharging the Collateral of BankAtlantic and the SBA and Incorporated Memorandum of Law by Intracorp Entertainment, Inc. (EOD 2/13/98) (Reynolds M cm) (Entered: 02/13/1998)
02/17/1998	264	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [263-1] Order Granting Mtn for Surcharge. (DeLaurentos J cm) (Entered: 02/18/1998)

02/20/1998	265	Motion by Creditor Bankatlantic To Convert Case From Chapter 11 to 7 (Reynolds M cm) (Entered: 02/23/1998)
03/03/1998	266	Notice of Hearing by William C Davell for Creditor Bankatlantic RE: [265-1] Motion To Convert Case From Chapter 11 to 7 by Bankatlantic schd For 1:30 3/17/98 at Room 1406, Miami (Reynolds M cm) (Entered: 03/05/1998)
03/12/1998	267	Notice Of Proposed Abandonment by Debtor Intracorp Entertainment, Inc. To Abandon certain Software Development and Publishing Agreement (Reynolds M cm) (Entered: 03/16/1998)
03/20/1998	268	Order (3/20/98) Granting [265-1] Motion To Convert Case From Chapter 11 to 7 by Bankatlantic. All schedules and statements filed. 1019 Report Due On 4/6/98; App for Comp Due On: 4/20/98. (EOD 3/23/98) (Reynolds M cm) (Entered: 03/23/1998)
03/23/1998		Post Conversion Meeting Scheduled For 1:00 4/28/98 At Room 102, Miami; Last Day to File Proofs Of Claim: 7/27/98. Trustee Marcia Dunn Appointed. (Reynolds M cm) (Entered: 03/23/1998)
03/23/1998	269	Notice of Appearance And Request For Service Of Notice By Jeffrey C Roth for Creditor Metropolitan Life Insurance Company. (DeLaurentos J cm) (Entered: 03/24/1998)
03/25/1998	270	Notice of Withdrawal of Attorney for Creditor Mainstream Interactive Inc. Attorney David C Cimo for Mainstream Interactive Inc is terminated. (Reynolds M cm) (Entered: 03/27/1998)
03/26/1998	271	Emergency Motion by Creditor Irrevocable Trust Number 1 To Shorten Time to Assume or Reject Executory Contract /emergency hrg requested. (Reynolds M cm) (Entered: 03/30/1998)
03/31/1998	272	Certificate Of Service By Howard J Berlin for Debtor Intracorp Entertainment, Inc. Of [268-1] Order Converting Case. (DeLaurentos J cm) (Entered: 04/02/1998)
04/03/1998	273	Court's Certificate of Mailing Re: [0-0] Conversion Meeting Post . # of Notices: 386. (Reynolds M cm) (Entered: 04/06/1998)
04/03/1998	274	Notice of Hearing by F Lorraine Jahn for Creditor Irrevocable Trust Number 1, Creditor Leigh M Rothschild RE: [271-1] Motion To Shorten Time to Assume or Reject Executory Contract by Irrevocable Trust Number 1 schd For 3:00 4/9/98 at Room 1406, Miami (Reynolds M cm) (Entered: 04/07/1998)
04/06/1998	275	Notice of Filing Accounting of Receipts and Distribution by special counsel Michael D Seese (Reynolds M cm) (Entered: 04/07/1998)

04/10/1998	276	Notice of Appearance And Request For Service Of Notice by Richard J Stone for Creditor Zero 1 Media Resources (Reynolds M cm) (Entered: 04/13/1998)
04/20/1998	277	Final Application By Howard J Berlin for Debtor Intracorp Entertainment, Inc. For Compensation (Fees: \$ 88467.66, Expenses: \$ 4986.36) . (DeLaurentos J cm) (Entered: 04/22/1998)
04/21/1998	278	Order (4/20/98) Granting [271-1] Emergency Motion To Shorten Time to Assume or Reject Executory Contract by Irrevocable Trust Number 1 (EOD 4/22/98) (DeLaurentos J cm) (Entered: 04/22/1998)
05/11/1998		First Meeting Held and Examination of Debtor. (Rodriguez A cm) (Entered: 05/11/1998)
05/13/1998	279	Application By Trustee Marcia T Dunn To Employ Attorney Nunc Pro Tunc to April 1, 1998 . (Affidavit Of James B Miller Attached) (Former Employee) (Entered: 05/14/1998)
05/14/1998	280	Ex-Parte Motion By Trustee Marcia T Dunn To Extend Time To Assume Or Reject Unexpired Leases And Executory Contracts . (Former Employee) (Entered: 05/18/1998)
05/15/1998	281	Order (5/15/98) Granting [279-1] Application To Employ Attorney Nunc Pro Tunc to April 1, 1998 by Marcia T Dunn (EOD 5/18/98) (Former Employee) (Entered: 05/18/1998)
05/18/1998	282	Motion By Trustee Marcia T Dunn To Extend Time To Assume Or Reject Certain Agreement Entered Into During Ch 11 Proceeding . (Former Employee) (Entered: 05/19/1998)
05/18/1998	283	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [281-1] Order Approving Employment Of Trustee's Attorney. (Former Employee) (Entered: 05/20/1998)
05/27/1998	284	Notice of Hearing by James B Miller for Trustee Marcia T Dunn RE: [282-1] Motion To Extend Time To Assume Or Reject Certain Agreement Entered Into During Ch 11 Proceeding by Marcia T Dunn schd For 11:30 6/16/98 at Room 1406, Miami, [280-1] Motion To Extend Time To Assume Or Reject Unexpired Leases And Executory Contracts by Marcia T Dunn schd For 11:30 6/16/98 at Room 1406, Miami (Former Employee) (Entered: 05/29/1998)
05/27/1998	285	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [284-1] Notice by James B Miller Esq. (Former Employee) (Entered: 05/29/1998)
05/27/1998	286	Ex-Parte Motion By Trustee Marcia T Dunn To Limit Service Of Pleadings and Orders Entered In Case . (Former Employee) (Entered: 05/29/1998)

05/27/1998	287	Ex-Parte Application By Trustee Marcia T Dunn To Employ Arthur Anderson LLP As Accountants And Financial Advisors For The Trustee . (Former Employee) (Entered: 05/29/1998)
05/27/1998	288	Affidavit by Proposed Accountant Maria M Yip On Behalf Of Arthur Andersen LLP As Accountants And Financial Advisors To The Trustee. (Former Employee) (Entered: 05/29/1998)
06/01/1998	289	Order (5/29/98) Granting [287-1] Application To Employ Arthur Anderson LLP As Accountants And Financial Advisors For The Trustee by Marcia T Dunn. (EOD 6/2/98) (Former Employee) (Entered: 06/02/1998)
06/01/1998	290	Order (4/29/98) Granting [286-1] Motion To Limit Service Of Pleadings and Orders Entered In Case by Marcia T Dunn (EOD 6/2/98) (Former Employee) (Entered: 06/02/1998)
06/01/1998	291	Notice of Appearance And Change Of Address By Robert H Cooper for other professional Len Dugow and Len Dugow and Assoc. (Former Employee) (Entered: 06/04/1998)
06/03/1998	292	Certificate Of Service By Trustee Marcia T Dunn Of [290-1] Order Granting Trustee's Ex-part Motion To Limit Service Of Pleadings And Orders Entered In Case. (Former Employee) (Entered: 06/05/1998)
06/04/1998	293	Certificate Of Service By Trustee Marcia T Dunn Of [289-1] Order Granting Application to Employ Arthur Anderson Accountants And Financial Advisors To the Trustee. (Former Employee) (Entered: 06/05/1998)
06/16/1998	294	Motion by Trustee Marcia T Dunn For Approval Of Settlement With Leigh M. Rothschild, Irrevocable Trust No. 1 And Web Technologies, Inc. . (Former Employee) (Entered: 06/17/1998)
06/16/1998	295	Order (6/16/98) Granting [280-1] Motion To Extend Time To Assume Or Reject Unexpired Leases And Executory Contracts by Marcia T Dunn; Ddl Is Extended to 30 Days From the Date Of This Order. (EOD 6/18/98) (Former Employee) (Entered: 06/18/1998)
06/17/1998	296	Motion by Trustee Marcia T Dunn To Approve Settlement With Leigh M. Rothschild, Irrevocable Trust No. 1 And Web Technologies, Inc. . (Former Employee) (Entered: 06/19/1998)
06/17/1998	297	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [295-1] Order Granting Motion To Extend Time To Assume Or Reject Unexpired Leases And Executory Contracts. (Former Employee) (Entered: 06/19/1998)
06/18/1998	298	Order (6/17/98) Granting [296-1] Motion To Approve Settlement With Leigh M. Rothschild, Irrevocable Trust No. 1 And Web Technologies, Inc. by

		Marcia T Dunn And With Negative Notice Provision For Objections. (EOD 6/19/98) (Former Employee) (Entered: 06/19/1998)
06/22/1998	299	Certificate Of Service By F Lorraine Jahn for Creditor Irrevocable Trust Number 1, Creditor Leigh M Rothschild Of [298-1] Order Granting Trustee's Motion To Approve Settlement With Leigh M. rothschild, Irrevocable Trust No. 1 And Web Technologies, Inc. With Negative Notice Provisions For Objections. (Former Employee) (Entered: 06/23/1998)
06/29/1998	300	Objection By Creditor George May To [296-1] Motion To Approve Settlement With Leigh M. Rothschild, Irrevocable Trust No. 1 And Web Technologies, Inc. by Marcia T Dunn. (Former Employee) (Entered: 06/30/1998)
06/29/1998	301	Change of Address for Creditor South Florida Printing. (Former Employee) (Entered: 06/30/1998)
06/29/1998	302	Change of Address for Creditor Laser Tech Graphic Services. (Former Employee) (Entered: 06/30/1998)
07/02/1998	303	Notice of Hearing by F Lorraine Jahn for Creditor Irrevocable Trust Number 1, Creditor Leigh M Rothschild RE: [300-1] Objection by George May schd For 2:30 7/9/98 at Room 1406, Miami (Former Employee) (Entered: 07/06/1998)
07/08/1998	304	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [295-1] Order Granting Motion To extend Time to Assume Or Reject Unexpired Leases And Executory Contracts. (Former Employee) (Entered: 07/10/1998)
07/14/1998	305	Notice of Appearance And Request For Service Of Notice By Daniel C Beck for Creditor Navarre Corporation. (Former Employee) (Entered: 07/16/1998)
07/15/1998	306	Order (7/15/98) Overruling [300-1] Objection by George May On Order Granting Motion To Approve Settlement With Leigh M Rothschild, Irrevocable Trust No 1 And Web Technologies, Inc. with Neg Ntc Provisions For Objections. (EOD 7/16/98) (Former Employee) (Entered: 07/16/1998)
07/16/1998	307	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [306-1] Order Overruling Objection to Order Granting Motion To Approve Settlement. (Former Employee) (Entered: 07/20/1998)
07/17/1998	308	Motion By Creditor First National Bank of Northwest Florida For Relief From Stay . (neg ntc) (Former Employee) (Entered: 07/20/1998)
07/17/1998	309	Notice of Filing By Daniel S Mandel for Creditor First National Bank of Northwest Florida Re: [308-1] Motion For Relief From Stay by First National Bank of Northwest Florida (Former Employee) (Entered: 07/20/1998)

07/17/1998	310	Certificate Of Service By Daniel S Mandel for Creditor First National Bank of Northwest Florida Of [308-1] Motion For Relief From Stay by First National Bank of Northwest Florida . (Former Employee) (Entered: 07/20/1998)
07/30/1998	311	Notice Of Intent by Trustee Marcia T Dunn To Abandon Property. (Former Employee) (Entered: 08/03/1998)
07/31/1998	312	Trustee's Interim Report. Period Ending: 6/30/98 . (Former Employee) (Entered: 08/04/1998)
08/05/1998	313	Certificate By Creditor First National Bank of Northwest Florida of No Response to [308-1] Motion For Relief From Stay by First National Bank of Northwest Florida . (Former Employee) (Entered: 08/07/1998)
08/06/1998	314	Motion By Creditor Bankatlantic To Compel Trustee To Abandon Assets Subject To The Lien Of Bankatlantic . (Former Employee) (Entered: 08/07/1998)
08/07/1998	315	Transcript of Section 341 Meeting of Creditors ; Hearing Held April 28, 1998. (Montilla M cm) (Entered: 08/11/1998)
08/12/1998	316	Ex-Parte Order (8/12/98) Granting [308-1] Motion For Relief From Stay by First National Bank of Northwest Florida (EOD 8/13/98) (Former Employee) (Entered: 08/13/1998)
08/12/1998	317	Notice of Hearing by William C Davell for Creditor Bankatlantic RE: [314-1] Motion To Compel Trustee To Abandon Assets Subject To The Lien Of Bankatlantic by Bankatlantic schd For 9:30 8/25/98 at Room 1406, Miami (Former Employee) (Entered: 08/14/1998)
08/25/1998	318	Order (8/25/98) Granting [314-1] Motion To Compel Trustee To Abandon Assets Subject To The Lien Of Bankatlantic by Bankatlantic. (EOD 8/26/98) (Former Employee) (Entered: 08/26/1998)
08/26/1998	319	Certificate Of Service By Daniel S Mandel for Creditor First National Bank of Northwest Florida Of [316-1] Order Granting Relief From Stay. (Former Employee) (Entered: 08/28/1998)
08/31/1998	320	Certificate Of Service By William C Davell for Creditor Bankatlantic Of [318-1] Order Granting Motion To Require Trustee To Abandon Property. (Former Employee) (Entered: 09/02/1998)
09/03/1998	321	Amended Agreed Order (9/2/98) Granting In Part, [314-1] Motion To Compel Trustee To Abandon Assets Subject To The Lien Of Bankatlantic by Bankatlantic. (EOD 9/4/98) (Former Employee) (Entered: 09/04/1998)
09/08/1998	322	Request by Creditor Amroc Investments Inc For Notice. (Former Employee) (Entered: 09/10/1998)

09/08/1998	324	Filing of Evidence of Transfer of Claim Re Claim #: 115 From: AT&T Corp To: Amroc Investments, Inc. in the Amount of \$ 8,297.12 . (Former Employee) (Entered: 09/15/1998)
09/09/1998	323	Certificate Of Service By William C Davell for Creditor Bankatlantic Of [321-1] Amended Order Granting In Part Motion To Require Trustee To Abandon Property. (Former Employee) (Entered: 09/10/1998)
09/11/1998	325	Notice to Transferor of Filing of Evidence of Full Transfer of Claim and Deadline for Objection re [324-1] Transfer Claim Claim #: 115 From: AT&T Corp To: Amroc Investments, Inc. in the Amount of \$ 8,297.12 Deadline for Objection is 10/1/98 (Former Employee) (Entered: 09/15/1998)
10/27/1998	326	First Interim Fee Application By James B Miller for Trustee Marcia T Dunn For Compensation (Fees: \$ 6,855.00, Expenses: \$ 595.36) . (Former Employee) (Entered: 10/29/1998)
10/28/1998	327	Motion By Creditor Bankatlantic To Compel Trustee to Abandon Assets Subject To The Lien Of Bankatlantic . (Former Employee) (Entered: 10/29/1998)
11/04/1998	328	Notice of Hearing by William C Davell for Creditor Bankatlantic, Creditor Bankatlantic RE: [327-1] Motion To Compel Trustee to Abandon Assets Subject To The Lien Of Bankatlantic by Bankatlantic schd For 2:00 11/17/98 at Room 1406, Miami (Former Employee) (Entered: 11/05/1998)
11/09/1998	329	Notice of Hearing by James B Miller for Trustee Marcia T Dunn RE: [326-1] Application For Compensation (Fees: \$ 6,855.00, Expenses: \$ 595.36) by James B Miller Esq schd For 2:00 12/3/98 at Room 1406, Miami (Former Employee) (Entered: 11/12/1998)
11/12/1998	330	Ex-Parte Motion By Trustee Marcia T Dunn For Order Authorizing Payment To Lamar Transfer And Storage . (Former Employee) (Entered: 11/17/1998)
11/16/1998	331	Notice Filed By Creditor Bankatlantic To Withdraw Document. Terminating [327-1] Motion To Compel Trustee to Abandon Assets Subject To The Lien Of Bankatlantic by Bankatlantic . (Former Employee) (Entered: 11/17/1998)
11/16/1998	332	Response By: Interested Party AUST Re: [326-1] Application For Compensation (Fees: \$ 6,855.00, Expenses: \$ 595.36) by James B Miller Esq (Former Employee) (Entered: 11/18/1998)
11/17/1998	333	Order (11/16/98) Granting [330-1] Motion For Order Authorizing Payment To Lamar Transfer And Storage by Marcia T Dunn. (EOD 11/18/98) (Former Employee) (Entered: 11/18/1998)
11/17/1998	334	Notice Of Intent by Trustee Marcia T Dunn To Abandon Property. (Former Employee) (Entered: 11/19/1998)

11/20/1998	335	Certificate Of Corrected Service By Trustee Marcia T Dunn Of [334-1] To Abandon Notice by Marcia T Dunn . (Former Employee) (Entered: 11/24/1998)
12/03/1998	336	Order (12/3/98) Granting [326-1] Application For Compensation (Fees: \$ 6,855.00, Expenses: \$ 595.36) by James B Miller Esq payment to James B. Miller of \$5,484.00 in fees and \$595.36 in expenses (Former Employee) (Entered: 12/04/1998)
12/03/1998	337	Certificate Of Service By Trustee Marcia T Dunn Of [336-1] Order Awarding Fees To James B Miller Esq . (Former Employee) (Entered: 12/07/1998)
01/28/1999	338	Trustee's Interim Report. Period Ending: 12/31/98 . (Former Employee) (Entered: 01/29/1999)
02/17/1999	339	Final Application By John A Moffa for Creditor Committee Creditors Committee For Compensation (Fees: \$ 5,492.37, Expenses: \$ 538.62) . (Former Employee) (Entered: 02/19/1999)
03/04/1999	340	Second Ex-Parte Motion By Trustee Marcia T Dunn For Payment to Lamar Transfer And Storage . (Former Employee) (Entered: 03/05/1999)
03/04/1999	341	Notice By F Lorraine Jahn for Creditor Leigh M Rothschild Of Substitution of counsel. (Former Employee) (Entered: 03/09/1999)
03/05/1999	342	Order (3/5/99) Granting [340-1] Motion For Payment to Lamar Transfer And Storage by Marcia T Dunn (EOD 3/9/99) (Former Employee) (Entered: 03/09/1999)
05/26/1999	343	Application Filed By Trustee Marcia T Dunn To Employ Attorney James H Miller Nunc Pro Tunc to 5/10/99 , To Substitute Attorney . (Afdt of Atty for Trustee) (Montilla M cm) (Entered: 05/27/1999)
06/03/1999	344	Order (6/2/99) Granting [343-1] Application To Employ Attorney James H Miller Nunc Pro Tunc to 5/10/99 by Marcia T Dunn and Mooting [343-2] Application To Substitute Attorney by Marcia T Dunn. (EOD 6/3/99) (Montilla M cm) (Entered: 06/03/1999)
06/04/1999	345	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [344-1] Order Granting Application to Employ Atty for Trustee Nunc Pro Tunc to 5/10/99. (Montilla M cm) (Entered: 06/07/1999)
06/21/1999	346	Second Interim Fee Application By James B Miller for Trustee Marcia T Dunn For Compensation (Fees: \$ 3,317.50, Expenses: \$ 374.22) . (Montilla M cm) (Entered: 06/23/1999)
06/23/1999	347	Notice of Hearing by James B Miller for Trustee Marcia T Dunn RE: [346-1] Second Interim Fee Application For Compensation (Fees: \$ 3,317.50,

		Expenses: \$ 374.22) by James B Miller Esq Schd 11:00 7/27/99 at Room 1406, Miami (Montilla M cm) (Entered: 06/24/1999)
07/29/1999	348	Re-Notice of Hearing by James B Miller for Trustee Marcia T Dunn RE: [346-1] Application For Compensation (Fees: \$ 3,317.50, Expenses: \$ 374.22) by James B Miller Esq Rschd For 10:00 8/3/99 at Room 1406, Miami (Noel L cm) (Entered: 07/30/1999)
08/02/1999	349	Trustee's Interim Report. Period Ending: 6/30/99 . (DeLaurentos J cm) (Entered: 08/03/1999)
08/03/1999	350	Order (8/3/99) Granting [346-1] Second Interim Fees Application For Compensation (Fees: \$ 3,317.50, Expenses: \$ 374.22) by B Miller Esq payment to James B. Miller of \$1500.00 in fees and \$374.22 in expenses (eod 8/5/99) (Noel L cm) (Entered: 08/05/1999)
08/03/1999	351	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [350-1] Order Awarding Second Interim Fees by James B Miller Esq . (Noel L cm) (Entered: 08/05/1999)
08/10/1999	352	Summary of Final Fee Application By James B Miller for Trustee Marcia T Dunn For Compensation (Fees: \$ 3317.50, Expenses: \$ 374.22) . (Noel L cm) (Entered: 08/12/1999)
08/12/1999	353	Ex Parte Motion By Trustee Marcia T Dunn To Amend [350-1] Order Awarding Second Interim Fees To Attorney for Trustee's . (Noel L cm) (Entered: 08/16/1999)
08/17/1999	354	Order (8/16/99) Granting [353-1] Motion To Amend [350-1] Order Awarding Second Interim Fees To Attorney for Trustee's by Marcia T Dunn. The Court Awards Haber, Lewis & Pathman PA, The amount of \$1500.00 for Fees and \$374.22 For Costs. (eod 8/19/99) (Noel L cm) (Entered: 08/19/1999)
08/19/1999	355	Notice of Change of Address for Attorney Moffa & Moffa PA Filed by John A Moffa for Creditor Committee Creditors Committee (Noel L cm) (Entered: 08/20/1999)
08/31/1999	356	Certificate Of Service By James B Miller for Trustee Marcia T Dunn Of [354-1] Amended Order Awarding Second Interim Fees To Attorney For Trustee's Counsel. (Noel L cm) (Entered: 09/02/1999)
10/05/1999	357	Change of Address for Creditor Amroc Investments Inc. (Montilla M cm) (Entered: 10/06/1999)
11/24/1999	358	Amended [349-1] Interim Report Filed by: Trustee Marcia T Dunn. Period Ending: 6/30/99. (Montilla M cm) (Entered: 11/29/1999)

01/26/2000	359	Final Fee Application By James B Miller for Trustee Marcia T Dunn For Compensation (Fees: \$ 2,588.00, Expenses: \$203.04) . (Montilla M cm) (Entered: 01/27/2000)
02/08/2000	360	Trustee's Interim Report. Period Ending: 12/31/99 . (Montilla M cm) (Entered: 02/09/2000)
03/07/2000	361	Ex-Parte Motion By Trustee Marcia T Dunn For Order Authorizing Payment To Lamar Transfer and Storage . (Montilla M cm) (Entered: 03/08/2000)
03/08/2000	362	Order (3/8/00) Granting [361-1] Ex-Parte Motion For Order Authorizing Payment To Lamar Transfer and Storage by Marcia T Dunn. (EOD 3/10/00) (Montilla M cm) (Entered: 03/10/2000)
03/30/2000	363	Application By Trustee Marcia T Dunn To Employ Accountant Alvin L Hagerich . (Afdt of Acct for Trustee Attached) (Montilla M cm) (Entered: 03/31/2000)
04/10/2000	364	Order (4/10/00) Granting [363-1] Application To Employ Accountant Alvin L Hagerich by Marcia T Dunn. (EOD 4/10/00) (Montilla M cm) (Entered: 04/10/2000)
04/17/2000	365	Notice of Appearance And Request For Service Of Notice By Elliot H Herskowitz for Creditor Regen Capital I Inc. (Montilla M cm) (Entered: 04/19/2000)
04/17/2000	366	Certificate Of Service By Trustee Marcia T Dunn Of [364-1] Order Granting Motion to Employ Accountant for Trustee. (Montilla M cm) (Entered: 04/19/2000)
06/09/2000	367	Application By Accountant Maria M Yip (Arthur Andersen LLP) For Final Compensation (Fees: \$ 21,932.50) . (Montilla M cm) (Entered: 06/12/2000)
07/26/2000	368	Trustee's Interim Report. Period Ending: 6/30/00 . (Montilla M cm) (Entered: 07/27/2000)
09/14/2000	369	Notice Of Intent by Trustee Marcia T Dunn To Abandon Property. (Montilla M cm) (Entered: 09/15/2000)
11/30/2000	370	Amended [368-1] Interim Report . Filed by: Trustee Marcia T Dunn (DeLaurentos J cm) (Entered: 12/01/2000)
01/29/2001	371	Trustee's Interim Report. Period Ending: 12/31/00 . (DeLaurentos J cm) (Entered: 01/30/2001)
02/26/2001	372	Ex-Parte Motion By Trustee Marcia T Dunn For Order Authorizing Payment To Lamar Transfer and Storage . (Montilla M cm) (Entered: 02/26/2001)

03/02/2001	373	Order (3/2/01) Granting [372-1] Ex-Parte Motion For Order Authorizing Payment To Lamar Transfer and Storage by Marcia T Dunn. (Montilla M cm) (Entered: 03/05/2001)
03/13/2001	374	Objection to Claim and Notice to Cred of Obj to Clms By: Trustee Marcia T Dunn To Claim of: CMP Publications #4, Joseph B Robertson #6, Eagle USA Airfreight #27, GE Capital Corp #31, Bank Atlantic #38 & 87, County of Brazos #41, Holland & Knight LLP #55 & 57, Tag Tognalli #59, Dade County Tax Coll #68, Carole Ramsay #73 & 78, Bank United FSB #76 & 77, New Line Prod. Inc #83 & 127, RTL Partners LP #84, 88, 89 & 90, Browne of Miami #91, George May #92, South FL Printing Corp #93, Laser Tech Services #94, Ksport Inc #95, Personally Yours #97, Cinescape MVP Ent. #104, Eckert Seamans #112, Browne of Atlanta #114, AT&T #116 & 143, Bellsouth Telecomm #125, MCA Universal Merch #126, Egghead Software #129, Mill House McCabe Inc #132, Sound Source Interactive #133, Hassard Bonnington LLP #134, One Tamiami Center Condo Assoc #135, Three-Sixty Pacific #137, AUST #144. (Montilla M cm) (Entered: 03/14/2001)
03/15/2001	375	Ntc to Withdraw Claim By: Tax-Lien Trust f/k/a RTL Partners LP. (Montilla M cm) (Entered: 03/16/2001)
03/15/2001	375	Notice to Withdraw Creditor From Creditors List by Creditor Tax-Lien Trust (Montilla M cm) (Entered: 03/16/2001)
03/21/2001	376	Response By: Creditor Bankatlantic Re: [374-1] Objection to Claims #38 & 87 by Marcia T Dunn (Montilla M cm) (Entered: 03/22/2001)
04/09/2001	377	Response By: Creditor Three-Sixty Pacific, Inc. Re: [374-1] Objection To Claim by Marcia T Dunn (Noel L cm) (Entered: 04/11/2001)
04/17/2001	378	Certificate By: Trustee Marcia T Dunn Of No Response to [374-1] Objection to Claims by Marcia T Dunn . (Montilla M cm) (Entered: 04/18/2001)
04/19/2001	379	Order (4/18/01) Sustaining [374-1] Objection to Claims by Marcia T Dunn. (See Order for Ruling on Various Claims) (Montilla M cm) (Entered: 04/20/2001)
04/26/2001	380	Certificate Of Service By Trustee Marcia T Dunn Of [379-1] Order Sustaining Trustee's Objection to Claims. (Montilla M cm) (Entered: 04/27/2001)
05/10/2001	381	Ex-Parte Motion By Trustee Marcia T Dunn For Order Authorizing Payment To Lamar Transfer and Storeage . (Montilla M cm) (Entered: 05/11/2001)
05/10/2001	382	Certificate By: Trustee Marcia T Dunn Of No Response to [374-1] Claims Objection by Marcia T Dunn . (Montilla M cm) (Entered: 05/11/2001)
05/15/2001	383	Agreed Order (5/14/01) Sustaining [374-1] Objection to Claims by Marcia T Dunn. Claim #38 Filed by Bank Atlantic will be Allowed as an Unsecured

		Claim in the Amount of \$454,517.48, Claim #87 Filed by Bank Atlantic will be Allowed as an Unsecured Claim in the Amount of \$414,517.48, Claim #137 Filed by Three-Sixty Pacific will be Allowed as an Unsecured Claim in the Amount of \$191,622.17. (Montilla M cm) (Entered: 05/16/2001)
05/15/2001	384	Order (5/15/01) Granting [381-1] Ex-Parte Motion For Order Authorizing Payment To Lamar Transfer and Storage by Marcia T Dunn. (Montilla M cm) (Entered: 05/16/2001)
06/01/2001	385	Certificate Of Service By Trustee Marcia T Dunn Of [383-1] Agreed Order Sustaining Trustee's Objection to Claims. (Montilla M cm) (Entered: 06/05/2001)
06/05/2001	386	Application By accountant Alvin L Hagerich For Final Compensation (Fees: \$ 1,785.00, Expenses: \$ 110.69) . (Montilla M cm) (Entered: 06/07/2001)
06/11/2001	387	Ex-Parte Motion by Trustee Marcia T Dunn Authorizing Reimbursement To Trustee Marcia T Dunn For Asset and Vehicle Search . (Montilla M cm) (Entered: 06/12/2001)
06/14/2001	388	Order (6/13/01) Granting [387-1] Ex-Parte Motion Authorizing Reimbursement To Trustee Marcia T Dunn For Asset and Vehicle Search by Marcia T Dunn. (Montilla M cm) (Entered: 06/15/2001)
07/26/2001	389	Trustee's Interim Report. Period Ending: 6/30/01 . (Montilla M cm) (Entered: 07/27/2001)
07/26/2001	390	Trustee's Interim Report. Period Ending: 6/30/01 . (DeLaurentos J cm) (Entered: 07/27/2001)
01/29/2002	391	Trustee's Interim Report. Period Ending: 12/31/01 . (Montilla M cm) (Entered: 01/30/2002)
03/28/2002	392	Amended Application by James B Miller for Trustee Marcia T Dunn For Final Compensation (Fees: \$ 3,188.50) . [359-1] Application For Compensation (Fees: \$ 2,588.00, Expenses: \$203.04) terminated. (Montilla M cm) (Entered: 04/01/2002)
06/04/2002	393	Application By Trustee Marcia T Dunn For Compensation (Fees: \$ 4,000.00, Expenses: \$ 58.50) . (Montilla M cm) (Entered: 06/06/2002)
06/04/2002	394	Trustee's Final Report of Estate and Proposed Dividends. (Montilla M cm) (Entered: 06/06/2002)
06/15/2002	395	Notice of Filing of Trustee's Final Report of Estate and Proposed Dividends and Application(s) for Compensation and Setting 7/5/02 as Deadline for Objections. Served on: 6/15/02. (Shuler P cm) (Entered: 06/19/2002)

06/28/2002	396	Change of Address for Accountant Filed by Accountant Alvin L Hagerich. (Montilla M cm) (Entered: 07/01/2002)
08/19/2002	397	Order (8/19/02) Granting [393-1] Application For Compensation (Fees: \$4,000.00, Expenses: \$58.50) by Marcia T Dunn payment to Marcia T. Dunn of \$4000.00 in fees and \$58.50 in expenses Granting [392-1] Amended Application For Final Compensation (Fees: \$3,188.50) by James B Miller Esq payment to James B. Miller of \$2588.00 in fees and \$203.04 in expenses Granting [367-1] Application For Final Compensation (Fees: \$ 21,932.50) by Maria M Yip payment to Maria M. Yip of \$21932.50 in fees Granting [386-1] Application For Final Compensation (Fees: \$1,785.00, Expenses: \$110.69) by Alvin L Hagerich payment to Alvin L. Hagerich of \$1785.00 in fees and \$110.69 in expenses (Reynolds M cm) (Entered: 08/22/2002)
09/26/2002	398	Trustee's Notice of Final Dividends to Creditors Deadline for Canceled Checks Due is: 12/26/02. (Garcia N cm) (Entered: 09/27/2002)
10/15/2002	399	Amended [398-1] Notice of Final Dividends Filed by: Trustee Marcia T Dunn (Garcia N cm) (Entered: 10/17/2002)
01/31/2003	400	Trustee's Interim Report. Period Ending: 12/31/02 . (DeLaurentos J cm) (Entered: 02/03/2003)
11/06/2003	401	Trustee's Final Account of Estate, Application for Closing and Discharge and Review by AUST Filed By Trustee Marcia T Dunn. ; Last Day to Object to Final Report is 12/8/03 Canceled Checks Ddl Satisfied (\$) (Garcia N cm) (Entered: 11/07/2003)
12/12/2003	402	Final Decree and Discharge of Trustee. (Garcia N cm) (Entered: 12/12/2003)
12/12/2003		Case Closed. (Garcia N cm) (Entered: 12/12/2003)

PACER Service Center			
Transaction Receipt			
10/13/2008 13:54:16			
PACER Login:	nmm0799	Client Code:	rothschild
Description:	Docket Report	Search Criteria:	96-16276-RAM Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Links: included Format: HTML
Billable Pages:	20	Cost:	1.60

EXHIBIT B

PROPOSED

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

IN RE: CASE NO. 96-16276-BKC-RAM
INTRACORP ENTERTAINMENT, INC., CHAPTER 11 PROCEEDINGS
Debtor.

DEBTOR'S MOTION TO APPROVE COMPROMISE OF CONTROVERSY

COMES NOW the Debtor, INTRACORP ENTERTAINMENT, INC., by and through its undersigned counsel, and moves the Court for the entry of an order approving compromise of controversy, and in support thereof, states as follows:

1. This Court has jurisdiction over this matter pursuant to the authority of 11 U.S.C. § 105, F.R.B.P. 9019, and the various other applicable provisions of the Bankruptcy Code, Bankruptcy Rules, and the laws of the United States of America.

2. On October 4, 1996, the Debtor filed a Voluntary Petition under Chapter 11 of Title 11 of the United States Code, and has since been operating its business as a Debtor-in-Possession pursuant to the authority of 11 U.S.C. §§1107 and 1108.

3. During the early stages of these chapter 11 proceedings, the Debtor filed its motion for authorization to use additional cash collateral or, in the alternative, for authorization to allow Mr. Leigh Rothschild to proceed in his individual capacity in obtaining patents.

4. The foregoing motion was filed by the Debtor in an effort to obtain authorization to use cash collateral for the purposes of conducting patent searches, and in preparing and filing patent

PROPOSED

CASE NO. 96-16276-BKC-RAM

applications. Alternatively, the Debtor sought authorization to have Mr. Rothschild, the Debtor's president and CEO, proceed in his individual capacity in paying for and obtaining the patents.

5. Following notice and hearing, this Court entered an order permitting the Debtor to use additional cash collateral up to \$1,500.00 dollars for conducting patent searches, and denied any further relief without prejudice.

6. Thereafter, the Debtor proceeded to have patent searches conducted with respect to the applications of technology developed, in part, by the Debtor. Consequently it was determined that certain applications of the technology could be patented.

7. At the outset, it is necessary to understand that it is the application of existing technology which may be patented as opposed to the technology itself.

8. In this regard, there is no dispute that the Debtor has invested monies and other resources in modifying previously existing technology upon which a patent may be obtained. However, this technology was not modified solely for the application for which a patent may be applied and, in fact, was modified for other software applications as well.

9. Mr. Leigh Rothschild who is, again, the Debtor's president and CEO, claims to be an inventor of the application of this modified technology and, therefore, claims to possess an independent right to seek a patent on the application referred to herein.

PROPOSED

CASE NO. 96-16276-BKC-RAM

10. Although somewhat confusing, it is relevant to note that only an individual can apply for a patent and, ordinarily, it is the inventor who seeks the patent protection.

11. In this case, it is Mr. Rothschild who claims to be the inventor and, therefore, claims to have the right to obtain patent protection on the application.

12. A question exists, however, as to whether Mr. Rothschild invented the application in question within the scope of his employment with the Debtor.

13. Arguably, in the event Mr. Rothschild invented the application during the scope of his employment, then Mr. Rothschild would have an obligation to assign all of his right, title and interest in any such patent which may be obtained to the Debtor.

14. On the other hand, if the application was invented by Mr. Rothschild outside the scope of his employment, then arguably Mr. Rothschild would have no obligation to assign such right, title and interest to the Debtor, and title would remain in his own name.

15. In many cases, although not all cases, individuals such as Mr. Rothschild will have employment agreements with their employer providing for disposition or ownership of the individual's right, title or interest in a patent in the event one is obtained on a product or application invented by the individual.

16. Under this scenario, it would not matter whether the invention was done within or outside the scope of the individuals

PROPOSED

CASE NO. 96-16276-BKC-RAM

employment since the employment contract would govern any such issues.

17. In this case, however, Mr. Rothschild has no employment contract with the Debtor and, therefore, a legitimate question exists as to whether Mr. Rothschild invented the application referred to herein- above within the scope of his employment.

18. When first approached with this issue, undersigned counsel immediately advised Mr. Rothschild to obtain independent counsel with respect to any discussions and/or negotiations which would be held with respect to the disposition and/or ownership rights regarding the application to be patented and referred to hereinabove.

19. Indeed, Mr. Rothschild retained the law firm of Malloy & Malloy, P.A., in order to represent his interests with respect to the foregoing issues.

20. During this time, the Debtor consulted with John White, Esquire of the firm of Longacre & White which is of counsel to the law firm of Kluger, Peretz, Kaplan & Berlin, P.A.

21. Negotiations subsequently commenced between the Debtor and Mr. Rothschild which culminated in Mr. Rothschild proposing an arrangement which includes, but is not limited to, his obtaining a patent on the foregoing application and paying for all costs associated with the patent process.

22. In exchange, the Debtor would receive, at a minimum, ninety percent (90%) of all gross receipts received from the sales

PROPOSED

CASE NO. 96-16276-BKC-RAM

of the application for a period of twenty years in the event a patent is obtained, and should a patent not be obtained, the Debtor would receive ninety-five percent (95%) of all such gross receipts.

23. On February 13, 1997, the Debtor filed its motion for authorization to enter into an exclusive licensing agreement, whereby the Debtor would enter into an exclusive licensing agreement with Mr. Rothschild regarding the application referred to herein.

24. Thereafter, undersigned counsel received various comments and objections from creditors and interested parties regarding the motion filed with the Court on February 13, 1997. The creditors had concerns over what appeared to be an effort by Mr. Rothschild to "usurp" a corporate opportunity.

25. In response, undersigned counsel arranged a meeting by an between the Debtor, Mr. Rothschild and his counsel, counsel for the unsecured creditor's committee, counsel for BankAtlantic, and although counsel for Small Business Administration was invited to participate, Ms. Rosenfeld was unable to attend due to illness at the time.

26. The meeting was scheduled so that all interested parties could voice their concerns over the motion filed by the Debtor on February 13, 1997, including any suggestions or objections with respect to the proposed agreement.

27. During the meeting, Mr. Rothschild advised the parties that in the event the Debtor was willing to pay for all costs

PROPOSED

CASE NO. 96-16276-BKC-RAM

associated with obtaining a patent, that he would forego any claims to ownership, and in order to avoid any further delay in obtaining patent protection, would consent to the Debtor receiving all right, title and interest to any patent which could be obtained.

28. At that time, counsel for BankAtlantic advised all parties that it would not consent to the Debtor's use of cash collateral in order to obtain patent protection under any circumstances.

29. At the present time, although the Debtor can sell the application of technology, once the product enters the marketplace, there is nothing to prevent a competitor or other third party from copying /imitating the product being sold by Intracorp.

30. Consequently, this could have an adverse impact on the value of the product sold by Intracorp, inasmuch as another company which is not in bankruptcy could possibly devote more funds than the Debtor in developing or marketing the product.

31. The Debtor submits, however, that in the event a patent is obtained, or even once a patent is filed, the Debtor would enjoy patent protection, or, at a minimum, "patent pending" protection which would serve as a deterrent to any parties seeking to copy/imitate the product to be sold by the Debtor. As such, inasmuch as this product could contribute to the viability of the Debtor as a going concern, time is of the essence in placing this product in the stream of commerce.

PROPOSED

CASE NO. 96-16276-BKC-RAM

32. Since the Debtor is without "unencumbered" funds to pay for patent protection, and BankAtlantic will not consent to the Debtor's use of cash collateral, the Debtor has negotiated an agreement with Mr. Rothschild, the terms of which are attached hereto as Exhibit "A," which is a modified version of the term sheet previously presented to both this Court, and all creditors and parties in interest.

33. Exhibit "A" has been modified to address those concerns raised by counsel for various parties in attendance at the meeting referred to herein-above.

34. In summary, the agreement provides the following:

- Mr. Rothschild will enter into an exclusive licensing agreement with the Debtor, whereby the Debtor will have the ability to use and sell the application of technology referred to herein;
- the Debtor will be responsible for a five percent "know how" fee, as well as a five percent royalty payment in the event a patent is obtained. Both of these percentage payments are based upon gross receipts of sales;
- Mr. Rothschild will pay all costs associated with applying for patent protection, and will file applications pursuant to the patent cooperation treaty within one year of the filing date of the U.S. Patent application so as to extend the right to file patent applications in all member nations, as provided on the list attached hereto as Exhibit "B", beyond one year;

PROPOSED

CASE NO. 96-16276-BKC-RAM

- Intracorp will be responsible for paying for costs associated with prosecuting actions against infringers; however, Intracorp will receive all net recoveries stemming from such actions;

- in the event these chapter 11 proceedings are converted to a chapter 7, the licensing agreement will remain an asset of the Chapter 7 estate, and can be assumed and assigned by a Chapter 7 Trustee to a third party for value of benefit to the estate;

- in the event Mr. Rothschild does not pay for the costs associated with obtaining a foreign patent which the Debtor deems necessary, the Debtor will have the opportunity to pay for such patent, and will not be responsible for any royalty payments for sales of the application covered by such foreign patent; and

- the Debtor will have the ability to sub-license its rights pursuant to the licensing agreement which could bring further benefit to the estate.

35. The foregoing terms differ from those previously proposed since the licensing agreement to be entered into with Mr. Rothschild will remain an asset of the estate in the event this case is converted to a Chapter 7 proceeding, the Debtor will receive all proceeds resulting from litigation it funds, and the Debtor has the ability to sub-license the agreement.

36. The Debtor submits that authorization and approval of the proposed agreement to be entered into with Mr. Leigh Rothschild is in the best interests of the estate, inasmuch as the Debtor stands

PROPOSED

CASE NO. 96-16276-BKC-RAM

to receive ninety to ninety-five percent (90 - 95%) of gross receipts without having to pay any costs associated with obtaining domestic and/or foreign patents. The Debtor also avoids any costs associated with any disputes with Mr. Rothschild regarding ownership and/or which party has the ability to obtain a patent.

37. By entering into the Agreement attached hereto as Exhibit "A", an application for a patent can be immediately filed, and the Debtor will be able to enjoy "patent pending" protection which, in turn, will enable the Debtor to market the product more aggressively.

38. Again, time is of the essence, and without the ability to fund the patent process, the Debtor respectfully requests that this Court approve the agreement attached hereto as Exhibit "A".

39. Finally, this Motion has been filed pursuant to F.R.B.P. 9019 since, although the Debtor could dispute Mr. Rothschild's claim to ownership in any patent issued, the Debtor has elected to resolve its dispute with Mr. Rothschild, rather than contest ownership issues.

40. Even if the Debtor prevailed on the argument that Mr. Rothschild invented the application within the scope of his employment and, therefore, had an obligation to assign right, title and interest to the patent to the Debtor, the fact remains that the Debtor does not have the financial ability to pay for the patent process. The Debtor does not have unencumbered funds, and

PROPOSED

CASE NO. 96-16276-BKC-RAM

BankAtlantic will not consent to the Debtor's use of cash collateral for such purpose.

41. In order to maximize the value of the product, and to enable the Debtor to immediately place the product in the marketplace, the Debtor needs to have a patent application filed. Accordingly, the instant Motion has been filed in order to resolve issues with Mr. Rothschild, and to expedite the patent application process.

WHEREFORE, the Debtor respectfully requests that this Court grant the instant motion, and enter an order authorizing the Debtor to enter into the proposed agreement attached hereto as Exhibit "A" with Mr. Leigh Rothschild, as well as granting any and other further relief that this Court may deem just and proper.

RESPECTFULLY SUBMITTED in the Southern District of Florida this _____ day of March, 1997.

I **HEREBY CERTIFY** that I am admitted to the Bar of the United States District Court for the Southern District of Florida and I am in compliance with the additional qualifications to practice with this Court set forth in Local Rules 910(A)(11).

KLUGER, PERETZ, KAPLAN & BERLIN, P.A.

Attorneys for Debtor
1970 Miami Center
201 S. Biscayne Blvd.
Miami, FL 33131
Telephone No. (305) 379-9000
Florida Bar No. 997323

By: _____
Michael D. Seese

PROPOSED

CASE NO. 96-16276-BKC-RAM

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Debtor's Motion to Approve Compromise of Controversy has been furnished by U.S. Mail to all parties on the attached service list this _____ day of March, 1997.

KLUGER, PERETZ, KAPLAN & BERLIN, P.A.

Attorneys for Debtor
1970 Miami Center
201 S. Biscayne Blvd.
Miami, FL 33131
Telephone No. (305) 379-9000
Florida Bar No. 997323

By: _____
Michael D. Seese

s:24030024\motion\approvecompromise

EXHIBIT C

FILE	✓
COPIES TO:	HJB

UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF FLORIDA
 MIAMI DIVISION

IN RE: CASE NO. 96-15276-BRC-RAM
 INTRACORP ENTERTAINMENT, INC., CHAPTER 11 PROCEEDINGS
 Debtor.

ORDER GRANTING DEBTOR'S
 MOTION TO APPROVE COMPROMISE OF CONTROVERSY

THIS CAUSE came before the Court on April 22, 1997 upon the scheduled hearing on the Debtor's Motion to Approve Compromise of Controversy ("Motion"), and the Court having heard from counsel for the Debtor, having been advised that the Unsecured Creditors' Committee supports the relief sought by the Debtor, the Court having further noted that no other creditor or interested party responded to the Debtor's Motion, the Court finding that the terms of the agreement to be entered into by and between the Debtor and Mr. Leigh M. Rothschild are fair and reasonable, the agreement is in the best interests of the estate, the Court having been advised that Mr. Leigh M. Rothschild previously represented that he was willing to abandon any right, title and interest to any patent to be obtained in the event the Debtor was willing and financially capable of funding the costs associated with the patent obtaining process, the Court having found that the Debtor has minimized its financial risks pursuant to the terms of the proposed agreement.

CASE NO. 96-16276-BKC-RAM

and the Court being otherwise fully advised in the premises, it is hereby

ORDERED AS FOLLOWS:

1. The Debtor's Motion is hereby granted.
2. The Debtor is hereby authorized to execute any and all documents with Mr. Leigh M. Rothschild necessary to effectuating the terms of their agreement as disclosed on the term sheet attached to the Debtor's Motion as Exhibit "A".

DONE AND ORDERED in the Southern District of Florida this 25 day of April, 1997.

ROBERT A. MARK
ROBERT A. MARK
United States Bankruptcy Judge

Copies furnished to:

Michael D. Seese, Esq.
KLUGER, PERETZ, KAPLAN & BERLIN, P.A.
1970 Miami Center
201 S. Biscayne Blvd.
Miami, FL 33131

(Attorney SEESE is directed to mail a conformed copy of this Order to all interested parties immediately upon receipt of said Order.)

24030024\orders\grantcompcontro

5/5
To Peter Marks
Refer due to
neg. suit of
earlier fax

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Leigh M. Rothschild
Control No.: 90/008,591
Filing Date: April 11, 2007
Patent No.: 6,101,534
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Fleming, Fritz M., Examiner
Art Unit 3992

2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
October 14, 2008

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JAY HOWARD LINN

I, Jay Howard Linn, declare as follows:

1. I am a citizen of the United States, at least 18 years of age, and have knowledge of the facts set forth herein.

2. I have been a financial advisor and a Certified Public Accountant ("CPA") for Leigh M. Rothschild for the past twenty (20) years and I currently manage the Rothschild family trusts.

3. In July 1999 I was elected to the Board of Directors of IntraCorp Entertainment, Inc. ("Intracorp") which was involved in a bankruptcy proceeding from October 1996 through

December 2003.

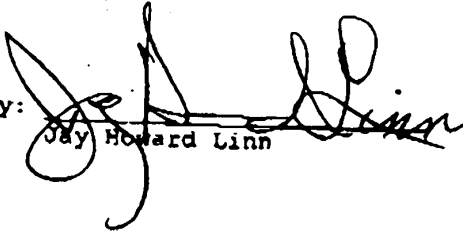
4. During Intracorp's bankruptcy proceeding, one issue included whether Intracorp or Mr. Rothschild possessed sufficient authority and/or control in certain inventions which Mr. Rothschild conceived either alone or jointly, namely, an Interactive, Remote, Computer Interface System, and a Real Estate Display System For the Remote Exhibition of a Real Estate Space, and further, whether Intracorp or Mr. Rothschild possessed the authority and/or control over the prosecution of these inventions with the United States Patent and Trademark Office.

5. Prior to April 18, 1997, Mr. Rothschild described and disclosed at least one of his inventions to me, namely, his invention for an Interactive, Remote, Computer Interface System, which ultimately became the subject of a patent application filed on September 3, 1997, leading to U.S. Patent No. 6,101,534.

6. 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.

Executed on: Oct 14, 2008

By: 
Jay Howard Linn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Leigh M. Rothschild
Control No.: 90/008,591
Filing Date: April 11, 2007
Patent No.: 6,101,534
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
Customer Number 04219
Fleming, Fritz M., Examiner
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2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
October 14, 2008

Mail Stop Ex Parte Reexam
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF PETER A. MATOS

I, Peter A. Matos, declare as follows:

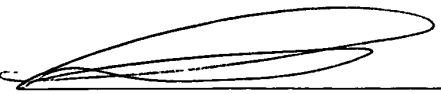
1. I am a citizen of the United States, at least 18 years of age, and have knowledge of the facts set forth herein.
2. I am a registered patent attorney and a partner with the law firm of Malloy & Malloy, P.A. in Miami, Florida.
3. On or about July 1997, I met with Leigh M. Rothschild regarding the disclosures for two inventions, namely his Interactive, Remote, Computer Interface System, and Real Estate Display System for the Remote Exhibition of a Real Estate Space.

4. Taking into consideration the reasonable backlog of unrelated cases which as a matter of office policy were taken up in chronological order and carried out expeditiously, subsequent to said meeting, I worked diligently to prepare drafts of two (2) separate patent applications for Mr. Rothschild's Interactive, Remote, Computer Interface System, and Real Estate Display System for the Remote Exhibition of a Real Estate Space, Inventions, both of which were presented to Mr. Rothschild for review and were ultimately filed on September 3, 1997.

5. Particularly, on average, and taking into consideration the reasonable backlog of unrelated cases, a first draft of a patent application can take approximately six (6) to eight (8) weeks to complete and send to a client, and barring unusual circumstances or delays, a patent application is usually filed shortly thereafter.

6. 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.

Executed on: 10/14, 2008

By: 
Peter A. Matos



10/17/08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild
 Reexamination Control No.: 90/008,591
 Filing Date: April 11, 2007
 Patent No.: 6,101,534
 For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
 Customer Number 04219
 Majid A. Banankhah, Examiner
 Art Unit 3992

2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129

Mail Stop Ex Parte Reexam
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

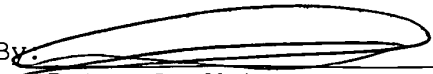
Dear Sir:

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: *Mail Stop Ex Parte Reexam*, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 14 day of October, 2008.

Respectfully submitted,

MALLOY & MALLOY, P.A.
 2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129
 (305) 858-8000

By: 
 Peter A. Matos
 Reg. No. 37,884

Date: 10/14/08



10/17/08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leigh M. Rothschild
 Reexamination Control No.: 90/008,591
 Filing Date: April 11, 2007
 Patent No.: 6,101,534
 For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

Confirmation Number 7502
 Customer Number 04219
 Majid A. Banankhah, Examiner
 Art Unit 3992

2800 S.W. Third Avenue
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 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

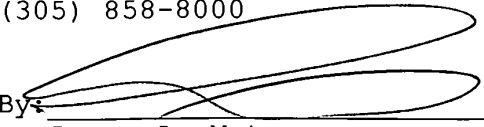
Dear Sir:

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: *Mail Stop Ex Parte Reexam, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450*, this 14 day of October, 2008.

Respectfully submitted,

MALLOY & MALLOY, P.A.
 2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129
 (305) 858-8000

By: 

Peter A. Matos
 Reg. No. 37,884

Date: 10/14/08



10/17/08

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leigh M. Rothschild
 Reexamination Control No.: 90/008,591
 Filing Date: April 11, 2007
 U.S. Patent No.: 6,101,534

Confirmation Number 7502
 Customer Number 04219
 Frits M. Fleming, Examiner
 Group Art Unit 3992

2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129
 October 14, 2008

Mail Stop "Ex Parte Reexam"
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450


Dear Sir:

AUTHORIZATION TO CHARGE FEES TO DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge and/or credit any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 13-1227**. Please note that our Docket No. is **7.062.07**.

Respectfully submitted,

MALLOY & MALLOY, P.A.
 Attorneys for Applicant
 2800 S.W. Third Avenue
 Historic Coral Way
 Miami, Florida 33129
 (305) 858-8000

By: 
 Peter A. Matos
 Reg. No. 37,884

Date: 10/14/08



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.
90/008,591	04/11/2007	6101534	REX.101	7502

7590 11/13/2008
Malloy & Malloy
2800 SW Third Avenue
Historic Coral Way
Miami, FL 33129

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 11/13/2008

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Van Mahamedi
Sherwell Mahamedi LLP
4880 Stevens Creek Boulevard, Suite 201
San Jose, CA 95129-1034

MAILED

NOV 13 2008

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/008,591.

PATENT NO. 6101534.

ART UNIT 3992.

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

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

Office Action in Ex Parte Reexamination	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner FRITZ M. FLEMING	Art Unit 3992	

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

- a Responsive to the communication(s) filed on 14 October 2008. b This action is made FINAL.
c A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 1 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 3. Interview Summary, PTO-474.
2. Information Disclosure Statement, PTO/SB/08. 4. _____.

Part II SUMMARY OF ACTION

- 1a. Claims 1,3-21,23 and 26 are subject to reexamination.
1b. Claims 22 are not subject to reexamination.
2. Claims 2,24 and 25 have been canceled in the present reexamination proceeding.
3. Claims _____ are patentable and/or confirmed.
4. Claims 1,3-21,23 and 26 are rejected.
5. Claims _____ are objected to.
6. The drawings, filed on _____ are acceptable.
7. The proposed drawing correction, filed on _____ has been (7a) approved (7b) disapproved.
8. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
1 been received.
2 not been received.
3 been filed in Application No. _____.
4 been filed in reexamination Control No. _____.
5 been received by the International Bureau in PCT application No. _____.
* See the attached detailed Office action for a list of the certified copies not received.
9. Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. Other: _____

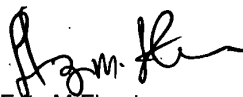
Fritz M. Fleming
Fritz M. Fleming
Primary Patent Examiner
AU 3992

cc: Requester (if third party requester)

Ex Parte Reexamination Communication	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner FRITZ M. FLEMING	Art Unit 3992	

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS LETTER. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c). If the specified period for response is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

See attached Office Action.



Fritz M Fleming
Primary Examiner
Art Unit: 3992

cc: Requester (if third party requester)

DETAILED ACTION

Prosecution history:

- The request was filed 4/11/07, requesting reexamination of claims 1-21. Patent claim 22 was not requested for reexamination.
 - The order was granted (claims 1-21) and mailed 6/21/2007.
- On 8/29/2007, the Patent Owner filed a preliminary amendment with new claims 23-25.
- The Office Action mailed 8/28/2008 rejected all of the claims 1-21 and 23-25.
 - Claims 24 and 25 were rejected under 35 U.S.C. 1st and 2nd paragraphs.
 - Claims 1,3-8, and 24 were rejected under 35 U.S.C. 102(e) as being anticipated by Fidelibus.
 - Claims 1-4,6-8,21 and 23-25 were rejected under 35 U.S.C. 102(e) as being anticipated by Mages.
 - Claims 1,6-21 and 23-25 were rejected under 35 U.S.C. 102(e) as being anticipated by Reisman.
 - Claims 1,4,6-8, and 24 were rejected under 35 U.S.C. 102(e) as being anticipated by Uranaka.
 - Claims 23 and 25 were rejected under 35 U.S.C. 103 as being obvious over Fidelibus.
 - Claim 9 was rejected under 35 U.S.C. 103 as being obvious over Mages.
- On 10/17/2008, the Patent Owner filed a response which:

- Cancelled patent claim 2, and new claims 24 and 25.
- Added new claim 26, which is original claim 2 in independent form.

Arguments raised in the response:

- The examiner would like to thank the Patent Owner for the gracious compliments regarding the examiner's very clear and detailed claim chart style discussion of the references as they apply to the claims at issue (page 11). Likewise, the examiner thanks the Patent Owner for a very clearly written response that is concise and to the point, helping move the proceedings along with special dispatch. However, the examiner respectfully disagrees with the points raised by the Patent Owner, as explained below.
- In general, the Patent Owner (page 13) argues for patentability based upon the remote server assembly initiating utilization of the auxiliary site data, and that the use of that data is in conjunction with the primary site data that is on the remote server. See page 13.
 - The general argument addresses features not present in all of the claims. Such features are:
 - Helping to maintain security of the local processor assembly.
 - Achieve important real time interactivity between the content at the two locations.
 - Collectively eliminating the potentially time consuming step of requiring that a file be downloaded by the local computer.
 - Patent Owner argues claims 1, 2/26 and 23 and Mages (pages 14-17)

- The points raised will be specifically addressed in the rejection below.
- Patent Owner argues claims 1 and 23 and Reisman (pages 17-19).
 - The points raised will be specifically addressed in the rejection below.
- Patent Owner argues claim 1 and Uranaka (pages 19-21).
 - The points raised will be specifically addressed in the rejection below.
- Patent Owner argues claims 1 and 23 and Fidelibus (pages 21-23).
 - The points raised will be specifically addressed in the rejection below.
 - The Patent Owner has submitted various declarations and documents in an attempt to remove Fidelibus as a competent reference. This will be discussed as well in the rejection below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article.21(2) of such treaty in the English language.

2. Claims 1,3,4, 6-8, 21 and 23,26 are rejected under 35 U.S.C. 102(e) as being anticipated by Mages et al. (Mages).

It is noted that claims 2,24 and 25 have been cancelled. Claim 2 has been rewritten in independent form as new claim 26; therefore, claim 26 is rejected for the same reasons as presented for original claim 2.

Mages discloses a CD-ROM which contains video imaging and/or audio data that is triggered for instant local access by the actions of remote server working in conjunction with a local computer (see Abstract).

The claims of 6,101,534 are presented in a side-by-side manner with the relevant teachings of Mages.

After reviewing Patent Owner's response, the examiner deems the arguments non-persuasive and maintains and makes the rejections below FINAL. Each issue raised on pages 14-17 will be addressed below.

- **The Patent Owner argues** that although the un-crippling key file is transmitted from the remote server to the local computer, that it is not the remote server that "initiates the utilization of the locally maintained data", but that it is the un-crippling key file that does such. The Patent Owner points out that this type of file transfer of Mages can pose very serious security and integrity threats, defeats the purpose of avoiding potentially slow downloads, that the local computer does not need to be connected to remote server when use of the local data is initiated, and can cause damage to the local processor due to viruses

and the like. The Patent Owner argues that the Patentee's system avoids the need for a file download to the local computer and adds security of allowing only access to the interchangeable medium. While these features may be the desired outcome of Patentee's system, these features are not required by the claims and the Patent Owner's response has not shown a clear link between these argued features and specific claim limitations.

- **The examiner believes that the issue is the claim interpretation of the key phrase of the claims in question.** The key phrase as pointed out by the Patent Owner is as follows:

Said remotely accessible, auxiliary site addresses being structured to be remotely **accessed by said remote server assembly so as to initiate utilization** of said select portions of said quantity of auxiliary site data by said local processor assembly **in conjunction with** said primary site data.

(emphasis added by Patent Owner).

- In accordance with MPEP 2258, claims are given their broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims. The limitation reading "so as to initiate utilization" does not limit what form the "so as to initiate utilization" can take. Given its broadest reasonable interpretation, the "so as to initiate utilization" is performed by the server in the form of the noted uncripping. As explained in Figures 7 and 8 and column 7, line 21 to column 8, line 17, the trigger is sent from the server (i.e. step 44 of Figure 7) to the end user's PC. Without the trigger at the end user's PC, the source data is crippled and unusable. Once the key 5 is caught by the

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- end user's computer, the audio or video track from the CD-ROM is played. Thus the server provides the initiation function (i.e., the trigger key 5) of the auxiliary site data (i.e. the crippled data on the CD-ROM). Without the trigger key 5 from the server, the data on the CD-ROM remains crippled. Hence, the server provides the initiation functionality to the extent claimed. Note also at column 4, lines 7-17, that there is server control of the "crippled CD-ROM" and that the video/audio data played back from the CD-ROM can be combined in conjunction with any updated, textual information. The end result is that specific tracks on the CD-ROM can be controlled (i.e. utilized) by the remote server. Therefore, locally stored data is played back in conjunction with data from the server (i.e. primary site data in the form of the trigger key itself and the updated textual information), and this is done only after the server has initiated the process via the trigger key 5 being sent to the end user's PC.
- o At page 14, the Patent Owner argues that it is not the server, but the local computer, that does the initiating. While it is true that the local computer of Mages is involved in the initiation process, it is the server that "initiates" the initiation process by providing the uncrippling key to the local computer. Since the phrase "so as to initiate utilization of" is given its broadest reasonable interpretation, the sending of the uncrippling key from the server to the local PC, as shown by Mages, performs the claimed function. Without the uncrippling key, the local data remains crippled and

cannot be utilized by the local computer. Once the uncripping key has been sent from the server, the server has initiated the utilization of the local data by the local computer. The claim simply does not specify the type of initiation to be used (i.e. the claim language does not preclude initiation in the form of a downloaded file or trigger key as taught by Mages), and therefore, the rejection is maintained and made FINAL.

- o At pages 14-15, the Patent Owner also argues things not found in the claim, such as the amount of time taken if the connection is slow, the risk of serious security and integrity problems, the running of possibly corrupted files, viruses, and access of the computer's main memory. These arguments are not persuasive, as the Patent Owner has not tied these back to the claim language.
- o At pages 16-17, the Patent Owner argues that the local computer does not need to be connected to the server when use of the local data is initiated, and cites column 8, lines 39-47 in support of this. This argument is not persuasive, because the local computer must be connected to the server when the trigger key is initially sent to the local computer in order to decripple the local data. The examiner believes that initiation takes place when the server sends the key to the local computer, and not when the local computer utilizes the local data after it has been decrippled. While it is true that this portion of Mages discusses that it is possible to subsequently use the decrippled data, line 47 does specify that this

access has to be authorized by the server. The claims as presently drafted require that "said remote server assembly so as to initiate utilization", and the examiner interprets this to be met when the key is sent by the server to the local computer, as this is what initiates utilization of the local data by the local computer.

Claims from 6,101,534	Relevant teachings of Mages
<p>1. An interactive, remote, computer interface system comprising:</p> <p style="padding-left: 40px;">a remote server assembly, said remote server assembly including a quantity of primary site data;</p> <p>said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p style="padding-left: 40px;">a local processor assembly;</p> <p style="padding-left: 40px;">said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p style="padding-left: 40px;">said local processor assembly being structured to</p>	<p>See Figure 1 for a remote interactive computer interface system comprising:</p> <p>A remote server assembly is seen in Figure 1 as the host-computer server 7. Included in the primary site data is an uncripping key 5 and the URL and the conventionally provided web pages and the updated information. See column 4, lines 7-17, column 5, lines 55-60 and column 6, lines 1-27.</p> <p>Note that per column 6, lines 17-27, that the primary site address is the URL which identifies the remote server on the internet.</p> <p>The local processor assembly is the end user computer 1, wherein the end user computer is coupled in an information transmitting/receiving communication via the internet 6 to the remote server assembly.</p> <p>The local processor assembly is structured per Figure 2 such that it automatically</p>

<p>access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p>at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;</p> <p>said data storage assembly including a compact, portable and interchangeable computer readable medium;</p> <p>said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p> <p>said remotely accessible, auxiliary site addresses being</p>	<p>accesses the primary site address URL to achieve data transmitting/receiving communication when the CD-ROM is inserted (see column 4, lines 18-31).</p> <p>Here the CD-ROM 3 and its associated CD-ROM drive 2 are structured such that the CD-ROM itself contains a quantity of auxiliary site data in the form of the crippled data 4, which data is associated with the primary site data such as the uncrippling key and the updated information provided by the company (column 4, lines 7-17). The CD-ROM is a compact, portable and interchangeable computer readable medium.</p> <p>The CD-ROM has a plurality of remotely accessible, auxiliary site addresses encoded thereon in the form of the "crippled" informational audio and/or video data. These "crippled" data files each contain auxiliary site addresses in the form of the data files (the files are the addresses, wherein each file includes at least select portions of the quantity of auxiliary site data. The files, and hence the auxiliary site addresses, are remotely accessible, as the encoded uncrippling key 5 comes from the remote server assembly 7. Once the uncrippling key 5 has been received by the local processor assembly 1, and then decoded and matched to the CD-ROM data files, the data files on the CD-ROM have an associated and complete header, allowing for instant playback. This also allows for specific tracks on the CD-ROM to be controlled by the remoter server 7. See column 4, especially lines 7-17 and 47-64.</p>
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<p>structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>As noted above, once the crippled data files have been uncrippled, the audio/video data is instantly played back. Note column 7, line 21 to column 8, line 17, where it is described in conjunction with Figures 7 and 8, that once the encoded key 5 arrives at the local processor assembly 1, a subroutine player in the program in the local processor assembly 1 decodes the trigger and invokes the correct track of the CD-ROM for immediate playback. This is an initiation of the crippled files, as they can now be utilized by the local processor assembly 1 in conjunction with the primary site data in the form of the encoded uncripping key, the remote server URL website, and the updated information provided by the company, by enabling server control of the local media data on the "crippled" CD-ROM (see column 4, lines 7-17).</p>
<p>2. (Now rewritten as new claim 26 in independent form). A system as recited in claim 1 wherein said remotely accessible auxiliary site addresses are encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.</p> <p>[Note: Claim 2 has been</p>	<p>As noted above, the audio and/or video files are crippled (and therefore "encoded" to the extent claimed), so that the files can only be played back when they are "uncrippled" by the encoded key 5 from the remote server assembly 7. Therefore, the local processor assembly 1 can only access the data files after they have been "uncrippled" as directed by the remote server assembly 7.</p>

<p>rewritten in independent form as claim 26, so the rejection previously applied to claim 2 is now applicable to new claim 26].</p>	
<p>3. A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.</p>	<p>As noted for claim 2 above, the "crippling" and "uncrippling" is a security protocol structured to limit/permit access of the local processor assembly 1 to the data files on the CD-ROM, unless the encoded key 5 has been provided under direction of the remote server assembly 7. Note also that due to the use of the encoded key 5, the remote server assembly can only control specific tracks on the CD-ROM, thereby permitting only limited access to the CD-ROM.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact,</p>	<p>The remote server assembly 7 is structured with internal site (i.e. its own website and URL) and can identify an internal site address of the CD-ROM, as it sends the appropriate encoded key 5 and</p>

<p>portable and interchangeable computer readable medium relative to said local processor assembly.</p>	<p>can control specific tracks of the CD-ROM. Since a PC uses a lettering scheme to label drives, the CD-ROM drive will have a known address (i.e. the "d" drive) relative to the local processor assembly 1, and this will be identified so CD-ROM can be actuated with the remote server controlling the specific tracks of the CD-ROM. See column 4, lines 1-17.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>As noted above for claim 5, the CD-ROM drive will be given a letter and this will facilitate access to the drive by the remote server assembly so that the specific tracks can be controlled.</p>
<p>7. A system as recited in claim 1 wherein said compact, portable and interchangeable</p>	<p>Column 4, lines 47-64 states that the data files stored on the CD-ROM are video/audio files, thereby meeting what is</p>

<p>computer readable medium is structured to store at least one video image.</p>	<p>claimed.</p>
<p>8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.</p>	<p>Column 4, lines 47-64 states that the data files stored on the CD-ROM are video/audio files, thereby meeting what is claimed.</p>
<p>21. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.</p>	<p>There are various instructions stored on the CD-ROM. As mentioned above, the CD-ROM contains code representing the URL webpage of the host computer where the necessary deciphering key is located. Also, the CD-ROM is provided with software having the necessary routing information for directing the Internet connection to the host computer's server and webpage URL per block 34. Also, the data on the CD-ROM will automatically call up and connect the local processor assembly 1 to the remote host server 7.</p>

	See column 6, lines 38-44 and column 7, lines 1-20.
Claim 23 adds the following when compared to claim 1: the compact portable and interchangeable computer readable medium is structured to contain the auxiliary site data AND that this medium is distinct from a fixed hard drive.	Mages shows that the CD-ROM that contains the auxiliary site data is separate and distinct from the hard drive 11. Since the hard drive 11 is not described as being a removable drive, it is understood to be a fixed drive.

3. Claims 1, 6-21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Reisman 6,594,692 (Reisman).

The examiner has reviewed the arguments that the Patent Owner has presented at pages 17-19 regarding claims 1 and 23, and finds these to be non-persuasive.

- As was the case with Mages, the Patent Owner argues that Reisman relies on a downloaded file that is then combined with local data, a process which can be potentially time consuming and also potentially lead to security breaches. The Patent Owner argues that the server of Reisman does not "initiate", but that such is done by the user via the "offline browser". The Patent Owner states that the server of Reisman merely transmits an update to a local computer in response to a request. Finally, the Patent Owner argues that the local data is not used in conjunction with the primary site data on the server, because the files must be downloaded, and this may be time consuming.

- o Claims 1 and 23 do not preclude the downloading of files and do not address the amount of time needed to do so.
- o The claims do not specify what type of "initiation" is carried out.
- o The examiner interprets the "initiation" to include the updated local content, wherein the updates are in the form of more current content from the sponsor's website. The use of the sponsor's website more current content can't be utilized in conjunction with the locally stored content until the remote server "initiates utilization" by downloading the web pages for use with the off-line browsing. The claim language would not seem to preclude the "fetching" of new content elements from the server to be used in conjunction with the locally stored data, as the server still has to "initiate" this, albeit in response to a request from the local computer.
- o The issue again appears to be what properly constitutes the "initiates", as the examiner is interpreting this in its broadest reasonable sense to include the initial transfer of data from the server, as this actually marks the point in time that will allow for the combined utilization of the remote and local data.

Claims from 6,101,534	Relevant teachings from Reisman
1. An interactive, remote, computer interface system comprising:	See Figure 12.

<p>a remote server assembly, said remote server assembly including a quantity of primary site data;</p> <p>said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p>a local processor assembly;</p> <p>said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p>said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p>at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;</p> <p>said data storage assembly including a compact, portable and interchangeable computer readable medium;</p> <p>said compact, portable and interchangeable computer</p>	<p>Note a web server 132 with primary site data in the form of its URL and the webpages it supplies.</p> <p>The web server 132 includes a primary site address in the form of its URL that identifies the location of a file on an internet server (see column 38, lines 43-55).</p> <p>Note local processor assembly station 122, being coupled to the remote server 132 in data transmitting/receiving communication via the connections to the telephone network and internet. See Figure 12.</p> <p>Figure 1 shows how the local processing assembly 122 is structured so as to achieve this. The actual connection is shown in Figure 12 via the online connection to the ISP and internet.</p> <p>The data storage assembly associated with the local processor assembly is shown in Figure 12 to include removable (i.e. portable) computer readable media in the form of the CD-ROM, as well as fixed media in the form of the disk drive. See column 42, lines 54-67. It is the CD-ROM that is contains a quantity of auxiliary site data in the form of local web content pre-distributed on the CD-ROM, such data associated with additional content obtained from the sponsor's website (see column 42, lines 18-45).</p> <p>The CD-ROM contains a plurality of</p>
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<p>readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p> <p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>remotely accessible, auxiliary site addresses encoded therein in the form of locally browsable web pages 140, wherein the relevant web page URLs are replaced with local paths or local resource locators. These URLs are remotely accessible as they are updatable from a website or another remote server. This is the case of the initial CD-ROM that contains a realtor's listings, wherein the offline browsing system allows for these listings to be updated and then stored locally, which requires remote accessibility to the extent claimed. See column 42, lines 18-53.</p> <p>Per column 41, lines 15-42, the new content element can be an update of a local content element, and is preferably locally stored and is transparently accessed and integrated with other local content elements. Per columns 42 and 43, the local web content (the auxiliary site addresses) is pre-distributed on the CD-ROM, and these are updated with more current content from the sponsor's website or other remote location, thereby making the remotely accessed by the remote server when supplying the current content. When an update is thusly used with the off-line browsing, the remote server has in effect accessed the locally stored URLs and initiated utilization by the local processor assembly of both the information stored on the CD-ROM and the update from the primary site data.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal</p>	<p>As noted above, the remote web site server 132 is able to update the initially supplied local pages on the CD-ROM. The local pages have URLs replaced with appropriate local paths or other resource locators (column 43, lines 1-24). Therefore, when the remote server updates local pages, the remote server</p>

<p>site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.</p>	<p>identifies the internal site addresses of the CD-ROM by use of the local paths. See also the paragraph spanning columns 41 and 42 for the local page update options.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>As noted for claim 4, the CD-ROM itself contains the local paths or resource locators in order to facilitate proper local page updates by the remote web server.</p>
<p>7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.</p>	<p>Column 41, lines 1-14 disclose that a multimedia music product (i.e. the CD-ROM) can combine music (audio) with still pictures or video.</p>
<p>8. A system as recited in claim</p>	<p>Column 41, lines 1-14 disclose that a</p>

<p>1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.</p>	<p>multimedia music product (i.e. the CD-ROM) can combine music (audio) with still pictures or video.</p>
<p>9. A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.</p>	<p>As noted above, the basis for the offline browsing system is the use of URLs at the remote server and local URLs which have been replaced with local paths.</p>
<p>10. A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and</p>	<p>As there is no specific structure for the cited data entry assembly to provide the claimed input of data, this is shown by the above mentioned updated of the local pages by the remote server. Therefore the updating by the remote server constitutes a data entry assembly associated with the local processor, as such also involves at least the API and communications module shown in Figure 1.</p>

<p>interchangeable computer readable medium.</p>	
<p>11. A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.</p>	<p>Column 21, lines 19-25 states that a fetched information object, such as an update, is automatically decompressed and stored on the hard disk storage device 18 as additional information object 26 for integration with the original CD-ROM product. This means that the fetched information object was compressed was inputted to the local processor assembly, noting that the claim does not specify wherein the system the compression assembly is located.</p>
<p>12. A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.</p>	<p>The communications module 36 functions as a receiver assembly when it fetches an update remotely from the remote server.</p>
<p>13. A system as recited in</p>	<p>A full band signal is seen as a satellite or</p>

<p>claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.</p>	<p>FM broadcasting (column 26, lines 20-44).</p>
<p>14. A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.</p>	<p>An interlaced signal is seen as a TV subchannel or cable TV system broadcasting (column 26, lines 20-44).</p>
<p>15. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.</p>	<p>A satellite transmission is seen at column 26, lines 20-44.</p>
<p>16. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.</p>	<p>A radio transmitter is seen as the FM broadcasting (column 26, lines 20-44). Note also the use of a wireless common carrier as the communications network 20 (column 11, lines 18-30).</p>
<p>17. A system as recited in claim 12 wherein said remotely transmitted signal is</p>	<p>The use of a cabled transmitter is seen as the cable transmission for cable TV systems (column 26, lines 20-44). Note</p>

<p>transmitted to said receiver assembly by a cabled transmitter.</p>	<p>also the use of a cable television system as the communications network 20 (column 11, lines 18-30).</p>
<p>18. A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.</p>	<p>Telephone lines are disclosed at Figure 12. Note also the use of telephone networks as the communications network 20 (column 11, lines 18-30).</p>
<p>19. A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.</p>	<p>A broadband cable would be seen as the cable TV system providing the online connection 128 of Figure 12. Column 43 distinguishes between an online internet connection 128 and a dialup connection 142, noting that connection 128 can be any kind of direct internet connection (column 43, lines 14-37). Note also the use of a cable television system as the communications network 20 (column 11, lines 18-30).</p>
<p>20. A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.</p>	<p>Cable TV systems include fiber optic cable somewhere in the system, as the claim places no limitations where the fiber optic cable is, only that it be present.</p>

<p>21. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.</p>	<p>The CD-ROM includes the information transport component 14 along with the news magazine product such that new issues can be fetched form the remote server 22 (column 20, lines 43-56). This directs the local processor assembly to fetch and store updates.</p>
<p>Claim 23 adds the following when compared to claim 1: the compact portable and interchangeable computer readable medium is structured to contain the auxiliary site data AND that this medium is distinct from a fixed hard drive.</p>	<p>Figure 12 shows the CD-ROM being distinct from the hard drive. As the hard drive is not described as being "removable", it is construed as being a conventional fixed hard disk drive.</p>

4. Claims 1,4,6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Uranaka.

The examiner has reviewed the arguments that the Patent Owner has presented at pages 19-21 regarding claim 1, and finds these to be non-persuasive.

- As was the case with Mages, the Patent Owner argues that Uranaka relies on a downloaded script that is then combined with local data, a process which can be potentially time consuming and also potentially lead to security

breaches. The Patent Owner also argues that is the script and not the server that "initiates utilization", and that no connection to the remote server is required at the time of "initiation".

- o As was the case with Mages and Reisman above, the difference of opinion between the Patent Owner and the examiner is what properly constitutes the remote server "to initiate utilization". As noted in the rejection, the examiner believes that the broadest reasonable interpretation for the remote server "to initiate utilization" includes the STEP 1402 (see column 18, line 55 to column 19, line 36). In STEP 1402, the client 1210 transmits the purchase history information and the DVD identifying information to the catalog shopping server 1220. The server 1220 uses this information to generate the script, which is the display method of the electronic catalog DVD 1200. The script is then sent to the client 1210, and the content of the electronic catalog DVD 1200 is displayed based upon the script determined in STEP 1402. The end result is that the central control means 1211 of the catalog shopping client 1210 controls the DVD driving means 1213 based on the script and sends the data to be displayed to the information display means 1216.
 - The examiner believes that the broadest reasonable interpretation of "initiates utilization" is met by Uranaka, in that the local data on the DVD is not displayed until it is "initialized" by

the script that is sent from the server. Therefore, the local data (DVD data) is utilized in conjunction with the primary site data (script) at the local processor once the server has started the "initialization" process by sending the script. The examiner believes that the broadest reasonable interpretation allows for the "initialization" to start with the sending of the script by the server, as this is what "initiates utilization". While it is true that the script is used at the client to display the DVD data, the actual displaying is the "utilization" itself. However, the examiner believes that the "utilization" is actually "initiated" when the script is determined and then sent by the server, which occurs before the DVD data is utilized and displayed at the client. Hence the server "initiates utilization" by sending the script, and then the client "utilizes" the local DVD data in conjunction with the server script.

Claims from 6,101,534	Relevant teachings from Uranaka
<p>1. An interactive, remote, computer interface system comprising:</p> <p> a remote server assembly, said remote server assembly including a quantity of primary site data;</p>	<p>See Figure 12 for an interactive, remote computer system in the form of a DVD based catalog shopping system.</p> <p>A remote server assembly is seen at 1220, the catalog shopping server. Primary site data is seen as the network address of the catalog shopping service and the information used to generate the script. See column 17, line 17 to column 18, line 21.</p>

<p>said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p>a local processor assembly;</p> <p>said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p>said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p>at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;</p>	<p>As noted above, the catalog shopping server 1220 has a network address that is contained at 1304 of the electronic catalog DVD 1200.</p> <p>A local processor assembly is the catalog shopping client 1210.</p> <p>The catalog shopping client 1210 and the catalog shopping server 1220 are coupled in a data transmitting and receiving communication by the information transmitting and receiving means 1212 and 1222.</p> <p>The catalog shopping client 1210 is structured to access the catalog shopping server per STEP 1402 or 1409 in order to achieve the data transmitting and receiving communication.</p> <p>The data storage assembly is the catalog DVD 1200, and such is associated with the catalog shopping client 1210 via the DVD driving means 1213. The DVD contains auxiliary site data in the form of the media utilizing information recording area 1201, the certifying information storage area 1202, the purchase history information storage area 1203, and the other data stored on the DVD relating to specification, external appearance, price, commodity code, etc. This auxiliary site data is associated with the primary site data, in that the auxiliary site data is used for the catalog purchases as well as the items to be displayed by the script. See column</p>
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<p>said data storage assembly including a compact, portable and interchangeable computer readable medium;</p> <p>said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p> <p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>17.</p> <p>This is what the DVD 1200 is.</p> <p>As noted above, the DVD stores the various types of auxiliary site data thereon. The areas 1201-1203 are remotely accessible in that this information is passed on to the catalog shopping server 1220 per Figure 14. The auxiliary site data is at certain locations of the DVD, hence at auxiliary site addresses (e.g. 1201-1203), see Figure 13. Also the other data stored on the DVD (as noted above) has to be stored at certain known address locations on the DVD, as the script generated by the catalog shopping server 1220 tells which of these to display at the catalog shopping client 1210/1216 and how (see the paragraph spanning columns 17 and 18).</p> <p>When the script is passed from the catalog shopping server 1220 to the catalog shopping client 1210, the auxiliary site addresses of the data to be displayed is accessed remotely by the catalog shopping server 1220 via the script. This action initiates utilization of the quantity of the auxiliary site data stored on the DVD in conjunction with the primary site data in the form of the script by the catalog shopping client 1210. See STEP 1402.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal</p>	<p>Based upon step 1401 and a purchase history is present, the catalog shopping server 1220 is structured "internal site" and identifies internal site addresses (catalog</p>

<p>site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.</p>	<p>content) of the DVD in order to display the desired content of the electronic catalog DVD. Such is made relative to the catalog shopping client, as this is where the DVD and its drive are located.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>Similar to claim 4 above, the DVD itself contains the purchase history information 1203 and DVD identifying information 1303 which are transmitted to the catalog shopping server 1220. This facilitates the generation of the script, as again the content of the electronic catalog DVD is identified by the script which effects an access to the internal site addresses (catalog content) by the catalog shopping server.</p>
<p>7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.</p>	<p>The manner in which the claim is drafted only requires that the medium be structured to store at least one video image (e.g. be capable of storing), but does not actually require data to be stored. Since the medium is a DVD, the claim</p>

	language is met, as DVDs are structured to store video images/data.
8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.	The same argument for claim 7 applies here, as DVDs are structured to store audio signals as well.
Claim 24 adds the following limitations to claim 1: The local processor assembly is proximate the compact, portable and interchangeable computer readable medium when use of the auxiliary site data is initiated by the remote server assembly regardless of whether a user is physically present at the local processor assembly when the use is initiated.	As seen in Figure 12, the DVD driving means 1213 is part of the local processor assembly. Therefore, when the DVD is inserted therein, proximate location is achieved. When use of the auxiliary site data is initiated via the script, such is done regardless of the physical presence (or lack thereof) of the user. Per the description of Figure 14, the user inserts the DVD into the catalog shopping client 1210 and starts the catalog shopping. If the DVD has a purchase history recorded, the catalog shopping server determines the display method via the

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	script sent to the catalog shopping client, thereby initiating use of the auxiliary site data. At the moment of initiation of use, the user need not (but could be present), as the server does so based upon information recorded on the DVD (STEP 1403).
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5. Claims 1,3-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Fidelibus, Jr. et al. (Fidelibus).

The Patent Owner has responded to the rejections of claims 1 and 23 with an attempt to disqualify Fidelibus as competent prior art, as the Patent Owner has submitted various documents and declarations. The examiner is not persuaded by these documents and declarations, and therefore maintains the rejections based upon Fidelibus.

6. The declarations filed on 10/14/2008 under 37 CFR 1.131 has been considered but is ineffective to overcome the Fidelibus reference.

7. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Fidelibus reference to either a constructive reduction to practice or an actual reduction to practice. See the discussion below.

8. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Fidelibus reference. While conception is the mental part

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of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). See the discussion below.

9. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Fidelibus reference. See the discussion below.

10. The evidence submitted is insufficient to establish applicant's alleged actual reduction to practice of the invention in this country or a NAFTA or WTO member country after the effective date of the Fidelibus reference. See the discussion below.

11. The discussion below relies upon MPEP 715 for the requirements for swearing back of a reference using a declaration under 37 CFR 1.131.

- The Rothschild Declaration (8 pages)
 - This declaration provides a general allegation that the invention was completed prior to the date of the Fidelibus reference. No specific evidence has been provided (i.e. sketches, notebook entries, etc.), as the focus of the declaration is the bankruptcy proceeding and a series of events before and after the date of Fidelibus. The declaration does mention that the details of the invention were confided to Jay Howard Linn prior to the date of Fidelibus (offered as evidence of conception).

However, no specifics are given as to what was disclosed to Jay Howard Linn, as the "invention" is a rather broad description and does not provide factual evidence of exactly what was disclosed. In summary, the Rothschild declaration is lacking factual evidence to overcome the Fidelibus reference.

- The Linn Declaration (3 pages)
 - In paragraph 5, the declaration states that prior to April 18, 1997, Mr. Rothschild described and disclosed the invention to him. However, no evidence or statements of facts is provided. This declaration does not provide any details as to what was exactly disclosed, as the "invention" is a rather broad description and does not provide any factual evidence as to what exactly was disclosed. In summary, the Linn declaration is lacking factual evidence to overcome the Fidelibus reference.
- The Matos Declaration (3 pages)
 - The first date discussed is after the date of the Fidelibus reference. This declaration mentions that Mr. Rothschild first met with Mr. Matos on or about July 1997 and that Mr. Matos worked diligently until the filing of the patent application in September of 1997. The dates provided may be indicative of a conception prior to the date of Fidelibus, but a reduction to practice after the date of Fidelibus (i.e. the date the patent application was filed). In such an instance, this declaration lacks

a showing of diligence, as the showing does not extend to a date prior to the date of Fidelibus.

- Exhibit A provides a chronology of docket events surrounding the Intracorp bankruptcy court proceedings, but offers no evidence to overcome the Fidelibus reference.
- The "Motion to Approve Compromise of Controversy" is dated 25 April 1997, but is after the April 18, 1997 filing date of Fidelibus.
- Exhibit B is a "Debtor's Motion to Approve Compromise of Controversy" and again describes dates associated with the bankruptcy and does not provide factual evidence regarding the invention prior to the date of Fidelibus. The dates seem to be from March of 1997, and would predate Fidelibus. However, this exhibit again makes general reference to "technology" and "invention" and does not provide any details or factual evidence pertaining to the invention at a date prior to Fidelibus.

Claims from 6,101,534	Teachings from Fidelibus
<p>1. An interactive, remote, computer interface system comprising:</p> <p>a remote server assembly, said remote server assembly including a quantity of primary site data;</p>	<p>See the ABSTRACT which describes an interactive multimedia system which provides computer program intelligence and user interface for a remote computing device to communicate with a user's local computing device.</p> <p>A remote server assembly is shown at the remote computing device 110 which comprises a server 130 which includes a quantity of primary site data in the form of a webpage and website generated by the software 132 having a URL address and</p>

<p>said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;</p> <p>a local processor assembly;</p> <p>said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;</p> <p>said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;</p> <p>at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;</p>	<p>the interactive multimedia entertainment system 134 (IMES). See column 4, lines 40-65.</p> <p>As noted above, the remote server assembly has a URL address (i.e. http://www.webpage.com--see column 6, lines 11-16). Since it is a unique address to identify the remote server on the Internet, it meets the limitations as claimed.</p> <p>A local processor assembly is seen as the local computing device 100 as it has a processor 102.</p> <p>Per column 6, lines 1-16, the local computing device 100 is coupled in a data transmitting and receiving communication manner with the remote server assembly 130.</p> <p>As seen in Figure 1, the local processor assembly 100 is structured to access the primary site address (i.e. the URL) via the MODEM 116 and the communication link 121 and the public communication network 120 and the communication link 122 and MODEM 1326 in the remote server assembly 130.</p> <p>The local processor assembly 100 has a data storage assembly in the form of the CD-ROM media drive 108 and the CD-ROM, which CD-ROM contains directory information recorded thereon, such as a sequential listing of the plurality of audio selections and the duration of each written on the CD-ROM, as well as the songs recorded on the CR-ROM (see column 5, lines 64-68). Therefore, the auxiliary site data is the directory information, which is</p>
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<p>said data storage assembly including a compact, portable and interchangeable computer readable medium;</p> <p>said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and</p> <p>said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.</p>	<p>associated with the primary site data such that the songs recorded on the CD-ROM are enhanced by components stored on the remote computing device (see column 2, lines 27-67).</p> <p>The data storage assembly includes a CD-ROM which is a compact, portable and interchangeable computer readable medium.</p> <p>The CD-ROM includes a plurality of auxiliary site addresses encoded thereon (for example, the above mentioned directory information that encodes addresses therein in the form of directory information that provides track and length information, such that each song is at its own track address, wherein each song is a portion of the entirety of auxiliary site data stored on the CD-ROM). These auxiliary addresses are remotely accessible, as the user identifies the desired one or plurality of audio and or visual component entertainment elements recorded on the CD-ROM that the user wishes to have presented in multimedia format, wherein when the user selects the PLAY icon from the IMES control bar 330, the FRAME -A is activated simultaneously with the audio from the CD-ROM (see column 7, lines 27-67)</p> <p>The individual songs recorded at the specific tracks are structured such that they can be remotely accessed by the remote server assembly in the following manner. As noted above, the user identifies the desired one or plurality of audio or visual component entertainment elements recorded on the CD-ROM (these would represent the auxiliary site addresses) that the user wishes to have</p>
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	<p>presented in multimedia format. When the user presses the PLAY icon from the IMES control bar 330, the remote server assembly 130 remotely accesses the auxiliary site addresses and initiates utilization of them by the local processor assembly 100, because a PLAY causes the simultaneous activation of the FRAME A 310 (representing primary site data, as well as the content in FRAME B at 320) and the audio from the CD-ROM (this is located at the local processor assembly 100 at the media drive 108). Since the IMES 134 and the FRAME A/B are from the remote server assembly 130, the auxiliary site addresses are initiated in conjunction in order to achieve the desired multimedia presentation.</p>
<p>3. A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.</p>	<p>Column 6, lines 35-65 describes the validation steps 204 and 205, where it is described that the remote server assembly is limited to directing the local processor assembly to scan the recorded medium placed in the media drive 108 in a well known fashion to identify or authenticate the recorded medium. Therefore, some sort of security is present to the extent claimed to by permitting access only to the recorded medium placed in the media drive 108.</p>
<p>4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium</p>	<p>Since the CD-ROM is used in conjunction with the CD-ROM media drive 108, the process at step 204 will identify an internal site address of the CD-ROM via a scanning of the medium in media drive 108. As the validation process at 205 continues, the local processor assembly 100 can also locate a particular segment such as a track or a song (an internal site address on the CD-ROM) and pass this information to the remote server assembly 130. Also, the user can place the CD-ROM into the media drive in response to</p>

<p>relative to said local processor assembly.</p>	<p>an instruction from the remote server assembly 130, and such mounting of the CD-ROM results in the CD-ROM being located at the particular drive location (perhaps the "d" or "e" drive) relative to the local processor assembly 100. See, for example, column 5, lines 50-67.</p>
<p>5. A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.</p>	<p>Per step 207, the remote server assembly is structured to transmit a "not mounted" or a "wrong medium mounted" message (i.e. a signal) to the local processor assembly. A "not mounted" condition is a "non-presence" condition. See column 6, lines 35-67.</p>
<p>6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.</p>	<p>As noted above, the CD-ROM is structured with directory information and is located at the drive letter of the media drive 108, such that the drive letter represents an internal site address relative to the local processor assembly 100. This facilitates access thereto by the remote server assembly 130, as noted above in the validation process, as well as in the multimedia presentation itself.</p>
<p>7. A system as recited in claim 1 wherein said compact,</p>	<p>Column 5, lines 9-20 indicates that the CD mounted in the CD-ROM drive 108 includes both audio and/or visual</p>

<p>portable and interchangeable computer readable medium is structured to store at least one video image.</p>	<p>components. Hence the CD-ROM is structured to store at least one video image, being the visual component.</p>
<p>8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.</p>	<p>Column 5, lines 9-20 indicates that the CD mounted in the CD-ROM drive 108 includes both audio and/or visual components. Hence the CD-ROM is structured to store at least one audio signal, being the audio component. Note also that repeated reference is made to the audio stored on the CD-ROM as well.</p>

Claim Rejections - 35 USC § 103

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Fidelibus*.

Claim 23 differs from claim 1 in that claim 23 narrows the type of "data storage assembly" to be one that is "compact, portable and interchangeable". *Fidelibus* shows

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this by the use of a CD-ROM, which is compact, portable and interchangeable. Claim 23 also specifies that the compact, portable and interchangeable computer readable medium be distinct from a fixed hard drive of the local processor assembly. Fidelibus, Figure 1, does show that CD-ROM media drive 108, and hence the CD-ROM that is placed therein, is separate and distinct from the writable memory 112, also referred to as memory 112. Fidelibus also does disclose that the local processor assembly 100 can be a PC. While writable memory 112 is a general form of a type of memory representative of a "fixed hard drive", the writable memory 112 is not expressly described as a "fixed hard drive". It is obvious to one of ordinary skill in the art, that the writable memory 112 could take the form of a fixed hard drive, as the use of a fixed hard drive in a PC is an old and well known form of writable memory used for storage. The use of a fixed hard drive in a PC in place of the more general type of writable memory 112 is therefore viewed as a simple substitution of one known element for another to obtain the same predictable results involving the storage of data in a device separate from the CD-ROM media drive 108.

14. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mages.

15. This rejection was not argued.

Claim 9 adds the limitation of "A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection." Mages teaches the use of an address in the form of the URL of the remote server webpage URL, not "URL addresses" as set forth by the claim. However,

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to merely include more than one URL address would be obvious to one having ordinary skill in the art for the following reason. Note that Mages has taught that an aspect of the invention is to provide video imaging, with or without audio, accessed off the end-user's CD-ROM. One of ordinary skill in the art would therefore be lead to modify Mages to provide at least two URLs, one being for a webpage URL that uncripples the CD-ROM for video imaging with audio, and another without audio (column 4, lines 37-42). Mages also teaches that additional information pertinent to the information contained on the CD-ROM may be sent to the end user, along with the encoded data (column 4, line 65 to column 5, line 5). It would have been obvious to provide another webpage URL on the CD-ROM for this functionality. By providing multiple URLs for different levels of functionality, the company would have more flexibility to carry out the desired goals of better company control of the content (column 4, lines 7-17) by allowing the user to select from a variety of "decripping" options of the "crippled" data files on the CD-ROM, and the provision of valuable marketing content targeting the particular user (column 4, lines 18-31).

Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.550(a)). Extension of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).

16. The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,101,534 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

After the filing of a request for reexamination by a third party requester, any document filed by either the patent owner or the third party requester must be served on the other party (or parties where two or more third party requester proceedings are merged) in the reexamination proceeding in the manner provided in 37 CFR 1.248. See 37 CFR 1.550(f).

17. **THIS ACTION IS MADE FINAL.**

A shortened statutory period for response to this action is set to expire 1 month from the mailing date of this action.

Extensions of time under 37 CFR 1.136(a) do not apply in reexamination proceedings. The provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Further, in 35 U.S.C. 305 and in 37 CFR 1.550(a), it is required that reexamination proceedings "will be conducted with special dispatch within the Office."

Extensions of time in reexamination proceedings are provided for in 37 CFR 1.550(c). A request for extension of time must be filed on or before the day on which a response to this action is due, and it must be accompanied by the petition fee

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set forth in 37 CFR 1.17(g). The mere filing of a request will not effect any extension of time. An extension of time will be granted only for sufficient cause, and for a reasonable time specified.

The filing of a timely first response to this final rejection will be construed as including a request to extend the shortened statutory period for an additional month, which will be granted even if previous extensions have been granted. In no event however, will the statutory period for response expire later than SIX MONTHS from the mailing date of the final action. See MPEP § 2265.

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All correspondence relating to this *ex parte* reexamination proceeding should be directed:


By Mail to: Mail Stop *Ex Parte* Reexam
Central Reexamination Unit
Commissioner for Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX to: (571) 273-9900
Central Reexamination Unit

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at <https://sportal.uspto.gov/authenticate/authenticateuser/localepf.html>. EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are "soft scanned" (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the "soft scanning" process is complete.

Any inquiry concerning this communication should be directed to **Fritz Fleming** at telephone number 571-272-4145 or to the Central Reexamination Unit Customer Service Line at 571-272-7705.




Fritz M. Fleming
Primary Examiner
Central Reexamination Unit, AU 3992

Conferees:

/PFT/


/LHB/

Index of Claims 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M FLEMING	Art Unit 3992

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE					
Final	Original	08/25/2008	10/30/2008				
	1	✓	✓				
	2	✓	-				
	3	✓	✓				
	4	✓	✓				
	5	✓	✓				
	6	✓	✓				
	7	✓	✓				
	8	✓	✓				
	9	✓	✓				
	10	✓	✓				
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	16	✓	✓				
	17	✓	✓				
	18	✓	✓				
	19	✓	✓				
	20	✓	✓				
	21	✓	✓				
	22	N	N				
	23	✓	✓				
	24	✓	-				
	25	✓	-				
	26		✓				

Search Notes 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M FLEMING	Art Unit 3992

SEARCHED			
Class	Subclass	Date	Examiner
NONE	NONE	8/7/08	FMF
None	None	10/30/2008	FmF

SEARCH NOTES		
Search Notes	Date	Examiner
Review of patent file wrapper	8/7/08	FMF
See EAST Search Notes, text search history	8/7/08	FMF
Updated selected text search queries in EAST, see text search history.	10/30/2008	FmF

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
NONE	NONE	8/7/08	FMF
None	None	10/30/2008	FmF

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EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/01 15:46
S2	8	((("5892825") or ("6594692") or ("5555407") or ("6145088") or ("5857187") or ("5937158") or ("5915093") or ("5996000")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/01 15:52
S3	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/05 08:49
S4	1	S3 and user	US-PGPUB; USPAT	OR	OFF	2008/08/05 08:49
S5	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/05 11:29
S6	1	S5 and initiate\$	US-PGPUB; USPAT	OR	OFF	2008/08/05 11:29
S7	4	((("4672572") or ("5694546") or ("5805442") or ("5922045")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/05 12:23
S8	6	hypercd or (hyper adj cd)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:01
S9	4	music same cd same album same art same liner same notes	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:03
S10	0	cd same local same remote same server same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:05
S11	120	cd same server same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:05
S12	61	cd same remote\$ same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:10

EAST Search History



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S15	3453	cd same network same (enable or enabling)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:15
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S22	2631497	cd same online content	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:53
S23	530	cd same online same content	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/08/05 14:53

EAST Search History

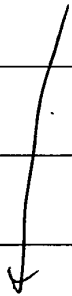
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S29	14	"5931906" and "112"	US-PGPUB; USPAT	OR	OFF	2008/08/16 20:01
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S33	1	("6594692").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/20 14:42
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S36	1	S33 and unattended	US-PGPUB; USPAT	OR	ON	2008/08/20 15:47
S37	2	((("6101534") or ("5937158"))).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/23 21:08
S38	3	((("6101534") or ("5937158") or ("5996000"))).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/08/25 01:18

EAST Search History

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S41	346	s20a	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/10/30 10:37
S42	1087	remote\$ same interactive\$ same multimedia	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/10/30 10:37
S43	1087	S42	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/10/30 10:37
S44	1449	compact adj (disk or disc) same interactive	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/10/30 10:48
S45	63	cd same remote\$ same (unlock or unlocking)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2008/10/30 10:51
S46	32	fidelibus	US-PGPUB; USPAT	OR	OFF	2008/10/31 09:17
S47	1	("6101534").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2008/10/31 11:28
S48	1	S47 and initiat\$	US-PGPUB; USPAT	OR	ON	2008/10/31 11:28

Reexamination 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Certificate Date	Certificate Number 

Requester Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party
<p>Van Mahamedi Shemwell Mahamedi LLP 4880 Stevens Creek Boulevard Suite 301 San Jose, CA 95129-1034</p>		

LITIGATION REVIEW <input checked="" type="checkbox"/>	FmF (examiner initials)	08/07/2008 (date)
Case Name		Director Initials
Orb Networks, INC v. Rothschild Trust Holdings 3:07cv400		<i>Eric Heald to</i> <i>am</i>
Rothschild Trust Holdings, Llc v. Orb Networks, Inc 1:06cv229		
Rothschild Trust v. Citrix Systems, Inc, et al 1:06cv21359		
Trust Licensing v. Interactual Tech, 1:03cv20672		
Trust Licensing v. Disc Publishing et al 1:02cv21192		

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1. None	

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Dec 04 08 06:31p

Leigh Rothschild

904 212 1750

p.2

Doc Code:

PTO/SB/82 (01-08)

Approved for use through 12/31/2008. OMB 0351-0035
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REVOCAION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	90/808,591
	Filing Date	4/11/2007
	First Named Inventor	Leigh M. Rothschild
	Art Unit	3992
	Examiner Name	Fritz M. Fleming
	Attorney Docket Number	1093-0091

I hereby revoke all previous powers of attorney given in the above-identified application:

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number:

Please change the correspondence address for the above-identified application to:

The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
City		State		ZIP
Country				
Telephone		Email		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71
Statement under 37CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature				
Name	Leigh M. Rothschild			
Date	December 3, 2008	Telephone	954-206-0750	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.38. 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 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on 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 1460, Alexandria, VA 22313-1460.

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Electronic Acknowledgement Receipt

EFS ID:	4400308
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Correspondence Address:	Malloy & Malloy - 2800 SW Third Avenue Historic Coral Way Miami FL 33129 US 3058588000 -
Filer:	Steven M. Greenberg/Peggy Shock
Filer Authorized By:	Steven M. Greenberg
Attorney Docket Number:	REX.101
Receipt Date:	04-DEC-2008
Filing Date:	11-APR-2007
Time Stamp:	18:36:39
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	no
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File Listing:

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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	1093-008U_RevocationNewPowerofAttorney.pdf	48892 08bac6539fac3eb7b4b815967970b6056541c326	no	1
Warnings:					
Information:					
Total Files Size (in bytes):			48892		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
90/008,591	04/11/2007	6101534	REX.101

Malloy & Malloy
2800 SW Third Avenue
Historic Coral Way
Miami, FL 33129

CONFIRMATION NO. 7502
POWER OF ATTORNEY NOTICE



Date Mailed: 12/05/2008

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 12/04/2008.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/kpdozier/

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
90/008,591	04/11/2007	6101534	REX.101

CONFIRMATION NO. 7502

POA ACCEPTANCE LETTER

29973
CAREY, RODRIGUEZ, GREENBERG & PAUL LLP
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Date Mailed: 12/05/2008

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 12/04/2008.

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.

/kpdozier/

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

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
: :
Control No.: 90/008,591 : Group Art Unit: 3992
: :
Patent No.: 6,101,534 : Examiner: F. Fleming
: :
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

RESPONSE TO OFFICE ACTION IN *EX PARTE* REEXAMINATION

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Commissioner of Patents
United States Patent & Trademark Office
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Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated November 13, 2008 (hereinafter the "Second Office Action").

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; ~~and~~

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly; and

said remote server assembly directly interacting with said auxiliary site data so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data.

Claim 2 (Cancelled)

3. (Original) A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. (Original) A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.

5. (Original) A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.

6. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.

7. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.

8. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.

9. (Original) A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. (Original) A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.

11. (Original) A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.

12. (Original) A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.

13. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.

14. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.

15. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.

16. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.

17. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.

18. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.

19. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.

20. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.

21. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.

22. (Currently Amended) ~~[[A]]~~ An interactive, remote, computer interface system as recited in claim 21 comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data,

said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly, and

wherein said local processor assembly includes an overlay processor and a direct view processor;

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate a floor plan display of a three dimensional space at least partially from said quantity of auxiliary site data; and

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

23. (Currently Amended) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; ~~and~~

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly directly interacting with said auxiliary site data so
as to initiate utilization of said select portions of said quantity of auxiliary site data by
said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data.

Claims 24-25 (Cancelled)

26. (Currently Amended) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly; and

said remote server assembly directly interacting with said auxiliary site data so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data; and

said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly

27. (New) The system of claim 1, wherein, to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly, said remote server assembly directly interacts only with said auxiliary site data.

28. (New) The system of claim 23, wherein, to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly, said remote server assembly directly interacts only with said auxiliary site data.

29. (New) The system of claim 26, wherein, to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly, said remote server assembly directly interacts only with said auxiliary site data.

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1 **I. CLAIM AMENDMENTS**

2 Patentee has amended independent claims 1, 23, and 26, added dependent
3 claims 27-29, and placed claim 22 into independent form.

4 A. Amendments to independent claims 1, 23, and 26

5 The amendments to independent claims 1, 23, and 26 are identical. As such,
6 Patentee will only address the amendment to independent claim 1. On page 6 of the
7 Second Office Action, the Examiner stated that "the issue is the claim interpretation of
8 the key phrase of the claims in question" (emphasis omitted). Upon reviewing the
9 Examiner's analysis, Patentee respectfully disagrees with the Examiner's claim
10 construction of the claim language at issue. However, to more clearly distinguish the
11 claims from the applied prior art and consistent with Patentee's prior arguments,
12 Patentee has proposed entry of amendments to the independent claims.

13 For ease of reference, the proposed amendment (with underlining and
14 strikethroughs included) is reproduced below:

15 said remotely accessible, auxiliary site addresses being structured
16 to be remotely accessed by said remote server assembly;

17 said remote server assembly directly interacting with said auxiliary
18 site data ~~so as~~ to initiate utilization of said select portions of said quantity
19 of auxiliary site data by said local processor assembly; and

20 said select portions of said quantity of auxiliary site data utilized in
21 conjunction with said primary site data.

22

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1 To clarify that the remote server assembly interacts with the auxiliary site data "to
2 initiate utilization of said select portions ...," Patentee has directly claimed this
3 feature.

4 Support for Patentee's prior claim construction (and now clarifying amendment)
5 is found in the originally-filed specification. For example, reference is made to
6 column 14, lines 14-24 of U.S. Patent No. 6,101,534, which states:

7 When, however, utilization of the primary site address calls for interactive video
8 and/or graphical displays with associated audio, downloading need not take place, but
9 rather the remote server assembly 50 accesses the interchangeable computer readable
10 medium 36 and **initiates** utilization of the auxiliary site data stored thereon by the
11 local processor assembly 25' so as to significantly enhance the on-line experience
12 with added information, graphical display, and advertising clips, if desired.
13 (emphasis added)

14
15 Therefore, Patentee respectfully submits that the proposed amendment to claim 1 is
16 both consistent with Patentee's previously-argued interpretation and consistent with
17 Patentee's specification.

18 With regard to the specific language of "directly interacting," the above-
19 reproduced passage from Patentee's disclosure also states that "the remote server
20 assembly 50 accesses the interchangeable computer readable medium 36." Similarly,
21 paragraph 14, lines 49-53 describes an embodiment in which "[only] access to the
22 compact portable, interchangeable computer readable medium 36" is permitted. As
23 previously claimed, the "compact, portable and interchangeable computer readable
24 medium [include] a plurality of remotely accessible, auxiliary site addresses encoded
25 therein" and the "auxiliary site addresses [include] select portions of said quantity of

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1 auxiliary site data." Thus, these teachings support the claim limitation that the remote
2 server assembly *directly* interacts with said auxiliary site data.

3 Regarding the claimed phrase "said select portions of said quantity of auxiliary
4 site data utilized in conjunction with said primary site data," reference is made to
5 column 14, lines 38-39, which states that, in one embodiment, auxiliary site data
6 cannot be utilized "unless it is in conjunction with the primary site data."

7 Therefore, for the reasons stated above, Patentee respectfully submits that the
8 proposed amendment to the claim is clearly supported by Patentee's originally-filed
9 disclosure. Therefore, the proposed amendments do not add any new matter.
10 Moreover, these amendments are consistent with Patentee's prior positions as to how
11 the claims language at issue should be construed.

12 B. New dependent claims 27-29

13 Since each of dependent claims 27-29 add identical limitations, Patentee will
14 only discuss dependent claim 27, which recites "wherein, to initiate utilization of said
15 select portions of said quantity of auxiliary site data by said local processor assembly,
16 said remote server assembly directly interacts only with said auxiliary site data." As
17 already referred to above, paragraph 14, lines 49-53 describes an embodiment in
18 which "the security protocol system preferably only permits access to the compact
19 portable, interchangeable computer readable medium 36." Thus, Patentee respectfully

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1 submits that the proposed limitations found in newly added claims 27-29 are clearly
2 supported by the Patentee's originally-filed disclosure.

3 C. Independent claim 22

4 Dependent claim 22 has been amended to include the limitations previously
5 presented in claims 1 and 21 upon which claim 22 depends. Thus, no new matter has
6 been added.

7 D. Entry of Amendment

8 As discussed in M.P.E.P. § 2271, entitled "Final Action," the criteria employed
9 for a final action are analogous to those set forth in M.P.E.P. § 706.07(a), which states
10 the following:

11 While the rules no longer give to an applicant the right to "amend as often as the
12 examiner presents new references or reasons for rejection," present practice does not
13 sanction hasty and ill-considered final rejections. The applicant who is seeking to
14 define his or her invention in claims that will give him or her the patent protection to
15 which he or she is justly entitled should receive the cooperation of the examiner to
16 that end, and not be prematurely cut off in the prosecution of his or her application.
17 But the applicant who dallies in the prosecution of his or her application, resorting to
18 technical or other obvious subterfuges in order to keep the application pending before
19 the primary examiner, can no longer find a refuge in the rules to ward off a final
20 rejection.

21 The examiner should never lose sight of the fact that in every case the applicant is
22 entitled to a full and fair hearing, and that a clear issue between applicant and
23 examiner should be developed, if possible, before appeal. However, it is to the
24 interest of the applicants as a class as well as to that of the public that prosecution of
25 an application be confined to as few actions as is consistent with a thorough
26 consideration of its merits.

27

28 As discussed above, the Examiner admitted on page 6 of the Second Office
29 Action that "the issue is the claim interpretation of the key phrase of the claims in

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1 question" (emphasis omitted). However, the Examiner's claim interpretation of this
2 key phrase was not evident from the statement of the rejection in the First Office
3 Action. As such, Patentee had not been given a full opportunity to address the
4 Examiner's fully-explained claim construction.

5

6 The present Amendment directly addresses the current issue between Patentee
7 and the Examiner and reduces the number of issues. In this regard, reference is made
8 to M.P.E.P. § 706.07(e), which states that after a final rejection has been issued, [a]n
9 amendment that will place the application either in condition for allowance or in better
10 form for appeal may be admitted." Patentee's position is that the Amendment places
11 the application both in condition for allowance and in better form for Appeal by
12 reducing the number of issues to be considered. Accordingly, entry of the present
13 Amendment and Remarks and favorable consideration are respectfully solicited.

1 **II. REJECTION OF CLAIMS 1, 3-4, 6-8, 21, 23, 26 UNDER 35 U.S.C. § 102 BASED**
2 **UPON MAGES**

3 On pages 5-15 of the Second Office Action, the Examiner asserted that Mages
4 anticipates the invention corresponding to that claimed. This rejection is respectfully
5 traversed.

6 A. Establishing a prima facie case of anticipation

7 The factual determination of anticipation under 35 U.S.C. § 102 requires the
8 identical disclosure, either explicitly or inherently, of each element of a claimed
9 invention in a single reference. In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed.
10 Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913,
11 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888,
12 894, 221 USPQ 669, 673 (Fed. Cir. 1984). Moreover, the anticipating prior art
13 reference must describe the recited invention with sufficient clarity and detail to
14 establish that the claimed limitations existed in the prior art and that such existence
15 would be recognized by one having ordinary skill in the art. See In re Spada, 911 F.2d
16 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps,
17 Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

18 B. Construing the language of the claims

19 "Both anticipation under § 102 and obviousness under § 103 are two-step
20 inquiries. The first step in both analyses is a proper construction of the claims. ... The

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1 second step in the analyses requires a comparison of the properly construed claim to
2 the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933 (Fed. Cir. 2003)
3 (internal citations omitted). During patent examination, the pending claims must be
4 "given their broadest reasonable interpretation consistent with the specification," In re
5 Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000), and the
6 broadest reasonable interpretation of the claims must also be consistent with the
7 interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353,
8 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999). Therefore, the Examiner must (i)
9 identify the individual elements of the claims and properly construe these individual
10 elements, see also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed.
11 Cir. 1987) (In making a patentability determination, analysis must begin with the
12 question, "what is the invention claimed?" since "[c]laim interpretation, . . . will
13 normally control the remainder of the decisional process"); see Gechter v. Davidson,
14 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring explicit claim construction as to any
15 terms in dispute), and (ii) identify corresponding elements disclosed in the allegedly
16 anticipating reference and compare these allegedly corresponding elements to the
17 individual elements of the claims. Lindermann Maschinenfabrik GMBH v. American
18 Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

1 C. Independent claims 1, 23, and 26

2 Independent claims 1, 23, and 26 (as amended) recite, in part, the following
3 limitations:

4 said remotely accessible, auxiliary site addresses being structured
5 to be remotely accessed by said remote server assembly; and

6 said remote server assembly directly interacting with said auxiliary
7 site data to initiate utilization of said select portions of said quantity of
8 auxiliary site data by said local processor assembly; and

9 said select portions of said quantity of auxiliary site data utilized in
10 conjunction with said primary site data.

11

12 In the paragraph spanning pages 7 and 8 of the Second Office Action, the
13 Examiner asserted the following:

14 Once the uncrippling key has been sent from the server, the server has initiated the
15 utilization of the local data by the local computer. The claim simply does not specify
16 the type of initiation to be used (i.e. the claim language does not preclude initiation in
17 the form of a downloaded file or trigger key as taught by Mages).

18

19 Referring to the above-reproduced language, Patentee respectfully submits that the
20 claim does specify the type of initiation to be used. Specifically, independent claims
21 1, 23, and 26 recite that the remote server assembly directly interacts with the
22 auxiliary site data. However, the teaching, by Mages, of sending a "trigger or
23 uncrippling key 5" from a server to an end-user's computer (see, e.g., column 6, lines
24 50-65) does not identically disclose these limitations. Patentee, therefore, respectfully

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1 submits that Mages fails to identically disclose the claimed invention, as recited in
2 claims 1, 23, and 26, within the meaning of 35 U.S.C. § 102.

3

4 D. Dependent claims 27-29

5 Dependent claims 27-29 each recite "wherein, to initiate utilization of said
6 select portions of said quantity of auxiliary site data by said local processor assembly,
7 said remote server assembly directly interacts only with said auxiliary site data."

8 These limitations are also not identically disclosed by Mages within the meaning of 35
9 U.S.C. § 102.

10

1 **III. REJECTION OF CLAIMS 1, 6-21, AND 23 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON REISMAN**

3 On pages 15-24 of the Second Office Action, the Examiner asserted that
4 Reisman anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1 and 23

7 Independent claims 1 and 23 (as amended) recite, in part, the following
8 limitations:

9 said remotely accessible, auxiliary site addresses being structured
10 to be remotely accessed by said remote server assembly; and

11 said remote server assembly directly interacting with said auxiliary
12 site data to initiate utilization of said select portions of said quantity of
13 auxiliary site data by said local processor assembly; and

14 said select portions of said quantity of auxiliary site data utilized in
15 conjunction with said primary site data.

16

17 On page 18 of the Second Office Action, with regard to similar limitations, the
18 Examiner asserted the following:

19 Per column 41, lines 15-42, the new content element can be an update of a local
20 content element, and is preferably locally stored and is transparently accessed and
21 integrated with other local content elements. Per columns 42 and 43, the local web
22 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
23 are updated with more current content from the sponsor's website or other remote
24 location, thereby making the remotely accessed by the remote server when supplying
25 the current content. When an update is thusly used with the off-line browsing, the
26 remote server has in effect accessed the locally stored URLs and initiated utilization

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1 by the local processor assembly of both the information stored on the CD-ROM and
2 the update from the primary site data.
3

4 Referring to the Examiner's cited teachings, Reisman teaches downloading a
5 new content element from a server. The new content element is locally stored and
6 "accessed and integrated with other local control elements for reviewing or processing
7 by the user." However, absent from the Examiner's cited passages within Reisman is
8 an identical disclosure of the remote server assembly directly interacting with the
9 auxiliary site data. Patentee, therefore, respectfully submits that Reisman fails to
10 identically disclose the claimed invention, as recited in claims 1 and 23, within the
11 meaning of 35 U.S.C. § 102.
12

13 B. Dependent claims 27 and 28

14 Dependent claims 27 and 28 each recite "wherein, to initiate utilization of said
15 select portions of said quantity of auxiliary site data by said local processor assembly,
16 said remote server assembly directly interacts only with said auxiliary site data."
17 These limitations are also not identically disclosed by Reisman within the meaning of
18 35 U.S.C. § 102.
19

1 **IV. REJECTION OF CLAIMS 1, 4, AND 6-8 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON URANAKA**

3 On pages 24-31 of the Second Office Action, the Examiner asserted that
4 Uranaka anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1

7 Independent claims 1 (as amended) recites, in part, the following limitations:

8 said remotely accessible, auxiliary site addresses being structured
9 to be remotely accessed by said remote server assembly; and

10 said remote server assembly directly interacting with said auxiliary
11 site data to initiate utilization of said select portions of said quantity of
12 auxiliary site data by said local processor assembly; and

13 said select portions of said quantity of auxiliary site data utilized in
14 conjunction with said primary site data.

15

16 On page 25 of the Second Office Action, the Examiner described the teachings
17 of Uranaka as follows:

18 As noted in the rejection, the examiner believes that the broadest reasonable
19 interpretation for the remote server "to initiate utilization" includes the STEP 1402
20 (see column 18, line 55 to column 19, line 36). In STEP 1402, the client 1210
21 transmits the purchase history information and the DVD identifying information to
22 the catalog shopping server 1220. The server 1220 uses this information to generate
23 the script, which is the display method of the electronic catalog DVD 1200. The script
24 is then sent to the client 1210, and the content of the electronic catalog DVD 1200 is
25 displayed based upon the script determined in STEP 1402. The end result is that the
26 central control means 1211 of the catalog shopping client 1210 controls the DVD
27 driving means 1213 based on the script and sends the data to be displayed to the
28 information display means 1216.

1

2 The Examiner further asserted on page 26 of the Second Office Action that "the
3 examiner believes that the 'utilization' is actually 'initiated' when the script is
4 determined and then sent by the server, which occurs before the DVD data is utilized
5 and displayed at the client." However, the Uranaka's teaching of sending, from a
6 server, a script to a computer with the script subsequently being executed by the
7 computer fails to identically disclose the remote server assembly directly interacting
8 with the auxiliary site data. Patentee, therefore, respectfully submits that Uranaka
9 fails to identically disclose the claimed invention, as recited in claim 1, within the
10 meaning of 35 U.S.C. § 102.

11

12 B. Dependent claim 27

13 Dependent claim 27 recites "wherein, to initiate utilization of said select
14 portions of said quantity of auxiliary site data by said local processor assembly, said
15 remote server assembly directly interacts only with said auxiliary site data." These
16 limitations are also not identically disclosed by Uranaka within the meaning of 35
17 U.S.C. § 102.

1 **V. REJECTION OF CLAIMS 1 AND 3-8 UNDER 35 U.S.C. § 102 FOR ANTICIPATION**
2 **BASED UPON FIDELIBUS**

3 On pages 31-39 of the Second Office Action, the Examiner asserted that
4 Fidelibus anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claim 1

7 Independent claim 1 (as amended) recites, in part, the following limitations:

8 said remotely accessible, auxiliary site addresses being structured
9 to be remotely accessed by said remote server assembly; and

10 said remote server assembly directly interacting with said auxiliary
11 site data to initiate utilization of said select portions of said quantity of
12 auxiliary site data by said local processor assembly; and

13 said select portions of said quantity of auxiliary site data utilized in
14 conjunction with said primary site data.

15
16 On pages 36 and 37 of the Second Office Action, with regard to similar
17 limitations, the Examiner asserted the following:

18 The individual songs recorded at the specific tracks are structured such that they can
19 be remotely accessed by the remote server assembly in the following manner. As
20 noted above, the user identifies the desired one or plurality of audio or visual
21 component entertainment elements recorded on the CD-ROM (these would represent
22 the auxiliary site addresses) that the user wishes to have user presses the PLAY icon
23 from the IMES control bar 330, the remote server assembly 130 remotely
24 accesses the auxiliary site addresses and initiates utilization of them by the local
25 processor assembly 100, because a PLAY causes the simultaneous activation of
26 the FRAME A 310 (representing primary site data, as well as the content in
27 FRAME B at 320) and the audio from the CD-ROM (this is located at the local
28 processor assembly 100 at the media drive 108). Since the IMES 134 and the

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1 FRAME A/B are from the remote server assembly 130, the auxiliary site addresses
2 are initiated in conjunction in order to achieve the desired multimedia presentation.
3

4 Reference is made to column 6, lines 35-57 of Fidelibus, which for ease of
5 reference is reproduced below:

6 In response to the receipt of this data from the user selecting a multimedia
7 presentation, identifying the recorded medium or CD, and the selected audio and/or
8 visual component element, the interactive multimedia system is activated by the
9 remote computing device 110. The interactive multimedia system validates the
10 identity of the recorded medium that the user has placed in media drive 108. This is
11 accomplished at step 204 by the interactive multimedia system transmitting an
12 inquiry message via the public communication network 120 to the local computing
13 device 100. The message instructs the local computing device 100 to scan the
14 recorded medium placed in media drive 108 in well known fashion to identify or
15 authenticate the recorded medium. This validation process is executed by the local
16 computing device 100 at step 205 and can include identifying the recorded medium
17 itself, and/or locating a particular segment such as a track or song, and/or determining
18 the play time of all or a selected portion of the recorded medium. The result of the
19 validation determination is communicated to the remote computing device 110 and
20 the interactive multimedia system, at step 206, determines whether an authentic or
21 validated or otherwise proper recorded medium is mounted in media drive 108.
22

23 Based upon these teachings, Fidelibus fails to teach that the remote server
24 assembly directly interacts with the auxiliary site data. Instead, the interactive
25 multimedia system (i.e., IMES 134) within the remote computing device 110 sends a
26 message to the local computing device 100. The validation process is executed by the
27 local computing device 100 and includes the local computing device 100 scanning the
28 recorded medium within media drive 108. After a result of this validation
29 determination has been obtained, "[t]he result of the validation determination is
30 communicated to the remote computing device 110 and the interactive multimedia
31 system."

1

2 As evident by these teachings, the IMES 134 does not directly interact with the
3 auxiliary site data. Reference is made to column 6, lines 16-21 of Fidelibus, which is
4 reproduced below:

5 The Web server of the remote computing device 110 transmits a standard Web page
6 to the user terminal to initiate the remote interactive access of the interactive
7 multimedia entertainment system which is running on remote computing device 110.

8

9 Instead of directly interacting with the auxiliary site data, as claimed, Fidelibus
10 teaches that the remote computing device 110 uses a Web page and/or the local
11 computing device 100 as a proxy for the remote computing device 110. Thus,
12 Fidelibus fails to teach that the remote server assembly directly interacts with the
13 auxiliary site data, as claimed. Patentee, therefore, respectfully submits that Fidelibus
14 fails to identically disclose the claimed invention, as recited in claim 1, within the
15 meaning of 35 U.S.C. § 102.

16

17 B. Dependent claim 27

18 Dependent claim 27 recites "wherein, to initiate utilization of said select
19 portions of said quantity of auxiliary site data by said local processor assembly, said
20 remote server assembly directly interacts only with said auxiliary site data." These
21 limitations are also not identically disclosed by Fidelibus within the meaning of 35
22 U.S.C. § 102.

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1 **VI. REJECTION OF CLAIM 23 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON FIDELIBUS**

3 On pages 39 and 40 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Fidelibus.

5 Patentee incorporates herein, as also applying to claim 23, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Fidelibus.

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1 **VII. REJECTION OF CLAIM 9 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON MAGES**

3 On pages 40 and 41 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Mages.

5 Patentee incorporates herein, as also applying to claim 9, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Mages.

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1 **VIII. CONCLUSION**

2 Patentee has made every effort to present claims which distinguish over the
3 prior art, and it is believed that all claims are allowable over the applied prior art.
4 Accordingly, and in view of the foregoing remarks, Patentee hereby respectfully
5 requests reconsideration and prompt allowance of the pending claims.

Date: December 15, 2008

Respectfully submitted,

/Steven M. Greenberg/

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ATTORNEYS FOR PATENTEE

Electronic Acknowledgement Receipt

EFS ID:	4460391
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Steven M. Greenberg
Filer Authorized By:	
Attorney Docket Number:	REX.101
Receipt Date:	15-DEC-2008
Filing Date:	11-APR-2007
Time Stamp:	21:41:50
Application Type:	Reexam (Patent Owner)

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Response to Final Rejection	1093-008_amendment_12-15-08.pdf	395725 <small>0fd18a07e15fd0875119eae8c251df6ff5a15f4</small>	no	33

Warnings:

Information:

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.

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: Leigh ROTHSCHILD : Confirmation Number: 7502
: Control No.: 90/008,591 : Group Art Unit: 3992
: Patent No.: 6,101,534 : Examiner: F. Fleming
: For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
:

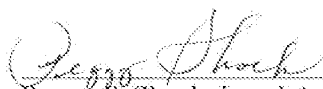
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Response to Office Action in Ex Parte Reexamination filed December 15, 2008, was served upon the following via first class United States Mail, postage prepaid, this 16th day of December, 2008.

Van Mahamedi
Shemwell Mahamedi LLP
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December 16, 2008

Respectfully submitted,



.....
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Electronic Acknowledgement Receipt

EFS ID:	4463819
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Steven M. Greenberg/Peggy Shock
Filer Authorized By:	Steven M. Greenberg
Attorney Docket Number:	REX.101
Receipt Date:	16-DEC-2008
Filing Date:	11-APR-2007
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Application Type:	Reexam (Third Party)

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Certificate of Service	1093-008_CertificateofService.pdf	133784 49061ddf06acbab563888b77e532eb11f20a5a1a	no	1

Warnings:

Information:

Total Files Size (in bytes):

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New Applications Under 35 U.S.C. 111

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New International Application Filed with the USPTO as a Receiving Office

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DO NOT ENTER: /F.F./ (12/20/2008)

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
Leigh ROTHSCHILD : Confirmation Number: 7502
Control No.: 90/008,591 : Group Art Unit: 3992
Patent No.: 6,101,534 : Examiner: F. Fleming
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM


RESPONSE TO OFFICE ACTION IN *EX PARTE* REEXAMINATION

Mail Stop *Ex Partes* Reexam
Attn: Central Reexamination Unit
Commissioner of Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Office
Action dated November 13, 2008 (hereinafter the "Second Office Action").

DO NOT ENTER: /F.F./ (12/20/2008)

Application Number 	Application/Control No. 90/008,591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M. FLEMING	Art Unit 3992



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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	REX.101	7502

29973 7590 12/23/2008

CAREY, RODRIGUEZ, GREENBERG & PAUL LLP
ATTN: STEVEN M. GREENBERG, ESQ.
950 PENINSULA CORPORATE CIRCLE
SUITE 3020
BOCA RATON, FL 33487

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 12/23/2008

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patents and Trademark Office
P.O. Box 1450
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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

Date:

VAN MAHAMEDI
SHEMWELL MAHAMEDI LLP
4880 STEVENS CREEK BOULEVARD SUITE 301
SAN JOSE CA 95129-1034

MAILED
DEC 23 2008

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. : 90008591
PATENT NO. : 6101534
ART UNIT : 3900

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

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

Ex Parte Reexamination Advisory Action Before the Filing of an Appeal Brief	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner FRITZ M. FLEMING	Art Unit 3992	

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

THE PROPOSED RESPONSE FILED 15 December 2008 FAILS TO OVERCOME ALL OF THE REJECTIONS IN THE FINAL REJECTION MAILED 12 November 2008.

1. Unless a timely appeal is filed, or other appropriate action by the patent owner is taken to overcome all of the outstanding rejection(s), this prosecution of the present *ex parte* reexamination proceeding WILL BE TERMINATED and a Notice of Intent to Issue *Ex Parte* Reexamination Certificate will be mailed in due course. Any finally rejected claims, or claims objected to, will be CANCELLED.

THE PERIOD FOR RESPONSE IS EXTENDED TO RUN 2 MONTHS FROM THE MAILING DATE OF THE FINAL REJECTION. Extensions of time are governed by 37 CFR 1.550(c).

NOTICE OF APPEAL

2. An Appeal Brief is due two months from the date of the Notice of Appeal filed on _____ to avoid dismissal of the appeal. See 37 CFR 41.37(a). Extensions of time are governed by 37 CFR 1.550(c). See 37 CFR 41.37(e).

AMENDMENTS

3. The proposed amendment(s) filed after a final action, but prior to the date of filing a brief, will not be entered because:
- (a) They raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) They raise the issue of new matter (see NOTE below);
 - (c) They are not deemed to place the proceeding in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) They present additional claims without canceling a corresponding number of finally rejected claims.
- NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

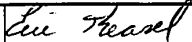
4. Patent owner's proposed response filed _____ has overcome the following rejection(s): _____
5. The proposed new or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
6. For purposes of appeal, the proposed amendment(s) a) will not be entered, or b) will be entered and an explanation of how the new or amended claim(s) would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) patentable and/or confirmed: none
Claim(s) objected to: none
Claim(s) rejected: 1,3-21, 23 and 26
Claim(s) not subject to reexamination: 22

AFFIDAVIT OR OTHER EVIDENCE

7. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because patent owner failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
8. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence fails to overcome all rejections under appeal and/or appellant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
9. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

10. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see comments below.
11. Note the attached Information Disclosure Statement(s), PTO/SB/08, Paper No(s) _____.
12. Other: See attached comments..

/Fritz M Fleming/ Primary Examiner, Art Unit 3992	/Lynne H Browne/ Primary Examiner, Art Unit 3992	 ERIC S. KEASEL CRU SPE-AU 3992
--	---	--

cc: Requester (if third party requester)

Continuation of 3.(d) NOTE: The amendment after final rejection adds new claims 27-29. Claims 2,24 and 25 were previously cancelled..


1. Since the Final Rejection set forth a 1 month period for response, and this is a timely first response, the period for response has been extended for an additional month.

12. The format of the amendment is not in accordance with proper reexamination amendment practice. See MPEP 2234 for proper underlining and bracketing.

3a,b,c. The amendment raises the issue of new matter. The claims have been amended to add "said remote server assembly directly interacting with said auxiliary site data" and "said select portions of said quantity of auxiliary site data utilized". The Patent Owner has cited column 14, lines 14-24 and lines 49-53, respectively, in support of this. The choice of "directly interacting" lacks literal antecedent basis, and therefore the exact meaning of "directly" is rather unclear, and would appear to present a degree of access not described in the patent itself. A standard dictionary definition could include things such as "from point to point without deviation", "from the source without interruption or diversion", or "without an intervening agency or step". The cited portions of column 14 do not specify a "direct access" but only a generic type of "access" that would not preclude the type of "access" of Mages and the "uncrippling key", or the "update" of Reisman, or the use of the script by Uranaka, or the use of IMES by Fidelibus. Hence the use of "directly interacting" requires further search and consideration, as this is seen as an attempt to continue prosecution by amending the claims after final rejection. This does not simplify issues for appeal either, as the scope of the claims has been changed.

10. The request for reconsideration is directed to the amended claims and the "directly interacting". The arguments presented are not persuasive, as the references cited do show a "directly interacting" on the part of the server, albeit that the server interaction and access process involves some kind of interaction between the server and local computer, as noted above. The references teach what is claimed.

12. As far as Patent Owner's position that the Final Rejection was somehow premature due to the examiner stating that "the issue is the claim interpretation of the key phrase of the claims in question", the examiner would like to mention that it was the Patent Owner who brought up this issue in the response (page 13) to the First Office Action. The examiner was expediting prosecution by fully explaining his position (see, for example, pages 5-7 of the Final Rejection). Therefore, the Final Rejection was proper.


Reexamination 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Certificate Date	Certificate Number

Requester Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party
<p>Van Mahamedi Shemwell Mahamedi LLP 4880 Stevens Creek Boulevard Suite 301 San Jose, CA 95129-1034</p>		

LITIGATION REVIEW <input checked="" type="checkbox"/>	FmF (examiner initials)	08/07/2008 (date)
Case Name		Director Initials
Orb Networks, INC v. Rothschild Trust Holdings 3:07cv400		<i>Eui Heasel for om</i>
Rothschild Trust Holdings, Llc v. Orb Networks, Inc 1:06cv229		↓
Rothschild Trust v. Citrix Systems, Inc, et al 1:06cv21359		
Trust Licensing v. Interactual Tech, 1:03cv20672		
Trust Licensing v. Disc Publishing et al 1:02cv21192		

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1. None	

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Index of Claims 	Application/Control No. 90008591	Applicant(s)/Patent Under Reexamination 6101534
	Examiner FRITZ M FLEMING	Art Unit 3992

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	08/25/2008	10/30/2008						
	1	✓	✓						
	2	✓	-						
	3	✓	✓						
	4	✓	✓						
	5	✓	✓						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
	9	✓	✓						
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	14	✓	✓						
	15	✓	✓						
	16	✓	✓						
	17	✓	✓						
	18	✓	✓						
	19	✓	✓						
	20	✓	✓						
	21	✓	✓						
	22	N	N						
	23	✓	✓						
	24	✓	-						
	25	✓	-						
	26		✓						

Attorney Docket No.: 1093-008

PATENT

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent of : Customer Number: 29973
: Leigh ROTHSCHILD : Confirmation Number: 7502
: Control No.: 90/008,591 : Group Art Unit: 3992
: Patent No.: 6,101,534 : Examiner: F. Fleming
: For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

NOTICE OF APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Patentee hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is (37 C.F.R. § 41.20(b)(1)): \$540.00

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

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 503839.

A Petition for Extension of Time under C.F.R. § 1.136(a) (PTO/SB/22) is enclosed.

Date: January 13, 2009

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
Steven M. Greenberg
Registration No. 44,725
Phone No. 561-922-3845
CUSTOMER NUMBER 29973

Electronic Patent Application Fee Transmittal				
Application Number:	90008591			
Filing Date:	11-Apr-2007			
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM			
First Named Inventor/Applicant Name:	6101534			
Filer:	Scott David Paul			
Attorney Docket Number:	REX.101			
Filed as Large Entity				
ex parte reexam Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	1401	1	540	540
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				540

Electronic Acknowledgement Receipt

EFS ID:	4607591
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Scott David Paul
Filer Authorized By:	
Attorney Docket Number:	REX.101
Receipt Date:	13-JAN-2009
Filing Date:	11-APR-2007
Time Stamp:	22:53:26
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 540
RAM confirmation Number	5056
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Notice of Appeal Filed	1093-008_notice_of_appeal_1.pdf	52057 319b75bb3204853f2b9b07b41f9e616a7b1cd6a6	no	1
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	29990 8c35e6825eab7e7f11542494c61cctd8736e8313e	no	2
Warnings:					
Information:					
Total Files Size (in bytes):				82047	
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
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Control No.: 90/008,591 : Group Art Unit: 3992
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Patent No.: 6,101,534 : Examiner: F. Fleming
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For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

RESPONSE TO OFFICE ACTION IN *EX PARTE* REEXAMINATION

Mail Stop *Ex Partes* Reexam
Attn: Central Reexamination Unit
Commissioner of Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Second and Final Office Action dated November 13, 2008 (hereinafter the "Second Office Action"). In the Advisory Action dated December 23, 2008, the Examiner extended the period for response to run for 2 months from the mailing of the Second Office Action.

AMENDMENTS TO THE CLAIMS

1. (Amended) An interactive, remote, computer interface system comprising:
 - a remote server assembly, said remote server assembly including a quantity of primary site data;
 - said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;
 - a local processor assembly;
 - said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;
 - said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;
 - at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;
 - said data storage assembly including a compact, portable and interchangeable computer readable medium;
 - said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; [and]

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly continuously and remotely accessing said auxiliary site data [so as] to initiate and maintain utilization of said select portions of said quantity of auxiliary site data by said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data.

Claim 2 (Cancelled)

3. (Original) A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. (Original) A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.

5. (Original) A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.

6. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.

7. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.

8. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.

9. (Original) A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. (Original) A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.

11. (Original) A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.

12. (Original) A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.

13. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.

14. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.

15. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.

16. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.

17. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.

18. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.

19. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.

20. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.

21. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.

22. (Amended) [A] An interactive, remote, computer interface system [as recited in claim 21] comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data,

said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly,

wherein said local processor assembly includes an overlay processor and a direct view processor;

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate a floor plan display of a three dimensional space at least partially from said quantity of auxiliary site data; and

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

23. (Twice Amended) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; [and]

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly continuously and remotely accessing said auxiliary site data [so as] to initiate and maintain utilization of said select portions of said quantity of auxiliary site data by said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data.

Claims 24-25 (Cancelled)

26. (Amended) An interactive, remote, computer interface system comprising:
a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein,

each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly continuously and remotely accessing said auxiliary site data [so as] to initiate and maintain utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data; and

said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.

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1 **I. CLAIM AMENDMENTS**

2 Patentee has amended independent claims 1, 23, and 26, and placed claim 22
3 into independent form. Claims 1, 3-23, and 26 are pending, and claims 2 and 24-25
4 have been cancelled.

5 A. Amendments to independent claims 1, 23, and 26

6 The amendments to independent claims 1, 23, and 26 are identical. As such,
7 Patentee will only address the amendment to independent claim 1. On page 6 of the
8 Second Office Action, the Examiner stated that "the issue is the claim interpretation of
9 the key phrase of the claims in question" (emphasis omitted). Upon reviewing the
10 Examiner's analysis, Patentee respectfully disagrees with the Examiner's claim
11 construction of the claim language at issue. However, to more clearly distinguish the
12 claims from the applied prior art, Patentee has proposed entry of amendments to the
13 independent claims.

14 For ease of reference, the proposed amendment (with underlining and brackets
15 included) is reproduced below:

16 said remote server assembly continuously and remotely accessing
17 said auxiliary site data [so as] to initiate and maintain utilization of said
18 select portions of said quantity of auxiliary site data by said local
19 processor assembly; and
20 said select portions of said quantity of auxiliary site data utilized in
21 conjunction with said primary site data.

22

Control No.: 90/008,591

1 To clarify that the remote server assembly interacts with the auxiliary site data "to
2 initiate and maintain utilization of said select portions ...," Patentee has directly
3 claimed this feature.

4 Support for Patentee's prior claim construction (and now clarifying amendment)
5 is found in the originally-filed specification. For example, reference is made to
6 column 14, lines 14-24 of U.S. Patent No. 6,101,534, which states:

7 When, however, utilization of the primary site address calls for interactive video
8 and/or graphical displays with associated audio, downloading need not take place, but
9 rather the remote server assembly 50 accesses the interchangeable computer readable
10 medium 36 and initiates utilization of the auxiliary site data stored thereon by the
11 local processor assembly 25' so as to significantly enhance the on-line experience
12 with added information, graphical display, and advertising clips, if desired.
13 (emphasis added)

14

15 Therefore, Patentee respectfully submits that the proposed amendment to claim 1 is
16 both consistent with Patentee's previously-argued interpretation and consistent with
17 Patentee's specification.

18 With regard to the specific language of "said remote server assembly
19 continuously and remote accessing said auxiliary site data," reference is made to the
20 column 5, lines 54-59 and reproduced below:

21 The remote access by the remote server assembly is structured to initiate utilization of
22 the select portions of the auxiliary site data by the local processor assembly,
23 preferably in conjunction with the primary site data and in a manner which is
24 continuous and well integrated. (emphasis added)

25

26 Thus, the remote accessing occurs continuously.

27 Referring to the language that the remote server assembly accesses the auxiliary
28 site data "to initiate and maintain utilization of said select portions," reference is made

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1 to column 12, lines 40-42, which states that the display system 10 is "effectively
2 utilized through an on-line connection." Also column 14, lines 35-37 states that
3 access to the remote accessible, auxiliary site address (which are found in the
4 computer readable medium, as claimed) is restricted "unless the access is directed by
5 the remote server assembly 50." Thus, utilization of the select portions is maintained
6 by access being directed by the remote server assembly, which is consistent with the
7 teaching that the display system 10 is utilized through an on-line connection.

8 Regarding the claimed phrase "said select portions of said quantity of auxiliary
9 site data utilized in conjunction with said primary site data," reference is made to
10 column 14, lines 38-39, which states that, in one embodiment, auxiliary site data
11 cannot be utilized "unless it is in conjunction with the primary site data."

12 Therefore, for the reasons stated above, Patentee respectfully submits that the
13 proposed amendment to the claim is clearly supported by Patentee's originally-filed
14 disclosure. Therefore, the proposed amendments do not add any new matter.

15 B. Independent claim 22

16 Dependent claim 22 has been amended to include the limitations previously
17 presented in claims 1 and 21 upon which claim 22 depends. Thus, no new matter has
18 been added.

19

1 C. Entry of Amendment

2 As discussed in M.P.E.P. § 2272, entitled "After Final Practice," an amendment
3 filed after Final Office Action may be entered:

4 An amendment filed at any time after final rejection but before an appeal brief is
5 filed, may be entered upon or after filing of an appeal provided:

6 (A) the total effect of the amendment is to cancel claims or comply with any
7 requirement of form expressly set forth in a previous Office action, or present rejected
8 claims in better form for consideration on appeal;

9 (B) for an amendment touching the merits of the patent under reexamination, the
10 patent owner provides a showing of good and sufficient reasons why the amendment
11 is necessary and was not earlier presented.

12 The first proposed amendment after final action in a reexamination proceeding will be
13 given sufficient consideration to determine whether it places all the claims in
14 condition where they are patentable and/or whether the issues on appeal are reduced
15 or simplified. Unless the proposed amendment is entered in its entirety, the examiner
16 will briefly explain the reasons for not entering a proposed amendment. For example,
17 if the claims as amended present a new issue requiring further consideration or
18 search, the new issue should be identified and a brief explanation provided as to why
19 a new search or consideration is necessary. The patent owner should be notified if
20 certain portions of the amendment would be entered if a separate paper was filed
21 containing only such amendment.

22 Any second or subsequent amendment after final will be considered only to the extent
23 that it removes issues for appeal or puts a claim in obvious patentable condition.
24

25 Based upon the discussion therein, there are at least two separate rationales for
26 permitting an amendment to be entered: (1) the amendment reduces or simplifies
27 issues on appeal and (1) patent owner presents good and sufficient reasons why
28 amendment is necessary and not earlier presented.

29

30 **1) Present Amendment Could Not Be Presented Earlier**

31 On page 6 of the Second Office Action, the Examiner admitted that "the issue is
32 the claim interpretation of the key phrase of the claims in question" (original emphasis

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1 omitted; underlined added). The fact that the Examiner considers a claim
2 interpretation (or claim construction) to be a key issue is not surprising.

3 Case law is replete with discussions as to the importance of claim interpretation
4 during examination. "Both anticipation under § 102 and obviousness under § 103 are
5 two-step inquiries. The first step in both analyses is a proper construction of the
6 claims. ... The second step in the analyses requires a comparison of the properly
7 construed claim to the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933
8 (Fed. Cir. 2003) (internal citations omitted). In order to make a proper comparison
9 between the claimed invention and the prior art, the language of the claims must first
10 be properly construed. See In re Paulsen, 30 F.3d 1475, 1479 (Fed. Cir. 1994). See
11 also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed. Cir. 1987)
12 (In making a patentability determination, analysis must begin with the question, "what
13 is the invention claimed?" since "[c]laim interpretation, ... will normally control the
14 remainder of the decisional process.") See Gechter v. Davidson, 116 F.3d 1454, 1460
15 (Fed. Cir. 1997) (requiring explicit claim construction as to any terms in dispute).

16 Therefore, a critical portion of the Examiner's analysis must have been to
17 interpret the language of the claims. However, the claim interpretation discussed on
18 page 6 of the Second Office Action was not provided in the First Office Action.
19 Patentee could not have been aware of the Examiner's claim interpretation at issue at
20 the time of filing the First Response since this claim interpretation was not provided
21 until the Second Office Action and after the Patentee's First Response. Thus, the

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1 present amendment could not have been presented earlier since the present
2 amendment is directed to addressing the Examiner's claim construction, which was
3 first presented in the Second Office Action.

4 With regard to the Examiner's claim construction, Patentee notes that one of the
5 references cited during the original prosecution of the present patent is U.S. Patent No.
6 5,694,546 (hereinafter the '546 Patent). Patentee respectfully submits that had the
7 Examiner, Mark H. Rinehart, in the original prosecution used the claim construction
8 employed by the current Examiner, the '546 Patent would have been given more
9 consideration.

10 Specifically, similar to currently cited Mages, the '546 Patent describes a local
11 computer interacting with a server to unlock content disposed within a removable
12 storage. For example, reference is made to column 22, line 66 through column 23,
13 line 17 of the '546 Patent, which states:

14 As discussed in the "BACKGROUND OF THE INVENTION" hereinabove,
15 some vendors, for example Microsoft Corporation, distribute information products in
16 locked, inaccessible form, accompanied by (user-accessible) promotional information
17 and demo versions. The prospective purchaser then calls an 800 number to order the
18 product and is given a code which is entered to unlock the item for use. The inventive
19 information transport component 14 and cooperative server component 22, can be
20 used to simplify this process, and eliminate the voice call.

21 The information transport component 14 is used to place the order and as a
22 subsequent step concomitant with satisfaction of the merchants purchase
23 requirements (payment, etc) can, employing a suitable line entry or entries in the
24 object manifest 48, fetch the access code, as an information object 46, in the same
25 way as an order acknowledgment or other information update. The user interface and
26 data management components of the distribution CD, or original information product,
27 can be programmed automatically to use the code to unlock the product. (emphasis
28 added)
29

1 Thus, the '546 Patent describes that the information transport component 14
2 (which is part of the local workstation; see Fig. 1 and column 10, lines 14-34 of the
3 '546 Patent) accesses a server component 22 to fetch an access code that is used to
4 unlock content within a CD. By comparison, the following was stated by the
5 Examiner in the paragraph spanning pages 7 and 8 of the Second Office Action with
6 regard to Mages:

7 At page 14, the Patent Owner argues that it is not the server, but the local computer,
8 that does the initiating. While it is true that the local computer of Mages is involved
9 in the initiation process, it is the server that "initiates" the initiation process by
10 providing the uncrippling key to the local computer. Since the phrase "so as to initiate
11 utilization of is given its broadest reasonable interpretation, the sending of the
12 uncrippling key from the server to the local PC, as shown by Mages, performs the
13 claimed function. Without the uncrippling key, the local data remains crippled and
14 cannot be utilized by the local computer. Once the uncrippling key has been sent from
15 the server, the server has initiated the utilization of the local data by the local
16 computer. The claim simply does not specify the type of initiation to be used (i.e. the
17 claim language does not preclude initiation in the form of a downloaded file or trigger
18 key as taught by Mages), and therefore, the rejection is maintained and made FINAL.
19

20 Thus, the teachings within Mages being relied upon by the Examiner in the present
21 reexamination do not appear to differ substantially from the teachings found within
22 the '546 Patent, which was cited during the original prosecution. Therefore, either the
23 Examiner is employing a different claim construction than that applied during the
24 original prosecution, or the Examiner is inferentially alleging that the original
25 Examiner, Mark H. Rinehart, did not properly consider the '546 Patent. Regardless,
26 Patentee's response to the First Office Action was based upon the belief that since the
27 claimed invention was found to be distinguishable over the '546 Patent, then the
28 claimed invention should be distinguishable over the prior art applied during the

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1 present reexamination based upon the claim interpretation inferred from the original
2 prosecution.

3 Reference is also made to the Examiner's rejection based upon U.S. Patent No.
4 6,594,692 to Reisman (hereinafter the '692 Patent to Reisman) in the reexamination.
5 Richard R. Reisman, is the same inventor of the '546 Patent, which was cited during
6 the original prosecution. On page 18 of the Second Office Action, with regard to
7 similar limitations, the Examiner asserted the following with regard to the '692 Patent
8 to Reisman:

9 Per column 41, lines 15-42, the new content element can be an update of a local
10 content element, and is preferably locally stored and is transparently accessed and
11 integrated with other local content elements. Per columns 42 and 43, the local web
12 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
13 are updated with more current content from the sponsor's website or other remote
14 location, thereby making the remotely accessed by the remote server when supplying
15 the current content. When an update is thusly used with the off-line browsing, the
16 remote server has in effect accessed the locally stored URLs and initiated utilization
17 by the local processor assembly of both the information stored on the CD-ROM and
18 the update from the primary site data.
19

20 By comparison, reference is made to EXAMPLE 2 within the '546 Patent to
21 Reisman, who in column 21, lines 12-34 states the following:

22 Open-ended Fetch of a Supplementary News Magazine Object
23 Open-ended access to supplemental information objects not described in the
24 original information product can be obtained by providing in the original product
25 means to fetch a directory of added features. This can be used, for example, by a
26 news magazine publisher to provide special news features on an unplanned basis, or
27 each weekly issue could be packaged with a directory of additional features available.
28 The user first specifies a fetch of the new directory, or receives it along with a fetched
29 update they have specified from a user interface menu, and then views the fetched
30 additional features directory and initiates a fetch of a selected additional item or items
31 in a second information object transport operation, using an information object
32 manifest built from the new features directory.

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1 The original, containing product news magazine CD-ROM user interface 28
2 preferably has provision for importing and viewing any information objects listed on
3 a completed fetch manifest and delivered by the information transport component 14
4 into the designated work areas. Alternatively, a standard information transport
5 component 14 user interface 34 can be used to provide this function in a less
6 integrated form.

7
8 As evident by a comparison between the teachings of the '546 Patent to Reisman, cited
9 in the original prosecution, and the '692 Patent to Reisman, cited in the present
10 reexamination by the Examiner, these teachings appear to be substantially identical.
11 In both instances, a pre-distributed CD-ROM is provided and upon access to a remote
12 server, an update is provided by the remote server which can be added to data already
13 found in the distributed CD-ROM. Thus, this represents another example in which the
14 Examiner, in the present reexamination, is employing a claim construction that was
15 apparently not used by the Examiner during original prosecution.

16 Therefore, since the "claim interpretation of the key phrase" that underpins the
17 Examiner's analysis (ii) was not presented until the Second Office Action and (ii) is
18 inconsistent with how the original prosecution treated the applied prior art, Patentee
19 respectfully submits that Patentee could not know how the Examiner was interpreting
20 a key phrase of the claims. Consequently, Patentee could not address, by amendment,
21 the Examiner's claim construction until after the Second Office Action. Therefore, the
22 present amendment could not have been presented earlier.

23 Patentee also refers to the following statement made by the Examiner in the
24 Advisory Action dated December 23, 2008:

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1 As far as Patent Owner's position that the Final Rejection was somehow
2 premature due to the examiner stating that "the issue is rhe [sic] claim interpretation
3 of the key phrase of the claims in question", the examiner would like to mention that
4 it was the Patent Owner who brought up this issue in the response (page 13) to the
5 First Office Action. The examiner was expediting prosecution by fully explaining his
6 position (see, for example, pages 5-7 of the Final Rejection). Therefore, the Final
7 Rejection was proper. (emphasis added)
8

9 By the Examiner's own admission, the Examiner did not fully explain his position in
10 the First Office Action. Otherwise, the Examiner would not have needed to present
11 the additional explanation on pages 5-7 of the Final Rejection. Instead, the Examiner
12 would have only needed to refer to an explanation found in the First Office Action.
13 Since the Examiner did not "fully [explain] his position" until the Final Office Action,
14 Patentee was prevented from presenting the amendment earlier (i.e., prior to the Final
15 Office Action).

16 As to establishing that the "amendment is necessary," Patentee needs only point
17 to the Examiner maintaining the present rejections against the current claims. Unless
18 Patentee is allowed to amend the claims so as to address the Examiner's claim
19 construction, the claims will remain rejected by the Examiner, and Patentee will be
20 forced to file an Appeal Brief.

21 **2) Present Amendment Reduces Issues on Appeal**

22 For reasons discussed in the proposed Amendment, Patentee's position is that
23 the present Amendment clearly distinguishes the claimed invention over the applied
24 prior art, thereby reducing issues on Appeal.

1 **II. REJECTION OF CLAIMS 1, 3-4, 6-8, 21, 23, 26 UNDER 35 U.S.C. § 102 BASED**
2 **UPON MAGES**

3 On pages 5-15 of the Second Office Action, the Examiner asserted that Mages
4 anticipates the invention corresponding to that claimed. This rejection is respectfully
5 traversed.

6 A. Establishing a prima facie case of anticipation

7 The factual determination of anticipation under 35 U.S.C. § 102 requires the
8 identical disclosure, either explicitly or inherently, of each element of a claimed
9 invention in a single reference. In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed.
10 Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913,
11 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888,
12 894, 221 USPQ 669, 673 (Fed. Cir. 1984). Moreover, the anticipating prior art
13 reference must describe the recited invention with sufficient clarity and detail to
14 establish that the claimed limitations existed in the prior art and that such existence
15 would be recognized by one having ordinary skill in the art. See In re Spada, 911 F.2d
16 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps,
17 Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

18 B. Construing the language of the claims

19 "Both anticipation under § 102 and obviousness under § 103 are two-step
20 inquiries. The first step in both analyses is a proper construction of the claims. ... The

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1 second step in the analyses requires a comparison of the properly construed claim to
2 the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933 (Fed. Cir. 2003)
3 (internal citations omitted). During patent examination, the pending claims must be
4 "given their broadest reasonable interpretation consistent with the specification," In re
5 Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000), and the
6 broadest reasonable interpretation of the claims must also be consistent with the
7 interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353,
8 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999). Therefore, the Examiner must (i)
9 identify the individual elements of the claims and properly construe these individual
10 elements, see also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed.
11 Cir. 1987) (In making a patentability determination, analysis must begin with the
12 question, "what is the invention claimed?" since "[c]laim interpretation, . . . will
13 normally control the remainder of the decisional process"); see Gechter v. Davidson,
14 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring explicit claim construction as to any
15 terms in dispute), and (ii) identify corresponding elements disclosed in the allegedly
16 anticipating reference and compare these allegedly corresponding elements to the
17 individual elements of the claims. Lindermann Maschinenfabrik GMBH v. American
18 Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

19

1 C. Independent claims 1, 23, and 26

2 Independent claims 1, 23, and 26 (as amended) recite, in part, the following
3 limitations:

4 said remotely accessible, auxiliary site addresses being structured
5 to be remotely accessed by said remote server assembly;

6 said remote server assembly continuously and remotely accessing
7 said auxiliary site data to initiate and maintain utilization of said select
8 portions of said quantity of auxiliary site data by said local processor
9 assembly; and

10 said select portions of said quantity of auxiliary site data utilized in
11 conjunction with said primary site data.

12

13 In the paragraph spanning pages 7 and 8 of the Second Office Action, the
14 Examiner asserted the following:

15 Once the uncripping key has been sent from the server, the server has initiated the
16 utilization of the local data by the local computer. The claim simply does not specify
17 the type of initiation to be used (i.e. the claim language does not preclude initiation in
18 the form of a downloaded file or trigger key as taught by Mages).

19

20 Referring to the above-reproduced language, Patentee respectfully submits that the
21 claim does specify the type of access involved. Specifically, independent claims 1,
22 23, and 26 recite that the remote server assembly continuously and remotely accesses
23 the auxiliary site data. Moreover, this remote access both initiates and maintains
24 utilization of the select portions of the auxiliary site date.

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1 Mages teaches sending a "trigger or uncrippling key 5" from a server to an end-
2 user's computer (see, e.g., column 6, lines 50-65). Although Patentee disagrees that
3 this sending of a key acts to initiate utilization, even if one skilled in the art could
4 identify this teaching as identically disclosing the claimed initiation of utilization,
5 Mages still fails to teach that the remote server assembly continuously remotely
6 accesses the auxiliary site data and this continuous accessing not only initiates
7 utilization but also maintains utilization. Patentee, therefore, respectfully submits that
8 Mages fails to identically disclose the claimed invention, as recited in claims 1, 23,
9 and 26, within the meaning of 35 U.S.C. § 102.

1 **III. REJECTION OF CLAIMS 1, 6-21, AND 23 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON REISMAN**

3 On pages 15-24 of the Second Office Action, the Examiner asserted that
4 Reisman anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1 and 23

7 Independent claims 1 and 23 (as amended) recite, in part, the following
8 limitations:

9 said remotely accessible, auxiliary site addresses being structured
10 to be remotely accessed by said remote server assembly;

11 said remote server assembly continuously and remotely accessing
12 said auxiliary site data to initiate and maintain utilization of said select
13 portions of said quantity of auxiliary site data by said local processor
14 assembly; and

15 said select portions of said quantity of auxiliary site data utilized in
16 conjunction with said primary site data.

17

18 On page 18 of the Second Office Action, with regard to similar limitations, the
19 Examiner asserted the following:

20 Per column 41, lines 15-42, the new content element can be an update of a local
21 content element, and is preferably locally stored and is transparently accessed and
22 integrated with other local content elements. Per columns 42 and 43, the local web
23 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
24 are updated with more current content from the sponsor's website or other remote
25 location, thereby making the remotely accessed by the remote server when supplying
26 the current content. When an update is thusly used with the off-line browsing, the

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1 remote server has in effect accessed the locally stored URLs and initiated utilization
2 by the local processor assembly of both the information stored on the CD-ROM and
3 the update from the primary site data.
4

5 Referring to the Examiner's cited teachings, Reisman teaches downloading a
6 new content element from a server. The new content element is locally stored and
7 "accessed and integrated with other local control elements for reviewing or processing
8 by the user." However, absent from the Examiner's cited passages within Reisman is
9 an identical disclosure of the remote server assembly continuously and remotely
10 accessing the auxiliary site data and that this continuous accessing not only initiates
11 utilization but also maintains utilization. Also, as noted earlier, the original claims
12 were found to be distinguishable over similar teachings found in a prior patent to
13 Reisman. Patentee, therefore, respectfully submits that Reisman fails to identically
14 disclose the claimed invention, as recited in claims 1 and 23, within the meaning of 35
15 U.S.C. § 102.

1 **IV. REJECTION OF CLAIMS 1, 4, AND 6-8 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON URANAKA**

3 On pages 24-31 of the Second Office Action, the Examiner asserted that
4 Uranaka anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1

7 Independent claims 1 (as amended) recites, in part, the following limitations:

8 said remotely accessible, auxiliary site addresses being structured
9 to be remotely accessed by said remote server assembly;

10 said remote server assembly continuously and remotely accessing
11 said auxiliary site data to initiate and maintain utilization of said select
12 portions of said quantity of auxiliary site data by said local processor
13 assembly; and

14 said select portions of said quantity of auxiliary site data utilized in
15 conjunction with said primary site data.

16

17 On page 25 of the Second Office Action, the Examiner described the teachings
18 of Uranaka as follows:

19 As noted in the rejection, the examiner believes that the broadest reasonable
20 interpretation for the remote server "to initiate utilization" includes the STEP 1402
21 (see column 18, line 55 to column 19, line 36). In STEP 1402, the client 1210
22 transmits the purchase history information and the DVD identifying information to
23 the catalog shopping server 1220. The server 1220 uses this information to generate
24 the script, which is the display method of the electronic catalog DVD 1200. The script
25 is then sent to the client 1210, and the content of the electronic catalog DVD 1200 is
26 displayed based upon the script determined in STEP 1402. The end result is that the
27 central control means 1211 of the catalog shopping client 1210 controls the DVD

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1 driving means 1213 based on the script and sends the data to be displayed to the
2 information display means 1216.

3

4 The Examiner further asserted on page 26 of the Second Office Action that "the
5 examiner believes that the 'utilization' is actually 'initiated' when the script is
6 determined and then sent by the server, which occurs before the DVD data is utilized
7 and displayed at the client." However, the Uranaka's teaching of sending, from a
8 server, a script to a computer with the script subsequently being executed by the
9 computer fails to identically disclose that the remote server assembly continuously
10 and remotely accesses the auxiliary site data and that this continuous accessing not
11 only initiates utilization but also maintains utilization. Patentee, therefore,
12 respectfully submits that Uranaka fails to identically disclose the claimed invention, as
13 recited in claim 1, within the meaning of 35 U.S.C. § 102.

1 **V. REJECTION OF CLAIMS 1 AND 3-8 UNDER 35 U.S.C. § 102 FOR ANTICIPATION**
2 **BASED UPON FIDELIBUS**

3 On pages 31-39 of the Second Office Action, the Examiner asserted that
4 Fidelibus anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claim 1

7 Independent claim 1 (as amended) recites, in part, the following limitations:

8 said remotely accessible, auxiliary site addresses being structured
9 to be remotely accessed by said remote server assembly;

10 said remote server assembly continuously and remotely accessing
11 said auxiliary site data to initiate and maintain utilization of said select
12 portions of said quantity of auxiliary site data by said local processor
13 assembly; and

14 said select portions of said quantity of auxiliary site data utilized in
15 conjunction with said primary site data.

16

17 On pages 36 and 37 of the Second Office Action, with regard to similar
18 limitations, the Examiner asserted the following:

19 The individual songs recorded at the specific tracks are structured such that they can
20 be remotely accessed by the remote server assembly in the following manner. As
21 noted above, the user identifies the desired one or plurality of audio or visual
22 component entertainment elements recorded on the CD-ROM (these would represent
23 the auxiliary site addresses) that the user wishes to have user presses the PLAY icon
24 from the IMES control bar 330, the remote server assembly 130 remotely
25 accesses the auxiliary site addresses and initiates utilization of them by the local
26 processor assembly 100, because a PLAY causes the simultaneous activation of
27 the FRAME A 310 (representing primary site data, as well as the content in

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1 FRAME B at 320) and the audio from the CD-ROM (this is located at the local
2 processor assembly 100 at the media drive 108). Since the IMES 134 and the
3 FRAME A/B are from the remote server assembly 130, the auxiliary site addresses
4 are initiated in conjunction in order to achieve the desired multimedia presentation.
5

6 Reference is made to column 6, lines 35-57 of Fidelibus, which for ease of
7 reference is reproduced below:

8 In response to the receipt of this data from the user selecting a multimedia
9 presentation, identifying the recorded medium or CD, and the selected audio and/or
10 visual component element, the interactive multimedia system is activated by the
11 remote computing device 110. The interactive multimedia system validates the
12 identity of the recorded medium that the user has placed in media drive 108. This is
13 accomplished at step 204 by the interactive multimedia system transmitting an
14 inquiry message via the public communication network 120 to the local computing
15 device 100. The message instructs the local computing device 100 to scan the
16 recorded medium placed in media drive 108 in well known fashion to identify or
17 authenticate the recorded medium. This validation process is executed by the local
18 computing device 100 at step 205 and can include identifying the recorded medium
19 itself, and/or locating a particular segment such as a track or song, and/or determining
20 the play time of all or a selected portion of the recorded medium. The result of the
21 validation determination is communicated to the remote computing device 110 and
22 the interactive multimedia system, at step 206, determines whether an authentic or
23 validated or otherwise proper recorded medium is mounted in media drive 108.
24

25 However, absent from the Examiner's cited passages within Fidelibus is an
26 identical disclosure of the remote server assembly continuously and remotely
27 accessing the auxiliary site data and that this continuous accessing not only initiates
28 utilization but also maintains utilization. Patentee, therefore, respectfully submits that
29 Reisman fails to identically disclose the claimed invention, as recited in claims 1 and
30 23, within the meaning of 35 U.S.C. § 102.

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1 **VI. REJECTION OF CLAIM 23 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON FIDELIBUS**

3 On pages 39 and 40 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Fidelibus.

5 Patentee incorporates herein, as also applying to claim 23, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Fidelibus.

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1 **VII. REJECTION OF CLAIM 9 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON MAGES**

3 On pages 40 and 41 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Mages.

5 Patentee incorporates herein, as also applying to claim 9, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Mages.

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1 **VIII. CONCLUSION**

2 Patentee has made every effort to present claims which distinguish over the
3 prior art, and it is believed that all claims are allowable over the applied prior art.
4 Accordingly, and in view of the foregoing remarks, Patentee hereby respectfully
5 requests reconsideration and prompt allowance of the pending claims.

Date: January 13, 2009

Respectfully submitted,

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Electronic Acknowledgement Receipt

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International Application Number:	
Confirmation Number:	7502
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First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		1093-008_amendment_2-1_OA _11-13-08.pdf	251701 <small>87fdbe0546414c95a714b816b527a091db563b23</small>	yes	36

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment After Final	1	1
Claims	2	12
Applicant Arguments/Remarks Made in an Amendment	13	36
Warnings:		
Information:		
Total Files Size (in bytes):		251701
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>		

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
Leigh ROTHSCHILD : Confirmation Number: 7502
Control No.: 90/008,591 : Group Art Unit: 3992
Patent No.: 6,101,534 : Examiner: F. Fleming
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

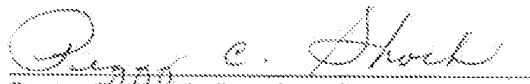
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the following documents were served upon the following via first class United States Mail, postage prepaid, this 15th day of January, 2009.

- Response to Office Action in *Ex Parte* Reexamination filed January 13, 2009; and
- Notice of Appeal filed January 13, 2009.

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Respectfully submitted,


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Electronic Acknowledgement Receipt

EFS ID:	4617252
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Steven M. Greenberg/Peggy Shock
Filer Authorized By:	Steven M. Greenberg
Attorney Docket Number:	REX.101
Receipt Date:	15-JAN-2009
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Time Stamp:	11:16:19
Application Type:	Reexam (Third Party)

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Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Certificate of Service	1092-008_CertificateofService_01-15-09.pdf	126578 <small>ed57a4b06e50ba89fc4c3506bccddd82da7dd1b7</small>	no	1

Warnings:

Information:

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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 PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 26, 2009

CAREY, RODRIGUEZ, GREENBERG & PAUL LLP
ATTN: STEVEN M. GREENBERG, ESQ.
950 PENINSULA CORPORATE CIRCLE
SUITE 3020
BOCA RATON, FL 33487
US

Dear Sir/Madam,

Your refund request for 90008591 in the amount of \$270.00 has been denied.

The refund is denied. The amount of \$540.00 is the correct amount for large entity.

Sincerely,

Denise L. Boyd
Denise L. Boyd
Central Reexam Unit
571-272-0992

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
: :
Control No.: 90/008,591 : Group Art Unit: 3992
: :
Patent No.: 6,101,534 : Examiner: William H. Wood
: :
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

RESPONSE TO OFFICE ACTION IN *EX PARTE* REEXAMINATION

Mail Stop *Ex Partes* Reexam
Attn: Central Reexamination Unit
Commissioner of Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Second and Final Office Action dated November 13, 2008 (hereinafter the "Second Office Action"). In the Advisory Action dated December 23, 2008, the Examiner extended the period for response to run for 2 months from the mailing of the Second Office Action. A Notice of Appeal was filed on January 13, 2008.

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AMENDMENTS TO THE CLAIMS

1. (Amended) An interactive, remote, computer interface system comprising:
 - a remote server assembly, said remote server assembly including a quantity of primary site data;
 - said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;
 - a local processor assembly;
 - said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;
 - said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;
 - at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;
 - said data storage assembly including a compact, portable and interchangeable computer readable medium;

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said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; [and]

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly remotely accessing said auxiliary site data [so as] to initiate and maintain online utilization of said select portions of said quantity of auxiliary site data by said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data.

Claim 2 (Cancelled)

3. (Original) A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

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4. (Original) A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.

5. (Original) A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.

6. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.

7. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.

8. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.

9. (Original) A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. (Original) A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.

11. (Original) A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.

12. (Original) A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.

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13. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.

14. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.

15. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.

16. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.

17. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.

18. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.

19. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.

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20. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.

21. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.

22. (Amended) [A] An interactive, remote, computer interface system [as recited in claim 21] comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

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at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data,

said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly,

wherein said local processor assembly includes an overlay processor and a direct view processor;

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate

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a floor plan display of a three dimensional space at least partially from said quantity of auxiliary site data; and

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

23. (Twice Amended) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

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at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly remotely accessing said auxiliary site data to initiate and maintain online utilization of said select portions of said quantity of auxiliary site data by said local processor assembly; and

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data.

Claims 24-25 (Cancelled)

26. (Amended) An interactive, remote, computer interface system comprising:

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a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

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said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly remotely accessing said auxiliary site data to initiate and maintain online utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data; and

said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.

1 **I. CLAIM AMENDMENTS**

2 Patentee has amended independent claims 1, 23, and 26. Patentee has also
3 amended claim 22 to place claim 22 into independent form. Claims 1, 3-23, and 26
4 are pending, and claims 2 and 24-25 have been cancelled.

5 A. Amendments to independent claims 1, 23, and 26

6 The amendments to independent claims 1, 23, and 26 are identical. As such,
7 Patentee will only address the amendment to independent claim 1. On page 6 of the
8 Second Office Action, the Examiner stated that "the issue is the claim interpretation of
9 the key phrase of the claims in question" (emphasis omitted). Upon reviewing the
10 Examiner's analysis, Patentee respectfully disagrees with the Examiner's claim
11 construction of the claim language at issue. However, to more clearly distinguish the
12 claims from the applied prior art, Patentee has proposed entry of amendments to the
13 independent claims.

14 For ease of reference, the proposed amendment (with underlining and brackets
15 included) is reproduced below:

16 said remote server assembly remotely accessing said auxiliary site
17 data [so as] to initiate and maintain online utilization of said select
18 portions of said quantity of auxiliary site data by said local processor
19 assembly; and
20 said select portions of said quantity of auxiliary site data utilized in
21 conjunction with said primary site data.

22

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1 To clarify that the remote server assembly interacts with the auxiliary site data to
2 initiate and maintain online utilization of said select portions, Patentee has directly
3 claimed this feature.

4 Support for Patentee's prior claim construction (and now clarifying amendment)
5 is found in the originally-filed specification. For example, reference is made to
6 column 14, lines 14-24 of U.S. Patent No. 6,101,534, which states:

7 When, however, utilization of the primary site address calls for interactive video
8 and/or graphical displays with associated audio, downloading need not take place, but
9 rather the remote server assembly 50 accesses the interchangeable computer readable
10 medium 36 and **initiates utilization of the auxiliary site data stored thereon by the**
11 **local processor assembly 25'** so as to significantly **enhance the on-line experience**
12 with added information, graphical display, and advertising clips, if desired.
13 (emphasis added)
14

15 Therefore, Patentee respectfully submits that the proposed amendment to claim 1 is
16 both consistent with Patentee's previously-argued interpretation and consistent with
17 Patentee's specification.

18 Referring to the language that the remote server assembly accesses the auxiliary
19 site data "to initiate and maintain online utilization of said select portions," reference
20 is made to column 12, lines 40-42, which states that the display system 10 is
21 "effectively utilized through an on-line connection." Also, column 14, lines 35-37
22 states that access to the remote accessible, auxiliary site address (which are found in
23 the computer readable medium, as claimed) is restricted "unless the access is directed
24 by the remote server assembly 50." Thus, online utilization of the select portions is
25 maintained by access being directed by the remote server assembly, which is

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1 consistent with the teaching that the display system 10 is utilized and maintained
2 through an on-line connection.

3 Other references to online utilization are found throughout Patentee's originally
4 filed specification. See e.g., column 1, lines 21-22 ("enhancing the effectiveness of
5 interactive 'online' capabilities"); column 3, lines 35-37 ("significantly enhancing the
6 interactive capabilities of an on-line 'web' site"); column 5, lines 19-20 ("enables the
7 utilization of the real estate display system through an 'online' medium"); column 12,
8 lines 40-43 ("display system 10 can be effectively utilized through an on-line
9 connection without sacrificing the continuous and substantially seamless maneuvering
10 it provides"); and column 14, lines 18-24 ("remote server assembly 50 accesses the
11 interchangeable computer readable medium 36 and initiates utilization of the auxiliary
12 site data stored thereon by the local processor assembly 25' so as to significantly
13 enhance the on-line experience with added information, graphical display, and
14 advertising clips, if desired").

15 Regarding the claimed phrase "said select portions of said quantity of auxiliary
16 site data utilized in conjunction with said primary site data," reference is made to
17 column 14, lines 38-39, which states that, in one embodiment, auxiliary site data
18 cannot be utilized "unless it is in conjunction with the primary site data."

19 Therefore, for the reasons stated above, Patentee respectfully submits that the
20 proposed amendment to the claim is clearly supported by Patentee's originally-filed
21 disclosure. Therefore, the proposed amendments do not add any new matter.

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1 B. Independent claim 22

2 Dependent claim 22 has been amended to include the limitations previously
3 presented in claims 1 and 21 upon which claim 22 depends. Thus, no new matter has
4 been added.

1 C. Entry of Amendment

2 As discussed in M.P.E.P. § 2272, entitled "After Final Practice," an amendment
3 filed after Final Office Action may be entered:

4 An amendment filed at any time after final rejection but before an appeal brief is
5 filed, may be entered upon or after filing of an appeal provided:

6 (A) the total effect of the amendment is to cancel claims or comply with any
7 requirement of form expressly set forth in a previous Office action, or present rejected
8 claims in better form for consideration on appeal;

9 (B) for an amendment touching the merits of the patent under reexamination, the
10 patent owner provides a showing of good and sufficient reasons why the amendment
11 is necessary and was not earlier presented.

12 The first proposed amendment after final action in a reexamination proceeding will be
13 given sufficient consideration to determine whether it places all the claims in
14 condition where they are patentable and/or whether the issues on appeal are reduced
15 or simplified. Unless the proposed amendment is entered in its entirety, the examiner
16 will briefly explain the reasons for not entering a proposed amendment. For example,
17 if the claims as amended present a new issue requiring further consideration or
18 search, the new issue should be identified and a brief explanation provided as to why
19 a new search or consideration is necessary. The patent owner should be notified if
20 certain portions of the amendment would be entered if a separate paper was filed
21 containing only such amendment.

22 Any second or subsequent amendment after final will be considered only to the extent
23 that it removes issues for appeal or puts a claim in obvious patentable condition.
24

25 Based upon the discussion therein, there are at least two separate rationales for
26 permitting an amendment to be entered: (1) the amendment reduces or simplifies
27 issues on appeal and (1) patent owner presents good and sufficient reasons why
28 amendment is necessary and not earlier presented.

29

30 **1) Present Amendment Could Not Be Presented Earlier**

31 On page 6 of the Second Office Action, the Examiner admitted that "the issue is
32 the claim interpretation of the key phrase of the claims in question" (original emphasis

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1 omitted; underlined added). The fact that the Examiner considers a claim
2 interpretation (or claim construction) to be a key issue is not surprising.

3 Case law is replete with discussions as to the importance of claim interpretation
4 during examination. "Both anticipation under § 102 and obviousness under § 103 are
5 two-step inquiries. The first step in both analyses is a proper construction of the
6 claims. ... The second step in the analyses requires a comparison of the properly
7 construed claim to the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933
8 (Fed. Cir. 2003) (internal citations omitted). In order to make a proper comparison
9 between the claimed invention and the prior art, the language of the claims must first
10 be properly construed. See In re Paulsen, 30 F.3d 1475, 1479 (Fed. Cir. 1994). See
11 also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed. Cir. 1987)
12 (In making a patentability determination, analysis must begin with the question, "what
13 is the invention claimed?" since "[c]laim interpretation, ... will normally control the
14 remainder of the decisional process.") See Gechter v. Davidson, 116 F.3d 1454, 1460
15 (Fed. Cir. 1997) (requiring explicit claim construction as to any terms in dispute).

16 Therefore, a critical portion of the Examiner's analysis must have been to
17 interpret the language of the claims. However, the claim interpretation discussed on
18 page 6 of the Second Office Action was not provided in the First Office Action.
19 Patentee could not have been aware of the Examiner's claim interpretation at issue at
20 the time of filing the First Response since this claim interpretation was not provided
21 until the Second Office Action and after the Patentee's First Response. Thus, the

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1 present amendment could not have been presented prior to the Second and Final
2 Office Action since the present amendment is directed to addressing the Examiner's
3 claim construction, which the Examiner did not explicitly present until the Second
4 Office Action.

5 With regard to the Examiner's claim construction, Patentee notes that one of the
6 references cited during the original prosecution of the present patent is U.S. Patent No.
7 5,694,546 (hereinafter the '546 Patent). Patentee respectfully submits that had the
8 Examiner, Mark H. Rinehart, in the original prosecution used the claim construction
9 employed by the current Examiner, the '546 Patent would have been given more
10 consideration.

11 Specifically, similar to currently cited Mages, the '546 Patent describes a local
12 computer interacting with a server to unlock content disposed within a removable
13 storage. For example, reference is made to column 22, line 66 through column 23,
14 line 17 of the '546 Patent, which states:

15 As discussed in the "BACKGROUND OF THE INVENTION" hereinabove,
16 some vendors, for example Microsoft Corporation, distribute information products in
17 locked, inaccessible form, accompanied by (user-accessible) promotional information
18 and demo versions. The prospective purchaser then calls an 800 number to order the
19 product and is given a code which is entered to unlock the item for use. The inventive
20 information transport component 14 and cooperative server component 22, can be
21 used to simplify this process, and eliminate the voice call.

22 The information transport component 14 is used to place the order and as a
23 subsequent step concomitant with satisfaction of the merchants purchase
24 requirements (payment, etc) can, employing a suitable line entry or entries in the
25 object manifest 48, fetch the access code, as an information object 46, in the same
26 way as an order acknowledgment or other information update. The user interface and
27 data management components of the distribution CD, or original information product,
28 can be programmed automatically to use the code to unlock the product. (emphasis
29 added)

1

2 Thus, the '546 Patent describes that the information transport component 14
3 (which is part of the local workstation; see Fig. 1 and column 10, lines 14-34 of the
4 '546 Patent) accesses a server component 22 to fetch an access code that is used to
5 unlock content within a CD. By comparison, the following was stated by the
6 Examiner in the paragraph spanning pages 7 and 8 of the Second Office Action with
7 regard to Mages:

8 At page 14, the Patent Owner argues that it is not the server, but the local computer,
9 that does the initiating. While it is true that the local computer of Mages is involved
10 in the initiation process, it is the server that "initiates" the initiation process by
11 providing the uncrippling key to the local computer. Since the phrase "so as to initiate
12 utilization of is given its broadest reasonable interpretation, the sending of the
13 uncrippling key from the server to the local PC, as shown by Mages, performs the
14 claimed function. Without the uncrippling key, the local data remains crippled and
15 cannot be utilized by the local computer. Once the uncrippling key has been sent from
16 the server, the server has initiated the utilization of the local data by the local
17 computer. The claim simply does not specify the type of initiation to be used (i.e. the
18 claim language does not preclude initiation in the form of a downloaded file or trigger
19 key as taught by Mages), and therefore, the rejection is maintained and made FINAL.
20

21 Thus, the teachings within Mages being relied upon by the Examiner in the present
22 reexamination do not appear to differ substantially from the teachings found within
23 the '546 Patent, which was cited during the original prosecution. Therefore, either the
24 Examiner is employing a different claim construction than that applied during the
25 original prosecution, or the Examiner is inferentially alleging that the original
26 Examiner, Mark H. Rinehart, did not properly consider the '546 Patent. Regardless,
27 Patentee's response to the First Office Action was based upon the belief that since the
28 claimed invention was found to be distinguishable over the '546 Patent, then the

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1 claimed invention should be distinguishable over the prior art applied during the
2 present reexamination based upon the claim interpretation inferred from the original
3 prosecution.

4 For Mages to be properly cited in the present reexamination, a determination
5 must have been made that the teachings in Mages raised "a substantial new question
6 of patentability." As stated in M.P.E.P. § 2242:

7 For "a substantial new question of patentability" to be present, it is only necessary
8 that: (A) the prior art patents and/or printed publications raise a substantial question
9 of patentability regarding at least one claim, i.e., the teaching of the (prior art) patents
10 and printed publications is such that a reasonable examiner would consider the
11 teaching to be important in deciding whether or not the claim is patentable; and (B)
12 the same question of patentability as to the claim has not been decided by the Office
13 in a previous examination or pending reexamination of the patent or in a final holding
14 of invalidity by the Federal Courts in a decision on the merits involving the claim.
15 (emphasis in original)

16
17 However, as just discussed, the teachings being relied upon in Mages do not
18 substantively differ from the teachings found in the '546 Patent, which was previously
19 considered. Thus, Mages could have only been properly cited if a new claim
20 construction was being applied to the claims. Therefore, either the Examiner relied
21 upon an old claim construction and committed error by attempting to "revisit" a
22 question of patentability that has already been decided, or the Examiner relied upon a
23 new claim construction and committed error by failing to provide Patentee with that
24 claim construction in the First Office Action.

25 Reference is also made to the Examiner's rejection based upon U.S. Patent No.
26 6,594,692 to Reisman (hereinafter the '692 Patent to Reisman) in the reexamination.

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1 Richard R. Reisman, is the same inventor of the '546 Patent, which was cited during
2 the original prosecution. In fact, the '692 Patent is a Continuation-In-Part of the
3 previously considered '546 Patent. Thus, this represents an even more egregious
4 example of the Examiner improperly revisiting a question of patentability that has
5 already been decided.

6 On page 18 of the Second Office Action, with regard to similar limitations to
7 that discussed above, the Examiner asserted the following with regard to the '692
8 Patent to Reisman:

9 Per column 41, lines 15-42, the new content element can be an update of a local
10 content element, and is preferably locally stored and is transparently accessed and
11 integrated with other local content elements. Per columns 42 and 43, the local web
12 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
13 are updated with more current content from the sponsor's website or other remote
14 location, thereby making the remotely accessed by the remote server when supplying
15 the current content. When an update is thusly used with the off-line browsing, the
16 remote server has in effect accessed the locally stored URLs and initiated utilization
17 by the local processor assembly of both the information stored on the CD-ROM and
18 the update from the primary site data.
19

20 By comparison, reference is made to EXAMPLE 2 within the '546 Patent to
21 Reisman, who in column 21, lines 12-34 states the following:

22 Open-ended Fetch of a Supplementary News Magazine Object
23 Open-ended access to supplemental information objects not described in the
24 original information product can be obtained by providing in the original product
25 means to fetch a directory of added features. This can be used, for example, by a
26 news magazine publisher to provide special news features on an unplanned basis, or
27 each weekly issue could be packaged with a directory of additional features available.
28 The user first specifies a fetch of the new directory, or receives it along with a fetched
29 update they have specified from a user interface menu, and then views the fetched
30 additional features directory and initiates a fetch of a selected additional item or items
31 in a second information object transport operation, using an information object
32 manifest built from the new features directory.

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1 The original, containing product news magazine CD-ROM user interface 28
2 preferably has provision for importing and viewing any information objects listed on
3 a completed fetch manifest and delivered by the information transport component 14
4 into the designated work areas. Alternatively, a standard information transport
5 component 14 user interface 34 can be used to provide this function in a less
6 integrated form.

7
8 As evident by a comparison between the teachings of the '546 Patent to Reisman, cited
9 in the original prosecution, and the '692 Patent to Reisman, cited in the present
10 reexamination by the Examiner, these teachings appear to be substantially identical.
11 In both instances, a pre-distributed CD-ROM is provided and upon access to a remote
12 server, an update is provided by the remote server which can be added to data already
13 found in the distributed CD-ROM. Again, the Examiner has erred by revisiting a
14 question of patentability that has already been decided or erred by relying upon a new
15 claim construction and failing to provide Patentee with that claim construction in the
16 First Office Action.

17 Therefore, since the "claim interpretation of the key phrase" that underpins the
18 Examiner's analysis (ii) was not presented until the Second Office Action and (ii) is
19 inconsistent with how the original prosecution treated the applied prior art, Patentee
20 respectfully submits that Patentee could not know how the Examiner was interpreting
21 a key phrase of the claims. Consequently, Patentee could not address, by amendment,
22 the Examiner's claim construction until after the Second Office Action. Therefore, the
23 present amendment could not have been presented prior to the Second and Final
24 Office Action being issued.

1 Patentee also refers to the following statement made by the Examiner in the
2 Advisory Action dated December 23, 2008:

3 As far as Patent Owner's position that the Final Rejection was somehow
4 premature due to the examiner stating that "the issue is rhe [sic] claim interpretation
5 of the key phrase of the claims in question", the examiner would like to mention that
6 it was the Patent Owner who brought up this issue in the response (page 13) to the
7 First Office Action. The examiner was expediting prosecution by fully explaining his
8 position (see, for example, pages 5-7 of the Final Rejection). Therefore, the Final
9 Rejection was proper. (emphasis added)

10
11 By the Examiner's own admission, the Examiner did not fully explain his position in
12 the First Office Action. Otherwise, the Examiner would have had no need to present
13 the additional explanation on pages 5-7 of the Final Rejection. Instead, the Examiner
14 need only refer to an explanation found in the First Office Action. Since the Examiner
15 did not "fully [explain] his position" until the Second and Final Office Action,
16 Patentee was prevented from presenting the amendment earlier (i.e., prior to the
17 Second and Final Office Action).

18 As to establishing that the "amendment is necessary," Patentee needs only point
19 to the Examiner maintaining the present rejections against the current claims. Unless
20 Patentee is allowed to amend the claims so as to address the Examiner's claim
21 construction, the claims will remain rejected by the Examiner, and Patentee will be
22 forced to file an Appeal Brief.

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1 **2) Present Amendment Reduces Issues on Appeal**

2 For reasons discussed in the proposed Amendment, Patentee's position is that
3 the present Amendment clearly distinguishes the claimed invention over the applied
4 prior art, thereby reducing issues on Appeal.

1 **II. INTERVIEW SUMMARY**

2 Applicant acknowledges, with appreciation, Examiner Wood's courtesy and
3 professionalism in conducting a personal interview on February 9, 2009, during which
4 the previously-presented Amendment and current Amendment were discussed. As
5 discussed within the interview, the Examiner and Patentee agreed that the previously-
6 presented Amendment dated January 13, 2009, would be withdrawn and not entered
7 and the current Amendment would be considered in its place. Since the Examiner was
8 not aware of the exact contents of the current Amendment prior to the interview, the
9 Examiner could not given an indication as to whether or not the current Amendment
10 distinguishes the claimed invention over the applied prior art.

1 **III. REJECTION OF CLAIMS 1, 3-4, 6-8, 21, 23, 26 UNDER 35 U.S.C. § 102 BASED**
2 **UPON MAGES**

3 On pages 5-15 of the Second Office Action, the Examiner asserted that Mages
4 anticipates the invention corresponding to that claimed. This rejection is respectfully
5 traversed.

6 A. Establishing a prima facie case of anticipation

7 The factual determination of anticipation under 35 U.S.C. § 102 requires the
8 identical disclosure, either explicitly or inherently, of each element of a claimed
9 invention in a single reference. In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed.
10 Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913,
11 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888,
12 894, 221 USPQ 669, 673 (Fed. Cir. 1984). Moreover, the anticipating prior art
13 reference must describe the recited invention with sufficient clarity and detail to
14 establish that the claimed limitations existed in the prior art and that such existence
15 would be recognized by one having ordinary skill in the art. See In re Spada, 911 F.2d
16 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps,
17 Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

18 B. Construing the language of the claims

19 "Both anticipation under § 102 and obviousness under § 103 are two-step
20 inquiries. The first step in both analyses is a proper construction of the claims. ... The

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1 second step in the analyses requires a comparison of the properly construed claim to
2 the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933 (Fed. Cir. 2003)
3 (internal citations omitted). During patent examination, the pending claims must be
4 "given their broadest reasonable interpretation consistent with the specification," In re
5 Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000), and the
6 broadest reasonable interpretation of the claims must also be consistent with the
7 interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353,
8 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999). Therefore, the Examiner must (i)
9 identify the individual elements of the claims and properly construe these individual
10 elements, see also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed.
11 Cir. 1987) (In making a patentability determination, analysis must begin with the
12 question, "what is the invention claimed?" since "[c]laim interpretation, . . . will
13 normally control the remainder of the decisional process"); see Gechter v. Davidson,
14 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring explicit claim construction as to any
15 terms in dispute), and (ii) identify corresponding elements disclosed in the allegedly
16 anticipating reference and compare these allegedly corresponding elements to the
17 individual elements of the claims. Lindermann Maschinenfabrik GMBH v. American
18 Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

1 C. Independent claims 1, 23, and 26

2 Independent claims 1, 23, and 26 (as amended) recite, in part, the following
3 limitations:

4 said remotely accessible, auxiliary site addresses being structured
5 to be remotely accessed by said remote server assembly;

6 said remote server assembly remotely accessing said auxiliary site
7 data to initiate and maintain online utilization of said select portions of
8 said quantity of auxiliary site data by said local processor assembly; and

9 said select portions of said quantity of auxiliary site data utilized in
10 conjunction with said primary site data.

11

12 In the paragraph spanning pages 7 and 8 of the Second Office Action, the
13 Examiner asserted the following:

14 Once the uncrippling key has been sent from the server, the server has initiated the
15 utilization of the local data by the local computer. The claim simply does not specify
16 the type of initiation to be used (i.e. the claim language does not preclude initiation in
17 the form of a downloaded file or trigger key as taught by Mages).

18

19 Referring to the above-reproduced language, Patentee respectfully submits that the
20 claim does specify the type of access involved. Specifically, independent claims 1,
21 23, and 26 recite that the remote server assembly remotely accesses the auxiliary site
22 data. Moreover, this remote access both initiates and maintains online utilization of
23 the select portions of the auxiliary site data.

24 Mages teaches that data is stored "in crippled fashion" on CD-ROM 3, which is
25 "provided with the URL (web page) of the designated host computer, or server"

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1 (column 6, lines 17-24). "This data on the CD-ROM 3 will automatically call up and
2 connect the end-user's computer to the host computer's server 7 on the Internet,
3 whereby a socket-to-socket connection is made therebetween" (column 6, lines 41-
4 44).

5 Referring to Figure 7 of Mages and block 42, "[a] socket-to-socket connection
6 is made between the host, or sending, computer and the receiving, or end-user's
7 computer by means of the linking software described above installed on the end-user's
8 computer" (column 7, lines 23-26). Referring to block 44, "[a]s soon as this socket-
9 to-socket connection is made, the encoded trigger 5 is sent" (column 7, lines 33-34).
10 Referring to block 46, "[t]he end-user's computer has a specially-dedicated software
11 program for catching the key, decrypting the key 5 from the server and data from the
12 CD-ROM 3, combining the key and data and playing it back" (column 7, lines 35-38).

13 Although Patentee disagrees that the sending of a key acts to initiate utilization,
14 even if one skilled in the art would have recognized this teaching as identically
15 disclosing the claimed initiation of utilization, Mages still fails to teach that the remote
16 server assembly remotely accesses the auxiliary site data to maintain online utilization
17 of the auxiliary site data. Patentee, therefore, respectfully submits that Mages fails to
18 identically disclose the claimed invention, as recited in claims 1, 23, and 26, within
19 the meaning of 35 U.S.C. § 102.

1 **IV. REJECTION OF CLAIMS 1, 6-21, AND 23 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON REISMAN**

3 On pages 15-24 of the Second Office Action, the Examiner asserted that
4 Reisman anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1 and 23

7 Independent claims 1 and 23 (as amended) recite, in part, the following
8 limitations:

9 said remotely accessible, auxiliary site addresses being structured
10 to be remotely accessed by said remote server assembly;

11 said remote server assembly remotely accessing said auxiliary site
12 data to initiate and maintain online utilization of said select portions of
13 said quantity of auxiliary site data by said local processor assembly; and

14 said select portions of said quantity of auxiliary site data utilized in
15 conjunction with said primary site data.

16

17 On page 18 of the Second Office Action, with regard to similar limitations, the
18 Examiner asserted the following:

19 Per column 41, lines 15-42, the new content element can be an update of a local
20 content element, and is preferably locally stored and is transparently accessed and
21 integrated with other local content elements. Per columns 42 and 43, the local web
22 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
23 are updated with more current content from the sponsor's website or other remote
24 location, thereby making the remotely accessed by the remote server when supplying
25 the current content. When an update is thusly used with the off-line browsing, the
26 remote server has in effect accessed the locally stored URLs and initiated utilization

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1 by the local processor assembly of both the information stored on the CD-ROM and
2 the update from the primary site data.
3

4 For ease of reference, the Examiner's cited passage is reproduced below:

5 The new content element can be an update of a local content element and, preferably,
6 is also locally stored and is transparently accessed and integrated with other local content
7 elements for viewing or processing by the user, for which purpose the herein described user
8 interface and database modules are those provided by the offline browser which acts in the
9 role of a containing information product.

10 Richer products will provide multiple Web pages for offline use and may comprise
11 large numbers of content elements which are updated with, or supplemented by, multiple new
12 content elements fetched as a package.

13 Such an offline browser system can be distributed by a commercial sponsor or
14 content provider to simulate their Web site in a standalone environment without the expense,
15 difficulty and inconvenience of establishing an Internet subscription connection for those who
16 do not have one. To this end, selected Web site content, providing one or more pages, which
17 may have a customized look chosen by the commercial sponsor, "local pages" hereinafter,
18 can be supplied on physical media such as CD-ROM or diskette and updates can be
19 automatically fetched by the transporter. The combination of offline browser and local pages
20 may be seen to be another embodiment of the containing information product described in the
21 parent application. The user interface, database management and other data integration
22 functions described in the parent application are provided by the browser (augmented if
23 necessary), in such an offline browser embodiment of the invention. (emphasis added)
24

25 Referring to the Examiner's cited teachings, Reisman teaches downloading a
26 new content element from a server. The new content element is locally stored and
27 "accessed and integrated with other local control elements for reviewing or processing
28 by the user." However, absent from the Examiner's cited passages within Reisman is
29 an identical disclosure of the remote server assembly remotely accessing the auxiliary
30 site data and that this remote accessing not only initiates online utilization but also
31 maintains online utilization. On the contrary, Reisman explicitly teaches that the data
32 is used "for offline use" with an "offline browser system."

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1 Also, as noted earlier, the original claims were found to be distinguishable over
2 similar teachings found in a prior patent to Reisman. Patentee, therefore, respectfully
3 submits that Reisman fails to identically disclose the claimed invention, as recited in
4 claims 1 and 23, within the meaning of 35 U.S.C. § 102.

1 **V. REJECTION OF CLAIMS 1, 4, AND 6-8 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON URANAKA**

3 On pages 24-31 of the Second Office Action, the Examiner asserted that
4 Uranaka anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1

7 Independent claims 1 (as amended) recites, in part, the following limitations:

8 said remotely accessible, auxiliary site addresses being structured
9 to be remotely accessed by said remote server assembly;

10 said remote server assembly remotely accessing said auxiliary site
11 data to initiate and maintain online utilization of said select portions of
12 said quantity of auxiliary site data by said local processor assembly; and

13 said select portions of said quantity of auxiliary site data utilized in
14 conjunction with said primary site data.

15

16 On page 25 of the Second Office Action, the Examiner described the teachings
17 of Uranaka as follows:

18 As noted in the rejection, the examiner believes that the broadest reasonable
19 interpretation for the remote server "to initiate utilization" includes the STEP 1402
20 (see column 18, line 55 to column 19, line 36). In STEP 1402, the client 1210
21 transmits the purchase history information and the DVD identifying information to
22 the catalog shopping server 1220. The server 1220 uses this information to generate
23 the script, which is the display method of the electronic catalog DVD 1200. The script
24 is then sent to the client 1210, and the content of the electronic catalog DVD 1200 is
25 displayed based upon the script determined in STEP 1402. The end result is that the
26 central control means 1211 of the catalog shopping client 1210 controls the DVD
27 driving means 1213 based on the script and sends the data to be displayed to the
28 information display means 1216.

1

2 For ease of reference, the Examiner's cited passage is reproduced below:

3 If it is recorded, as shown in Step 1402, the central control means 1211 of the catalog
4 shopping client 1210 transmits the purchase history information recorded in the purchase
5 history information storage area 1203 together with the DVD identifying information 1303 to
6 the catalog shopping server 1220 using the information transmitting and receiving means
7 1212. The central control means 1221 of the catalog shopping server 1220 receives the DVD
8 identifying information 1303 and the purchase history information by the information
9 transmitting and receiving means 1222, and determines a script, i.e. display method of the
10 electronic catalog DVD 1200 by the display object display method information generating
11 means 1224. Then, the script is transferred to the catalog shopping client 1210, and it is
12 advanced to Step 1403.

13 Next, as shown in Step 1403, the central control means 1211 of the catalog shopping
14 client 1210 displays content of the electronic catalog DVD 1200 using the information
15 display means 1216 based on the script determined in Step 1402 or on the predetermined
16 script. Here, the display method of the electronic catalog DVD 1200 may be such that, for
17 example, ranking is put on categories of commodities purchased in the past, and the
18 commodities with high ranking or those related to such commodities may be displayed with
19 emphasis on the catalog, while the commodities, which had attracted no attention, are
20 displayed by text, and not by image display. In this case, the central control means 1211 of
21 the catalog shopping client 1210 controls DVD driving means 1213 based on the script and
22 sends the data to be displayed to the information display means 1216. (emphasis added)
23

24 The Examiner further asserted on page 26 of the Second Office Action that "the
25 examiner believes that the 'utilization' is actually 'initiated' when the script is
26 determined and then sent by the server, which occurs before the DVD data is utilized
27 and displayed at the client." However, the Uranaka's teaching of sending, from a
28 server, a script to a computer with the script subsequently being executed by the
29 computer fails to identically disclose that the remote server assembly remotely
30 accesses the auxiliary site data and that this remote accessing not only initiates online
31 utilization but also maintains online utilization. Patentee, therefore, respectfully
32 submits that Uranaka fails to identically disclose the claimed invention, as recited in
33 claim 1, within the meaning of 35 U.S.C. § 102.

1 **VI. REJECTION OF CLAIMS 1 AND 3-8 UNDER 35 U.S.C. § 102 FOR ANTICIPATION**
2 **BASED UPON FIDELIBUS**

3 On pages 31-39 of the Second Office Action, the Examiner asserted that
4 Fidelibus anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claim 1

7 Independent claim 1 (as amended) recites, in part, the following limitations:

8 said remotely accessible, auxiliary site addresses being structured
9 to be remotely accessed by said remote server assembly;

10 said remote server assembly remotely accessing said auxiliary site
11 data to initiate and maintain online utilization of said select portions of
12 said quantity of auxiliary site data by said local processor assembly; and

13 said select portions of said quantity of auxiliary site data utilized in
14 conjunction with said primary site data.

15

16 On pages 36 and 37 of the Second Office Action, with regard to similar
17 limitations, the Examiner asserted the following:

18 The individual songs recorded at the specific tracks are structured such that they can
19 be remotely accessed by the remote server assembly in the following manner. As
20 noted above, the user identifies the desired one or plurality of audio or visual
21 component entertainment elements recorded on the CD-ROM (these would represent
22 the auxiliary site addresses) that the user wishes to have user presses the PLAY icon
23 from the IMES control bar 330, the remote server assembly 130 remotely
24 accesses the auxiliary site addresses and initiates utilization of them by the local
25 processor assembly 100, because a PLAY causes the simultaneous activation of
26 the FRAME A 310 (representing primary site data, as well as the content in
27 FRAME B at 320) and the audio from the CD-ROM (this is located at the local
28 processor assembly 100 at the media drive 108). Since the IMES 134 and the

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1 FRAME A/B are from the remote server assembly 130, the auxiliary site addresses
2 are initiated in conjunction in order to achieve the desired multimedia presentation.
3

4 Referring to column 6, lines 1-4, Fidelibus teaches connecting to a remote
5 computing device (i.e., server) ("As noted above, the user establishes a
6 communication connection at step 201 from the local computing device 100 to the
7 remote computing device 110 by way of public communication network 120").
8 Referring to column 6, lines 15-21, a Web page is sent to the client ("The Web server
9 of the remote computing device 110 transmits a standard Web page to the user
10 terminal to initiate the remote interactive access of the interactive multimedia
11 entertainment system which is running on remote computing device 110"). As
12 discussed in column 6, lines 21-34, the user selects multimedia on CD using Web
13 page and the selection is forward to the server ("Using the Web page, the user selects
14 CD and "desired one of the plurality of audio and/or visual component entertainment
15 elements recorded thereon" and this "data input by the user is transmitted by local
16 computing device 100 to the remote computing device 110").

17 Referring to column 6, lines 35-39 of Fidelibus, the validation of identity of CD
18 initiated by server ("In response to the receipt of this data from the user selecting a
19 multimedia presentation, identifying the recorded medium or CD, and the selected
20 audio and/or visual component element, the interactive multimedia system is activated
21 by the remote computing device 110"). Referring to column 7, lines 4-8, the user is
22 authorized to access the multimedia ("If it is determined at step 206 by remote

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1 computing device 110, that the proper recorded medium is mounted in media drive
2 108, processing advances to step 208 where the user is authorized to access the
3 multimedia portion of the Web site extant on remote computing device 110").
4 Referring to column 7, lines 8-15, the client then receives a Web page having a
5 control panel with control options ("The remote computing device 110 transmits data
6 at step 209 to the local computing device 100 representative of the Web page of the
7 interactive multimedia system. Included in this Web page is a control panel which
8 provides the user with a plurality of control options. At step 210, the user activates the
9 multimedia presentation by operating one or more of the icons contained in the control
10 panel").

11 Absent from the Examiner's cited passages within Fidelibus, however, is an
12 identical disclosure of the remote server assembly remotely accessing the auxiliary
13 site data and that this remote accessing not only initiates online utilization but also
14 maintains online utilization. Patentee, therefore, respectfully submits that Reisman
15 fails to identically disclose the claimed invention, as recited in claims 1 and 23, within
16 the meaning of 35 U.S.C. § 102.

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1 **VII. REJECTION OF CLAIM 23 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON FIDELIBUS**

3 On pages 39 and 40 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Fidelibus.

5 Patentee incorporates herein, as also applying to claim 23, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Fidelibus.

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1 **VIII. REJECTION OF CLAIM 9 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON MAGES**

3 On pages 40 and 41 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Mages.

5 Patentee incorporates herein, as also applying to claim 9, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Mages.

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1 **IX. CONCLUSION**

2 Patentee has made every effort to present claims which distinguish over the
3 prior art, and it is believed that all claims are allowable over the applied prior art.
4 Accordingly, and in view of the foregoing remarks, Patentee hereby respectfully
5 requests reconsideration and prompt allowance of the pending claims.

Date: February 10, 2009

Respectfully submitted,

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CUSTOMER NUMBER 29973

ATTORNEYS FOR PATENTEE

Attorney Docket No.:

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: Leigh ROTHSCHILD : Confirmation Number: 7502
: Control No.: 90/008,591 : Group Art Unit: 3992
: Patent No.: 6,101,534 : Examiner: F. Fleming
: For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the following documents were served upon the following via first class United States Mail, postage prepaid, this 10th day of February, 2009.

- Response to Office Action in *Ex Parte* Reexamination electronically filed February 10, 2009.

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Electronic Acknowledgement Receipt

EFS ID:	4766839
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Scott David Paul/Peggy Shock
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	1093-008
Receipt Date:	10-FEB-2009
Filing Date:	11-APR-2007
Time Stamp:	16:34:59
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Response to Final Rejection	1093-008_Amendment_02-10-09.pdf	219309 <small>26312ffb2e1cbd61557e8af9c9b884a529662564</small>	no	43

Warnings:

Information:

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.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502

29973 7590 02/09/2009

CAREY, RODRIGUEZ, GREENBERG & PAUL LLP
ATTN: STEVEN M. GREENBERG, ESQ.
950 PENINSULA CORPORATE CIRCLE
SUITE 3020
BOCA RATON, FL 33487

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 02/09/2009

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



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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS
VAN MAHAMEDI
SHEMWELL MAHAMEDI LLP
4880 STEVENS CREEK BOULEVARD SUITE 301
SAN JOSE CA 95129-1034

Date:

MAILED

FEB 10 2009

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. : 90008591
PATENT NO. : 6101534
ART UNIT : 3900

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

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

Ex Parte Reexamination Interview Summary	Control No.	Patent Under Reexamination	
	90/008,591	6101534	
	Examiner	Art Unit	
	William H. Wood	3992	

All participants (USPTO personnel, patent owner, patent owner's representative):

- (1) William H. Wood (3) Scott D. Paul 5. Sam Pinell
(2) Mark Reinhart (4) Steven M. Greenberg

Date of Interview: 09 February 2009

Type: a) Telephonic b) Video Conference
c) Personal (copy given to: 1) patent owner 2) patent owner's representative)

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: _____

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.
Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."


Claim(s) discussed: 1 and 23.

Identification of prior art discussed: Mages, Reisman, Uranaka and Fidelibus.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:
Discussed proposed amendment and argument submitted by Patentee 01/13/2009. Further discussed interview topics (see attached Interview Request form and Patentee's Prior Art Summary). Submitted proposed amendment of 01/13/2009 will not be entered and Patentee will submit a new proposed amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN **ONE MONTH** FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**


WILLIAM WOOD
PRIMARY EXAMINER

--	--	--

cc: Requester (if third party requester)



MARK J. REINHART
CRU SPE-AU 3992

PTOL-113A (01-09)
 Approved for use through 02/28/2009. OMB 0651-0031
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 90/008,591 First Named Applicant: Leigh ROTHSCHILD
 Examiner: William H. Wood Art Unit: 3992 Status of Application: Pending

Tentative Participants:

- (1) Scott D. Paul - for Patentee (2) Steven M. Greenberg - for Patentee
 (3) William H. Wood (4) Other USPTO conferees

Proposed Date of Interview: February 9, 2009 Proposed Time: 1:30PM AM/PM

Type of Interview Requested:

- (1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Argument to be Presented:

Arguments and amendments to be discussed include those presented in the response filed January 13, 2009.

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Scott D. Paul/
 Applicant/Applicant's Representative Signature
Scott D. Paul
 Typed/Printed Name of Applicant or Representative
42,984
 Registration Number, if applicable

 Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. 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 USC 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes 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 FRONTS OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP

950 PENINSULA CORPORATE CIRCLE, SUITE 3020, BOCA RATON, FL 33407

TELEPHONE (561) 922-3845 - FACSIMILE (561) 244-1062

FAX COVER SHEET

DATE:	2/6/09	FROM:	Scott Paul
TO:	Examiner W. Wood	PHONE NO.:	(561) 922-3845
FIRM:	USPTO	FAX NO.:	(561) 244-1062
FAX NO.:	571-273-3736	E-MAIL:	sgreenberg@crgplaw.com
PHONE NO.:		PAGES, INCLUDING COVER:	2
FILE NO.:	90/008,591		

U.S. Patent No. 5,892,825

Mages et al.

Issued: April 6, 1999

Filed: November 25, 1996 (CIP filed May 15, 1996)

Title: Method of secure server control of local media via a trigger through a network for instant local access of encrypted data on local media

Data is stored "in crippled fashion" on CD-ROM 3, which is "provided with the URL (web page) of the designated host computer, or server" (column 6, lines 17-24).

"This data on the CD-ROM 3 will automatically call up and connect the end-user's computer to the host computer's server 7 on the Internet, whereby a socket-to-socket connection is made therebetween" (column 6, lines 41-44).

FIGURE 7

Block 42 "A socket-to-socket connection is made between the host, or sending, computer and the receiving, or end-user's computer by means of the linking software described above installed on the end-user's computer" (column 7, lines 23-26).

Block 44 "As soon as this socket-to-socket connection is made, the encoded trigger 5 is sent" (column 7, lines 33-34).

Block 46 "The end-user's computer has a specially-dedicated software program for catching the key, decrypting the key 5 from the server and data from the CD-ROM 3, combining the key and data and playing it back" (column 7, lines 35-38).

U.S. Patent No. 6,594,692

Reisman

Issued: July 15, 2003

Filed: April 29, 1996 (CIP filed May 31, 1994, now U.S. Patent No. 5,694,546)

Title: Methods for transacting electronic commerce

Office Action cited column 41, lines 15-42 regarding key limitation, this passage is reproduced below:

The new content element can be an update of a local content element and, preferably, is also locally stored and is transparently accessed and integrated with other local content elements for viewing or processing by the user, for which purpose the herein described user interface and database modules are those provided by the offline browser which acts in the role of a containing information product.

Richer products will provide multiple Web pages for offline use and may comprise large numbers of content elements which are updated with, or supplemented by, multiple new content elements fetched as a package.

Such an offline browser system can be distributed by a commercial sponsor or content provider to simulate their Web site in a standalone environment without the expense, difficulty and inconvenience of establishing an Internet subscription connection for those who do not have one. To this end, selected Web site content, providing one or more pages, which may have a customized look chosen by the commercial sponsor, "local pages" hereinafter, can be supplied on physical media such as CD-ROM or diskette and updates can be automatically fetched by the transporter. The combination of offline browser and local pages may be seen to be another embodiment of the containing information product described in the parent application. The user interface, database management and other data integration functions described in the parent application are provided by the browser (augmented if necessary), in such an offline browser embodiment of the invention. (emphasis added)

U.S. Patent No. 5,937,158

Uranaka

Issued: August 10, 1999

Filed: March 27, 1997

Title: System and method for connecting portable media with network and computer for use with the system

Column 19, lines 6-36 is reproduced below:

If it is recorded, as shown in Step 1402, the central control means 1211 of the catalog shopping client 1210 transmits the purchase history information recorded in the purchase history information storage area 1203 together with the DVD identifying information 1303 to the catalog shopping server 1220 using the information transmitting and receiving means 1212. The central control means 1221 of the catalog shopping server 1220 receives the DVD identifying information 1303 and the purchase history information by the information transmitting and receiving means 1222, and determines a script, i.e. display method of the electronic catalog DVD 1200 by the display object display method information generating means 1224. Then, the script is transferred to the catalog shopping client 1210, and it is advanced to Step 1403.

Next, as shown in Step 1403, the central control means 1211 of the catalog shopping client 1210 displays content of the electronic catalog DVD 1200 using the information display means 1216 based on the script determined in Step 1402 or on the predetermined script. Here, the display method of the electronic catalog DVD 1200 may be such that, for example, ranking is put on categories of commodities purchased in the past, and the commodities with high ranking or those related to such commodities may be displayed with emphasis on the catalog, while the commodities, which had attracted no attention, are displayed by text, and not by image display. In this case, the central control means 1211 of the catalog shopping client 1210 controls DVD driving means 1213 based on the script and sends the data to be displayed to the information display means 1216. (emphasis added)

U.S. Patent No. 5,931,906

Fidelibus et al.

Issued: August 3, 1999

Filed: April 18, 1997

Title: System for creating a multimedia presentation by integrating local program materials with remotely accessible program materials

Connect to remote computing device (i.e., server)

"As noted above, the user establishes a communication connection at step 201 from the local computing device 100 to the remote computing device 110 by way of public communication network 120" (column 6, lines 1-4).

Web page set to client

"The Web server of the remote computing device 110 transmits a standard Web page to the user terminal to initiate the remote interactive access of the interactive multimedia entertainment system which is running on remote computing device 110" (column 6, lines 15-21).

User selects multimedia on CD using Web page and selection forward to server

Using the Web page, the user selects CD and "desired one of the plurality of audio and/or visual component entertainment elements recorded thereon" and this "data input by the user is transmitted by local computing device 100 to the remote computing device 110" (column 6, lines 21-34).

Validation of identity of CD initiated by server

"In response to the receipt of this data from the user selecting a multimedia presentation, identifying the recorded medium or CD, and the selected audio and/or visual component element, the interactive multimedia system is activated by the remote computing device 110" (column 6, lines 35-39).

User authorized to access multimedia

"If it is determined at step 206 by remote computing device 110, that the proper recorded medium is mounted in media drive 108, processing advances to step 208 where the user is authorized to access the multimedia portion of the Web site extant on remote computing device 110" (column 7, lines 4-8).

Client receives Web page having control panel with control options

"The remote computing device 110 transmits data at step 209 to the local computing device 100 representative of the Web page of the interactive multimedia system. Included in this Web page is a control panel which provides the user with a plurality of control options. At step 210, the user activates the multimedia presentation by operating one or more of the icons contained in the control panel" (column 7, lines 8-15).



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502

29973 7590 02/24/2009

CAREY, RODRIGUEZ, GREENBERG & PAUL LLP
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BOCA RATON, FL 33487

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 02/24/2009

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San Jose, CA 95129-1034

MAILED

FEB 24 2009

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/008,591.

PATENT NO. 6101534.

ART UNIT 3992.

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

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

Ex Parte Reexamination Advisory Action Before the Filing of an Appeal Brief	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner William H. Wood	Art Unit 3992	

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

THE PROPOSED RESPONSE FILED 10 February 2009 FAILS TO OVERCOME ALL OF THE REJECTIONS IN THE FINAL REJECTION MAILED 11/13/2008.

1. Unless a timely appeal is filed, or other appropriate action by the patent owner is taken to overcome all of the outstanding rejection(s), this prosecution of the present *ex parte* reexamination proceeding WILL BE TERMINATED and a Notice of Intent to Issue *Ex Parte* Reexamination Certificate will be mailed in due course. Any finally rejected claims, or claims objected to, will be CANCELLED.

THE PERIOD FOR RESPONSE IS EXTENDED TO RUN _____ MONTHS FROM THE MAILING DATE OF THE FINAL REJECTION. Extensions of time are governed by 37 CFR 1.550(c).

NOTICE OF APPEAL

2. An Appeal Brief is due two months from the date of the Notice of Appeal filed on 01/13/2009 to avoid dismissal of the appeal. See 37 CFR 41.37(a). Extensions of time are governed by 37 CFR 1.550(c). See 37 CFR 41.37(e).

AMENDMENTS

3. The proposed amendment(s) filed after a final action, but prior to the date of filing a brief, will not be entered because:
- (a) They raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) They raise the issue of new matter (see NOTE below);
 - (c) They are not deemed to place the proceeding in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

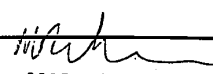
4. Patent owner's proposed response filed _____ has overcome the following rejection(s): _____
5. The proposed new or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
6. For purposes of appeal, the proposed amendment(s) a) will not be entered, or b) will be entered and an explanation of how the new or amended claim(s) would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) patentable and/or confirmed: _____
Claim(s) objected to: _____
Claim(s) rejected: 1,3-21,23 and 26
Claim(s) not subject to reexamination: 22

AFFIDAVIT OR OTHER EVIDENCE

7. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because patent owner failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
8. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence fails to overcome all rejections under appeal and/or appellant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
9. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

10. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
11. Note the attached Information Disclosure Statement(s), PTO/SB/08, Paper No(s) _____.
12. Other: _____

/William H. Wood/ Primary Examiner, Art Unit 3992	/Sam Rimell/ Primary Examiner, Art Unit 3992	 MARK J. REINHART SPE-SPRE-AU 3992
--	---	--

cc: Requester (if third party requester) _____
CENTRAL REEXAMINATION UNIT

Continuation of 3. NOTE: The proposed amendments do not meet qualifications of 3(a), 3(b) and 3(c). The proposed amendment, "said remote server assembly remotely accessing said auxiliary site data to initiate and maintain online

utilization", would raise the issue of new matter depending on the meaning of "and maintain online utilization". The originally filed disclosure does not clearly define "maintain" or the relationship "to initiate and maintain online utilization" by "remote server ... remotely accessing". There is no description of the word "maintain" or how this concept is "online". The supporting disclosure citations are sufficiently broad as to require the broadest reasonable interpretation of "maintain online", which adds little to nothing to the claim language "remotely accessing said auxiliary site data to initiate". Such ambiguity would, therefore, require further consideration and/or search. Further, such an amendment cannot be considered to be in better form for appeal by materially reducing or simplifying the issues for appeal.

Continuation of 10. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Patentee's arguments are not persuasive. Patentee argues 1) support for proposed amendments (Response: pages 1-4); 2) proposed amendments overcome cited prior art (Response: pages 15-29); and 3) rationales for entry of amendment (Response: pages 5-13).

10-1. Support for proposed amendment, "said remote server assembly remotely accessing said auxiliary site data to initiate and maintain online utilization", is not clearly present. The originally filed disclosure does not define "maintain" or the relationship "to initiate and maintain online utilization" by "remote server ... remotely accessing". There is no description of the word "maintain" or how this concept is "online". The supporting disclosure citations are sufficiently broad as to require the broadest reasonable interpretation of "maintain online", which adds little to nothing to the claim language "remotely accessing said auxiliary site data to initiate". One example: there is no time period for which the "maintain"ing happens other than perhaps "online"; according to the original disclosure "online" is accomplished by at least "initiation"; "maintain" is simply accomplished by "initiation", which the claims already cite. Further, "online" is defined in broad terms, simply using or being able to use a web site is "online". Additionally, "initiates utilization" could occur once or multiple times, in separate or related sessions. Therefore, it is unclear what meaning is being imparted into the claims other than the meaning already present. And, therefore it is unclear how that meaning could possibly be supported.

10-2. Patentee's argument that the proposed amendments overcome the cited prior art is not persuasive. Patentee argues each cited reference Mages, Reisman, Uranaka, and Fidelibus fail to disclose "remote server ... remotely accessing said auxiliary site data to initiate and maintain online utilization". Yet, each reference clearly establishes "initiation" of utilization and each has been shown to provide such a service incorporating "online". The broadest reasonable interpretation of the limitation "maintain" simply requires the "maintaining of the system", "maintaining the online system", "maintaining via initiation", "maintaining the ability to establish an online connection", "maintaining auxiliary data in conjunction with online data, when various data sent or accessed not important" (and so on; see above 10-1 as well). The claim language is broad and does not differentiate itself from the cited prior art.

The following are some exemplary citations of the cited prior art. Mages discloses "maintain" (column 4, lines 7-17, "server control", "content by a company on the Internet may be better controlled", "in conjunction with the content", "combined with any updated, textual information, ...", "[s]pecific tracks on the CD-ROM can thereby be controlled by the remote server"). Reisman discloses "maintain" (column 42, lines 18-25, "locally stored Web content can then be combined with more current, or additional content obtained from the ... Web site or other remote location by either intermittent shuttling or live continuous browsing"). Uranaka discloses "maintain" (column 17, line 55 to column 18, line 1, information on server defines how to use information on local DVD). Fidelibus discloses "maintain" (column 2, lines 27-49; column 7, line 27 to column 8, line 24; web site and local CD-ROM used in conjunction).

10-3. Patentee argues the present amendment reduces or simplifies issues on appeal (Response: page 13). The issues have clearly not been simplified or reduced, see the above note for item 3, the above response to support for the amendments (10-1) and the above response to overcoming the cited prior art (10-2). Patentee also argues the amendment could not be presented earlier because claim construction changed in the second Office Action (Response: pages 6-7).

Review of the case record reveals the same rejection (specifically Patentee questions the Mages rejection with regard to claim construction, Response page 5) being applied in the first Office Action and the second Office Action. Both Mages rejections make use of the broadest reasonable interpretation of the claim language (the same claim construction; the same claim-prior art mapping). The second Office Action and the subsequent Advisory Action merely clarify the rejections in response to arguments presented by the Patentee. Furthermore, each rejection based upon the various cited prior art maps the claim language to the cited prior art, in the process illustrating for the record how the broadest reasonable interpretation reads upon the cited prior art. All rejections are consistent with this broadest reasonable

interpretation. There does not appear to be of record, either in the current case or the underlying patent application, an inconsistency of this broadest reasonable interpretation.

Further, as indicated by the cited portion of MPEP 2272 (Response: page 5), the presented argument to earlier presentation would apply to "the first proposed amendment after final". The current proposed amendment is the third attempt of three attempts with differing language after final.

It is clear, from the record, the issues have been consistent and clear throughout the current prosecution and that the Patentee was made aware of the issues through the first Office Action and that the issues remained clear after the second Office Action and the Advisory Action. No reason has been raised why the Patentee could not have provided the current proposed amendments earlier.

DO NOT ENTER: /WW/

19 Feb 2009

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of	:	Customer Number: 29973
	:	
Leigh ROTHSCHILD	:	Confirmation Number: 7502
	:	
Control No.: 90/008,591	:	Group Art Unit: 3992
	:	
Patent No.: 6,101,534	:	Examiner: William H. Wood
	:	
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM		

RESPONSE TO OFFICE ACTION IN EX PARTE REEXAMINATION

Mail Stop *Ex Partes* Reexam
 Attn: Central Reexamination Unit
 Commissioner of Patents
 United States Patent & Trademark Office
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Second and Final Office Action dated November 13, 2008 (hereinafter the "Second Office Action"). In the Advisory Action dated December 23, 2008, the Examiner extended the period for response to run for 2 months from the mailing of the Second Office Action. A Notice of Appeal was filed on January 13, 2008.

DO NOT ENTER: /WW/

18 Feb 2009

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Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: Leigh ROTHSCHILD : Confirmation Number: 7502
: Control No.: 90/008,591 : Group Art Unit: 3992
: Patent No.: 6,101,534 : Examiner: William H. Wood
: For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

RESPONSE TO OFFICE ACTION IN *EX PARTE* REEXAMINATION

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Attn: Central Reexamination Unit
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Alexandria, Virginia 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Second and Final Office Action dated November 13, 2008 (hereinafter the "Second Office Action"). A Notice of Appeal was filed on January 13, 2008.

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AMENDMENTS TO THE CLAIMS

1. (Amended) An interactive, remote, computer interface system comprising:
 - a remote server assembly, said remote server assembly including a quantity of primary site data;
 - said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;
 - a local processor assembly;
 - said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;
 - said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;
 - at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;
 - said data storage assembly including a compact, portable and interchangeable computer readable medium;

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said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; [and]

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly remotely accessing said auxiliary site data [so as] to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data; and

said select portions of said quantity of auxiliary site data at the auxiliary site addresses accessible only while the local processor assembly is interactively online connected to the remote server assembly.

Claim 2 (Cancelled)

3. (Original) A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to

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said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. (Original) A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.

5. (Original) A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.

6. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.

7. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.

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8. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.

9. (Original) A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. (Original) A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.

11. (Original) A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.

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12. (Original) A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.

13. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.

14. (Original) A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.

15. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.

16. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.

17. (Original) A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.

18. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.

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19. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.

20. (Original) A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.

21. (Original) A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.

22. (Amended) [A] An interactive, remote, computer interface system [as recited in claim 21] comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

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said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data,

said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly,

wherein said local processor assembly includes an overlay processor and a direct view processor;

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said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said overlay processor to generate a floor plan display of a three dimensional space at least partially from said quantity of auxiliary site data; and

said operating instructions on said compact, portable and interchangeable computer readable medium are structured to direct said direct view processor to generate a three dimensional, walk through display of the three dimensional space at least partially from said quantity of auxiliary site data.

23. (Twice Amended) An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

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said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly remotely accessing said auxiliary site data to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data; and

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said select portions of said quantity of auxiliary site data at the auxiliary site addresses accessible only while the local processor assembly is interactively online connected to the remote server assembly.

Claims 24-25 (Cancelled)

26. (Amended) An interactive, remote, computer interface system comprising: a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

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said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

said remote server assembly remotely accessing said auxiliary site data to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;

said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data;

said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly; and

said select portions of said quantity of auxiliary site data at the auxiliary site addresses accessible only while the local processor assembly is interactively online connected to the remote server assembly.

1 **I. CLAIM AMENDMENTS**

2 Patentee has amended independent claims 1, 23, and 26. Patentee has also
3 amended claim 22 to place claim 22 into independent form. Claims 1, 3-23, and 26
4 are pending, and claims 2 and 24-25 have been cancelled.

5 A. Amendments to independent claims 1, 23, and 26

6 The amendments to independent claims 1, 23, and 26 are identical. As such,
7 Patentee will only address the amendment to independent claim 1. On page 6 of the
8 Second Office Action, the Examiner stated that "the issue is the claim interpretation of
9 the key phrase of the claims in question" (emphasis omitted). Upon reviewing the
10 Examiner's analysis, Patentee respectfully disagrees with the Examiner's claim
11 construction of the claim language at issue. However, to more clearly distinguish the
12 claims from the applied prior art, Patentee has proposed entry of amendments to the
13 independent claims.

14 For ease of reference, the proposed amendment (with underlining and brackets
15 included) is reproduced below:

16 said remote server assembly remotely accessing said auxiliary site
17 data [so as] to initiate utilization of said select portions of said quantity of
18 auxiliary site data by said local processor assembly;

19 said select portions of said quantity of auxiliary site data utilized in
20 conjunction with said primary site data; and

1 said select portions of said quantity of auxiliary site data at the
2 auxiliary site addresses accessible only while the local processor
3 assembly is interactively online connected to the remote server assembly.
4

5 To clarify that the select portions of the quantity of auxiliary site data at the auxiliary
6 site addresses are accessible only while the local processor assembly is online
7 connected to the remote server assembly, Patentee has directly claimed this feature.

8 1. "said select portions of said quantity of auxiliary site data at the auxiliary
9 site addresses accessible"

10 The phrase "said select portions of said quantity of auxiliary site data at the
11 auxiliary site addresses" was previously introduced in claim 1. As such, this claim
12 term is enabled under the first paragraph of 35 U.S.C. § 112.

13 The claim further clarifies that "said select portions of said quantity of auxiliary
14 site data at the auxiliary site addresses" is "accessible." This language is also enabled
15 under the first paragraph of 35 U.S.C. § 112. In this regard, reference is made to
16 column 13, lines 53-61 of U.S. Patent No. 6,101,534 (hereinafter the '534 Patent),
17 which states:

18 Along these lines, the remotely accessible, auxiliary site addresses are preferably
19 structured to be remotely accessed by the remote server assembly 50 in order to
20 initiate utilization of the select portions of the auxiliary site data contained in that
21 auxiliary site address by the local processor assembly. Moreover, interchangeable
22 computer readable medium 36 is preferably structured such that only the remote
23 server assembly 50 can access the auxiliary site data at the auxiliary site addresses.
24 Such a structure ensures the preferred utilization of the auxiliary site data only in
25 conjunction with the primary site data, whether simultaneously or otherwise.
26 (emphasis added)
27

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1 Referring to the underlined portions of the above-reproduced passage, accessing of the
2 auxiliary site data at the auxiliary site addresses is clearly described and, thus,
3 enabled.

4 2. "while the local processor assembly is interactively online connected to
5 the remote server assembly"

6 The claim further recites "while the local processor assembly is interactively
7 online connected to the remote server assembly." Put differently, the client (i.e., the
8 local processor assembly) is engaged in an interactive, online connection with the
9 server (i.e., the remote server assembly). This language is both definite under the
10 second paragraph of 35 U.S.C. § 112 and enabled under the first paragraph of 35
11 U.S.C. § 112.

12 For example, one skilled in the art at the time of the invention would have
13 recognized that a client simply being "online" does not necessarily identically disclose
14 the limitations at issue. Also, one skilled in the art would have recognized that a client
15 and server both being connected to the same network (e.g., the internet) also does not
16 necessarily identically disclose the limitations at issue.

17 Instead, one skilled in the art would have recognized that to meet the limitation
18 of "while the local processor assembly is interactively online connected to the remote
19 server assembly," the online connection between the client and server is interactive,
20 which requires that communication flows from the client to server and from the server

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1 to the client. The term "session" is a commonly-used phrase by those skilled in the art
2 to describe this type of interactive, online connection.

3 As with any type of interactive communication, there are periods of time in
4 which no data is being transmitted or received. However, one skilled in the art would
5 recognize that these periods of "silence" do not signal the end of the interactive
6 communication. Instead, one skilled in the art would recognize that an interactive
7 online connection has a definite beginning and a definite end, and thus, the phrase
8 "while the local processor assembly is interactively online connected to the remote
9 server assembly" particularly and distinctly identifies a specific period.

10 For example, at least as far back as the late-1980s, certain college universities
11 would monitor the amount of time a student could be logged on (i.e., interactive
12 online connection) from a computer terminal (i.e., a client) to a mainframe (i.e., a
13 server). Thus, those skilled in the art have long had the capability and know-how to
14 distinguish when an interactive, online connection begins and when an interactive,
15 online connection ends. Consistent judicial precedent holds that reasonable precision
16 in light of the particular subject matter involved is all that is required by the second
17 paragraph of 35 U.S.C. § 112. Miles Laboratories, Inc. v. Shandon, Inc., 997 F.2d
18 870, 27 USPQ2d 1123 (Fed. Cir. 1993); North American Vaccine, Inc. v. American
19 Cyanamid Co., 7 F.3d 1571, 28 USPQ2d 1333 (Fed. Cir. 1993); U.S. v. Teletronics
20 Inc., 857 F.2d 778, 8 USPQ2d 1217 (Fed. Cir. 1988); Hybritech, Inc. v. Monoclonal
21 Antibodies, Inc., 802 F.2d 1367, 231 USPQ 81 (Fed. Cir. 1986). Thus, the phrase

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1 "while the local processor assembly is interactively online connected to the remote
2 server assembly" is definite under the second paragraph of 35 U.S.C. § 112.

3 By analogy, the phrase "while having a telephone conversation" would be
4 considered definite for the same reason. Although "silence" can occur during the
5 conversation (e.g., between when one speaker stops a sentence and the other speaker
6 starts a sentence or between words in a sentence), one having ordinary skill in the art
7 would recognize that these instances of "silence" are still part of the "telephone
8 conversation." Thus, the phrase "while having a telephone conversation," upon being
9 reasonably construed, would provide one skilled in art with reasonable precision in
10 identifying the beginning and the end of the period defined by this phrase.

11 3. "accessible only while ... interactively online connected"

12 The connection between the aforementioned limitations of "said select portions
13 of said quantity of auxiliary site data at the auxiliary site addresses accessible" and
14 "the local processor assembly is interactively online connected to the remote server
15 assembly" is the phrase "only." Thus, the accessibility occurs only while the
16 interactive online connection exists. Reference is again made to column 13, lines 53-
17 61 of the '534 Patent, which states:

18 Along these lines, the remotely accessible, auxiliary site addresses are preferably
19 structured to be remotely accessed by the remote server assembly 50 in order to
20 initiate utilization of the select portions of the auxiliary site data contained in that
21 auxiliary site address by the local processor assembly. Moreover, interchangeable
22 computer readable medium 36 is preferably structured such that only the remote
23 server assembly 50 can access the auxiliary site data at the auxiliary site addresses.
24 Such a structure ensures the preferred utilization of the auxiliary site data only in

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1 conjunction with the primary site data, whether simultaneously or otherwise.
2 (emphasis added)
3

4 If an interactive online connection does not exist, then the remote server assembly 50
5 cannot access the auxiliary site data at the auxiliary site addresses, as clearly described
6 above. As such, if the interactive online connection does not exist, then the auxiliary
7 site data at the auxiliary site addresses cannot be accessed. Therefore, only while the
8 interactive online connection exists, is the auxiliary site data at the auxiliary site
9 addresses accessible. Therefore, Patentee respectfully submits that this language is
10 also enabled under the first paragraph of 35 U.S.C. § 112 and does not generate any
11 new matter issue.

12 4. "said remote server assembly remotely accessing said auxiliary site data
13 to initiate utilization"

14 Support for Patentee's prior claim construction (and now clarifying amendment)
15 is found in the originally-filed specification. For example, reference is made to
16 column 14, lines 14-24 of the '534 patent, which states:

17 When, however, utilization of the primary site address calls for interactive video
18 and/or graphical displays with associated audio, downloading need not take place, but
19 rather the remote server assembly 50 accesses the interchangeable computer readable
20 medium 36 and **initiates** utilization of the auxiliary site data stored thereon by the
21 local processor assembly 25' so as to significantly enhance the on-line experience
22 with added information, graphical display, and advertising clips, if desired.
23 (emphasis added)
24

25 Therefore, Patentee respectfully submits that the proposed amendment to claim 1 is
26 both consistent with Patentee's previously-argued interpretation and consistent with
27 Patentee's specification.

1 5. "said select portions of said quantity of auxiliary site data utilized in
2 conjunction with said primary site data"

3 Regarding the claimed phrase "said select portions of said quantity of auxiliary
4 site data utilized in conjunction with said primary site data," reference is made to
5 column 14, lines 38-39, which states that, in one embodiment, auxiliary site data
6 cannot be utilized "unless it is in conjunction with the primary site data."

7 Therefore, for the reasons stated above, Patentee respectfully submits that the
8 proposed amendment to the claim is clearly supported by Patentee's originally-filed
9 disclosure. Thus, the proposed amendments do not add any new matter.

10 B. Independent claim 22

11 Dependent claim 22 has been amended to include the limitations previously
12 presented in claims 1 and 21 upon which claim 22 depends. Thus, no new matter has
13 been added.

14 C. Entry of Amendment

15 As discussed in M.P.E.P. § 2272, entitled "After Final Practice," an amendment
16 filed after Final Office Action may be entered:

17 Any second or subsequent amendment after final will be considered only to the extent
18 that it removes issues for appeal or puts a claim in obvious patentable condition.

19
20 Thus, a subsequent amendment after final will be considered if the amendment
21 removes issues for appeal. As described in more detail below, Patentee respectfully

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- 1 submits that the claims, as currently amended, clearly distinguish the claimed
- 2 invention over the applied prior art.

1 **II. REJECTION OF CLAIMS 1, 3-4, 6-8, 21, 23, 26 UNDER 35 U.S.C. § 102 BASED**
2 **UPON MAGES**

3 On pages 5-15 of the Second Office Action, the Examiner asserted that Mages
4 anticipates the invention corresponding to that claimed. This rejection is respectfully
5 traversed.

6 A. Establishing a prima facie case of anticipation

7 The factual determination of anticipation under 35 U.S.C. § 102 requires the
8 identical disclosure, either explicitly or inherently, of each element of a claimed
9 invention in a single reference. In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed.
10 Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913,
11 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888,
12 894, 221 USPQ 669, 673 (Fed. Cir. 1984). Moreover, the anticipating prior art
13 reference must describe the recited invention with sufficient clarity and detail to
14 establish that the claimed limitations existed in the prior art and that such existence
15 would be recognized by one having ordinary skill in the art. See In re Spada, 911 F.2d
16 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps,
17 Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

18 B. Construing the language of the claims

19 "Both anticipation under § 102 and obviousness under § 103 are two-step
20 inquiries. The first step in both analyses is a proper construction of the claims. ... The

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1 second step in the analyses requires a comparison of the properly construed claim to
2 the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933 (Fed. Cir. 2003)
3 (internal citations omitted). During patent examination, the pending claims must be
4 "given their broadest reasonable interpretation consistent with the specification," In re
5 Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000), and the
6 broadest reasonable interpretation of the claims must also be consistent with the
7 interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353,
8 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999). Therefore, the Examiner must (i)
9 identify the individual elements of the claims and properly construe these individual
10 elements, see also, Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1567-68 (Fed.
11 Cir. 1987) (In making a patentability determination, analysis must begin with the
12 question, "what is the invention claimed?" since "[c]laim interpretation, . . . will
13 normally control the remainder of the decisional process"); see Gechter v. Davidson,
14 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring explicit claim construction as to any
15 terms in dispute), and (ii) identify corresponding elements disclosed in the allegedly
16 anticipating reference and compare these allegedly corresponding elements to the
17 individual elements of the claims. Lindermann Maschinenfabrik GMBH v. American
18 Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

1 C. Independent claims 1, 23, and 26

2 Independent claims 1, 23, and 26 (as amended) recite, in part, the following
3 limitations:

4 said remote server assembly remotely accessing said auxiliary site
5 data to initiate utilization of said select portions of said quantity of
6 auxiliary site data by said local processor assembly;

7 said select portions of said quantity of auxiliary site data utilized in
8 conjunction with said primary site data; and

9 said select portions of said quantity of auxiliary site data at the
10 auxiliary site addresses accessible only while the local processor
11 assembly is interactively online connected to the remote server assembly.

12

13 In the paragraph spanning pages 7 and 8 of the Second Office Action, the
14 Examiner asserted the following:

15 Once the uncripping key has been sent from the server, the server has initiated the
16 utilization of the local data by the local computer. The claim simply does not specify
17 the type of initiation to be used (i.e. the claim language does not preclude initiation in
18 the form of a downloaded file or trigger key as taught by Mages).

19

20 Referring to the above-reproduced language, Patentee respectfully submits that the
21 claim does specify the type of access involved. Specifically, independent claims 1,
22 23, and 26 recite that the remote server assembly remotely accesses the auxiliary site
23 data. Moreover, this remote access initiates utilization of the select portions of the
24 auxiliary site data. Additionally, the select portions of the quantity of auxiliary site

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1 data at the auxiliary site addresses is accessible only while the local processor
2 assembly is interactively online connected to the remote server assembly.

3 Mages teaches that data is stored "in crippled fashion" on CD-ROM 3, which is
4 "provided with the URL (web page) of the designated host computer, or server"
5 (column 6, lines 17-24). "This data on the CD-ROM 3 will automatically call up and
6 connect the end-user's computer to the host computer's server 7 on the Internet,
7 whereby a socket-to-socket connection is made therebetween" (column 6, lines 41-
8 44).

9 Referring to Figure 7 of Mages and block 42, "[a] socket-to-socket connection
10 is made between the host, or sending, computer and the receiving, or end-user's
11 computer by means of the linking software described above installed on the end-user's
12 computer" (column 7, lines 23-26). Referring to block 44, "[a]s soon as this socket-
13 to-socket connection is made, the encoded trigger 5 is sent" (column 7, lines 33-34).
14 Referring to block 46, "[t]he end-user's computer has a specially-dedicated software
15 program for catching the key, decrypting the key 5 from the server and data from the
16 CD-ROM 3, combining the key and data and playing it back" (column 7, lines 35-38).

17 Although Patentee disagrees that the sending of a key acts to initiate utilization,
18 even if one skilled in the art would have recognized this teaching as identically
19 disclosing the claimed initiation of utilization, Mages still fails to teach that the select
20 portions of the quantity of auxiliary site data at the auxiliary site addresses is

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1 accessible only while the local processor assembly is interactively online connected to
2 the remote server assembly.

3 Once the key 5 of Mages has been sent from the server, there is no requirement
4 that an interactive online connection exist between the end-user's computer and the
5 server. In fact, upon having possession of the key 5, the end-user's computer could be
6 completely isolated from the server and still be able to use the data from the CD-ROM
7 3 by combining the key and data and playing it back. Patentee, therefore, respectfully
8 submits that Mages fails to identically disclose the claimed invention, as recited in
9 claims 1, 23, and 26, within the meaning of 35 U.S.C. § 102.

1 **III. REJECTION OF CLAIMS 1, 6-21, AND 23 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON REISMAN**

3 On pages 15-24 of the Second Office Action, the Examiner asserted that
4 Reisman anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1 and 23

7 Independent claims 1 and 23 (as amended) recite, in part, the following
8 limitations:

9 said remote server assembly remotely accessing said auxiliary site
10 data to initiate utilization of said select portions of said quantity of
11 auxiliary site data by said local processor assembly;

12 said select portions of said quantity of auxiliary site data utilized in
13 conjunction with said primary site data; and

14 said select portions of said quantity of auxiliary site data at the
15 auxiliary site addresses accessible only while the local processor
16 assembly is interactively online connected to the remote server assembly.

17

18 On page 18 of the Second Office Action, with regard to similar limitations, the
19 Examiner asserted the following:

20 Per column 41, lines 15-42, the new content element can be an update of a local
21 content element, and is preferably locally stored and is transparently accessed and
22 integrated with other local content elements. Per columns 42 and 43, the local web
23 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
24 are updated with more current content from the sponsor's website or other remote
25 location, thereby making the remotely accessed by the remote server when supplying
26 the current content. When an update is thusly used with the off-line browsing, the

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1 remote server has in effect accessed the locally stored URLs and initiated utilization
2 by the local processor assembly of both the information stored on the CD-ROM and
3 the update from the primary site data.
4

5 For ease of reference, the Examiner's cited passage is reproduced below:

6 The new content element can be an update of a local content element and, preferably,
7 is also locally stored and is transparently accessed and integrated with other local content
8 elements for viewing or processing by the user, for which purpose the herein described user
9 interface and database modules are those provided by the offline browser which acts in the
10 role of a containing information product.

11 Richer products will provide multiple Web pages for offline use and may comprise
12 large numbers of content elements which are updated with, or supplemented by, multiple new
13 content elements fetched as a package.

14 Such an offline browser system can be distributed by a commercial sponsor or
15 content provider to simulate their Web site in a standalone environment without the expense,
16 difficulty and inconvenience of establishing an Internet subscription connection for those who
17 do not have one. To this end, selected Web site content, providing one or more pages, which
18 may have a customized look chosen by the commercial sponsor, "local pages" hereinafter,
19 can be supplied on physical media such as CD-ROM or diskette and updates can be
20 automatically fetched by the transporter. The combination of offline browser and local pages
21 may be seen to be another embodiment of the containing information product described in the
22 parent application. The user interface, database management and other data integration
23 functions described in the parent application are provided by the browser (augmented if
24 necessary), in such an offline browser embodiment of the invention. (emphasis added)
25

26 Referring to the Examiner's cited teachings, Reisman teaches downloading a
27 new content element from a server. The new content element is locally stored and
28 "accessed and integrated with other local control elements for reviewing or processing
29 by the user." However, absent from the Examiner's cited passages within Reisman of
30 the select portions of the quantity of auxiliary site data at the auxiliary site addresses
31 being accessible only while the local processor assembly is interactively online
32 connected to the remote server assembly. On the contrary, Reisman explicitly teaches
33 that the data is "for offline use" with an "offline browser system." Since Reisman
34 teaches that the data is used offline, this clearly fails to identically disclose the

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1 claimed limitation that the select portions of the quantity of auxiliary site data at the
2 auxiliary site addresses is accessible only online.

3 Also, as noted earlier, the original claims were found to be distinguishable over
4 similar teachings found in a prior patent to Reisman. Patentee, therefore, respectfully
5 submits that Reisman fails to identically disclose the claimed invention, as recited in
6 claims 1 and 23, within the meaning of 35 U.S.C. § 102.

1 **IV. REJECTION OF CLAIMS 1, 4, AND 6-8 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON URANAKA**

3 On pages 24-31 of the Second Office Action, the Examiner asserted that
4 Uranaka anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claims 1

7 Independent claims 1 (as amended) recites, in part, the following limitations:

8 said remote server assembly remotely accessing said auxiliary site
9 data to initiate utilization of said select portions of said quantity of
10 auxiliary site data by said local processor assembly;

11 said select portions of said quantity of auxiliary site data utilized in
12 conjunction with said primary site data; and

13 said select portions of said quantity of auxiliary site data at the
14 auxiliary site addresses accessible only while the local processor
15 assembly is interactively online connected to the remote server assembly.
16

17 On page 25 of the Second Office Action, the Examiner described the teachings
18 of Uranaka as follows:

19 As noted in the rejection, the examiner believes that the broadest reasonable
20 interpretation for the remote server "to initiate utilization" includes the STEP 1402
21 (see column 18, line 55 to column 19, line 36). In STEP 1402, the client 1210
22 transmits the purchase history information and the DVD identifying information to
23 the catalog shopping server 1220. The server 1220 uses this information to generate
24 the script, which is the display method of the electronic catalog DVD 1200. The script
25 is then sent to the client 1210, and the content of the electronic catalog DVD 1200 is
26 displayed based upon the script determined in STEP 1402. The end result is that the
27 central control means 1211 of the catalog shopping client 1210 controls the DVD

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1 driving means 1213 based on the script and sends the data to be displayed to the
2 information display means 1216.
3

4 For ease of reference, the Examiner's cited passage is reproduced below:

5 If it is recorded, as shown in Step 1402, the central control means 1211 of the catalog
6 shopping client 1210 transmits the purchase history information recorded in the purchase
7 history information storage area 1203 together with the DVD identifying information 1303 to
8 the catalog shopping server 1220 using the information transmitting and receiving means
9 1212. The central control means 1221 of the catalog shopping server 1220 receives the DVD
10 identifying information 1303 and the purchase history information by the information
11 transmitting and receiving means 1222, and determines a script, i.e. display method of the
12 electronic catalog DVD 1200 by the display object display method information generating
13 means 1224. Then, the script is transferred to the catalog shopping client 1210, and it is
14 advanced to Step 1403.

15 Next, as shown in Step 1403, the central control means 1211 of the catalog shopping
16 client 1210 displays content of the electronic catalog DVD 1200 using the information
17 display means 1216 based on the script determined in Step 1402 or on the predetermined
18 script. Here, the display method of the electronic catalog DVD 1200 may be such that, for
19 example, ranking is put on categories of commodities purchased in the past, and the
20 commodities with high ranking or those related to such commodities may be displayed with
21 emphasis on the catalog, while the commodities, which had attracted no attention, are
22 displayed by text, and not by image display. In this case, the central control means 1211 of
23 the catalog shopping client 1210 controls DVD driving means 1213 based on the script and
24 sends the data to be displayed to the information display means 1216. (emphasis added)
25

26 The Examiner further asserted on page 26 of the Second Office Action that "the
27 examiner believes that the 'utilization' is actually 'initiated' when the script is
28 determined and then sent by the server, which occurs before the DVD data is utilized
29 and displayed at the client." However, the Uranaka's teaching of sending, from a
30 server, a script to a computer with the script subsequently being executed by the
31 computer fails to identically disclose that the select portions of the quantity of
32 auxiliary site data at the auxiliary site addresses being accessible only while the local
33 processor assembly is interactively online connected to the remote server assembly.

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1 Similar to the teachings of Mages, once the script has been sent from the
2 catalog shopping server 1220 of Uranaka, there is no requirement that an interactive
3 online connection exist between the catalog shopping client 1210 and the catalog
4 shopping server 1220. Upon having possession of the script, the catalog shopping
5 client 1210 could be completely isolated from the catalog shopping server 1220 and
6 still be able to control DVD driving means 1213, based on the script, to access and
7 send the data to be displayed to the information display means 1216. Patentee,
8 therefore, respectfully submits that Uranaka fails to identically disclose the claimed
9 invention, as recited in claim 1, within the meaning of 35 U.S.C. § 102.

1 **V. REJECTION OF CLAIMS 1 AND 3-8 UNDER 35 U.S.C. § 102 FOR ANTICIPATION**
2 **BASED UPON FIDELIBUS**

3 On pages 31-39 of the Second Office Action, the Examiner asserted that
4 Fidelibus anticipates the invention corresponding to that claimed. This rejection is
5 respectfully traversed.

6 A. Independent claim 1

7 Independent claim 1 (as amended) recites, in part, the following limitations:

8 said remote server assembly remotely accessing said auxiliary site
9 data to initiate utilization of said select portions of said quantity of
10 auxiliary site data by said local processor assembly;

11 said select portions of said quantity of auxiliary site data utilized in
12 conjunction with said primary site data; and

13 said select portions of said quantity of auxiliary site data at the
14 auxiliary site addresses accessible only while the local processor
15 assembly is interactively online connected to the remote server assembly.
16

17 On pages 36 and 37 of the Second Office Action, with regard to similar
18 limitations, the Examiner asserted the following:

19 The individual songs recorded at the specific tracks are structured such that they can
20 be remotely accessed by the remote server assembly in the following manner. As
21 noted above, the user identifies the desired one or plurality of audio or visual
22 component entertainment elements recorded on the CD-ROM (these would represent
23 the auxiliary site addresses) that the user wishes to have user presses the PLAY icon
24 from the IMES control bar 330, the remote server assembly 130 remotely
25 accesses the auxiliary site addresses and initiates utilization of them by the local
26 processor assembly 100, because a PLAY causes the simultaneous activation of
27 the FRAME A 310 (representing primary site data, as well as the content in

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1 FRAME B at 320) and the audio from the CD-ROM (this is located at the local
2 processor assembly 100 at the media drive 108). Since the IMES 134 and the
3 FRAME A/B are from the remote server assembly 130, the auxiliary site addresses
4 are initiated in conjunction in order to achieve the desired multimedia presentation.
5

6 Referring to column 6, lines 1-4, Fidelibus teaches connecting to a remote
7 computing device (i.e., server) ("As noted above, the user establishes a
8 communication connection at step 201 from the local computing device 100 to the
9 remote computing device 110 by way of public communication network 120").
10 Referring to column 6, lines 15-21, a Web page is sent to the client ("The Web server
11 of the remote computing device 110 transmits a standard Web page to the user
12 terminal to initiate the remote interactive access of the interactive multimedia
13 entertainment system which is running on remote computing device 110"). As
14 discussed in column 6, lines 21-34, the user selects multimedia on CD using Web
15 page and the selection is forward to the server ("Using the Web page, the user selects
16 CD and "desired one of the plurality of audio and/or visual component entertainment
17 elements recorded thereon" and this "data input by the user is transmitted by local
18 computing device 100 to the remote computing device 110").

19 Referring to column 6, lines 35-39 of Fidelibus, the validation of identity of CD
20 initiated by server ("In response to the receipt of this data from the user selecting a
21 multimedia presentation, identifying the recorded medium or CD, and the selected
22 audio and/or visual component element, the interactive multimedia system is activated
23 by the remote computing device 110"). Referring to column 7, lines 4-8, the user is

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1 authorized to access the multimedia ("If it is determined at step 206 by remote
2 computing device 110, that the proper recorded medium is mounted in media drive
3 108, processing advances to step 208 where the user is authorized to access the
4 multimedia portion of the Web site extant on remote computing device 110").
5 Referring to column 7, lines 8-15, the client then receives a Web page having a
6 control panel with control options ("The remote computing device 110 transmits data
7 at step 209 to the local computing device 100 representative of the Web page of the
8 interactive multimedia system. Included in this Web page is a control panel which
9 provides the user with a plurality of control options. At step 210, the user activates the
10 multimedia presentation by operating one or more of the icons contained in the control
11 panel").

12 Absent from the Examiner's cited passages within Fidelibus, however, is an
13 identical disclosure of the select portions of the quantity of auxiliary site data at the
14 auxiliary site addresses being accessible only while the local processor assembly is
15 interactively online connected to the remote server assembly.

16 Similar to the teachings of Mages and Uranaka, once the "Web page having a
17 control panel with control options" has been sent from the remote computing device
18 110 (i.e., a server) of Fidelibus, there is no requirement that an interactive online
19 connection exist between the local computing device 100 (i.e., a client) and the remote
20 computing device 110. Upon having possession of the control panel, the local
21 computing device 100 could be completely isolated from the remote computing device

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1 110 and still be able to access content from the CD-ROM. Patentee, therefore,
2 respectfully submits that Reisman fails to identically disclose the claimed invention,
3 as recited in claims 1 and 23, within the meaning of 35 U.S.C. § 102.

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1 **VI. REJECTION OF CLAIM 23 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON FIDELIBUS**

3 On pages 39 and 40 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Fidelibus.

5 Patentee incorporates herein, as also applying to claim 23, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Fidelibus.

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1 **VII. REJECTION OF CLAIM 9 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON MAGES**

3 On pages 40 and 41 of the Second Office Action, the Examiner asserted that the
4 claimed invention would have been obvious in view of Mages.

5 Patentee incorporates herein, as also applying to claim 9, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Mages.

Attorney Docket No.:

1 **VIII. CONCLUSION**

2 Patentee has made every effort to present claims which distinguish over the
3 prior art, and it is believed that all claims are allowable over the applied prior art.
4 Accordingly, and in view of the foregoing remarks, Patentee hereby respectfully
5 requests reconsideration and prompt allowance of the pending claims.

Date: February 26, 2009

Respectfully submitted,

/Scott D. Paul/

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CUSTOMER NUMBER 29973

ATTORNEYS FOR PATENTEE

Attorney Docket No.:

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
Leigh ROTHSCHILD : Confirmation Number: 7502
Control No.: 90/008,591 : Group Art Unit: 3992
Patent No.: 6,101,534 : Examiner: F. Fleming
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the following documents were served upon the following via first class United States Mail, postage prepaid, this 26th day of February, 2009.

- Response to Office Action in *Ex Parte* Reexamination electronically filed February 26, 2009.

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Shemwell Mahamedi LLP
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Respectfully submitted,

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Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
Leigh ROTHSCHILD : Confirmation Number: 7502
Control No.: 90/008,591 : Group Art Unit: 3992
Patent No.: 6,101,534 : Examiner: F. Fleming
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

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- Response to Office Action in *Ex Parte* Reexamination electronically filed February 26, 2009.

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Shemwell Mahamedi LLP
4880 Stevens Creek Boulevard, Suite 301
San Jose, CA 95129-1034

Respectfully submitted,

/Peggy C. Shock/

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Electronic Acknowledgement Receipt

EFS ID:	4865961
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Steven M. Greenberg/Peggy Shock
Filer Authorized By:	Steven M. Greenberg
Attorney Docket Number:	1093-008
Receipt Date:	26-FEB-2009
Filing Date:	11-APR-2007
Time Stamp:	17:25:59
Application Type:	Reexam (Third Party)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Response to Final Rejection	1093-008_Response_02-26-09.pdf	206244 <small>242c263cc21895484ad286d020aee2944002fd1f</small>	no	40

Warnings:

Information:

2	Reexam Certificate of Service	1093-008U_CertificateofService _02-26-09.pdf	81096 2e92640ce8463efd15c366f299a3424d8a7 d31a	no	1
Warnings:					
Information:					
Total Files Size (in bytes):				287340	
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	.04/11/2007	6101534	1093-008	7502

29973 7590 03/06/2009

CAREY, RODRIGUEZ, GREENBERG & PAUL LLP
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SUITE 3020
BOCA RATON, FL 33487

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 03/06/2009

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



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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Van Mahamedi
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4880 Stevens Creek boulevard, Suite 301
San Jose, CA 95129-1034

MAILED

MAR 06 2009

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/008,591.

PATENT NO. 6101534.

ART UNIT 3992.

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

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

Ex Parte Reexamination Advisory Action Before the Filing of an Appeal Brief	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner William H. Wood	Art Unit 3992	

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

THE PROPOSED RESPONSE FILED 26 February 2009 FAILS TO OVERCOME ALL OF THE REJECTIONS IN THE FINAL REJECTION MAILED 13 November 2008.

1. Unless a timely appeal is filed, or other appropriate action by the patent owner is taken to overcome all of the outstanding rejection(s), this prosecution of the present *ex parte* reexamination proceeding WILL BE TERMINATED and a Notice of Intent to Issue *Ex Parte* Reexamination Certificate will be mailed in due course. Any finally rejected claims, or claims objected to, will be CANCELLED.
- THE PERIOD FOR RESPONSE IS EXTENDED TO RUN _____ MONTHS FROM THE MAILING DATE OF THE FINAL REJECTION.
Extensions of time are governed by 37 CFR 1.550(c).

NOTICE OF APPEAL

2. An Appeal Brief is due two months from the date of the Notice of Appeal filed on 13 January 2009 to avoid dismissal of the appeal. See 37 CFR 41.37(a). Extensions of time are governed by 37 CFR 1.550(c). See 37 CFR 41.37(e).

AMENDMENTS

3. The proposed amendment(s) filed after a final action, but prior to the date of filing a brief, will not be entered because:
- (a) They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) They raise the issue of new matter (see NOTE below);
- (c) They are not deemed to place the proceeding in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) They present additional claims without canceling a corresponding number of finally rejected claims.
- NOTE: See *Continuation Sheet* (See 37 CFR 1.116 and 41.33(a)).

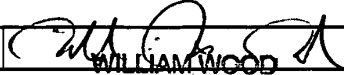
4. Patent owner's proposed response filed _____ has overcome the following rejection(s): _____
5. The proposed new or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
6. For purposes of appeal, the proposed amendment(s) a) will not be entered, or b) will be entered and an explanation of how the new or amended claim(s) would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
Claim(s) patentable and/or confirmed: _____
Claim(s) objected to: _____
Claim(s) rejected: 1,3-21,23 and 26
Claim(s) not subject to reexamination: 22

AFFIDAVIT OR OTHER EVIDENCE

7. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because patent owner failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
8. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence fails to overcome all rejections under appeal and/or appellant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
9. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

10. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.
11. Note the attached Information Disclosure Statement(s), PTO/SB/08, Paper No(s) _____.
12. Other: _____

	 WILLIAM WOOD PRIMARY EXAMINER
--	---

cc: Requester (if third party requester)

U.S. Patent and Trademark Office
PTOL-467 (Rev. 08-06)

Ex Parte Reexamination Advisory Action Before the Filing of an Appeal Brief Part of Paper No. 20090304

Continuation of 3.(d) NOTE: The proposed amendments do not meet the qualifications of 3(a), 3(b) and 3(c). The proposed amendment, "said select portions of said quantity of auxiliary site data at the auxiliary site address accessible only while the local processor assembly is interactively online connected to the remote server assembly", would raise new matter depending on the meaning of the language. The language, as recited, does not exist in the original


disclosure. That is many of the key words are found throughout the specification, but not together to recite the meaning, "auxiliary site address/data accessible only while the local processor is interactively online connected to the remote server". The specification makes no mention of the added accessible-only-while requirement. The broadest reasonable interpretation of the proposed amendment, in view of the original disclosure, would likely not require some sort of narrow reading of "online" such that a constant "interactive", "session" be established and that access is "only" at a particular time (as Patentee seems to suggest in Response, pages 3-6). Further, the broadest reasonable interpretation of the proposed claim language, in view of the disclosure or in view of the words given just their stand-alone meaning, still reads such that the "session" (Patentee Response, page 4, first line) is an ill-defined time period and thus likely encompassing of the cited prior art. For these reasons, the proposed claim language: a) requires further consideration and/or search; b) possibly raises new matter; and c) does not place the proceeding in better form for appeal by materially reducing or simplifying the issues for appeal.

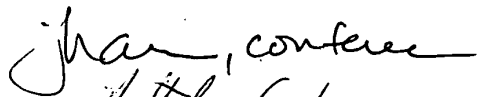
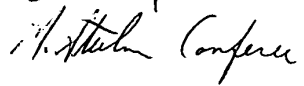
Continuation of 10. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Patentee's arguments are not persuasive. Patentee argues: 1) support for proposed amendments (Response: pages 1-8); and 2) proposed amendments overcome cited prior art (Response: pages 9-26).

10-1. Support for proposed amendment is not clearly present as explained above under continuation of section 3. The original patent states "... computer readable medium 36 is preferably structured such that only the remote server assembly 50 can access the auxiliary site data at the auxiliary site addresses. Such a structure ensures the preferred utilization of the auxiliary site data only in conjunction with the primary site data, whether simultaneously or otherwise" (Response: page 2, lines 18-26). This passage does not provide for accessible-only-while requirement of the proposed claim language. Further, the original patent describes "online" connections in broad terms, not particularly limiting to what sort of connection, in a physical sense or a communication sense, is necessary or envisioned. The original patent does not describe "online" in such a manner as to clearly describe proposed claim language, "interactively online connected" (what is the meaning or bounds upon this time period?). Finally, the proposed claim amendments, whether viewed in the broadest reasonable sense from the original disclosure or if the words are viewed as just their stand-alone meaning, do not substantially limit the address/data accessible time period. Support for the proposed amendment is not found.

10-2. Proposed amendments do not overcome the cited prior art. The broadest reasonable interpretation of the time period "only while the local processor assembly is interactively online connected to the remote server assembly" is at least the time period during which a remote entity and a local entity are connected or potentially connected for any potential communication. For example, this period would not just encompass a series of viewings of related web pages, but all time that a computer has the potential for accessing or connecting to a network and therefore capable of viewing a web page at anytime (the level of "interactivity" is fairly broad). This view of "online" is consistent with the common meaning that "online" is to be available or ready for operation, including connected to a network (bringing a system online as opposed to offline, unavailable).

In view of the above paragraph, the proposed claim language continues to read upon the cited prior art. Additionally note: Mages specifically requires data/address access on the authority of the remote entity, that is an only-while requirement (column 6, lines 58-65); Reisman encompasses a period including interactive online connection (column 42, lines 18-26); and Fidelibus and Uranaka also demonstrate periods of online interaction. The proposed claim language reads upon these time periods. Further, the original patent does not indicate primary data isn't stored on the local site or that this is inconsistent with the view of only remote site accessing or using primary data in conjunction with auxiliary data. Thus, the patent at issue reads upon the various views of the cited prior art.


WILLIAM WOOD
PRIMARY EXAMINER


Jhan, Confere

H. Stuber, Confere

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of	:	Customer Number: 29973
	:	
Leigh ROTHSCHILD	:	Confirmation Number: 7502
	:	
Control No.: 90/008,591	:	Group Art Unit: 3992
	:	
Patent No.: 6,101,534	:	Examiner: William H. Wood
	:	
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM		

**PETITION FOR EXTENSION OF TIME TO RESPOND TO APPEAL
BRIEF IN *EX PARTE* REEXAMINATION UNDER 37 C.F.R. § 1.550(c)**

Mail Stop *Ex Partes* Reexam
Attn: Central Reexamination Unit
Commissioner of Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Patent Owner hereby respectfully requests a one-month extension of time to file an Appeal Brief. A Notice of Appeal was filed on January 13, 2009, and thus, the one-month extension of time would extend the due date to file the Appeal Brief from March 13, 2009, to April 13, 2009.

Control No.: 90/008,591

In support of the request for the one-month extension of time, Patentee states the following:

1. Subsequent to the filing of the Notice of Appeal, Patentee has submitted an Amendment after Final dated January 13, 2009, and an Amendment after Final dated March 26, 2009.
2. Appellants did not receive the Advisory Action, indicating that the Amendment after Final dated February 26, 2009, would not be entered until March 9, 2009, or four days prior to the due date of the Appeal Brief.
3. Since Patentee did not know which set of claims would be entered at the time the Appeal Brief was filed until March 9, 2009, Patentee has been prevented from preparing a substantial portion of the Appeal Brief prior to the date upon which the Advisory Action was received.
4. In a brief telephonic discussion on March 6, 2009, the Examiner expressed a willingness to perform an additional interview to determine if Patentee could present an amendment to the claims to overcome the applied prior art.
5. Patent Owner respectfully requests that the time for filing the Appeal Brief being extended 1 month from March 13, 2009, to April 13, 2009. This extension of time would permit Patentee to better brief the Board of Patent Appeals on the issues regarding to the present set of claims. Moreover, this

Control No.: 90/008,591

additional 1 month extension would permit Patentee to perform an additional interview with the Examiner, which could result in an Amendment that would either obviate the need for filing an Appeal Brief or reduce the number of issues on appeal.

6. In compliance with 37 C.F.R. § 1.550(c), which governs requests for extension of time in *ex parte* reexamination proceedings, this request (a) is filed on or before the day on which action by the patent owner is due; (b) sets forth sufficient reason for the extension; and (c) is accompanied by the petition fee set forth in 37 C.F.R. § 1.17(g).

Date: March 9, 2009

Respectfully submitted,

/Scott D. Paul/

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CUSTOMER NUMBER 29973

ATTORNEYS FOR PATENTEE

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
: :
Control No.: 90/008,591 : Group Art Unit: 3992
: :
Patent No.: 6,101,534 : Examiner: F. Fleming
: :
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Petition for Extension of Time to Response to Appeal Brief in *Ex Parte* Reexamination Under 37 C.F.R. §1.550(c), filed March 9, 2009, was served upon the following via first class United States Mail, postage prepaid, this 9th day of March, 2009.

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Shemwell Mahamedi LLP
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Respectfully submitted,

/Peggy C. Shock/

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Electronic Patent Application Fee Transmittal

Application Number:	90008591
Filing Date:	11-Apr-2007
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Filer:	Scott David Paul/Peggy Shock
Attorney Docket Number:	1093-008

Filed as Small Entity

ex parte reexam 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:				
Petition fee- 37 CFR 1.17(g) (Group II)	1463	1	200	200

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				200

Electronic Acknowledgement Receipt

EFS ID:	4927152
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Scott David Paul/Peggy Shock
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	1093-008
Receipt Date:	09-MAR-2009
Filing Date:	11-APR-2007
Time Stamp:	13:47:18
Application Type:	Reexam (Third Party)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$200
RAM confirmation Number	8259
Deposit Account	503839
Authorized User	PAUL,SCOTT D.

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 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review/processing depending on status	1093-008_Petition_Request_for_Extension_of_Time.pdf	96370 82fe59cd02003b20e5d0ba0318411ab8b23f5137	no	3
Warnings:					
Information:					
2	Reexam Certificate of Service	1093-008U_CertificateofService_03-09-09.pdf	69178 5ca4fb9c9722a8f030527cb399361dfcb80b6f518	no	1
Warnings:					
Information:					
3	Fee Worksheet (PTO-06)	fee-info.pdf	30259 dec56909ec88ed697d5986197708b81fed773340	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			195807		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED

MAR 11 2009

Van Mahamedi :
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4880 STEVENS CREEK BOULEVARD : Requester)
SUITE 201 :
SAN JOSE, CA 95129-1034 :

CENTRAL REEXAMINATION UNIT

: DECISION DISMISSING
: PETITION FOR
: EXTENSION OF TIME
: [37 CFR § 1.550(c)]

In re: Rothschild :
Ex Parte Reexamination Proceeding :
Control No. 90/008,591 :
Deposited: 11 April 2007 :
For: US Patent No. 6,101,534 :

This is a decision on the 9 March 2009, petition for "Petition for Extension of Time To Respond To Appeal Brief in *Ex Parte* Reexamination Under 37 CFR § 1.550(c)." The petition requests a one (1) month extension of time.

The petition is before the Director of the Central Reexamination Unit for consideration.

The petition is Dismissed for the reasons set forth below.

Summary of Relevant Facts

1. On 8 August 2000 US Patent No. 6,101,534 was granted.
2. On 11 April 2007 a third party requester, requested reexamination of US Patent No. 6,101,534 with certificate of service to the address of record.
3. On 21 June 2007 the Order Granting Request for *Ex Parte* Reexamination was mailed.
4. On 28 August 2008 a non-Final Office action was mailed.
5. On 17 October 2008 the patent owner responded with an amendment to the claims and remarks to the issues raised in the Office action.
6. On 13 November 2008 the examiner issued a Final Office action.
7. On 4 December 2008 the patent owner submitted forms for a change of patent counsel.
8. On 15 December 2008 the counsel for the patent owner submitted an after Final amendment..
9. On 23 December 2008 the examiner mailed an advisory action that the amendment to the claims would not be entered.
10. On 13 January 2009 the patent owner submitted the Notice of Appeal.
11. On 13 January 2009, the patent owner submitted the second after Final amendment.
12. On 10 February 2009 the patent owner submitted a third after final amendment.
13. On 10 February 2009 the counsel for the patent owner met with the examiner to interview the instant proceeding. In the interview the examiner agreed to not enter the amendment of 13 January 2009 but would address the amendment of 10 February 2009.
14. On 24 February 2009 the examiner issued an advisory action which did not enter the claim amendment.
15. On 26 February 2009 the counsel for the patent owner submitted third after final amendment to the claims.
16. On 6 March 2009 the examiner issued the third advisory action which did not enter the claim amendment.

Decision

The Patent Owner requests an extension of time in which to file the Appeal Brief for the claims under final rejection mailed 13 November 2009. The petitioner has provided proper

certificate of service as well as the petition fee set forth in 37 CFR § 1.17(g).

Since the petitioner has failed to provide “sufficient cause” for granting an extension of time, the petition is dismissed.

37 CFR 1.550 (c) states:

(c) The time for taking any action by a patent owner in an ex parte reexamination proceeding will be extended only for sufficient cause and for a reasonable time specified. Any request for such extension must be filed on or before the day on which action by the patent owner is due, but in no case will the mere filing of a request effect any extension. Any request for such extension must be accompanied by the petition fee set forth in § 1.17(g). See § 1.304(a) for extensions of time for filing a notice of appeal to the U.S. Court of Appeals for the Federal Circuit or for commencing a civil action.

Addressing the requirement of 37 CFR § 1.550 (c) to make a showing of “sufficient cause” to grant an extension of time request, MPEP § 2265 states, in pertinent part:

Evaluation of whether sufficient cause has been shown for an extension must be made in the context of providing the patent owner with a fair opportunity to present an argument against any attack on the patent, and the requirement of the statute (35 U.S.C. § 305) that the proceedings be conducted with special dispatch. ...

Any request for an extension of time in a reexamination proceeding must fully state the reasons therefor. ...

MPEP § 2271 Final Action (in-part)

Before a final action is in order, a clear issue should be developed between the examiner and the patent owner. To bring the prosecution to a speedy conclusion and at the same time deal justly with the patent owner and the public, the examiner will twice provide the patent owner with such information and references as may be useful in defining the position of the Office as to unpatentability before the action is made final. Initially, the decision ordering reexamination of the patent will contain an identification of the new questions of patentability that the examiner considers to be raised by the prior art considered. In addition, the first Office action will reflect the consideration of any arguments and/or amendments contained in the request, the owner’s statement filed pursuant to 37 CFR § 1.530, and any reply thereto by the requester, and should fully apply all relevant grounds of rejection to the claims.

MPEP § 2272 After Final Practice (in-part)

It is intended that prosecution before the examiner in a reexamination proceeding will be concluded with the final action. Once a final rejection that is not premature has been entered in a reexamination proceeding, the patent owner no longer has any right to unrestricted further prosecution. Consideration of amendments submitted after final rejection and prior to, or with, the appeal will be governed by the strict standards of 37 CFR § 1.116. Further, consideration of amendments submitted after appeal will be governed by the strict standards of 37 CFR § 41.33. Both the examiner and the patent

owner should recognize that substantial patent rights will be at issue with no opportunity for the patent owner to refile under 37 § CFR 1.53(b), or § 1.53(d), and with no opportunity to file a request for continued examination under 37 CFR § 1.114. Accordingly, both the examiner and the patent owner should identify and develop all issues prior to the final Office action, including the presentation of evidence under 37 CFR § 1.131 and § 1.132.

Analysis and Findings

The patent owner petitions the Director of the Central Reexamination Unit for an extension of time for an additional one (1) month for which to submit an Appeal Brief. The petitioner indicates that delayed response to the 13 January 2009 after Final amendment and the 26 February 2009 after Final amendment as showing of cause for the extension of time. The petitioner also notes the interview with the examiner in charge of the proceeding on 10 February 2009.

As noted in MPEP 2271 § “[b]efore a final action is in order, a clear issue should be developed between the examiner and the patent owner. To bring the prosecution to a speedy conclusion and at the same time deal justly with the patent owner and the public...” Further noted in MPEP § 2272, “[i]t is intended that prosecution before the examiner in a reexamination proceeding will be concluded with the final action.

While it is unfortunate that the current patent counsel was introduced subsequent to the issuing of the Final Office action dated 13 November 2008, it remains that the issues were developed to the point that the Final Office action was proper. Further it is noted that the issues were developed with counsel other than the present for the patent owner it does not change the facts before the Office.

The granting of additional time is always a balance between the right of the patent owner to develop a complete response and that of special dispatch. The criteria for granting an extension of time is a showing of “sufficient cause.” The petitioner seeks additional time because of the response to several after Final amendments. In this situation, since none of the after Final amendments were entered, the issues before the patent owner’s counsel remain the same as when the Final Office action was mailed 13 November 2009. As such, the after Final amendments do not impact the issues under Appeal. It is for this reason that the petition is considered to lack “sufficient cause” to justify a one (1) month extension of time.

The petition for extension of time to respond to Appeal brief in *ex parte* reexamination under 37 CFR § 1.550(c) is hereby dismissed.

Conclusion

1. The patent owner’s petition for extension of time to respond to Appeal brief in *ex parte* reexamination under 37 CFR § 1.550(c) is hereby dismissed.
2. The patent owner’s Appeal brief is due **13 March 2009**.
3. Future correspondence may be submitted as follows:

By Mail to: Mail Stop *Ex Parte* Reexam
Central Reexamination Unit
Commissioner for Patents
United States Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

By Fax to: (571) 273-9900
Central Reexamination Unit

By Hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By EFS: Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at <https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>. EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are “soft scanned” (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the “soft scanning” process is complete.

4. Telephone inquiries with regard to this decision should be directed to Mark Reinhart, at (571) 272-1611, alternatively where Mark Reinhart is unavailable, Eric Keasel, at 571-272-4929, or Jessica Harrison at (571) 272-4449, all Supervisory Patent Examiners in the Central Reexamination Unit, Art Unit 3992 may also be contacted.

/Mark Reinhart/
for

Gregory Morse,
Director,
Central Reexamination Unit

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Attorney Docket No. 1093-008

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent of : Customer Number: 29973
Leigh ROTHSCHILD : Confirmation Number: 7502
Control No.: 90/008,591 : Group Art Unit: 3992
Patent No.: 6,101,534 : Examiner: William H. Wood
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed January 13, 2009, wherein Appellant appeals from the Examiner's rejection of claims 1, 3-21, 23, and 26.

I. REAL PARTY IN INTEREST

This application is assigned to Rothschild Trust Holdings, LLC by assignment recorded on March 29, 2006, at Reel 017681, Frame 0519.

II. RELATED APPEALS AND INTERFERENCES

Appellant is unaware of any related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1, 3-21, 23, and 26 are pending and two-times rejected in this Application. Claims 2 and 24-25 have been cancelled, and claim 22 is not subject to reexamination. It is from the multiple rejections of claims 1, 3-21, 23, and 26 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

The claims have not been amended subsequent to the imposition of the Second and Final Office Action dated November 13, 2009 (hereinafter the Second Office Action). The Examiner has denied entry of three separate Amendments filed by Appellant subsequent to the issuance of the Second Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

1 Referring to Figure 1 and also to independent claim 1, an interactive, remote,
2 computer interface system is disclosed. The system includes a remote server
3 assembly 50 (column 5, lines 23-27; column 5, lines 31-34; column 12, lines 26-34;
4 column 12, lines 47-53; column 13, lines 1-9), a local processor assembly 25' (column
5 5, lines 31-39; column 12, line 67 through column 13, line 3), and at least one data

1 storage assembly 35. The remote server assembly 50 includes a quantity of primary
2 site data (column 12, lines 53-64; column 13, lines 13-15).

3 The remote server assembly includes at least one primary site address, and the
4 primary site address includes at least a portion of the primary site data and being
5 distinct so as to identify a location thereof on a computer network (column 5, lines 31-
6 39; column 12, line 67 through column 13, line 3). The local processor assembly 25'
7 is coupled in data transmitting and receiving communication with the remote server
8 assembly 50 (column 12, line 67 through column 13, line 9). The local processor
9 assembly 25' is structured to access the primary site address so as to achieve the data
10 transmitting and receiving communication with the remote server assembly 50
11 (column 12, line 67 through column 13, line 9).

12 The at least one data storage assembly 35 is associated with the local processor
13 assembly 25' (column 5, lines 40-49; column 13, lines 16-29) and structured to contain
14 a quantity of auxiliary site data thereon (column 5, lines 44-54; column 13, lines 21-
15 29), and the auxiliary site data is associated with the primary site data (column 13,
16 lines 16-21; column 13, lines 45-64).

17 The data storage assembly 35 includes a compact, portable and interchangeable
18 computer readable medium 36 (column 13, lines 26-46). The compact, portable and
19 interchangeable computer readable medium 36 includes a plurality of remotely
20 accessible, auxiliary site addresses encoded therein (column 14, line 65 through
21 column 15, line 2). Each of the remotely accessible, auxiliary site addresses include

1 select portions of the quantity of auxiliary site data. The remotely accessible,
2 auxiliary site addresses are structured to be remotely accessed by the remote server
3 assembly 50 so as to initiate utilization of the select portions of the quantity of
4 auxiliary site data by the local processor assembly 25' in conjunction with the primary
5 site data (column 5, lines 34-39; column 5, lines 54-59; column 13, lines 53-58).

6 Referring to Figure 1 and also to independent claim 23, an interactive, remote,
7 computer interface system is disclosed. The system includes a remote server
8 assembly 50 (column 5, lines 23-27; column 5, lines 31-34; column 12, lines 26-34;
9 column 12, lines 47-53; column 13, lines 1-9), a local processor assembly 25' (column
10 5, lines 31-39; column 12, line 67 through column 13, line 3), and at least one data
11 storage assembly 35. The remote server assembly 50 includes a quantity of primary
12 site data (column 12, lines 53-64; column 13, lines 13-15).

13 The remote server assembly includes at least one primary site address, and the
14 primary site address includes at least a portion of the primary site data and being
15 distinct so as to identify a location thereof on a computer network (column 5, lines 31-
16 39; column 12, line 67 through column 13, line 3). The local processor assembly 25'
17 is coupled in data transmitting and receiving communication with the remote server
18 assembly 50 (column 12, line 67 through column 13, line 9). The local processor
19 assembly 25' is structured to access the primary site address so as to achieve the data
20 transmitting and receiving communication with the remote server assembly 50
21 (column 12, line 67 through column 13, line 9).

1 The at least one data storage assembly 35 is associated with the local processor
2 assembly 25' (column 5, lines 40-49; column 13, lines 16-29) and structured to contain
3 a quantity of auxiliary site data thereon (column 5, lines 44-54; column 13, lines 21-
4 29), and the auxiliary site data is associated with the primary site data (column 13,
5 lines 16-21; column 13, lines 45-64).

6 The data storage assembly 35 includes a compact, portable and interchangeable
7 computer readable medium 36 (column 13, lines 26-46). The compact, portable and
8 interchangeable computer readable medium 36 being distinct from a fixed hard drive
9 of the local processor assembly 25', and the compact, portable and interchangeable
10 computer readable medium 36 includes a plurality of remotely accessible, auxiliary
11 site addresses encoded therein (column 14, line 65 through column 15, line 2). Each
12 of the remotely accessible, auxiliary site addresses include select portions of the
13 quantity of auxiliary site data. The remotely accessible, auxiliary site addresses are
14 structured to be remotely accessed by the remote server assembly 50 so as to initiate
15 utilization of the select portions of the quantity of auxiliary site data by the local
16 processor assembly 25' in conjunction with the primary site data (column 5, lines 34-
17 39; column 5, lines 54-59; column 13, lines 53-58).

18 Referring to Figure 1 and also to independent claim 26, an interactive, remote,
19 computer interface system is disclosed. The system includes a remote server
20 assembly 50 (column 5, lines 23-27; column 5, lines 31-34; column 12, lines 26-34;
21 column 12, lines 47-53; column 13, lines 1-9), a local processor assembly 25' (column

1 5, lines 31-39; column 12, line 67 through column 13, line 3), and at least one data
2 storage assembly 35. The remote server assembly 50 includes a quantity of primary
3 site data (column 12, lines 53-64; column 13, lines 13-15).

4 The remote server assembly includes at least one primary site address, and the
5 primary site address includes at least a portion of the primary site data and being
6 distinct so as to identify a location thereof on a computer network (column 5, lines 31-
7 39; column 12, line 67 through column 13, line 3). The local processor assembly 25'
8 is coupled in data transmitting and receiving communication with the remote server
9 assembly 50 (column 12, line 67 through column 13, line 9). The local processor
10 assembly 25' is structured to access the primary site address so as to achieve the data
11 transmitting and receiving communication with the remote server assembly 50
12 (column 12, line 67 through column 13, line 9).

13 The at least one data storage assembly 35 is associated with the local processor
14 assembly 25' (column 5, lines 40-49; column 13, lines 16-29) and structured to contain
15 a quantity of auxiliary site data thereon (column 5, lines 44-54; column 13, lines 21-
16 29), and the auxiliary site data is associated with the primary site data (column 13,
17 lines 16-21; column 13, lines 45-64).

18 The data storage assembly 35 includes a compact, portable and interchangeable
19 computer readable medium 36 (column 13, lines 26-46). The compact, portable and
20 interchangeable computer readable medium 36 includes a plurality of remotely
21 accessible, auxiliary site addresses encoded therein (column 14, line 65 through

1 column 15, line 2). Each of the remotely accessible, auxiliary site addresses include
2 select portions of the quantity of auxiliary site data. The remotely accessible,
3 auxiliary site addresses are structured to be remotely accessed by the remote server
4 assembly 50 so as to initiate utilization of the select portions of the quantity of
5 auxiliary site data by the local processor assembly 25' in conjunction with the primary
6 site data (column 5, lines 34-39; column 5, lines 54-59; column 13, lines 53-58). The
7 remotely accessible auxiliary site addresses being encoded so as to restrict access by
8 the local processor assembly 25' unless the access is directed by the remote server
9 assembly 50 (column 14, lines 33-40).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1, 3-4, 6-8, 21, 23, and 26 were rejected under 35 U.S.C. § 102 for anticipation based upon Mages et al., U.S. Patent No. 5,892,825 (hereinafter Mages);

2. Claims 1, 6-21, and 23 were rejected under 35 U.S.C. § 102 for anticipation based upon Reisman, U.S. Patent No. 6,594,692;

3. Claims 1, 4, and 6-8 were rejected under 35 U.S.C. § 102 for anticipation based upon Uranaka, U.S. Patent No. 5,937,158;

4. Claims 1 and 3-8 were rejected under 35 U.S.C. § 102 for anticipation based upon Fidelibus Jr. et al., U.S. Patent No. 5,931,906 (hereinafter Fidelibus);

5. Claim 23 is rejected under 35 U.S.C. § 103 for obviousness based upon Fidelibus; and

Control No.: 90/008,591

Art Unit 3992

6. Claim 9 is rejected under 35 U.S.C. § 103 for obviousness based upon
Mages.

VII. ARGUMENT

1 The factual determination of anticipation under 35 U.S.C. § 102 requires the
2 identical disclosure, either explicitly or inherently, of each element of a claimed
3 invention in a single reference. In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed.
4 Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913,
5 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888,
6 894, 221 USPQ 669, 673 (Fed. Cir. 1984). Moreover, the anticipating prior art
7 reference must describe the recited invention with sufficient clarity and detail to
8 establish that the claimed limitations existed in the prior art and that such existence
9 would be recognized by one having ordinary skill in the art. See In re Spada, 911 F.2d
10 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps,
11 Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

12 "Both anticipation under § 102 and obviousness under § 103 are two-step
13 inquiries. The first step in both analyses is a proper construction of the claims. ... The
14 second step in the analyses requires a comparison of the properly construed claim to
15 the prior art." Medichem, S.A. v. Rolabo, S.L., 353 F.3d 928, 933 (Fed. Cir. 2003)
16 (internal citations omitted). During patent examination, the pending claims must be
17 "given their broadest reasonable interpretation consistent with the specification," In re
18 Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000), and the
19 broadest reasonable interpretation of the claims must also be consistent with the

1 interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353,
2 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999). Also, the words of the claim will be
3 given their plain meaning unless their plain meaning is inconsistent with the
4 Specification. In re Zletz, 893 F.2d 319, 321 (Fed. Cir. 1989).

5 Therefore, the Examiner must (i) identify the individual elements of the claims
6 and properly construe these individual elements, see also, Panduit Corp. v. Dennison
7 Mfg. Co., 810 F.2d 1561, 1567-68 (Fed. Cir. 1987) (In making a patentability
8 determination, analysis must begin with the question, "what is the invention claimed?"
9 since "[c]laim interpretation, . . . will normally control the remainder of the decisional
10 process"); see Gechter v. Davidson, 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring
11 explicit claim construction as to any terms in dispute), and (ii) identify corresponding
12 elements disclosed in the allegedly anticipating reference and compare these allegedly
13 corresponding elements to the individual elements of the claims. Lindermann
14 Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221
15 USPQ 481 (Fed. Cir. 1984).

1 **CLAIM CONSTRUCTION**

2 Appellant respectfully submits that the key issue to be resolved regarding the
3 separate rejections of the claims under 35 U.S.C. § 102 for anticipation based upon
4 Fidelibus, Mages, Reisman, and Uranaka involves one of claim construction. The
5 Examiner also recognized this as the key issue on page 6 of the Second Office Action,
6 when the Examiner asserted the following:

7 **The examiner believes that the issue is the claim interpretation of the key phrase**
8 **of the claims in question.** The key phrase as pointed out by the Patent Owner is as
9 follows: (emphasis in original)

10

11 Referring again to page 6 of the Second Office Action, the Examiner identified the
12 key phrase as follows:

13 Said remotely accessible, auxiliary site addresses being structured to be remotely
14 **accessed by said remote server assembly so as to initiate utilization** of said select
15 portions of said quantity of auxiliary site data by said local processor assembly **in**
16 **conjunction with** said primary site data. (emphasis in original)

17

18 Appellant agrees that this entire phrase is the key phrase and the highlighted portion of
19 "accessed by said remote server assembly so as to initiate utilization" is a key
20 component of that phrase.

21 However, despite the Examiner's recognition that the claim interpretation of this
22 key phrase is the critical issue underlying the reexamination of the '534 Patent, the
23 Examiner has yet to provide an explicit claim construction for the limitations recited
24 in this phrase.

1 **"TO INITIATE UTILIZATION"**

2 The term "utilization" is the noun form of the transitive verb "utilize," which is
3 ultimately derived from the Latin *uti*, which means "to use." The term "use" is also a
4 synonym for "utilize." Thus, the term "utilization" means the act of use (of
5 something). Thus, as used by Appellant, the term "utilization" is intended to
6 distinguish between the something is being used or not being used. For example, data
7 that is stored and not being acted upon is not being used. Thus, the storage of data
8 alone does not constitute the "use" or "utilization" of the data. Instead, utilization of
9 the data requires that the data be acted upon.

10 The term "to initiate" is a transitive verb which means to cause or facilitate the
11 beginning of. A synonym for "initiate" is the word "begin." The term "to initiate,"
12 when used in conjunction with the term "utilization," establishes a point in time (i.e.,
13 the beginning) of the act of use . Thus, a proper claim construction of the phrase "to
14 initiate utilization" yields a meaning of "to begin the act of use."

15 To illustrate the differences between the claim construction presented above
16 and the Examiner's unstated, yet implied, claim construction, consider the following
17 hypothetical situation.

18 Borrower desires to remove Owner's car from the driveway of Borrower's
19 house. The Owner is 10 miles away, so Borrower takes public transportation to
20 retrieve a key to the car from Owner. After retrieving the key, Borrower takes public
21 transportation back to Borrower's house. Borrower then, in order, (i) enters the car,

1 (ii) turns the key, which starts the car, and (iii) drives the car out of the driveway of
2 Borrower's house.

3 Based upon this hypothetical, Appellant's position is that the term "to initiate
4 utilization of the car" occurs upon the Borrower turning the key, which starts the car.
5 As will be described in greater detail below, the Examiner would argue that "to initiate
6 utilization of the car" occurs upon the Borrower retrieving the key. Appellant
7 recognizes that retrieving the key could constitute "*preparing* to utilize the car "
8 However, this is not identical to the phrase "to initiate utilization of the car."

9 Retrieving the key does not require that the car ever be started or otherwise
10 "utilized." For example, the car could be towed away, the key could be lost, a
11 sinkhole could open up and swallow the car, or the car could just sit in the driveway
12 for eternity without ever being started. Thus, the act of retrieving the key does not
13 constitute utilization of the car since retrieval of the key does not necessarily require
14 that the car ever be started.

15 **THE EXAMINER'S CLAIM CONSTRUCTION**

16 Although not explicitly stated, the Examiner's claim construction of the phrase
17 "to initiate utilization" is "to prepare for utilization." Reference is made to the
18 following four different statements, found in the Second Office Action, which involve
19 the claim language at issue. On lines 1-5 on page 9 of the Second Office Action, with
20 regard to Mages, the Examiner asserted:

1 The claims as presently drafted require that "said remote server assembly so as to
2 initiate utilization", and the examiner interprets this to be met when the key is sent by
3 the server to the local computer, as this is what initiates utilization of the local data by
4 the local computer.

5

6 In the last full paragraph on page 16 of the Second Office Action, with regard to
7 Reisman, the Examiner asserted:

8 The issue again appears to be what properly constitutes the "initiates", as the
9 examiner is interpreting this in its broadest reasonable sense to include the initial
10 transfer of data from the server, as this actually marks the point in time that will allow
11 for the combined utilization of the remote and local data.

12

13 In the paragraph spanning pages 25 and 26 of the Second Office Action, with
14 regard to Uranaka, the Examiner asserted:

15 The examiner believes that the broadest reasonable interpretation of "initiates
16 utilization" is met by Uranaka, in that the local data on the DVD is not displayed until
17 it is "initialized" by the script that is sent from the server. Therefore, the local data
18 (DVD data) is utilized in conjunction with the primary site data (script) at the local
19 processor once the server has started the "initialization" process by sending the script.
20 The examiner believes that the broadest reasonable interpretation allows for the
21 "initialization" to start with the sending of the script by the server, as this is what
22 "initiates utilization". While it is true that the script is used at the client to display the
23 DVD data, the actual displaying is the "utilization" itself. However, the examiner
24 believes that the "utilization" is actually "initiated" when the script is determined and
25 then sent by the server, which occurs before the DVD data is utilized and displayed at
26 the client. Hence the server "initiates utilization" by sending the script, and then the
27 client "utilizes" the local DVD data in conjunction with the server script.

28

1 In the first passage on page 37 of the Second Office Action, with regard to
2 Fidelibus, the Examiner asserted:

3 When the user presses the PLAY icon from the IMES control bar 330, the remote
4 server assembly 130 remotely accesses the auxiliary site addresses and initiates
5 utilization of them by the local processor assembly 100, because a PLAY causes the
6 simultaneous activation of the FRAME A 310 (representing primary site data, as well
7 as the content in FRAME B at 320) and the audio from the CD-ROM (this is located
8 at the local processor assembly 100 at the media drive 108). Since the IMES 134 and
9 the FRAME A/B are from the remote server assembly 130, the auxiliary site
10 addresses are initiated in conjunction in order to achieve the desired multimedia
11 presentation.

12
13 In these four passages, the Examiner has described four separate actions that
14 precede the initiation of data utilization. In Mages, a key is sent from the server to the
15 client, which is subsequently used to unlock the data. In Reisman, data is transferred
16 from the server to the client, and this transferred data is subsequently available for
17 offline browsing. In Uranaka, a script¹ is sent from server to the client, and the script
18 is subsequently used by the client to display data on the DVD. In Fidelibus, a Web
19 page, including a control panel, is sent from the server to the client, and the user
20 subsequently activates the multimedia presentation by operating one or more of the
21 icons contained in the control panel. Therefore, Appellant respectfully submits that in
22 each of the four actions identified by the Examiner (allegedly corresponding to the
23 claimed "initiate utilization"), the utilization of the data has not yet been initiated.

¹ A script is a set of instructions to be executed, e.g., on a computer.

1 **THE EXAMINER'S CLAIM CONSTRUCTION IS NOT CONSISTENT WITH THE PLAIN**
2 **MEANING OF THE WORDS OF THE CLAIM**

3 Mages

4 As argued above, the Examiner has not properly construed the language of the
5 claims. Specifically, the Examiner has construed the language at issue to mean "to
6 prepare for utilization." For example, the sending the key, as taught by Mages, does
7 not initiate utilization of the data. After the key has been sent, the key has to then be
8 received. Additionally, as described in column 7, lines 39-41, the key is stored in
9 RAM 8 of the computer. As further described in column 7, lines 47-50 and column 8,
10 lines 1-3 of Mages, only after the key has been received and stored is the key used to
11 decode the trigger, which is used to "invoke the correct track of the CD-ROM."
12 Therefore, several steps intervene between when the key is sent and the utilization of
13 the data on the computer readable medium (e.g., the CD-ROM).

14 Reisman

15 Similarly, "the initial transfer of data from the server," as taught by Reisman,
16 does not initiate the utilization of the data within the computer readable medium.
17 Referring to column 41, lines 15-42 of Reisman (i.e., the passage cited by the
18 Examiner), the new content element is locally stored and made available for
19 utilization by an offline browser. The concept of an "offline browser" is described
20 within columns 39-45 of Reisman and simply refers to a system from browsing stored
21 Web pages while the local computer is not online (i.e., offline). Referring to column

1 42, lines 33-45 of Reisman, a prospective buyer of real estate is given a CD-ROM of
2 home listings, and the offline browser system downloads updates to the listings, which
3 "enables the prospects to browse the realtor's listings offline at their leisure" (emphasis
4 added). Thus, the fact that the updates to the listings are download does not initiate
5 utilization of the data on the CD-ROM. Instead, these listings can be offline browsed
6 at the leisure of the buyer, which could occur an hour, a day, a month, or even a year
7 after the data has been downloaded.

8 Uranaka

9 Within Uranaka, "sending the script" from the server to the client does not
10 initiate utilization of the data. In fact, on page 26 of the Second Office Action, the
11 Examiner admits that "the script is determined and then sent to the server, which
12 occurs before the DVD data is utilized and displayed at the client" (emphasis added).
13 Referring to column 14, lines 40-46, the script received from the server is first stored
14 and then used to display the content of the DVD. Therefore, there are at least two
15 intervening steps (i.e., receiving the script and storing the script) between when the
16 script is sent and the utilization of the data on the computer readable medium (e.g., the
17 DVD).

18 Fidelibus

19 Fidelibus is very similar to Uranaka. Whereas Uranaka teaches sending the
20 script, Fidelibus teaches sending a Web page that includes a control panel. However,
21 the control panel of Fidelibus provides the same function as the script of Uranaka

1 since both are a set of instructions to be executed on the client device. Similar to
2 Uranaka, until the control panel of Fidelibus is received, stored, and activated,
3 utilization of data on the CD has not been initiated. As described in column 7, lines
4 13-15, "[a]t step 210, the user activates the multi-media presentation by operating one
5 or more icons contained in the control panel." Thus, sending the Web page including
6 the control panel from the server does not "initiate utilization" of data on the computer
7 readable medium, as claimed.

8 **THE EXAMINER'S CLAIM CONSTRUCTION WITHIN THE REEXAMINATION IS**
9 **INCONSISTENT WITH ORIGINAL EXAMINATION**

10 One of the references cited during the original examination is U.S. Patent No.
11 5,694,546 (hereinafter the '546 Patent). Similar to currently cited Mages, the '546
12 Patent describes a local computer interacting with a server to unlock content disposed
13 within a removable storage. For example, reference is made to column 22, line 66
14 through column 23, line 17 of the '546 Patent, which states:

15 As discussed in the "BACKGROUND OF THE INVENTION" hereinabove,
16 some vendors, for example Microsoft Corporation, distribute information products in
17 locked, inaccessible form, accompanied by (user-accessible) promotional information
18 and demo versions. The prospective purchaser then calls an 800 number to order the
19 product and is given a code which is entered to unlock the item for use. The inventive
20 information transport component 14 and cooperative server component 22, can be
21 used to simplify this process, and eliminate the voice call.

22 The information transport component 14 is used to place the order and as a
23 subsequent step concomitant with satisfaction of the merchants purchase
24 requirements (payment, etc) can, employing a suitable line entry or entries in the
25 object manifest 48, fetch the access code, as an information object 46, in the same

1 way as an order acknowledgment or other information update. The user interface and
2 data management components of the distribution CD, or original information product,
3 can be programmed automatically to use the code to unlock the product. (emphasis
4 added)
5

6 The '546 Patent describes that the information transport component 14 (which is
7 part of the local workstation; see Fig. 1 and column 10, lines 14-34 of the '546 Patent)
8 accesses a server component 22 to fetch an access code that is used to unlock content
9 within a CD. By comparison, the following was stated by the Examiner in the
10 paragraph spanning pages 7 and 8 of the Second Office Action with regard to Mages:

11 At page 14, the Patent Owner argues that it is not the server, but the local computer,
12 that does the initiating. While it is true that the local computer of Mages is involved
13 in the initiation process, it is the server that "initiates" the initiation process by
14 providing the uncripping key to the local computer. Since the phrase "so as to initiate
15 utilization of is given its broadest reasonable interpretation, the sending of the
16 uncripping key from the server to the local PC, as shown by Mages, performs the
17 claimed function. Without the uncripping key, the local data remains crippled and
18 cannot be utilized by the local computer. Once the uncripping key has been sent from
19 the server, the server has initiated the utilization of the local data by the local
20 computer. The claim simply does not specify the type of initiation to be used (i.e. the
21 claim language does not preclude initiation in the form of a downloaded file or trigger
22 key as taught by Mages), and therefore, the rejection is maintained and made FINAL.

23
24 Thus, the teachings within Mages being relied upon by the Examiner in the present
25 reexamination do not substantively differ from the teachings found within the '546
26 Patent, which was previously cited during the original examination. Therefore, the
27 Examiner's implied claim construction in the present reexamination is inconsistent

1 with the claim construction applied during the original examination. Otherwise, if the
2 prior Examiner during the original examination had been employing the same
3 construction as in the present reexamination, the prior Examiner would have rejected
4 the claims based upon the '546 Patent.

5 Reference is also made to the Examiner's rejection based upon U.S. Patent No.
6 6,594,692 to Reisman (hereinafter the '692 Patent to Reisman) in the reexamination.
7 Richard R. Reisman, is the same inventor of the '546 Patent, which was cited during
8 the original examination. In fact, the '692 Patent is a Continuation-In-Part of the
9 previously considered '546 Patent.

10 On page 18 of the Second Office Action, the Examiner asserted the following
11 with regard to the '692 Patent to Reisman:

12 Per column 41, lines 15-42, the new content element can be an update of a local
13 content element, and is preferably locally stored and is transparently accessed and
14 integrated with other local content elements. Per columns 42 and 43, the local web
15 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
16 are updated with more current content from the sponsor's website or other remote
17 location, thereby making the remotely accessed by the remote server when supplying
18 the current content. When an update is thusly used with the off-line browsing, the
19 remote server has in effect accessed the locally stored URLs and initiated utilization
20 by the local processor assembly of both the information stored on the CD-ROM and
21 the update from the primary site data.

22

1 By comparison, reference is made to EXAMPLE 2 within the '546 Patent to
2 Reisman, which in column 21, lines 12-34 states the following:

3 Open-ended Fetch of a Supplementary News Magazine Object

4 Open-ended access to supplemental information objects not described in the
5 original information product can be obtained by providing in the original product
6 means to fetch a directory of added features. This can be used, for example, by a
7 news magazine publisher to provide special news features on an unplanned basis, or
8 each weekly issue could be packaged with a directory of additional features available.
9 The user first specifies a fetch of the new directory, or receives it along with a fetched
10 update they have specified from a user interface menu, and then views the fetched
11 additional features directory and initiates a fetch of a selected additional item or items
12 in a second information object transport operation, using an information object
13 manifest built from the new features directory.

14 The original, containing product news magazine CD-ROM user interface 28
15 preferably has provision for importing and viewing any information objects listed on
16 a completed fetch manifest and delivered by the information transport component 14
17 into the designated work areas. Alternatively, a standard information transport
18 component 14 user interface 34 can be used to provide this function in a less
19 integrated form.

20
21 A comparison between the teachings of the '546 Patent to Reisman, cited in the
22 original examination, and the '692 Patent to Reisman, cited in the present
23 reexamination by the Examiner, yields the conclusion that these teachings appear to
24 be substantially identical. In both instances, a pre-distributed CD-ROM is provided
25 and upon access to a remote server, an update is provided by the remote server which
26 can be added to data already found in the distributed CD-ROM.

1 Therefore, as already noted above with regard to the Examiner's rejection of
2 Mages, the Examiner's implied claim construction in the present reexamination, as
3 applied to Reisman, is inconsistent with the claim construction applied during the
4 original examination. Otherwise, if the prior Examiner during the original
5 examination had been employing the same construction as in the present
6 reexamination, the prior Examiner would have rejected the claims based upon the '546
7 Patent.

8 **NO SUBSTANTIAL NEW QUESTION OF PATENTABILITY**

9 As discussed in the section immediately above, the teachings being relied upon
10 by the Examiner within Mages and Reisman were already disclosed by the '546 Patent
11 to Reisman. Thus, the Examiner has erred by revisiting a question of patentability that
12 has already been decided. By citing both Mages and Reisman within the present
13 reexamination, the Examiner has erred by improperly revisiting a question of
14 patentability that was already addressed in the prior examination.

15 **THE EXAMINER'S CLAIM CONSTRUCTION INCONSISTENT WITH COURT CLAIM**
16 **CONSTRUCTION**

17 Referring to page 29 of the Order of Claims Construction (hereinafter the
18 Order) dated June 5, 2007, from the United States District Judge of the Southern
19 District of Florida,² the Court construed the claim language as follows:

² This Order was submitted in an Information Disclosure Statement dated August 22, 2007.

1 Therefore, the Court construes "**said remotely accessible, auxiliary site**
2 **addresses being structured to be remotely accessed by said remote server**
3 **assembly so as to initiate utilization of said select portions of said quantity of**
4 **auxiliary site data by said local processor assembly in conjunction with said**
5 **primary site data"** to mean: the auxiliary site address is capable of being remote
6 interacted with by the remote server assembly so as to cause the use of select portions
7 of said quantity of auxiliary site data by said local processor assembly at the direction
8 of, intermingled with, or otherwise with some of the primary site data. (emphasis in
9 original)

10
11 Referring to the above-reproduced passage, the remote interaction of the auxiliary site
12 addresses, by the remote server assembly "cause the use" of the auxiliary site data.
13 However, the passages cited by the Examiner within the applied prior art do not
14 require that the use ever be caused. For example, within Mages, although they key
15 may be downloaded, the key may never be used. The same holds true for the new
16 content element of Reisman, the script of Uranaka, and the control panel of Fidelibus.
17 Since the sending of these respective elements by Mages, Reisman, Uranaka, and
18 Fidelibus do not necessarily cause the use of the auxiliary site data, the Examiner's
19 claim construction, as applied to the cited references, is inconsistent with the Court's
20 claim construction of the same limitations.

21 **THE EXAMINER'S CLAIM CONSTRUCTION INCONSISTENT WITH APPELLANT'S**
22 **SPECIFICATION**

23 The Examiner has failed to establish that Appellant's specification supports the
24 breadth of the Examiner's proposed claim construction. Unlike the teachings of

1 Mages, Reisman, Uranaka, and Fidelibus, which all provide mechanisms by which
2 utilization of data on a computer readable medium can be initiated when the remote
3 server assembly is not remotely accessing the auxiliary site addresses, the teachings of
4 Appellant's disclosure do not describe a comparable mechanism.

5 For example, reference is made to column 13, lines 59-61 of the '534 Patent,
6 which states that "only the remote server assembly 50 can access the auxiliary site
7 data at the auxiliary site addresses." Thus, according to the claimed invention, to
8 initiate utilization, the remote server assembly must be remotely accessing the
9 auxiliary site addresses (which are encoded in the computer readable medium). As
10 noted above, the Examiner's claim construction encompasses situations in which the
11 remote server assembly is not remotely accessing the auxiliary site addresses.
12 Therefore, the Examiner has erred in relying upon a claim construction that is
13 inconsistent with Appellant's specification.

1 **THE REJECTION OF CLAIMS 1, 3-4, 6-8, 21, 23, 26 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON MAGES**

3 For convenience of the Honorable Board in addressing the rejections, claims 4,
4 6-8, 21, 23, and 26 stand or fall together with independent claim 1; and claim 3 stands
5 or falls alone.

6 Claim 1

7 In the paragraph spanning pages 7 and 8 of the Second Office Action, the
8 Examiner asserted the following:

9 Once the uncrippling key has been sent from the server, the server has initiated the
10 utilization of the local data by the local computer. The claim simply does not specify
11 the type of initiation to be used (i.e. the claim language does not preclude initiation in
12 the form of a downloaded file or trigger key as taught by Mages).

13

14 Referring to the above-reproduced language, Appellant respectfully submits that the
15 claim does specify the type of access involved. Specifically, independent claims 1,
16 23, and 26 recite that the remote server assembly remotely accesses the auxiliary site
17 addresses. Moreover, this remote access (of the auxiliary site addresses) initiates
18 utilization of the select portions of the auxiliary site data in conjunction with primary
19 site data.

20 Mages teaches that data is stored "in crippled fashion" on CD-ROM 3, which is
21 "provided with the URL (web page) of the designated host computer, or server"
22 (column 6, lines 17-24). "This data on the CD-ROM 3 will automatically call up and
23 connect the end-user's computer to the host computer's server 7 on the Internet,

1 whereby a socket-to-socket connection is made therebetween" (column 6, lines 41-
2 44).

3 Referring to Figure 7 of Mages and block 42, "[a] socket-to-socket connection
4 is made between the host, or sending, computer and the receiving, or end-user's
5 computer by means of the linking software described above installed on the end-user's
6 computer" (column 7, lines 23-26). Referring to block 44, "[a]s soon as this socket-
7 to-socket connection is made, the encoded trigger 5 is sent" (column 7, lines 33-34).
8 Referring to block 46, "[t]he end-user's computer has a specially-dedicated software
9 program for catching the key, decrypting the key 5 from the server and data from the
10 CD-ROM 3, combining the key and data and playing it back" (column 7, lines 35-38).

11 As described in detail above with regard to the claim construction of the phrase
12 "initiate utilization," Appellant disagrees that the sending of a key acts to initiate
13 utilization. Thus, the Examiner has committed error by asserting that Mages teaches,
14 either explicitly or inherently, the claimed "initiate utilization" limitation.

15 In addition to the Examiner committing error by asserting that the sending of a
16 key acts to initiate utilization, the Examiner has also failed to establish that Mages
17 identically discloses "auxiliary sites addresses being structured to be remotely
18 accessed by said remote server assembly." As also recited in claim 1, this remote
19 access is to "initiate utilization" of the auxiliary site data.

1 Mages does not teach that the remote server assembly accesses the auxiliary site
2 addresses, which are encoded on the computer readable medium. Instead, Mages
3 teaches that the server (i.e., allegedly corresponding to the remote server assembly)
4 sends a key. Thus, the Examiner has committed error by asserting that Mages
5 identically discloses all of the claimed limitations recited in claim 1.

6 Claim 3

7 Dependent claim 3 recites "a security protocol system, said security protocol
8 system being structured to limit said remote server assembly's access to said local
9 processor assembly by only permitting access to said compact, portable,
10 interchangeable computer readable medium associated with said local processor
11 assembly." On page 12 of the Second Office Action, the Examiner asserted the
12 following regarding claim 3:

13 As noted for claim 2 above, the "crippling" and "uncrippling" is a security protocol
14 structured to limit/permit access of the local processor assembly 1 to the data files on
15 the CD-ROM, unless the encoded key 5 has been provided under direction of the
16 remote server assembly 7. Note also that due to the use of the encoded key 5, the
17 remote server assembly can only control specific tracks on the CD-ROM, thereby
18 permitting only limited access to the CD-ROM.

19

20 Appellant respectfully disagrees with the Examiner implied claim construction within
21 the underlined portion of the above-reproduced passage. The alleged teaching of
22 limiting access to the CD-ROM does not identically disclose the claimed "limit said
23 remote server assembly's access to said local processor assembly." Specifically,

- 1 whereas the access being limited of claim 1 refers to the local processor assembly, the
- 2 "limiting" of Mages refers to the CD-ROM. Thus, the Examiner has erred by
- 3 asserting that Mages identically discloses the limitations recited in claim 3.

1 **THE REJECTION OF CLAIMS 1, 6-21, AND 23 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON REISMAN**

3 For convenience of the Honorable Board in addressing the rejections, claims 6-
4 21 and 23 stand or fall together with independent claim 1.

5 Claim 1

6 On page 18 of the Second Office Action, the Examiner asserted the following:

7 Per column 41, lines 15-42, the new content element can be an update of a local
8 content element, and is preferably locally stored and is transparently accessed and
9 integrated with other local content elements. Per columns 42 and 43, the local web
10 content (the auxiliary site addresses). is pre-distributed on the CD-ROM, and these
11 are updated with more current content from the sponsor's website or other remote
12 location, thereby making the remotely accessed by the remote server when supplying
13 the current content. When an update is thusly used with the off-line browsing, the
14 remote server has in effect accessed the locally stored URLs and initiated utilization
15 by the local processor assembly of both the information stored on the CD-ROM and
16 the update from the primary site data.

17

18 For ease of reference, the Examiner's cited passage is reproduced below:

19 The new content element can be an update of a local content element and,
20 preferably, is also locally stored and is transparently accessed and integrated with
21 other local content elements for viewing or processing by the user, for which purpose
22 the herein described user interface and database modules are those provided by the
23 offline browser which acts in the role of a containing information product.

24 Richer products will provide multiple Web pages for offline use and may
25 comprise large numbers of content elements which are updated with, or supplemented
26 by, multiple new content elements fetched as a package.

27 Such an offline browser system can be distributed by a commercial sponsor or
28 content provider to simulate their Web site in a standalone environment without the

1 expense, difficulty and inconvenience of establishing an Internet subscription
2 connection for those who do not have one. To this end, selected Web site content,
3 providing one or more pages, which may have a customized look chosen by the
4 commercial sponsor, "local pages" hereinafter, can be supplied on physical media
5 such as CD-ROM or diskette and updates can be automatically fetched by the
6 transporter. The combination of offline browser and local pages may be seen to be
7 another embodiment of the containing information product described in the parent
8 application. The user interface, database management and other data integration
9 functions described in the parent application are provided by the browser (augmented
10 if necessary), in such an offline browser embodiment of the invention.

11

12 Referring to the Examiner's cited teachings, Reisman teaches sending a new
13 content element from a server. The new content element is locally stored and
14 "accessed and integrated with other local control elements for reviewing or processing
15 by the user."

16 As described in detail above with regard to the claim construction of the phrase
17 "initiate utilization," Appellant disagrees that the sending of a new content element
18 acts to initiate utilization. Thus, the Examiner has committed error by asserting that
19 Reisman teaches, either explicitly or inherently, the claimed "initiate utilization"
20 limitation.

21 In addition to the Examiner committing error by asserting that the sending new
22 content acts to initiate utilization, the Examiner has also failed to establish that
23 Reisman identically discloses "auxiliary sites addresses being structured to be

1 remotely accessed by said remote server assembly." As also recited in claim 1, this
2 remote access is to "initiate utilization" of the auxiliary site data.

3 Reisman does not teach that the remote server assembly accesses the auxiliary
4 site addresses, which are encoded on the computer readable medium. Instead,
5 Reisman teaches that the server (i.e., allegedly corresponding to the remote server
6 assembly) sends a new content element. Thus, the Examiner has committed error by
7 asserting that Reisman identically discloses all of the claimed limitations recited in
8 claim 1.

1 **THE REJECTION OF CLAIMS 1, 4, AND 6-8 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON URANAKA**

3 For convenience of the Honorable Board in addressing the rejections, claims 4
4 and 6-8 stand or fall together with independent claim 1.

5 Claim 1

6 On page 25 of the Second Office Action, the Examiner described the teachings
7 of Uranaka as follows:

8 As noted in the rejection, the examiner believes that the broadest reasonable
9 interpretation for the remote server "to initiate utilization" includes the STEP 1402
10 (see column 18, line 55 to column 19, line 36). In STEP 1402, the client 1210
11 transmits the purchase history information and the DVD identifying information to
12 the catalog shopping server 1220. The server 1220 uses this information to generate
13 the script, which is the display method of the electronic catalog DVD 1200. The script
14 is then sent to the client 1210, and the content of the electronic catalog DVD 1200 is
15 displayed based upon the script determined in STEP 1402. The end result is that the
16 central control means 1211 of the catalog shopping client 1210 controls the DVD
17 driving means 1213 based on the script and sends the data to be displayed to the
18 information display means 1216.

19
20 For ease of reference, the Examiner's cited passage is reproduced below:

21 If it is recorded, as shown in Step 1402, the central control means 1211 of the
22 catalog shopping client 1210 transmits the purchase history information recorded in
23 the purchase history information storage area 1203 together with the DVD identifying
24 information 1303 to the catalog shopping server 1220 using the information
25 transmitting and receiving means 1212. The central control means 1221 of the catalog
26 shopping server 1220 receives the DVD identifying information 1303 and the
27 purchase history information by the information transmitting and receiving means

1 1222, and determines a script, i.e. display method of the electronic catalog DVD 1200
2 by the display object display method information generating means 1224. Then, the
3 script is transferred to the catalog shopping client 1210, and it is advanced to Step
4 1403.

5 Next, as shown in Step 1403, the central control means 1211 of the catalog
6 shopping client 1210 displays content of the electronic catalog DVD 1200 using the
7 information display means 1216 based on the script determined in Step 1402 or on the
8 predetermined script. Here, the display method of the electronic catalog DVD 1200
9 may be such that, for example, ranking is put on categories of commodities purchased
10 in the past, and the commodities with high ranking or those related to such
11 commodities may be displayed with emphasis on the catalog, while the commodities,
12 which had attracted no attention, are displayed by text, and not by image display. In
13 this case, the central control means 1211 of the catalog shopping client 1210 controls
14 DVD driving means 1213 based on the script and sends the data to be displayed to the
15 information display means 1216. (emphasis added)
16

17 The Examiner further asserted on page 26 of the Second Office Action that "the
18 examiner believes that the 'utilization' is actually 'initiated' when the script is
19 determined and then sent by the server, which occurs before the DVD data is utilized
20 and displayed at the client."

21 As described in detail above with regard to the claim construction of the phrase
22 "initiate utilization," Appellant disagrees that the sending of a script acts to initiate
23 utilization. Thus, the Examiner has committed error by asserting that Uranaka
24 teaches, either explicitly or inherently, the claimed "initiate utilization" limitation.

25 In addition to the Examiner committing error by asserting that the sending of a
26 script acts to initiate utilization, the Examiner has also failed to establish that Uranaka

1 identically discloses "auxiliary sites addresses being structured to be remotely
2 accessed by said remote server assembly." As also recited in claim 1, this remote
3 access is to "initiate utilization" of the auxiliary site data.

4 Uranaka does not teach that the remote server assembly accesses the auxiliary
5 site addresses, which are encoded on the computer readable medium. Instead,
6 Uranaka teaches that the server (i.e., allegedly corresponding to the remote server
7 assembly) sends a script. Thus, the Examiner has committed error by asserting that
8 Uranaka identically discloses all of the claimed limitations recited in claim 1.

1 **THE REJECTION OF CLAIMS 1 AND 3-8 UNDER 35 U.S.C. § 102 FOR**
2 **ANTICIPATION BASED UPON FIDELIBUS**

3 For convenience of the Honorable Board in addressing the rejections, claims 4-
4 8 stand or fall together with independent claim 1; and dependent claim 3 stands or
5 falls alone.

6 Claim 1

7 On pages 36 and 37 of the Second Office Action, the Examiner asserted the
8 following:

9 The individual songs recorded at the specific tracks are structured such that they can
10 be remotely accessed by the remote server assembly in the following manner. As
11 noted above, the user identifies the desired one or plurality of audio or visual
12 component entertainment elements recorded on the CD-ROM (these would represent
13 the auxiliary site addresses) that the user wishes to have user presses the PLAY icon
14 from the IMES control bar 330, the remote server assembly 130 remotely
15 accesses the auxiliary site addresses and initiates utilization of them by the local
16 processor assembly 100, because a PLAY causes the simultaneous activation of
17 the FRAME A 310 (representing primary site data, as well as the content in
18 FRAME B at 320) and the audio from the CD-ROM (this is located at the local
19 processor assembly 100 at the media drive 108). Since the IMES 134 and the
20 FRAME A/B are from the remote server assembly 130, the auxiliary site addresses
21 are initiated in conjunction in order to achieve the desired multimedia presentation.

22

23 Referring to column 6, lines 1-4, Fidelibus teaches connecting to a remote
24 computing device (i.e., server) ("As noted above, the user establishes a
25 communication connection at step 201 from the local computing device 100 to the
26 remote computing device 110 by way of public communication network 120").

1 Referring to column 6, lines 15-21, a Web page is sent to the client ("The Web server
2 of the remote computing device 110 transmits a standard Web page to the user
3 terminal to initiate the remote interactive access of the interactive multimedia
4 entertainment system which is running on remote computing device 110"). As
5 discussed in column 6, lines 21-34, the user selects multimedia on CD using Web
6 page and the selection is forward to the server ("Using the Web page, the user selects
7 CD and "desired one of the plurality of audio and/or visual component entertainment
8 elements recorded thereon" and this "data input by the user is transmitted by local
9 computing device 100 to the remote computing device 110").

10 Referring to column 6, lines 35-39 of Fidelibus, the validation of identity of CD
11 initiated by server ("In response to the receipt of this data from the user selecting a
12 multimedia presentation, identifying the recorded medium or CD, and the selected
13 audio and/or visual component element, the interactive multimedia system is activated
14 by the remote computing device 110"). Referring to column 7, lines 4-8, the user is
15 authorized to access the multimedia ("If it is determined at step 206 by remote
16 computing device 110, that the proper recorded medium is mounted in media drive
17 108, processing advances to step 208 where the user is authorized to access the
18 multimedia portion of the Web site extant on remote computing device 110").
19 Referring to column 7, lines 8-15, the client then receives a Web page having a
20 control panel with control options ("The remote computing device 110 transmits data
21 at step 209 to the local computing device 100 representative of the Web page of the

1 interactive multimedia system. Included in this Web page is a control panel which
2 provides the user with a plurality of control options. At step 210, the user activates the
3 multimedia presentation by operating one or more of the icons contained in the control
4 panel").

5 As described in detail above with regard to the claim construction of the phrase
6 "initiate utilization," Appellant disagrees that the sending of a Web page and control
7 panel acts to initiate utilization. Thus, the Examiner has committed error by asserting
8 that Fidelibus teaches, either explicitly or inherently, the claimed "initiate utilization"
9 limitation.

10 In addition to the Examiner committing error by asserting that the sending of a
11 Web page and control panel acts to initiate utilization, the Examiner has also failed to
12 establish that Fidelibus identically discloses "auxiliary sites addresses being structured
13 to be remotely accessed by said remote server assembly." As also recited in claim 1,
14 this remote access is to "initiate utilization" of the auxiliary site data.

15 Fidelibus does not teach that the remote server assembly accesses the auxiliary
16 site addresses, which are encoded on the computer readable medium. Instead,
17 Fidelibus teaches that the server (i.e., allegedly corresponding to the remote server
18 assembly) sends a Web page with a control panel. Thus, the Examiner has committed
19 error by asserting that Fidelibus identically discloses all of the claimed limitations
20 recited in claim 1.

1 Claim 3

2 Dependent claim 3 recites "a security protocol system, said security protocol
3 system being structured to limit said remote server assembly's access to said local
4 processor assembly by only permitting access to said compact, portable,
5 interchangeable computer readable medium associated with said local processor
6 assembly." On page 37 of the Second Office Action, the Examiner asserted the
7 following regarding claim 3:

8 Column 6, lines 35-65 describes the validation steps 204 and 205, where it is
9 described that the remote server assembly is limited to directing the local processor
10 assembly to scan the recorded medium placed in the media drive 108 in a well known
11 fashion to identify or authenticate the recorded medium. Therefore, some sort of
12 security is present to the extent claimed to by permitting access only to the recorded
13 medium placed in the media drive 108.

14
15 Appellant respectfully disagrees with the Examiner implied claim construction within
16 the underlined portion of the above-reproduced passage. The alleged teaching of
17 permitting access only to the recorded medium does not identically disclose the
18 claimed "limit said remote server assembly's access to said local processor assembly."
19 Specifically, whereas the access being limited of claim 1 refers to the local processor
20 assembly, the "limiting" of Mages refers to the CD-ROM. Thus, the Examiner has
21 erred by asserting that Mages identically discloses the limitations recited in claim 3.

1 **THE REJECTION OF CLAIM 23 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS**
2 **BASED UPON FIDELIBUS**

3 For convenience of the Honorable Board in addressing the rejections, claim 23
4 stands or falls alone.

5 Appellant incorporates herein, as also applying to claim 23, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Fidelibus.

8

1 **THE REJECTION OF CLAIM 9 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED**
2 **UPON MAGES**

3 For convenience of the Honorable Board in addressing the rejections, claim 9
4 stands or falls alone.

5 Appellant incorporates herein, as also applying to claim 9, the arguments
6 previously presented with regard to the Examiner's rejection of claim 1 based upon
7 Mages.

1 Conclusion

2 Based upon the foregoing, Appellant respectfully submits that the Examiner's
3 rejections under 35 U.S.C. §§ 102, 103 are not viable. Appellant, therefore, respectfully
4 solicits the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. §§
5 102, 103.

Control No.: 90/008,591

Art Unit 3992

Please charge any shortage in fees due under 37 C.F.R. §§ 1.17, 41.20, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 503839, and please credit any excess fees to such deposit account.

Date: March 13, 2009

Respectfully submitted,

/Scott D. Paul/

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CUSTOMER NUMBER 29973

ATTORNEYS FOR PATENTEE

VIII. CLAIMS APPENDIX

1. An interactive, remote, computer interface system comprising:
 - a remote server assembly, said remote server assembly including a quantity of primary site data;
 - said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;
 - a local processor assembly;
 - said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;
 - said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;
 - at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;
 - said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

3. A system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly.

4. A system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly.

5. A system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium.

6. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly.

7. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image.

8. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal.

9. A system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection.

10. A system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium.

11. A system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium.

12. A system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data.

13. A system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal.

14. A system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal.

15. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter.

16. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter.

17. A system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter.

18. A system as recited in claim 17 wherein said cabled transmitter includes a telephone line.

19. A system as recited in claim 17 wherein said cabled transmitter includes a broadband cable.

20. A system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable.

21. A system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly.

23. An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein.

each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

26. An interactive, remote, computer interface system comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data;

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;

a local processor assembly;

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;

said data storage assembly including a compact, portable and interchangeable computer readable medium;

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data; and

said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly.

IX. EVIDENCE APPENDIX

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the Examiner has been relied upon by Appellant in this Appeal, and thus no evidence is attached hereto.

X. RELATED PROCEEDINGS APPENDIX

Since Appellant is unaware of any related appeals and interferences, no decision rendered by a court or the Board is attached hereto.

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
: :
Control No.: 90/008,591 : Group Art Unit: 3992
: :
Patent No.: 6,101,534 : Examiner: F. Fleming
: :
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Appeal Brief filed March 13, 2009, was served upon the following via first class United States Mail, postage prepaid, this 13th day of March, 2009.

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Respectfully submitted,

/Peggy C. Shock/

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Electronic Patent Application Fee Transmittal

Application Number:	90008591			
Filing Date:	11-Apr-2007			
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM			
First Named Inventor/Applicant Name:	6101534			
Filer:	Scott David Paul/Peggy Shock			
Attorney Docket Number:	1093-008			
Filed as Small Entity				
ex parte reexam Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Filing a brief in support of an appeal	2402	1	270	270
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				270

Electronic Acknowledgement Receipt

EFS ID:	4965889
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Scott David Paul/Peggy Shock
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	1093-008
Receipt Date:	13-MAR-2009
Filing Date:	11-APR-2007
Time Stamp:	16:36:25
Application Type:	Reexam (Third Party)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$270
RAM confirmation Number	2070
Deposit Account	503839
Authorized User	GREENBERG,STEVEN M

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 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Appeal Brief-Owner	1093-008U_appeal_brief_1_NO A_01-13-09.pdf	205956 c314b634954c577d94518638997f82ff364 19b7	no	53
Warnings:					
Information:					
2	Reexam Certificate of Service	1093-008U_CertificateofService _03-13-09.pdf	57474 815d6f7b8778b08777d7d5d9c94d769c4b c601d	no	1
Warnings:					
Information:					
3	Fee Worksheet (PTO-06)	fee-info.pdf	30177 62e70bcb1a153483e1758364a05d81f4918 b4889	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			293607		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					

Applicant Initiated Interview Request Form

Application No.: 90/008,591 First Named Applicant: Leigh ROTHSCHILD
 Examiner: William H. Wood Art Unit: 3992 Status of Application: Pending

Tentative Participants:

- (1) Scott D. Paul (2) Mark H. Rinehart
 (3) William H. Wood (4) Other USPTO conferees

Proposed Date of Interview: April 8, 2009 Proposed Time: 1:30PM AM/PM

Type of Interview Requested:

- (1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Argument to be Presented:

See attached proposed claim amendments.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Scott D. Paul/
 Applicant/Applicant's Representative Signature

Scott D. Paul
 Typed/Printed Name of Applicant or Representative

42,984
 Registration Number, if applicable

 Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. 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 1.11 and 1.14. This collection is estimated to take 21 minutes 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.
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1st set of proposed claim language

said computer readable medium being structured such that only said remote server assembly accesses said auxiliary site data at said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly; and

said remote server assembly accessing said select portions of said quantity of auxiliary site data [so as] to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

Column 13, lines 58-63 of the '534 Patent:

Along these lines, the remotely accessible, auxiliary site addresses are preferably structured to be remotely accessed by the remote server assembly 50 in order to initiate utilization of the select portions of the auxiliary site data contained in that auxiliary site address by the local processor assembly. Moreover, interchangeable computer readable medium 36 is preferably structured such that only the remote server assembly 50 can access the auxiliary site data at the auxiliary site addresses. Such a structure ensures the preferred utilization of the auxiliary site data only in conjunction with the primary site data

Column 12, lines 26-29 of the '534 Patent:

Specifically, the interactive remote computer interface system 11 is structured to enable the display system 10 of the present invention to be initiated and operated via a remote, on-line type connection.

2nd set of proposed claim language

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to begin using [initiate utilization of] said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

Column 12, lines 26-29 of the '534 Patent:

Specifically, the interactive remote computer interface system 11 is structured to enable the display system 10 of the present invention to be initiated and operated via a remote, on-line type connection.

3rd set of proposed claim language

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly; and [so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data]

the local processor assembly accessing said select portions of said quantity of auxiliary site data, in conjunction with said primary site data, only while the local processor assembly is communicating with the remote server assembly and while directed by the remote server assembly.

Column 14, lines 33-40 of the '534 Patent:

As indicated, in the preferred embodiment of the present invention, the remotely accessible, auxiliary site addresses are specifically encoded so as to restrict access by the local processor assembly 25' unless the access is directed by the remote server assembly 50. Such encoded restriction thereby prevents a user from utilizing the auxiliary site data unless it is in conjunction with the primary site data and therefore a "visit" to the particular primary site address.

Column 12, lines 26-29 of the '534 Patent:

Specifically, the interactive remote computer interface system 11 is structured to enable the display system 10 of the present invention to be initiated and operated via a remote, on-line type connection.

4th set of proposed claim language

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;

access to [so as to initiate utilization of] said select portions of said quantity of auxiliary site data by said local processor assembly, in conjunction with said primary site data, being directed by the remote server assembly.

Column 14, lines 33-40 of the '534 Patent:

As indicated, in the preferred embodiment of the present invention, the remotely accessible, auxiliary site addresses are specifically encoded so as to restrict access by the local processor assembly 25' unless the access is directed by the remote server assembly 50. Such encoded restriction thereby prevents a user from utilizing the auxiliary site data unless it is in conjunction with the primary site data and therefore a "visit" to the particular primary site address.

Column 12, lines 26-29 of the '534 Patent:

Specifically, the interactive remote computer interface system 11 is structured to enable the display system 10 of the present invention to be initiated and operated via a remote, on-line type connection.

5th set of proposed claim language

[said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate] utilization of said select portions of said quantity of auxiliary site data by said local processor assembly [in conjunction with said primary site data] occurring only while the local processor assembly is accessing the primary site address.

Column 14, lines 12-23 of the '534 Patent:

As such, a user at the local processor assembly 25' is able to access a particular primary site address or "web site" utilizing normal means so as to interact with the data at the primary site address. When, however, utilization of the primary site address calls for interactive video and/or graphical displays with associated audio, downloading need not take place, but rather the remote server assembly 50 accesses the interchangeable computer readable medium 36 and initiates utilization of the auxiliary site data stored thereon by the local processor assembly 25' so as to significantly enhance the on-line experience

Column 12, lines 26-29 of the '534 Patent:

Specifically, the interactive remote computer interface system 11 is structured to enable the display system 10 of the present invention to be initiated and operated via a remote, on-line type connection.

Electronic Acknowledgement Receipt

EFS ID:	5039254
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Steven M. Greenberg/Peggy Shock
Filer Authorized By:	Steven M. Greenberg
Attorney Docket Number:	1093-008
Receipt Date:	26-MAR-2009
Filing Date:	11-APR-2007
Time Stamp:	13:08:28
Application Type:	Reexam (Third Party)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Certificate of Service	1093-008U_CertificateofService_03-26-09.pdf	57923 <small>27cd42d2231f8cace24e3edab8af572759e02fcf</small>	no	1

Warnings:

Information:

2	Letter Requesting Interview with Examiner	1093-008_Applicant_Initiated_Interview_Request_Form.pdf	186873 f89b092d0f82593b6e8874a18a61186e4f708515	no	6
Warnings:					
Information:					
Total Files Size (in bytes):				244796	
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Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
: :
Control No.: 90/008,591 : Group Art Unit: 3992
: :
Patent No.: 6,101,534 : Examiner: F. Fleming
: :
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Applicant Initiated Interview Request Form, filed March 25, 2009, was served upon the following via first class United States Mail, postage prepaid, this 26th day of March, 2009.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502

29973 7590 09/24/2009

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/24/2009

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



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CENTRAL REEXAMINATION UNIT

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PATENT NO. : 6101534
ART UNIT : 3900

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

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CENTRAL REEXAMINATION UNIT

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 90/008,591
Filing Date: April 11, 2007
Appellant(s): 6101534

Scott D. Paul
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/13/2009 appealing from the Office action mailed 11/13/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is incorrect. Presumably a typographical error, the date of the Final Office Action should read November 13, 2008.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is substantially correct. Presumably a typographical error, it is believed Figure 2 was intended on: page 2, line 1; page 4, line 6; and page 5, line 18.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,892,825	MAGES et al.	04-1999
6,594,692	REISMAN	07-2003
5,937,158	URANAKA	08-1999
5,931,906	FIDELIBUS, Jr. et al.	08-1999

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 6-8, 21 and 23, 26 are rejected under 35 U.S.C. 102(e) as being anticipated by *Mages et al.* (USPN 5,892,825).

Claim 1

Mages discloses an interactive, remote, computer interface system (*Mages: figure 1*) comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data (*Mages: figures 1-2; column 4, lines 7-17; column 5, lines 55-60; column 6, lines 1-27 and 38-43; host-computer server 7; primary site data includes uncripping key 5, the URL, conventionally provided web pages, and updated information*);

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network (*Mages: column 6, lines 17-27 and 38-43, URL which identifies the remote server on the internet*);

a local processor assembly (*Mages: column 5, lines 55-60, end user computer 1*);

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly (*Mages: column 5, lines 55-60, end user computer and host-computer server coupled via the internet 6*);

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly (*Mages: column 4, lines 18-31, end user computer accesses host-computer server URL so as to achieve communication*);

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data (*Mages: column 4, lines*

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7-17, CD-ROM contains auxiliary site crippled data usable and associated with primary site uncripling data and updated/text/information/price data);

said data storage assembly including a compact, portable and interchangeable computer readable medium (*Mages: column 4, lines 7-17, CD-ROM*);

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data (*Mages: column 4, lines 7-17 and 47-64, CD-ROM files, data, and/or audio and/or video constitute addressable data stored on CD-ROM*); and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data (*Mages: column 7, line 21 to column 8, line 17; column 4, lines 7-17; column 7, line 47 to column 8, line 8, host server sends an access key starting the end-user computer both having and using both the local CD data and the triggering/key data in conjunction, the key is immediately decoded and used to access the auxiliary data*).

Claim 3

Mages discloses a system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server

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assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly (*Mages: column 4, lines 7-17, 47-64; column 5, lines 55-60; column 6, lines 1-27 and 38-43; column 7, line 21 to column 8, line 17; column 4, lines 7-17; figures 1-2, 7-8; column 5, lines 51-54; column 6, line 46, "end-user's browser"; column 6, lines 49-50, "Windows 95' operating system"; column 6, lines 60-64, "the end-user's computer 7 must be equipped with the requisite software which is capable of receiving data from the server 7 and which will ensure that the received encoded key 5 is placed safely in RAM 12, and not allowed to be otherwise saved in the hard drive 11"; remote server access is nothing more than sending the key in Mages and the key only provides access to the crippled data, so access is by definition limited to only the compact, portable, interchangeable computer readable memory*).

Claim 4

Mages discloses a system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly (*Mages: column 4, lines 1-17*).

Claim 6

Mages discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site

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address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly (*Mages: column 4, lines 1-17, server control of the local media data; specific tracks on the CD-ROM can thereby be controlled by the remote server*).

Claim 7

Mages discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image (*Mages: column 4, lines 47-64*).

Claim 8

Mages discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal (*Mages: 4, lines 47-64*).

Claim 21

Mages discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly (*Mages: column 6, lines 38-44; column 7, lines 1-20*).

Claim 23

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The limitations of claim 23 correspond to the limitations of claim 1 and as such are rejected in a corresponding manner. *Mages* additionally discloses the claim 23 limitation: "said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly" (*Mages*: column 4, lines 7-17, 47-64; column 5, lines 55-60; column 6, lines 1-27 and 38-43; column 7, line 21 to column 8, line 17; column 4, lines 7-17; figures 1-2, 7; and specifically figure 8; CD-ROM is distinct from the hard drive).

Claim 26

The limitations of claim 23 correspond to the limitations of claim 1 and as such are rejected in a corresponding manner. *Mages* additionally discloses the claim 23 limitation: "said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly" (*Mages*: column 4, lines 7-17; column 5, lines 50-60; *crippled without key*).

Claims 1, 6-21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by *Reisman* (USPN 6,594,692).

Claim 1

Reisman discloses an interactive, remote, computer interface system (*Reisman*: figure 12) comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data (*Reisman: figure 12, web server element 132, and element 138*);

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network (*Reisman: column 38, lines 43-55*);

a local processor assembly (*Reisman: figure 12, local processor assembly station element 122*);

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly (*Reisman: figure 12, connections of elements 122 and 132*);

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly (*Reisman: figures 1 and 12, ISP and internet*);

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data (*Reisman: figure 12; column 42, lines 54-67; column 42, lines 18-45*);

said data storage assembly including a compact, portable and interchangeable computer readable medium (*Reisman: figure 12; column 42, lines 54-67; column 42, lines 18-45*);

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data (*Reisman: column 42, lines 18-53*); and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data (*Reisman: column 41, lines 15-42, local web content is pre-distributed on the CD-ROM and updated with more current content from the sponsor's website; column 41, lines 43-45, "fetching completing elements"; column 42, lines 8-15, "combines local content stored on CD-ROM ... with additional content from a hard disk, or equivalent and with live browsing or data retrieval from a remote source, for example a Web site on the Internet"; so a remote server provides completing/updated data which starts use of auxiliary data, from accessed addresses, in conjunction with primary site data*)

Claim 6

Reisman discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly (*Reisman: column 43, lines 1-24; column 42,*

lines 8-17; CD-ROM has address identified relative to the local processor assembly, which naturally facilitate access; also column 40, lines 26-46).

Claim 7

Reisman discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image (*Reisman: column 41, lines 1-14*).

Claim 8

Reisman discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal (*Reisman: column 41, lines 1-14*).

Claim 9

Reisman discloses a system as recited in claim 1 wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online connection (*Reisman: column 38, lines 43-55; column 41, lines 1-14; column 40, lines 26-46; figure 12; internet machines with URLs for online use*).

Claim 10

Reisman discloses a system as recited in claim 1 wherein said local processor assembly further includes a data entry assembly associated therewith and structured to

provide for an input of at least a portion of said auxiliary site data into a corresponding one of said auxiliary site addresses of said compact, portable and interchangeable computer readable medium (*Reisman: column 41, lines 43-46; column 42, lines 8-15; column 42, lines 54-57; updating the local medium*).

Claim 11

Reisman discloses a system as recited in claim 10 further including a compression assembly structured to compress said auxiliary site data inputted by said data entry assembly onto said compact, portable and interchangeable computer readable medium (*Reisman: column 21, lines 19-25*).

Claim 12

Reisman discloses a system as recited in claim 10 wherein said data entry assembly includes a receiver assembly structured to receive a remotely transmitted signal containing at least some of said auxiliary site data (*Reisman: figure 1, at least element 36, communicating with and therefore receiving data from remote sources*).

Claim 13

Reisman discloses a system as recited in claim 12 wherein said remotely transmitted signal includes a full band broadcast signal (*Reisman: column 26, lines 20-44*).

Claim 14

Reisman discloses a system as recited in claim 12 wherein said remotely transmitted signal includes an interlaced broadcast signal (*Reisman: column 26, lines 20-44*).

Claim 15

Reisman discloses a system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a satellite transmitter (*Reisman: column 26, lines 20-44*).

Claim 16

Reisman discloses a system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a radio transmitter (*Reisman: column 26, lines 20-44; column 11, lines 18-30*).

Claim 17

Reisman discloses a system as recited in claim 12 wherein said remotely transmitted signal is transmitted to said receiver assembly by a cabled transmitter (*Reisman: column 26, lines 20-44; column 11, lines 18-30*).

Claim 18

Reisman discloses a system as recited in claim 17 wherein said cabled transmitter includes a telephone line (*Reisman: column 11, lines 18-30*).

Claim 19

Reisman discloses a system as recited in claim 17 wherein said cabled transmitter includes a broadband cable (*Reisman: column 43, lines 14-37; column 11, lines 18-30*).

Claim 20

Reisman discloses a system as recited in claim 17 wherein said cabled transmitter includes a fiber optic cable (*Reisman: column 43, lines 14-37; column 11, lines 18-30; Cable TV systems*).

Claim 21

Reisman discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store a plurality of operating instructions which direct an operation of said local processor assembly (*Reisman: column 20, lines 43-56*).

Claim 23

The limitations of claim 23 correspond to the limitations of claim 1 and as such are rejected in a corresponding manner. *Reisman* additionally discloses the claim 23 limitation: "said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly" (*Reisman: figure 12, CD-ROM distinct from disk drive*).

Claims 1, 4 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by *Uranaka* (USPN 5,937,158).

Claim 1

Uranaka discloses an interactive, remote, computer interface system (*Uranaka: figure 12*) comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data (*Uranaka: figure 12, catalog shopping server element 1220; column 17, line 17 to column 18, line 21, primary site data is the network address of the catalog shopping service and the information used to generate the script including the script*);

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network (*Uranaka: column 18, lines 7-21, network address contained at 1304 of the electronic catalog DVD 1200*);

a local processor assembly (*Uranaka: figure 12, catalog shopping client 1210*);

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly (*Uranaka: figure 12, elements 1210 and 1220 are coupled in communication for receiving and transmitting*);

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly (*Uranaka: figure 14, step 1402 or 1409*);

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data (*Uranaka: figure 12, catalog DVD 1200, associated by script from catalog shopping server; column 17, line 17 to column 18, line 21*);

said data storage assembly including a compact, portable and interchangeable computer readable medium (*Uranaka: figure 12, catalog DVD 1200*);

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data (*Uranaka: figure 12, catalog DVD 1200 with at least areas 1201-1203; column 17 to column 18*); and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data (*Uranaka: figure 12, catalog shopping server element 1220 and catalog shopping client 1210; column 17, line 17 to column 18, line 21, server accesses so as to initiate utilization of auxiliary data by sending script to local computer, starting use in conjunction of the auxiliary site data and the primary site data, the script*).

Claim 4

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Uranaka discloses a system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly (*Uranaka: figure 14, elements 1401 and 1402, remote server access via DVD relative to local processor; figure 12, elements 1220, 1210 and 1200, remote server access via DVD relative to local processor assembly; column 17, lines 16-45*).

Claim 6

Uranaka discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly (*Uranaka: figure 14, elements 1401 and 1402; figure 12, element 1210 contains DVD 1200*).

Claim 7

Uranaka discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image (*Uranaka: column 17, lines 16-25, DVD's are structured to store video*).

Claim 8

Uranaka discloses a system as recited in claim 1 wherein said compact, portable and

interchangeable computer readable medium is structured to store at least one audio signal (*Uranaka: column 17, lines 16-25, DVD's are structured to store audio*).

Claims 1 and 3-8 are rejected under 35 U.S.C. 102(e) as being anticipated by *Fidelibus, Jr. et al.* (USPN 5,931,906).

Claim 1

Fidelibus discloses an interactive, remote, computer interface system (*Fidelibus: abstract*) comprising:

a remote server assembly, said remote server assembly including a quantity of primary site data (*Fidelibus: column 4, lines 40-65, remote computing device 110 with a server 130 with primary site data in the form of a webpage and website generated by software 132 having a URL address and the interactive multimedia entertainment system 134*);

said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network (*Fidelibus: column 4, lines 40-65; column 6, lines 11-16; URL*);

a local processor assembly (*Fidelibus: local computing device 100 with processor 102*);

said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly (*Fidelibus: column 6, lines 1-6; figure 1*);

said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly (*Fidelibus: figure 1 shows accessing the primary site address, i.e. the URL; communication through the network*);

at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data (*Fidelibus: column 5, lines 64-68; column 2, lines 27-67; CD-ROM*);

said data storage assembly including a compact, portable and interchangeable computer readable medium (*Fidelibus: column 5, lines 64-68; column 2, lines 27-67; CD-ROM; column 7, lines 27-67*);

said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data (*Fidelibus: column 7, lines 27-67*); and

said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data (*Fidelibus: column 4, line 39 to column 5, line 20*,

the remote device initiates utilization of local CD data in conjunction with sets of entertainment data when it provides access both to the local computer).

Claim 3

Fidelibus discloses a system as recited in claim 1 further including a security protocol system, said security protocol system being structured to limit said remote server assembly's access to said local processor assembly by only permitting access to said compact, portable, interchangeable computer readable medium associated with said local processor assembly (*Fidelibus: column 6, lines 35-65*).

Claim 4

Fidelibus discloses a system as recited in claim 1 wherein said remote server assembly is structured internal site and identify an internal site address of said compact, portable and interchangeable computer readable medium relative to said local processor assembly (*Fidelibus: column 5, lines 50-67*).

Claim 5

Fidelibus discloses a system as recited in claim 4 wherein said remote server assembly is structured to signal a non-presence of said compact, portable and interchangeable computer readable medium (*Fidelibus: column 6, lines 35-67*).

Claim 6

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Fidelibus discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to identify an internal site address thereof relative to said local processor assembly, thereby facilitating access thereto by said remote server assembly (*Fidelibus: figure 1, element 108, relative to local processor assembly; column 5, lines 50-67, addressable CD*).

Claim 7

Fidelibus discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one video image (*Fidelibus: column 5, lines 9-20*).

Claim 8

Fidelibus discloses a system as recited in claim 1 wherein said compact, portable and interchangeable computer readable medium is structured to store at least one audio signal (*Fidelibus: column 5, lines 9-20*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Fidelibus, Jr. et al.* (USPN 5,931,906).

Claim 23

The claim limitations correspond to the limitations of claim 1 and are largely rejected as described above for claim 1. *Fidelibus* did not explicitly state said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly. *Fidelibus* demonstrated that it was known at the time of invention to use a CD-ROM that is compact, portable and interchangeable (figure 1, element 108), that a CD-ROM is distinct from writable memory 112 (figure 1), and that the local processor assembly 100 can be a PC (column 3, lines 49-52). It would have been obvious to one of ordinary skill in the art at the time of invention to refer to CD-ROM distinct memory 112 as a hard drive as is common for PC's as is suggested *Fidelibus'* own teaching. This implementation would have been obvious because one of ordinary skill in the art would be motivated to make a simple substitution of a hard drive for the generalized term writable memory as a hard drive is a well known memory.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Mages et al.* (USPN 5,892,825).

Mages did not explicitly state wherein said primary and said remotely accessible auxiliary site addresses include URL addresses accessible through an online

connection. *Mages* demonstrated that it was known at the time of invention to provide video imaging, with or without audio, accessed of the end-user's CD-ROM (column 4, lines 37-42) and an address (see claim 1). It would have been obvious to one of ordinary skill in the art at the time of invention to modify *Mages* to provide at least two URLs, one for a webpage URL that uncripples the CD-ROM for video imaging with audio and another without audio as suggested by *Mages* teaching. This implementation would have been obvious because one of ordinary skill in the art would be motivated to provide more flexibility to carry out the desired goals of better control of content (column 4, lines 7-17) by allowing the user to select from a variety of "decripping" options of the "crippled" data files on the CD-ROM, and the provision of valuable marketing content targeting the particular user (column 4, lines 18-31).

(10) Response to Argument

Appellant's arguments filed 03/13/2009 (herein *Appeal Brief*) have been fully considered but they are not persuasive. This section presents first a summary of Appellant's arguments, then principles of law for reexamination, and finally responses to each of Appellant's arguments.

Appellant Arguments

Appellant presents the following arguments:

1) there is incorrect claim interpretation including the following, the claim 1 term "to initiate utilization" has been improperly construed, the claim 1 term "to initiate

utilization” has not been afforded a “plain meaning” with regard to the words of the claim, claim interpretation during reexamination prosecution is inconsistent with the original prosecution, claim interpretation during reexamination prosecution is inconsistent with court interpretation, claim interpretation during reexamination prosecution is inconsistent with the Specification (*Appeal Brief*: pages 11-24, sections **“Claim Construction”, “to initiate utilization”, “The Examiner’s Claim Construction”, “The Examiner’s claim construction is not consistent with the plain meaning of the words of the claim”, “The Examiner’s claim construction within the reexamination is inconsistent with original examination”, “The Examiner’s claim construction inconsistent with court claim construction” and “The Examiner’s claim construction inconsistent with Appellant’s specification”**);

2) there is no Substantial New Question of Patentability (*Appeal Brief*: page 22, section **“No Substantial New Question of Patentability”**);

3) *Mages* does not disclose the “initiate utilization” element of the claim language or “auxiliary sites addresses being structured to be remotely accessed by said remote server assembly” (*Appeal Brief*: pages 25-27, section **“The Rejection of Claims 1, 3-4, 6-8, 21, 23, 26 Under 35 U.S.C 102 for Anticipation Based upon Mages”**);

4) *Mages* does not disclose “limit said remote server assembly’s access to said local processor assembly”, as in claim 3 (*Appeal Brief*: pages 27-28, section **“The Rejection of Claims 1, 3-4, 6-8, 21, 23, 26 Under 35 U.S.C 102 for Anticipation Based upon Mages”**);

5) *Reisman* does not disclose the “initiate utilization” element of the claim language or “auxiliary sites addresses being structured to be remotely accessed by said remote server assembly” (*Appeal Brief*: pages 29-31, section “**The Rejection of Claims 1, 6-21, and 23 Under U.S.C. 102 for Anticipation based upon Reisman**”);

6) *Uranaka* does not disclose the “initiate utilization” element of the claim language or “auxiliary sites addresses being structured to be remotely accessed by said remote server assembly” (*Appeal Brief*: pages 32-34, section “**The Rejection of Claims 1, 4, and 6-8 Under 35 U.S.C 102 for Anticipation based upon Uranaka**”);

7) *Fidelibus* does not disclose the “initiate utilization” element of the claim language or “auxiliary sites addresses being structured to be remotely accessed by said remote server assembly” (*Appeal Brief*: pages 35-37, section “**The Rejection of Claims 1 and 3-8 Under 35 U.S.C. 102 for Anticipation based upon Fidelibus**”);

8) *Fidelibus* does not disclose “limit said remote server assembly’s access to said local processor assembly”, as in claim 3 (*Appeal Brief*: page 38, section “**The Rejection of Claims 1 and 3-8 Under 35 U.S.C. 102 for Anticipation based upon Fidelibus**”);

9) claim 23 is patentable for the same reasons argued for claim 1 for *Fidelibus* (*Appeal Brief*: page 39, section “**The Rejection of Claim 23 Under 35 U.S.C. 103 for Obviousness based upon Fidelibus**”); and

10) claim 9 is patentable for the same reasons argued for claim 1 for *Mages* (*Appeal Brief*: page 40, section “**The Rejection of Claim 9 Under 35 U.S.C. 103 for Obviousness based upon Mages**”). These arguments are not persuasive and responses are provided below.

Principles of Law for Reexamination Claim Interpretation

Determine the scope of the claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction in light of the specification as it would be interpreted by one of ordinary skill in the art. *In re Prater*, 415 F.2d 1393, 1404 (CCPA 1969); *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004). This is the standard for claim interpretation in both original examination and re-examination. See *In re Yamamoto*, 740 F.2d 1569, 1571 (Fed. Cir. 1984). "Absent claim language carrying a narrow meaning, the PTO should only limit the claim based on the specification or prosecution history when those sources expressly disclaim the broader definition." *In re Bigio*, 381 F.3d 1320, 1325 (Fed. Cir. 2004).

The words of the claim must be given their plain meaning unless the plain meaning is inconsistent with the specification. See *In re Zletz*, 983F.2d 319, 321 (Fed. Cir. 1989). "Though understanding the claim language may be aided by explanations contained in the written description, it is important not to import into a claim limitations that are not part of the claim." *SuperGuide Corp. v. DirecTV Enter., Inc.*, 358 F.3d 870, 875 (Fed. Cir. 2004). "However, claims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them their broadest reasonable interpretation." *In re Okuzawa*, 537 F.2d 545, 548 (CCPA 1976); *In re Marosi*, 710 F.2d 799, 802 (Fed. Cir. 1983).

Appellant Argument 1

Appellant presents a variety of arguments regarding claim interpretation in the *Appeal Brief*:

a) the claim terminology “to initiate utilization” has been improperly construed and there has been no “explicit claim construction” by the Office during the reexamination proceeding (page 11-13, sections “**Claim Construction**” and “**to initiate utilization**”);

b) the correct interpretation of the claim language in question is “to begin the act of use” (page 12, second paragraph);

c) the claim language “to initiate utilization” has been improperly interpreted as “to prepare for utilization” (pages 13-15, section “**The Examiner’s Claim Construction**”);

d) *Mages, Reisman, Uranaka and Fidelibus* do not initiate utilization presumably because Appellant also argues the claim language has not been properly construed (pages 16-18, section “**The Examiner’s claim construction is not consistent with the plain meaning of the words of the claim**”);

e) the claims have not been construed during the reexamination proceeding as they were during the original prosecution and some of the currently cited prior art is substantially identical to the references listed during the original prosecution (pages 18-22, section “**The Examiner’s claim construction within the reexamination is inconsistent with original examination**”);

f) claim interpretation during reexamination prosecution is inconsistent with court interpretation (pages 22-23, section **"The Examiner's claim construction inconsistent with court claim construction"**); and

g) the provided claim interpretation is not supported by the originally filed specification (pages 23-24, section **"The Examiner's claim construction inconsistent with Appellant's specification"**).

To initial point a), and as explicitly noted throughout the reexamination prosecution, the claim language has been given and is still given its broadest reasonable interpretation. This is consistent with examination and reexamination practice (see the above "Principles of Law" and MPEP 2258 I. G. and MPEP 2111.01).

As to point b), though Appellant has given instruction on the meaning and interpretation of the phrase "to initiate utilization", all of the original terminology, the now recited defining terminology and the newly recited meaning-phrase ("to begin the act of use") are broad and do not define the claim with a clarity and precision that avoids the previously indicated broadest reasonable interpretation. In fact, the phrase "to begin the act of use" is the very meaning given throughout prosecution to the claim term "to initiate utilization", and the language is still found to read upon the cited prior art. The types and forms of "use" or "utilization" are wide and varied, as are the types and forms of "beginning" or "initiating". The broadest reasonable interpretation of "to initiate utilization" is that some form of use/utilization is at some time or in some form initiated/started/begun.

Though patent examination cannot be persuaded by an unrelated hypothetical situation, the Appellant presented illustration (*Appeal Brief*: page 12, starting at the second to last paragraph) does clarify the need for clear, concise and distinct terminology. Appellant's hypothetical illustration argues the question of when a car Borrower's use of that car starts. Appellant suggests use of the car is initiated (started or begun) when the Borrower turns the key in step (ii) of the example. Yet, the example's own step (i), of the Borrower entering the car, is also use of the car and it occurs before step (ii). Opening a car door or sitting in a car are forms of using that car and as such use is initiated at least before turning the key. Notwithstanding other fallacies of Appellant's hypothetical reasoning, this one point illustrates the need for clear, concise and distinct terminology and not merely a broad and arbitrary definition that is itself open to a broadest reasonable interpretation.

In regard to point c), Appellant argues the actions cited from the prior art are preparing for utilization, that they precede the utilization initiation. They only precede Appellant's argument-provided arbitrary definition of when initiate utilization occurs. They do not precede the broadest reasonable interpretation of what the broad claim language defines. It is not clear that "to initiate utilization" doesn't read upon "to prepare for utilization". Further, it is not evident that any such interpretation has been rendered by the prosecution.

As to point d), the claim language has been given the broadest reasonable interpretation. As demonstrated above, the plain meaning has been similarly reached by both the Office examination and the Appellant's own reasoning. The above

rejections and below prior art specific responses demonstrate how the terminology's plain meaning reads upon the cited prior art.

In regard to point e), it would be mere speculation to determine the claim interpretations used or considered during the previous examination of the current patent in question (USPN 6,101,534). The original prosecution allowed the claims in a first office action without directly applying any of the cited references. All of the references listed on the patent are different than the currently applied prior art. Inconsistency is not applicable.

Reexamination is not based on whether the cited prior art is similar or even the same as a previous prosecution. Reexamination is based upon "a substantial new question of patentability" (see MPEP 2216, 2217 and 2242). In the current situation, all of the reexamination-rejection applied prior art is different than the original prosecution. *Reisman* (USPN 6,594,692) is a continuation-in-part of application 08/251,724 which is now patent 5,694,546 also to Reisman, but herein referred to as '546 (this patent was cited during the prosecution of the current patent in question: USPN 6,101,534). The currently applied *Reisman* '692 makes use of new technological teachings not found in the parent (for example: figure 12, columns 41-43). Further, whether currently applied *Reisman* '692 or *Mages* is similar to previously applied references is not an issue, as previously cited references themselves can be applied during reexamination, if viewed in a new-light. Again, reexamination is based upon "a substantial new question of patentability" (35 U.S.C. 303(a): "... determine whether a substantial new question of patentability affecting any claim of the patent concerned ..." and "The existence of a

substantial new question of patentability is not precluded by the fact that a patent or printed publication was previously cited by or to the Office or considered by the Office”). There is no indication in the record that the issues currently raised by *Reisman '692* and *Mages* were ever considered during the original prosecution.

In response to point f), “During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims ... ” (see MPEP 2258 I. G.). Patent Office reexamination proceedings do not use claim interpretation found in litigation. Inconsistency is not applicable.

With regard to point g), Appellant contends the instant Specification language, “only the remote server assembly 50 can access the auxiliary site data at the auxiliary site address”, shows or demonstrates: to initiate utilization, the remote server must be remotely accessing the auxiliary site address. First, as noted above, “[d]uring reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims ... ” (see the above “Principles of Law” and MPEP 2258 I. G.). Second, it is inconsistent for Appellant to insist on a narrow claim interpretation for the purpose of avoiding prior art, yet a broad claim interpretation for deciding scope for potential infringement (Appellant’s patent 6,101,534: see boiler plate language column 16, lines 32-38, “[s]ince many modifications, variations and changes in detail can be made to the described preferred embodiment of the invention, it is intended that all matters in the foregoing description and shown in the accompanying drawings be interpreted as illustrative and not in a

limiting sense. Thus, the scope of the invention should be determined by the appended claims and their legal equivalents"). Third, the Appellant's now recited passage does not define the form of the access from the remote server (perhaps access is merely the remote server sending some information that allows access). Thus, the broadest reasonable claim interpretation is supported by Appellant's specification.

Finally, Appellant's arguments appear to overreach what is reasonably disclosed and attempt to form an unsupported and arbitrary interpretation of the claim language. The prosecution history indicates the claim language has been given its broadest reasonable interpretation and is entirely consistent with normal examination and reexamination practice. And as will be discussed herein below, the broadest reasonable interpretation is met by the cited prior art.

Appellant Argument 2

In *Appeal Brief* section "No Substantial New Question of Patentability" (page 22), Appellant argues an error has occurred by revisiting a question of patentability that has already been decided. This argument is not persuasive.

This is a petitionable matter (see MPEP 2246 II. item (E)). No petition on this issue was ever timely filed. Appellant did not argue this issue in response to the first Office Action or after the Final Office Action. Therefore, Appellant's right to argument on this issue is considered waived.

Notwithstanding Appellant's waiver of argument and assuming arguendo the argument was timely presented, it remains non-persuasive. Reexamination is not

based on whether the cited prior art is similar or even the same as a previous prosecution. Reexamination is based upon "a substantial new question of patentability" (see MPEP 2216, 2217 and 2242), which may apply the exact same references previously applied so long as it is considered in a new-light. In the current situation, all of the reexamination-rejection applied prior art are different than the original prosecution (see above Appellant Argument 1, sub-section e). The currently applied *Reisman* makes use of new technological teachings not found in the parent (for example: figure 12, columns 41-43). There is no indication in the record that the issues currently raised by *Reisman* and *Mages* were ever considered during the original prosecution.

Appellant Argument 3

In *Appeal Brief* section "**The Rejection of Claims 1, 3-4, 6-8, 21, 23, 26 Under 35 U.S.C 102 for Anticipation Based upon Mages**" (pages 25-27), Appellant argues *Mages* does not disclose "to initiate utilization" as in claim 1. Appellant also argues *Mages* does not disclose "auxiliary sites addresses being structured to be remotely accessed by said remote server assembly" as in claim 1. These arguments are not persuasive.

The entire claim element (claim 1) states (emphasis added):

"said remotely accessible, auxiliary site addresses being structured to be **remotely accessed** by said remote server assembly so as **to initiate utilization** of said select portions of said quantity **of auxiliary site data by said local processor** assembly in conjunction with said primary site data."

The broadest reasonable interpretation of the claim language is that auxiliary site data is used in some form in conjunction with the primary site data, the use is by the local processor, and the use is initiated in some form by some form of remote server access of auxiliary site addresses. The terms "initiate" and "utilization" are broad and merely mean "to start or begin" and "to use" respectively. The terms do not define the type or form of initiation or utilization. The term "access" is broad and merely means "the ability to read or write data, that is to gain entry to data or use data of a system". The term does not indicate how the data is accessed, what forms the ability to read or write the data may take, what forms the gained entry or use of the data must take, or a length of time or a degree of control for the access. The term "access" is further qualified with the terminology "so as to initiate utilization ... of auxiliary site data by said local processor ... in conjunction with said primary site data". This clarifies the form of remote access to require nothing more than "remotely established ability to read or write data, gain entry to or use data of a system, so as to initiate utilization of data by the local processor".

In the context of the claim, at most the terminology requires: the start in some form of the local processor using in some form auxiliary site data in conjunction with the primary site data; the remote server is, in some form, involved in the access of auxiliary site addresses and their data; and the access is so as to start in some form the use of the auxiliary data in conjunction with the primary site data. Given the claim limitation as a whole, there is no requirement for the remote server to read, have possession of or even directly control the auxiliary site data or addresses. The remote server accesses

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the addresses by causing the data located therein to be manipulated or used. The remote server accesses the addresses by simply causing the initiation of utilization of the address and their data by the local processor. Therefore, at most the cited prior art must demonstrate: auxiliary site addresses **remotely accessed** by the remote server so as **to initiate utilization of auxiliary site data in conjunction with primary site data by the local processor.**

Turning to the cited prior art, *Mages* states: "end-user's computer 1 is connected via the Internet 6 to a host-computer server 7 which has stored thereat the uncripping or triggering key 5 for the information stored on the end-user's CD-ROM 3" (column 5, lines 55-58); "connection is made between the host, or sending, computer and the receiving, or end-user's computer" (column 7, lines 23-25); "the encoded trigger 5 is sent" (column 7, line 34); and "end-user's computer has a specially-dedicated software program for catching the key, decrypting the key 5 from the server and data from the CD-ROM 3, combining the key and data and playing it back" (column 7, lines 35-38). Therefore, in *Mages* a remote server (*Mages*: host-computer server) accesses auxiliary site addresses (*Mages*: writing the downloaded key data to local memory addresses; writing the key allows reading data from the local memory addresses including the CD-ROM; and the end-user's computer accesses and uses the local addresses along with the sent key data) so as to initiate utilization (*Mages*: end-user's computer accesses and uses the local addresses along with the sent key data) of auxiliary site data in conjunction with primary site data (*Mages*: end-user's computer accesses and uses the local addresses along with the sent key data).

Mages demonstrates accessing the addresses via the remote server so as to initiate the utilization of auxiliary data in conjunction with primary site data by the local processor assembly (*Mages*: column 7, line 47 to column 8, line 8, host server sends an access key starting the end-user computer both having and using both the local CD data and the triggering/key data in conjunction, the key is immediately decoded and used to access the auxiliary data). Therefore, *Mages* demonstrates a remote server accessing the addresses and their data, by sending the trigger, so as to initiate utilization of the auxiliary and primary data in conjunction, by the local processor assembly.

Appellant Argument 4

In *Appeal Brief* section “**The Rejection of Claims 1, 3-4, 6-8, 21, 23, 26 Under 35 U.S.C 102 for Anticipation Based upon Mages**” (pages 27-28), Appellant argues *Mages* does not disclose “limit said remote server assembly’s access to said local processor assembly” as in claim 3. This argument is not persuasive.

Mages states: “an end-user computer 1 having a CD-ROM drive 2 for playing a CD-ROM 3 having stored thereon crippled data 4 that is unreadable without first having received a trigger or uncrippling key 5” (column 5, lines 51-54); “end-user’s browser” (column 6, line 46); “‘Windows 95’ operating system” (column 6, lines 49-50); and “the end-user’s computer 7 must be equipped with the requisite software which is capable of receiving data from the server 7 and which will ensure that the received encoded key 5 is placed safely in RAM 12, and not allowed to be otherwise saved in the hard drive 11”

(column 6, lines 60-64). *Mages* demonstrates a security protocol system (*Mages*: the requisite software for controlling the key on the end-user's computer, the operating system and the browser) that limits the remote server's access to only the compact, portable, interchangeable computer readable memory (*Mages*: the key establishes access as discussed above for claim 1, and the key only provides access to the crippled data, that is the purpose of the key). Under the broadest reasonable interpretation of the claims, remote server access is nothing more than sending the key in *Mages*. The key only provides access to the crippled data, so access is by definition limited to only the compact, portable, interchangeable computer readable memory.

Appellant Argument 5

In *Appeal Brief* section "**The Rejection of Claims 1, 6-21, and 23 Under U.S.C. 102 for Anticipation based upon Reisman**" (pages 29-31), Appellant argues *Reisman* does not disclose the "initiate utilization" element of the claim language or "auxiliary sites addresses being structured to be remotely accessed by said remote server assembly" as in claim 1. These arguments are not persuasive. Analysis of the broadest reasonable interpretation of the claim language from the above section "Appellant Argument 3" is incorporated herein.

Reisman states: "selected Web site content, providing one or more pages, which may have a customized look chosen by the commercial sponsor, 'local pages' hereinafter, can be supplied on physical media such as CD-ROM or diskette and updates can be automatically fetched by the transporter" (column 41, lines 31-35); "the

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offline browser system can be distributed as a shell which uses the transporter to fetch completing elements and content from a remote site" (column 41, lines 43-45); and "local Web content can be pre-distributed on CD-ROM or diskette for use with the described offline browser system. This distributed, locally stored Web content can then be combined with more current, or additional content obtained from the sponsor's Web site or other remote location by either intermittent shuttling or live continuous browsing" (column 42, lines 18-24). *Reisman* demonstrates a remote server (*Reisman*: sponsor Web-site or other remote location) accesses auxiliary site addresses (*Reisman*: writing the new/current/additional content to the local system; and the local system accesses and uses new/current/additional content in conjunction with the "local pages" on the CD) so as to initiate utilization (*Reisman*: writing the new/current/additional content to the local system; and the local system accesses and uses new/current/additional content in conjunction with the "local pages" on the CD) of auxiliary site data in conjunction with primary site data (*Reisman*: writing the new/current/additional content to the local system; and the local system accesses and uses new/current/additional content in conjunction with the "local pages" on the CD).

Reisman demonstrates accessing the addresses via the remote server so as to initiate the utilization of auxiliary data in conjunction with primary site data by the local processor assembly (*Reisman*: column 42, lines 18-24, sponsor's Web site or other remote location sends completing data which starts the end-user computer both having and using both the "local pages", thus including addresses, and the new/current/additional content data in conjunction). Therefore, *Reisman* demonstrates

a remote server accessing the addresses and their data, by sending completing data, so as to initiate utilization of the auxiliary and primary data in conjunction, by the local processor assembly.

Appellant Argument 6

In *Appeal Brief* section **“The Rejection of Claims 1, 4, and 6-8 Under 35 U.S.C 102 for Anticipation based upon Uranaka”** (pages 32-34), Appellant argues *Uranaka* does not disclose the “initiate utilization” element of the claim language or “auxiliary sites addresses being structured to be remotely accessed by said remote server assembly” as in claim 1. These arguments are not persuasive. Analysis of the broadest reasonable interpretation of the claim language from the above section “Appellant Argument 3” is incorporated herein.

Uranaka states: “an electronic catalog DVD, which contains data relating to commodity” (column 17, lines 26-27; figure 12, element 1200); “a catalog shopping client, which is a computer at hand of a catalog shopping user” (column 17, lines 37-39; figure 12, element 1210); “a catalog shopping server for providing catalog shopping service” (column 17, lines 55-56); and “catalog shopping server 1220 stores information, and 1224 represents display object display method information generating means for generating display object display object display method information, e.g. script, for defining which of the information recorded in the electronic catalog DVD 1200 should be displayed and how” (column 17, line 63 to column 18, line 1). *Uranaka* demonstrates a remote server (*Uranaka*: catalog shopping server) accesses auxiliary site addresses

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(*Uranaka*: writing at least the server generated script for displaying DVD content to the local catalog shopping client; and the catalog shopping client accesses and uses the script in conjunction with DVD data) so as to initiate utilization (*Uranaka*: writing at least the server generated script for displaying DVD content to the local catalog shopping client; and the catalog shopping client accesses and uses the script in conjunction with DVD data) of auxiliary site data in conjunction with primary site data (*Uranaka*: writing at least the server generated script for displaying DVD content to the local catalog shopping client; and the catalog shopping client accesses and uses the script in conjunction with DVD data).

Uranaka demonstrates accessing the addresses via the remote server so as to initiate the utilization of auxiliary data in conjunction with primary site data by the local processor assembly (*Uranaka*: column 17, line 16 to column 18, line 3, catalog shopping server sends generated script data which starts the catalog shopping client computer both having and using both the local DVD data and the script data in conjunction). Therefore, *Uranaka* demonstrates a remote server accessing the addresses and their data, by sending script data, so as to initiate utilization of the auxiliary and primary data in conjunction, by the local processor assembly.

Appellant Argument 7

In *Appeal Brief* section “**The Rejection of Claims 1 and 3-8 Under 35 U.S.C. 102 for Anticipation based upon Fidelibus**” (pages 35-37), Appellant argues

Fidelibus does not disclose the “initiate utilization” element of the claim language or “auxiliary sites addresses being structured to be remotely accessed by said remote server assembly” as in claim 1. These arguments are not persuasive. Analysis of the broadest reasonable interpretation of the claim language from the above section “Appellant Argument 3” is incorporated herein.

The broadest reasonable interpretation of the claim language is “auxiliary site addresses **remotely accessed** by the remote server so as **to initiate utilization of auxiliary site data by the local processor in conjunction with said primary site data**”. In other words, the cited prior art must demonstrate remote access defined as to begin the use of auxiliary site data in conjunction with primary site data.

Fidelibus states: “interactive multimedia system executes on the computing device that is remote from a user’s local computing device” (column 2, lines 27-29); “a recorded medium in a media drive located in the local computing device” (column 2, lines 32-34); “the interactive multimedia system incorporates the audio and/or visual components of the recorded medium with audio and/or visual components stored on the remote computing device” (column 2, lines 38-41); “a music listener’s experience can therefore be enhanced via the Internet by adding a visual element to a particular song or group of songs on a specific audio CD, which is played in the user terminal CD drive” (column 2, lines 45-49); “Included in server 130 is a plurality of sets of entertainment information, with each set of audio and/or visual information corresponding to a particular CD that the user can mount in the CD-ROM media drive” (column 4, line 67 to column 5, line 3); “integration of these multimedia segments by the interactive

multimedia system 134 results in a multimedia presentation which is defined by the user and includes program materials retrieved from the local computing device 100, typically including audio and/or visual components from the CD" (column 5, lines 10-14); and "result of the validation determination is communicated to the remote computing device 110 and the interactive multimedia system, at step 206, determines whether an authentic or validated or otherwise proper recorded medium is mounted in media drive 108. If the remote computing device 110 determines that the user either has not mounted any recorded medium at all or has mounted the wrong entertainment medium in the media drive ... the local computing device 100 itself can be instructed to eject the CD mounted in the CD-ROM" (column 6, lines 52-66). *Fidelibus* demonstrates a remote server (*Fidelibus*: device that is remote from a user's local computing device; interactive multimedia system) accesses auxiliary site addresses (*Fidelibus*: at least reading the local computer's CD data; and the provision by the remote device of data that can be used in conjunction with the local CD data) so as to initiate utilization (*Fidelibus*: at least reading the local computer's CD data; and the provision by the remote device of data that can be used in conjunction with the local CD data) of auxiliary site data in conjunction with primary site data (*Fidelibus*: at least reading the local computer's CD data; and the provision by the remote device of data that can be used in conjunction with the local CD data).

Fidelibus demonstrates accessing the addresses via the remote server so as to initiate the utilization of auxiliary data in conjunction with primary site data by the local processor assembly (*Fidelibus*: column 4, line 39 to column 5, line 20, the remote

device initiates utilization of local CD data in conjunction with sets of entertainment data when it provides access both to the local computer). Therefore, *Fidelibus* demonstrates a remote server accessing the addresses and their data, by sending data, so as to initiate utilization of the auxiliary and primary data in conjunction, by the local processor assembly.

Appellant Argument 8

In *Appeal Brief* section “**The Rejection of Claims 1 and 3-8 Under 35 U.S.C. 102 for Anticipation based upon Fidelibus**” (*Appeal Brief*: page 38), Appellant argues *Fidelibus* does not disclose “limit said remote server assembly’s access to said local processor assembly” as in claim 3. This argument is not persuasive.

Fidelibus states: “Included in server 130 is a plurality of sets of entertainment information, with each set of audio and/or visual information corresponding to a particular CD that the user can mount in the CD-ROM media drive” (column 4, line 67 to column 5, line 3); “the interactive multimedia system is activated by the remote computing device 110. The interactive multimedia system validates the identity of the recorded medium that the user has placed in media drive 108” (column 6, lines 38-41); “the interactive multimedia system transmitting an inquiry message ... to the local computing device” (column 6, lines 42-44); “the communication connection over the public communication network 120 using well known protocols and formats” (column 6, lines 32-34); and “These multimedia segments can be selected, controlled, and combined pursuant to commands received via a Web browser” (column 5, lines 7-9).

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Fidelibus demonstrates a security protocol system (*Fidelibus*: web browser, protocols and formats) that limits the remote server's access to only the compact, portable, interchangeable computer readable memory (*Fidelibus*: the remote server segments and commands establish access as discussed above for claim 1, and the remote data only provides access to the CD, that is the purpose of the remote data). Under the broadest reasonable interpretation of the claims, remote server access is nothing more than sending the segments/commands/data in *Fidelibus*. The remote data only provides access to the CD, so access is by definition limited to only the compact, portable, interchangeable computer readable memory.

Appellant Argument 9

In *Appeal Brief* section "**The Rejection of Claim 23 Under 35 U.S.C. 103 for Obviousness based upon Fidelibus**" (*Appeal Brief*: page 39), Appellant argues *Fidelibus* does not disclose the limitations of claim 23 for the same reasons as for claim 1. This argument is not persuasive for the same reasons above as for claim 1.

Appellant Argument 10

In *Appeal Brief* section "**The Rejection of Claim 9 Under 35 U.S.C. 103 for Obviousness based upon Mages**" (*Appeal Brief*: page 39), Appellant argues *Mages* does not disclose the limitations of claim 9 for the same reasons as for claim 1. This argument is not persuasive for the same reasons above as for claim 1.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/William H. Wood/

Primary Examiner, Art Unit 3992

Conferees:

/Sam Rimell/

Primary Examiner, Art Unit 3992


JESSICA HARRISON
SUPERVISORY PATENT EXAMINER

Attorney Docket No. 1093-008

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent of : Customer Number: 29973
: :
Leigh ROTHSCHILD : Confirmation Number: 7502
: :
Control No.: 90/008,591 : Group Art Unit: 3992
: :
Patent No.: 6,101,534 : Examiner: William H. Wood
: :
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply Brief is submitted under 37 C.F.R. § 41.41 in response to the EXAMINER'S ANSWER dated September 24, 2009. The Examiner's response to Appellant's arguments submitted in the Appeal Brief of March 13, 2009, raises additional issues and underscores the factual and legal shortcomings in the Examiner's rejection. In response, Appellant relies upon the arguments presented in the Appeal Brief of March 13, 2009, and the arguments set forth below.

REMARKS

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The Examiner's response to Appellant's arguments is found on pages 28-44 of the Examiner's Answer. Where possible, Appellant will address the Examiner's response in the order in which it is presented within the Examiner's Answer.

Referring to the third full paragraph on page 28 of the Examiner's Answer, the Examiner asserted the following:

To initial point a), and as explicitly noted throughout the reexamination prosecution, the claim language has been given and is still given its broadest reasonable interpretation. This is consistent with examination and reexamination practice (see the above "Principles of Law" and MPEP 2258 I. G. and MPEP 2111.01).

The Examiner's terse response that "the claim language has been given and is still given its broadest reasonable interpretation" is non-responsive. The Examiner fails to identify where the claim construction the Examiner has purportedly provided is found in the prior Office Actions. In fact, the first explicit claim construction of the claim term "to initiate utilization" was presented in the Examiner's Answer.

Control No.: 90/008,591

1 The Examiner's response to the arguments presented on pages 12 and 13 of
2 the Appeal Brief is found in the last full paragraph on page 28 of the Examiner's
3 Answer and is reproduced below:

4 As to point b), though Appellant has given instruction on the meaning and
5 interpretation of the phrase "to initiate utilization", all of the original terminology,
6 the now recited defining terminology and the newly recited meaning-phrase ("to
7 begin the act of use") are broad and do not define the claim with a clarity and
8 precision that avoids the previously indicated broadest reasonable interpretation.
9 In fact, the phrase "to begin the act of use" is the very meaning given
10 throughout prosecution to the claim term "to initiate utilization", and the
11 language is still found to read upon the cited prior art. The types and forms of
12 "use" or "utilization" are wide and varied, as are the types and forms of
13 "beginning" or "initiating". The broadest reasonable interpretation of "to initiate
14 utilization" is that some form of use/utilization is at some time or in some form
15 initiated/started/begun. (emphasis in original)

16

17 The Examiner's assertion that the broadest reasonable interpretation of the claim
18 term "to initiate utilization" is that "some form of use/utilization is at some time or
19 in some form initiated/started/begun" (emphasis in original) marks the first time the
20 Examiner has provided an explicit claim construction of the claim term "to initiate
21 utilization." The late nature of this claim construction has significantly prejudiced

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1 Appellant since Appellant does not have the right to amend the claims in response
2 to this claim construction.¹

3

4 As indicated by the Courts, the justification for the "broadest reasonable
5 interpretation" standard in interpreting claim language is that Appellant has the
6 ability to amend the claims to obtain protection commensurate with Appellant's
7 actual contribution to the art. In re Yamamoto, 740 F.2d 1569, 1571 (Fed. Cir.
8 1984) ("The PTO broadly interprets claims during examination of a patent
9 application since the applicant may 'amend his claims to obtain protection
10 commensurate with his actual contribution to the art.'") (citation omitted). Also, it
11 has been stated that Appellant always has the opportunity to amend the claims
12 during prosecution, and broad interpretation by the examiner reduces the
13 possibility that the claim, once issued, will be interpreted more broadly than is
14 justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA
15 1969). Appellant, however, was never provided with a realistic opportunity to
16 amend the claims based upon an explicit claim construction of the claim terms at
17 issue.

18

¹ Although Appellant could file a Request for Continued Examination during the prosecution of a patent application in order to submit new claim language, this option is not available in an *ex parte* Reexamination either after a Final Office Action or after an Examiner's Answer.

1 Appellant respectfully submits that the Examiner's actions in the present
2 Reexamination have prevented Appellant from presenting claims that address the
3 Examiner's "broadest reasonable interpretation" ² characterization of the limitations
4 at issue. Specifically, the Examiner has prevented Appellant from having a
5 realistic opportunity to address the Examiner's broadest reasonable interpretation
6 by:

- 7 1) not mentioning claim construction as an issue in the first
8 Office Action;
- 9 2) not providing an explicit claim construction of the terms at
10 issue until the Examiner's Answer; and
- 11 3) rejecting multiple attempts by Appellant to address claim
12 construction during prosecution.

13

14 Instead, the Examiner waited until after the Second and Final Office Action to
15 identify the claim construction of the limitations at issue as being the "key issue."
16 Additionally, as alluded to in the Appeal Brief, the Examiner's reliance upon
17 teachings that were cited during the original prosecution of the underlying patent
18 application further makes the Examiner's failure to provide an explicit claim
19 construction even more egregious since Appellant relied upon the original

² On page 28 of the Examiner's Answer, the Examiner stated that "the phrase 'to initiate utilization' ... are broad and do not define the claim with a clarity and precision that avoids the previously indicated broadest reasonable interpretation."

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1 Examiner's implicit construction of the claims, which is different than how the
2 claims have been interpreted during Reexamination.

3

4 Although Appellant performed one personal interview and submitted four
5 after-final amendments, none of the proposed amendments were entered after final.
6 Moreover, after the Examiner initially indicated a willingness to perform another
7 personal interview, Appellant presented five additional different sets of claims in a
8 Request for Interview, which was subsequently denied by the Examiner. Thus,
9 Appellant has made multiple attempts, on the record, to avail himself of the right to
10 amend the claims – this right being the justification for the "broadest reasonable
11 interpretation" doctrine, as indicated by the Courts. However, the Examiner's
12 actions have obstructed each one of these attempts.

13

14 It should further be noted that the Examiner has not argued that the applied
15 prior art identically discloses the limitations at issue based upon Appellant's claim
16 construction. Given no disagreement as to whether or not the cited prior art
17 teaches Appellant's claims, as construed by Appellant, there should have been no
18 reason why a compromise could not have been reached. However, by the
19 Examiner's actions, Appellant was prevented from addressing, by amendment, the

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1 Examiner's claim construction, in a claim construction that was not explicitly
2 provided until the Examiner's Answer.

3

4

5 Returning to the Examiner's claim construction, the Examiner asserts that
6 the broadest reasonable interpretation of the claim term "to initiate utilization" is
7 that "some form of use/utilization is at some time or in some form
8 initiated/started/begun" (emphasis in original). The broadest reasonable
9 interpretation of a claim term, however, must also be consistent with the
10 interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d
11 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

12

13 Referring to the first full paragraph on page 29 of the Examiner's Answer,
14 the Examiner addressed the analogy presented on pages 12 and 13 of the Appeal
15 Brief. Specifically, the Examiner asserted the following:

16 Though patent examination cannot be persuaded by an unrelated
17 hypothetical situation, the Appellant presented illustration (*Appeal Brief*: page 12,
18 starting at the second to last paragraph) does clarify the need for clear, concise
19 and distinct terminology. Appellant's hypothetical illustration argues the question
20 of when a car Borrower's use of that car starts. Appellant suggests use of the car is
21 initiated (started or begun) when the Borrower turns the key in step (ii) of the
22 example. Yet, the example's own step (i), of the Borrower entering the car, is also
23 use of the car and it occurs before step (ii). Opening a car door or sitting in a car

1 are forms of using that car and as such use is initiated at least before turning the
2 key. Notwithstanding other fallacies of Appellant's hypothetical reasoning, this
3 one point illustrates the need for clear, concise and distinct terminology and not
4 merely a broad and arbitrary definition that is itself open to a broadest reasonable
5 interpretation.

6

7 Although the Examiner disparages Appellant's use of a hypothetical, the use of a
8 hypothetical is very common in making legal arguments.

9

10 "some time or in some form"

11 The Examiner states that the "use" of a car starts when opening the car door
12 or sitting in the car, but in either case before the key is turned in the ignition. This
13 characterization, by the Examiner, of the hypothetical clearly illustrates the
14 difference between how Appellant is construing the language of the claims and
15 how the Examiner is construing the language of the claims.

16

17 Appellant's position is that "[o]pening a car door" is not the same as using a
18 car, and "sitting in a car" is also not using a car. To use a car, as interpreted by one
19 of ordinary skill in the art, means to use a car (i.e., a vehicle for transporting
20 people) for its intended purpose, i.e., by operating/driving a motor vehicle. For
21 example, if a speaker were to state to an ordinary person that "I used your car," this
22 ordinary person would not think the speaker just sat in the car or opened the car

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1 door. Instead, an ordinary person would believe that the speaker drove the car. By
2 referring to "some form" the Examiner unreasonably ignores that the use of a car,
3 as interpreted by one skilled in the art, occurs when the car is used as a car (i.e.,
4 driven).

5

6 If the "opening of a car door" is initiation of use of the car, then taking a
7 CD-ROM (i.e., an example of a compact, portable and interchangeable computer
8 readable medium) containing "said select portions of said quantity of auxiliary site
9 data" and tossing the CD-ROM, Frisbee-style, also constitutes the initiation of
10 utilization of the select portions of the quantity of auxiliary site data, based upon
11 the Examiner's interpretation, since the Examiner does not limit the "form" of
12 utilization to anything.

13

14 On page 12 of the Appeal Brief, Appellant stated that the term "to initiate,"
15 when used in conjunction with the term "utilization," establishes a point in time
16 (i.e., the beginning) of the act of use. This point in time is critical since it
17 establishes when the "remotely accessibly, auxiliary sites addresses [are] remotely
18 accessed by said remote server assembly." The Examiner, however, cannot
19 establish that the prior art identically teaches this timing limitation based on
20 Appellant's claim construction.

1

2 To establish that the applied prior art teaches the claim language at issue, the
3 Examiner must construe the language of the claim to remove this limitation as to
4 timing. As result, the Examiner has interpreted the language at issue as only
5 requiring that at "some time" is utilization initiated. Since "some time" can mean
6 any time, the Examiner has removed the distinctive character of this limitation and,
7 in essence, reads this limitation as to timing out of the claims.

8

9 To illustrate how the Examiner interpretation has removed the
10 distinctiveness of this limitation as to timing from the claims, consider the
11 following hypothetical. The phrase "initiate use of an interstate highway system
12 with a car" describes an act that is normally preceded by a series of events, in
13 order, such as: "mine ore;" "smelt ore into metal;" "cast key from liquid metal;"
14 "cut key;" "retrieve key;" "open door with key;" "sit in car;" "insert key into
15 ignition and start car;" "steer car;" "use on-ramp to interstate highway; and "enter
16 interstate highway from on-ramp." Under the Examiner's interpretation, the
17 initiation of the use of the interstate highway system by the car occurs, absurdly, at
18 least before the ore for the key is mined since all of the above-identified events
19 precede the use of the interstate highway system at "*some time*."

20

1 Appellant's interpretation, on the other hand, would have the initiation of the
2 utilization of the interstate highway system occurring when the car physically
3 enters the highway. Appellant respectfully submits that this is a reasonable
4 interpretation according to a person of ordinary skill in the art. On the contrary, an
5 interpretation based upon the Examiner's analysis would unreasonably ignore the
6 distinctiveness of the language being used and how it is interpreted by one skilled
7 in the art.

8

9 In responding to arguments on page 13 of the Appeal Brief, the Examiner
10 presented the following assertion on page 29 of the Examiner's Answer:

11 In regard to point c), Appellant argues the actions cited from the prior art
12 are preparing for utilization, that they precede the utilization initiation. They only
13 precede Appellant's argument-provided arbitrary definition of when initiate
14 utilization occurs. They do not precede the broadest reasonable interpretation of
15 what the broad claim language defines. It is not clear that "to initiate utilization"
16 doesn't read upon "to prepare for utilization". Further, it is not evident that any
17 such interpretation has been rendered by the prosecution. (emphasis added)

18

19 Referring to the underlined-portion of the above-reproduced passage, the
20 Examiner's error in interpreting the language of the claims is clearly evident.
21 Specifically, the Examiner does not see a difference between initiate utilization and
22 preparing for utilization. Appellant respectfully submits that "to prepare for
23 utilization" identifies a time prior to when utilization begins. On the other hand "to

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1 initiate utilization" identifies the point in time at which utilization begins. Thus,
2 Appellant's position is that one skilled in the art would not identify "to prepare for
3 utilization" as identically disclosing "to initiate utilization."

4

5 The Examiner's interpretation introduces considerable uncertainty as to how
6 far back preparation goes. Using the phrase "initiate use of an interstate highway
7 system" and based upon the Examiner's interpretation, one skilled in the art one
8 could assert that preparation goes as far back as "sitting in the car," "mining the
9 ore" or even farther back. Appellant respectfully submits that by redrafting "to
10 initiate utilization" as "preparing to initiate utilization," the Examiner has presented
11 a claim construction that a person skilled in the art would deem as being
12 unreasonable.

13

14

15 In the paragraph spanning pages 29 and 30 of Examiner's Answer, the
16 Examiner further asserted the following:

17 As to point d), the claim language has been given the broadest reasonable
18 interpretation. As demonstrated above, the plain meaning has been similarly
19 reached by both the Office examination and the Appellant's own reasoning. The
20 above rejections and below prior art specific responses demonstrate how the
21 terminology's plain meaning reads upon the cited prior art.

22

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1 In responding to Appellant's argument that the Examiner's claim
2 construction is not consistent with the plain meaning of the words of the claim, the
3 Examiner tersely states "as demonstrated above, the plain meanings has been
4 similarly reached by both the Office and the Appellant's own reasoning. The above
5 rejections and below prior art specific responses demonstrate how the
6 terminology's plain meaning reasons upon the prior art." As best can be
7 understood, the Examiner is simply making a conclusory statement that the
8 Examiner's claim construction is consistent with the plain meaning of the words of
9 the claim. Such conclusory statements, however, are not responsive and do not
10 move the discussion of the issues forward.

11

12

13 In the first full paragraph on page 30 of the Examiner's Answer, the
14 Examiner asserted the following:

15 In regard to point e), it would be mere speculation to determine the claim
16 interpretations used or considered during the previous examination of the current
17 patent in question (USPN 6,101,534). The original prosecution allowed the claims
18 in a first office action without directly applying any of the cited references. All of
19 the references listed on the patent are different than the currently applied prior art.
20 Inconsistency is not applicable.

21

22 Appellant respectfully submits that the Examiner's analysis is in error.

23

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1 The fact that two references are different (i.e., with different patent numbers)
2 does not establish that the disclosures within these references are entirely different.
3 Instead, different references can disclose the same or similar subject matter, in
4 whole or in part. Thus, contrary to the Examiner's conclusion, an inconsistent
5 claim construction can occur, as it did in the present instance.

6

7 As discussed in the Appeal Brief, two currently-applied references include
8 subject matter previously disclosed in a reference previously-cited during the
9 original examination. Specifically, the teachings within Mages and Reisman
10 (6,594,692) being relied upon by the Examiner in the present Reexamination do
11 not substantively differ from the teachings found within the Reisman 5,694,546
12 Patent, which was previously cited against Appellant during the original
13 examination. In fact, the Reisman 6,594,692 Patent is a continuation-in-part of the
14 Reisman 5,694,546 Patent.

15

16 Referring to the second full paragraph on page 30 of the Examiner's Answer,
17 the Examiner attempts to rebut Appellant's assertions by stating that Fig. 12 and
18 columns 41-43 of the Reisman 6,594,692 Patent include "new technological
19 teachings." However, these alleged "technology teachings" are not new. Instead,

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1 this subject matter can found in Figs. 5-6 and col. 27-31 of the Reisman 5,694,546
2 Patent, which also teach the interactions between a client and a server.

3

4 Since Mages and Reisman (6,594,692) do not substantively differ from the
5 teachings found within the Reisman 5,694,546 Patent, which has not been
6 successfully rebutted by the Examiner, Appellant maintains that the Examiner's
7 explicit claim construction in the present reexamination is inconsistent with the
8 claim construction applied during the original examination.

9

10 In the paragraph spanning pages 30 and 31 of the Examiner's Answer, the
11 Examiner asserts that "[t]here is no indication in the record that the issues currently
12 raised by *Reisman* '692 and *Mages* were ever considered during the original
13 prosecution." The problem with the Examiner's statement is the Examiner has
14 ignored that the Examiner has yet to specifically identify what issues, raised by
15 Reisman 6,594,692 and Mages, are different than the issues raised by 5,694,546.
16 Despite being given ample opportunity to identify these substantial new questions
17 of patentability, the Examiner's sole analysis involves a nonspecific reference to
18 "new technological teachings" within Reisman 6,594,692 that appear to disclose
19 well known concepts as to client/server interactions.

20

1 Therefore, the only apparent new issue identified by the Examiner is the
2 issue of claim construction (see page 6 of the Second Office Action, where the
3 Examiner asserts "the examiner believes that the issue is the claim interpretation of
4 the key phrase of the claims in question"). The issue of claim construction,
5 however, was not raised in the First Office Action and was not raised until the
6 Second Office Action. Thus, as discussed in greater detail above, Appellant was
7 prevented from addressing this issue by amendment since the Second Office
8 Action was a Final Office Action.

9

10

11 In the first full paragraph on page 31 of the Examiner's Answer, the
12 Examiner responds to Appellant's argument that the Examiner's claim construction
13 is not consistent with a Court's claim construction. On this issue, the Examiner
14 recites a portion of M.P.E.P. § 2258, which states that "[d]uring reexamination,
15 claims are given the broadest reasonable interpretation consistent with the
16 specification." The legal requirement that claims are to be given the broadest
17 reasonable interpretation includes the requirement that interpretation must be
18 reasonable. Appellant's reference to the Court's claim construction is evidence as
19 to the reasonableness of Appellant's claim construction, and this evidence should
20 have been considered by the Examiner.

1

2

3 In the paragraph spanning pages 31 and 32 of the Examiner's Answer, the
4 Examiner responds to Appellant's argument that the Examiner's claim construction
5 is not consistent with the Appellant's specification. In response, the Examiner
6 concludes that the Examiner's claim construction is "supported by Appellant's
7 specification." The Examiner's conclusion, however, is not based upon any real
8 analysis of the Examiner's claim construction in view of Appellant's specification.
9 Instead, the Examiner refers to case law in the Examiner's first point, but does not
10 apply this case law to the facts at hand. In the second point, the Examiner's
11 disparages Appellant's use of boiler plate language in the specification, the
12 disparagement of which does nothing to support the Examiner conclusion. Finally,
13 in the third point, the Examiner alleges that "the Appellant's now recited passage
14 does not define the form of the access from the remote server (perhaps access is
15 merely the remote server sending some information that allows access)."

16

17 The Examiner's third point evidences, yet again, the Examiner
18 unreasonableness in considering the language of the claim. In this instance the
19 Examiner somehow (without any evidence for support) believes that a remote
20 server assembly accessing auxiliary site data (i.e., within the data storage assembly

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1 associated with the local processor assembly) is disclosed by sending some
2 information that allows access. To "allow access" is not the same as "accessing."
3 A person, living in Maryland, sending a key to a person in California with the key
4 opening a door to a room in California is not "accessing" the room by sending the
5 key. Instead, the person in California that is adjacent to the door when the key is
6 inserted into the lock and the door has been opened is "accessing" the room.
7 Although the Examiner continues to set forth broad interpretations of the language
8 at issue, these interpretations are not reasonable.

9

10

11 In the paragraph spanning pages 32 and 33 of the Examiner's Answer, the
12 Examiner responds to Appellant's argument that the Examiner's new claim
13 construction raises a substantial new question of patentability. In response, the
14 Examiner states that "all of the reexamination-rejection applied prior art are
15 different than the original prosecution." As already discussed above, this statement
16 is not accurate. The teachings within Mages and Reisman 6,594,692 being relied
17 upon by the Examiner in the present reexamination do not substantively differ
18 from the teachings found within the Reisman 5,694,546 Patent, which was
19 previously cited against Appellant during the original examination using a different
20 claim construction.

1

2

3 In the first full paragraph on page 34 of the Examiner's Answer, the
4 Examiner stated the following:

5 The broadest reasonable interpretation of the claim language is that
6 auxiliary site data is used in some form in conjunction with the primary site
7 data, the use is by the local processor, and the use is initiated in some form by
8 some form of remote server access of auxiliary site addresses. The terms "initiate"
9 and "utilization" are broad and merely mean "to start or begin" and "to use"
10 respectively. The terms do not define the type or form of initiation or
11 utilization. The term "access" is broad and merely means "the ability to read
12 or write data, that is to gain entry to data or use data of a system". The term
13 does not indicate how the data is accessed, what forms the ability to read or write
14 the data may take, what forms the gained entry or use of the data must take, or a
15 length of time or a degree of control for the access. The term "access" is
16 further qualified with the terminology "so as to initiate utilization ... of auxiliary
17 site data by said local processor ... in conjunction with said primary site data".
18 This clarifies the form of remote access to require nothing more than "remotely
19 established ability to read or write data, gain entry to or use data of a system, so
20 as to initiate utilization of data by the local processor". (emphasis in original)

21

22 Despite the Examiner's assertion that "[t]he terms do not define the type or form of
23 initiation or utilization," claim 1 clearly recites "initiate utilization of said select
24 portions of said quantity of auxiliary site data by said local processor assembly."
25 Thus, contrary to the Examiner's assertion, claim 1 clearly recites a particular "type
26 or form of initiation or utilization." Appellant respectfully submits that a person of

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1 ordinary skill in the art would interpret the utilization of data to mean reading the
2 data and/or the using of the data in a process, e.g., a calculation or in a look-up.

3

4 Notably, the Examiner asserts that the form of Appellant's claim term
5 "initiate utilization of ... data" leads to an interpretation that the claim requires
6 nothing more than an ability to read or write data. Thus, the Examiner is equating
7 "*using* data" with the "*ability* to read or write data." This is an unreasonable
8 interpretation as viewed by a person skilled in the art. The ability to use data is not
9 the same as using data. The "ability to use" describes a potential for use whereas
10 "utilization of ... data" describes actual use. Thus, Appellant again respectfully
11 submits that the Examiner's claim construction is not reasonable.

12

13

14 The Examiner's comments in the paragraph spanning pages 34 and 35 of the
15 Examiner's Answer have already been addressed. Additionally, the Examiner's
16 remaining discussion on pages 35-44 involves the Examiner's analysis of the
17 applied prior art based upon the Examiner's claim construction. Since the
18 Examiner is employing an incorrect claim construction in analyzing the prior art,
19 Appellant's position is that the Examiner's discussion on pages 35-44 is also in
20 error.

1

2

3 As discussed above, Appellant's position is that Appellant has never been
4 given a fair opportunity to address the Examiner's claim construction as to the
5 issues at issue. Since being given a fair opportunity to address the Examiner's
6 claim construction is the basis for permitting the Examiner to employ a "broadest,
7 reasonable interpretation" analysis, Appellant has been unfairly prejudiced during
8 the present Reexamination. Thus, in the event the Honorable Board does favor the
9 Examiner's claim construction over Appellant's claim construction, Appellant
10 respectfully requests that the Honorable Board remand the present Reexamination
11 to the Examiner and direct the Examiner to permit Appellant to enter an
12 Amendment so as to address the Examiner's claim construction.

13

14 Column 12, lines 26-29 of the '534 Patent states:

15 Along these lines, the remotely accessible, auxiliary site addresses are preferably
16 structured to be remotely accessed by the remote server assembly 50 in order to
17 initiate utilization of the select portions of the auxiliary site data contained in that
18 auxiliary site address by the local processor assembly. Moreover, interchangeable
19 computer readable medium 36 is preferably structured such that only the remote
20 server assembly 50 can access the auxiliary site data at the auxiliary site
21 addresses. Such a structure ensures the preferred utilization of the auxiliary site
22 data only in conjunction with the primary site data.

23

1 Additionally, column 12, lines 26-29 of the '534 Patent:

2 Specifically, the interactive remote computer interface system 11 is structured to
3 enable the display system 10 of the present invention to be initiated and operated
4 via a remote, on-line type connection.

5

6 Although Appellant's current claims are directed to the *initiation* of the utilization
7 of the data based upon the remote access of the auxiliary site data by the remote
8 server assembly, many of the proposed claim amendments presented to (and
9 refused entry by) the Examiner were directed to the additional concept of actual
10 utilization (i.e., after utilization has been initiated) of the data conditioned upon the
11 auxiliary site data being accessed by the remote server assembly (e.g., "via a
12 remote, on-line type connection).

13

14 Appellant's position is that regardless as to how the phrase "to initiate
15 utilization ... of auxiliary site data" is interpreted, the applied prior art can be
16 distinguished over by adding the concept that the actual utilization (as opposed to
17 the initiation of utilization) occurs while the local processor assembly is
18 communicating with the remote server assembly.

19

20 As argued by Appellant in the Appeal Brief (and not refuted by the
21 Examiner), none of the applied prior art identically discloses the limitation that

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1 there is a connection between the local processor assembly and the remote server
2 assembly to initiate utilization of the auxiliary site data based upon Appellant's
3 claim construction. Since the applied prior art does not disclose this connection
4 between the local processor assembly and the remote server assembly when
5 utilization of the auxiliary site data has been initiated, the applied prior art also
6 does not disclose this connection during the actual utilization of the auxiliary site
7 data.

8

9 Referring to M.P.E.P. § 1213.01:

10 An explicit statement by the Board on how a claim on appeal may be
11 amended to overcome a specific rejection is not a statement that a claim so-
12 amended is allowable. The examiner may reject a claim so-amended, provided
13 that the rejection constitutes a new ground of rejection. Any new ground of
14 rejection made by an examiner following the Board's decision must be approved
15 by a Technology Center Director and must be prominently identified as such in
16 the action setting forth the new ground of rejection.

17

18 Therefore, the Board is permitted to direct the Examiner to allow Appellant to
19 present an amendment. See 37 C.F.R. § 41.50(c).

20

For the reasons set forth in the Appeal Brief of March 13, 2009, and for those set forth herein, Appellant respectfully solicits the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. §§ 102, 103.

Date: November 24, 2009

Respectfully submitted,

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International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Scott David Paul/Diane Vitello
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reexam Certificate of Service	1093-008U_CertificateofService_11-24-09.pdf	21241 <small>eba177e3fe886a4c7434c2173ae37ee631cc0842</small>	no	1

Warnings:

Information:

2	Reply Brief Filed	1093-008U_ReplyBrief_11-24-09.pdf	72242 989e356c6a475c4f7d11c90aed9fb094748fe6c5	no	24
Warnings:					
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Total Files Size (in bytes):				93483	
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>					

Attorney Docket No.: 1093-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Customer Number: 29973
Leigh ROTHSCHILD : Confirmation Number: 7502
Control No.: 90/008,591 : Group Art Unit: 3992
Patent No.: 6,101,534 : Examiner: William H. Wood
For: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

CERTIFICATE OF SERVICE


I hereby certify that a true and correct copy of the Reply Brief filed November 24, 2009, was served upon the following via first-class United States Mail, postage prepaid, this 24th day of November, 2009.

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Respectfully submitted,

/Diane M. Vitello/

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Application Number 	Application/Control No.		Applicant(s)/Patent under Reexamination	
	90/008,591		6101534	
	Examiner		Art Unit	
WILLIAM H. WOOD		3992		



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502

29973 7590 01/21/2010
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 01/21/2010

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JAN 21 2010

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/008,591.

PATENT NO. 6101534.

ART UNIT 3992.

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

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



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
90008591	4/11/07	6101534	1093-008

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WILLIAM H.. WOOD

ART UNIT	PAPER
3992	20100120

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Commissioner for Patents

Reply Brief of 11/24/2009 has been considered and forwarded to the Board of Patent Appeals and Interferences.

/William H. Wood/
Examiner, Art Unit 3992



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502
29973 7590 02/03/2010 CAREY, RODRIGUEZ, GREENBERG & PAUL LLP ATTN: STEVEN M. GREENBERG, ESQ. 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487			EXAMINER WOOD, WILLIAM H	
			ART UNIT	PAPER NUMBER
			3992	
			MAIL DATE	DELIVERY MODE
			02/03/2010	PAPER

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Appeal No: 2010-003273
Reexamination Control: 90/008,591
Appellant: Rothschild Trust Holdings, LLC

Board of Patent Appeals and Interferences Docketing Notice

Ex Parte Reexamination Control 90/008,591 was received from the Technology Center at the Board on February 02, 2010 and has been assigned Appeal No: 2010-003273.

A review of the file indicates that the following documents have been filed by appellant:

Appeal Brief filed on: March 13, 2009
Reply Brief filed on: November 24, 2009
Request for Hearing filed on: NONE

In all future communications regarding this appeal, please include both the Reexamination Control and the appeal number.

The mailing address for the Board is:

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The facsimile number of the Board is 571-273-0052. Because of the heightened security in the Washington D.C. area, facsimile communications are recommended. Telephone inquiries can be made by calling 571-272-9797 and should be directed to a Program and Resource Administrator.

By order of the Board of Patent Appeals and Interferences.

Reexamination Control 90/008,591
Appeal 2010-003273

Page 2

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes fields for EXAMINER (WOOD, WILLIAM H), ART UNIT (3992), and DELIVERY MODE (PAPER).

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte Rothschild Trust Holdings, LLC
Appellant

Appeal 2010-003273
Reexamination Control 90/008,591
Patent 6,101,534
Technology Center 3900

Before, SALLY C. MEDLEY, SCOTT R. BOALICK, and
KEVIN F. TURNER, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” shown on the PTOL-90A cover letter attached to this decision.

Appeal 2010-003273
Reexamination Control 90/008,591
Patent 6,101,534

STATEMENT OF THE CASE

Rothschild Trust Holdings, LLC (“Rothschild”), the owner of the patent under reexamination, appeals under 35 U.S.C. §§ 134(b) and 306 from a final Rejection of claims 1, 3-21, 23 and 26. We have jurisdiction under 35 U.S.C. §§ 134(b) and 306. We REVERSE.

BACKGROUND

This reexamination proceeding arose from a third-party request for *ex parte* reexamination, filed by Van Mahamedi (Request for Ex Parte Reexamination, filed 11 Apr. 2007). Patent 6,101,534 issued with 22 claims. Claim 22 is not subject to reexamination. Rothschild has added claims 23 and 26 and cancelled claims 2, 24 and 25.

Rothschild’s patented invention is related to an interactive remote computer interface system that includes a remote server, a local processor, and a compact, portable interchangeable computer readable medium associated with the local processor. The remote sever includes primary site data and at least one primary site address (i.e., URL or web site address) that include at least a portion of the primary site data. The computer readable medium includes auxiliary site data associated with the primary site data and are encoded with a plurality of remotely accessible auxiliary site addresses that each include select portions of auxiliary site data. The auxiliary site addresses encoded on the computer readable medium are structured to be accessed by the remote server so as to initiate utilization of the select portions of the auxiliary site data by the local processor in conjunction with the primary site data. Col. 12, l. 23-col. 14, l. 24.

Claim 1 is representative:

1. An interactive, remote, computer interface system comprising:
 - a remote server assembly, said remote server assembly including a quantity of primary site data;
 - said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;
 - a local processor assembly;
 - said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;
 - said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;
 - at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;
 - said data storage assembly including a compact, portable and interchangeable computer readable medium;
 - said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data; and
 - said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.

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The Examiner relies on the following prior art references:

Mages et al. (“Mages”)	5,892,825	Apr. 06, 1999
Fidelibus, Jr. et al. (“Fidelibus”)	5,931,906	Aug. 03, 1999
Uranaka	5,937,158	Aug. 10, 1999
Reisman	6,594,692	Jul. 15, 2003

Rothschild appeals the following rejections under 35 U.S.C. § 102(e)²:

claims 1, 3-4, 6-8, 21, 23 and 26 as anticipated by Mages;

claims 1, 6-21 and 23 as anticipated by Reisman;

claims 1, 4 and 6-8 as anticipated by Uranaka;

claims 1 and 3-8 under as anticipated by Fidelibus.

Rothschild appeals the following rejections under 35 U.S.C. § 103(a):

claim 23 as unpatentable over Fidelibus;

claim 9 as unpatentable over Mages.

ISSUE

Does the applied prior art describe auxiliary site addresses encoded on a compact, portable, and interchangeable computer readable medium that are structured to be remotely accessed by a remote server?

FINDINGS OF FACT

Patent 6,101,534

1. Patent 6,101,534 discloses that the “interchangeable computer readable medium [] is preferably structured such that only the remote

² Rothschild additionally argues that there is no substantial new question of patentability specifically with respect to Reisman and Mages. (App. Br. 18-22; Reply Br. 13-16, 18). Since we reverse the rejections over all of the prior art, we need not and do not address the arguments regarding the substantial new question of patentability.

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Patent 6,101,534

server assembly [] can access the auxiliary site data at the auxiliary site addresses.” Col. 13, ll. 59-62.

2. “[T]he remotely accessible, auxiliary site addresses are specifically encoded so as to restrict access by the local processor assembly [] unless the access is directed by the remote server assembly [].” Col. 14, ll. 34-37.

Mages

3. Mages describes providing a CD-ROM to an end-user in “crippled” form in which critical information such as the video-audio header is removed from the video/audio files stored on the CD-ROM. Col. 6, ll. 18-24; col. 6, l. 66-col. 7, l. 20.
4. The end-user requests an uncrippling key from a remote server, which sends an encoded key to the end-user’s computer where the key is caught by a catcher program and stored in the RAM of the end-user’s computer. Col. 5, l. 64-col. 6, l. 17; col. 7, ll. 21-42.
5. A player subroutine of the catcher program decodes the key, combines the key with the CD-ROM video/audio data and passes the now uncrippled CD-ROM video/audio data to a local audio-video system for immediate playback. Col. 7, l. 47-col. 8, l. 8; fig. 8.

Reisman

6. Reisman discloses an offline browser operating at a local computer station for viewing locally stored Web pages containing local content elements that are accessed via hyperlinks. Col. 39, l. 54-col. 40, l. 5; col. 40, ll. 16-19.
7. An information transporter component, initiated by the local Web page, automatically retrieves at least one new content element from a

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remote information source to update or augment the local web page.

Col. 39, l. 66-col. 40, l. 5.

8. The offline browser is utilized to access the new content elements via the local Web page and also provide user interface functions for accessing the new content. Col. 40, ll. 6-10.
9. An update of a local content element is preferably locally stored and is transparently accessed and integrated with other local content elements for viewing and processing by the user with the offline browser. Col. 41, ll. 15-21.

Uranaka

10. Uranaka describes a catalog shopping system that includes an electronic catalog on a DVD, a catalog shopping client that is a local computer used by the catalog shopping user and a catalog shopping server. Col. 17, l. 17-col. 18, l. 3; figs. 12, 14.
11. The catalog shopping server determines a script for displaying the electronic catalog DVD data on the catalog shopping client display based on purchase history information and transfers the script to the catalog shopping client. Col. 19, ll. 13-21; fig. 14: step 1402.
12. The catalog shopping client controls the DVD driving means based on the display script and sends electronic catalog DVD data to be displayed on the catalog shopping client display based on the script. Col. 19, ll. 22-36; fig. 14: step 1403.

Fidelibus

13. Fidelibus describes an interactive multimedia system that includes a remote computing device and a user's local computing device with a media drive. Col. 3, ll. 24-52; fig 1.

14. The user places a recorded medium into a media drive and establishes a communication session with a web server maintained at the remote computing device. Col. 5, l. 50-col. 6, l. 16.
15. The remote web server transmits a standard web page to the user's local computing device to initiate remote interactive access of the interactive multimedia entertainment system running on the remote computing device. Col. 6, ll. 16-20.
16. The user views the webpage and via inputs at the local computing device indicates that a multimedia presentation is desired, identifies the CD mounted in the media drive and indicates which component on the CD that the user wishes to have presented in multimedia format. Col. 6, ll. 21-30.
17. The data input by the user are transmitted from the local computer to the remote computer where the interactive multimedia system validates the identity of the CD in the media drive by instructing the local computing device to scan the CD, including identifying the CD and/or the locating a particular track. Col. 6, ll. 21-52, Fig. 2A: steps 204, 205.
18. The result of the validation is sent to the remote computing device. Col. 6, ll. 52-57.
19. If the proper CD is in the media drive, the remote computer transmits an interactive media system web page that includes a control panel to the local computer where the user activates the multimedia presentation by operating one or more control panel icons. Col. 7, ll. 4-22; col. 7, l. 36-col. 8, l. 25.

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20. The interactive multimedia system integrates the multimedia segments from the remote computer server resulting in a multimedia presentation defined by the user and includes program materials retrieved from the local computing device, typically including audio and/or visual components from the CD mounted in the CD drive. Col. 4, l. 64-col. 5, l. 20.
21. The multimedia entertainment is activated simultaneously with the audio from the CD in the media drive mounted in the user terminal. Col. 2, ll. 51-60; col. 7, ll. 36-40.

ANALYSIS

Claim Interpretation

Independent claim 1 recites (disputed limitations in *italics*): a “compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein . . . including select portions of . . . auxiliary site data . . . *said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly* so as to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly in conjunction with said primary site data.”

The Examiner and Rothschild disagree about the interpretation to be given to the highlighted portion immediately above. App. Br. 34. The Examiner finds that the claim language only requires the remote server to be in some form involved in the access of auxiliary site addresses and data, and does not require the remote server to read, have possession of or even directly control the auxiliary site data or addresses. Ans. 34. The Examiner explains that “access” could be the remote server sending some information

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that indirectly allows access. Ans. 32. The Examiner also finds that “remotely accessed” in the context of the other claim limitation “so as to initiate utilization...of auxiliary site data...by the local processor...” requires nothing more than “remotely established ability to read or write data, gain entry to or use data of a system so as to initiate utilization of data by the local processor”. Ans. 34.

Rothschild argues that the Examiner’s claim interpretation is unreasonable. Reply Br. 17-18. Specifically, Rothschild disagrees that “access” could include sending information that indirectly allows access. Reply Br. 17-18. Rothschild also argues that the Examiner’s claim interpretation is inconsistent with the Specification which discloses that “only the remote server assembly [] can access the auxiliary site data at the auxiliary site addresses.” App. Br. 24, citing col. 13, ll. 59-61.

The Examiner’s interpretation does not take into account the remaining limitations of claim 1 that require the remotely accessible auxiliary site addresses to be: (1) encoded on a compact, portable and interchangeable computer readable medium; and (2) structured to be remotely accessed by the remote server assembly. Since the language of claim 1 requires that the *encoded* auxiliary site addresses are *structured to be accessed by the remote server*, we find, according to that claim, that the addresses are directly accessed by the remote server. The scope of claim 1 does not cover encoded auxiliary site addresses that are structured to be accessed by a local processor or any other intermediary, ultimately resulting in the addresses being indirectly accessed by the remote server. Such a broad interpretation would be unreasonable since the auxiliary site addresses

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are both *encoded* and *structured* for the purpose of being accessed by the remote server.

In addition, broadly interpreting claim 1 to include auxiliary site addresses that are structured to be accessed by a local processor would not be consistent with Patentee's Specification. The Specification discloses that "the remotely accessible, auxiliary site addresses are specifically encoded so as to restrict access by the local processor assembly [] unless the access is directed by the remote server assembly []." Col. 14, ll. 33-37. For these reasons, the broadest reasonable interpretation of claim 1 is limited to remotely accessible auxiliary site addresses encoded on a compact, portable and interchangeable computer readable medium being structured to be remotely accessed by the remote server assembly directly.

Mages

The Examiner finds that Mages describes auxiliary site addresses that are structured to be remotely accessed by a remote server since Mages' host computer sends a key to the end-user's computer, the downloaded key data are written to local memory addresses which allows data to be read from the local memory addresses including the CD-ROM; and the end-user's computer accesses and uses the local memory addresses along with the downloaded key data. Ans. 5, 34-35, citing col. 4, ll. 7-17, 47-64; col. 7, l. 21-col. 8, l. 17. The Examiner further finds that the remote server accesses the addresses by causing the data therein to be manipulated or used. Ans. 34-35. Rothschild argues that Mages does not teach the disputed limitations but instead teaches that the remote server just sends a key. App. Br. 27.

The Examiner does not direct us to, and we can not find where Mages describes that the CD-ROM audio/video data (i.e., auxiliary site addresses,

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auxiliary site data) are *structured to be remotely accessed by the remote server* (i.e., directly). Instead, Mages describes that the CD-ROM audio/video data (i.e., auxiliary site addresses, auxiliary site data) are accessed by the local end-user's computer (i.e., processor). Specifically, Mages describes the audio/video data on the CD-ROM (i.e., auxiliary site addresses, auxiliary site data) are accessed by a player subroutine of a software program operating on the local end-user's computer (i.e., processor) and passes the CD-ROM video/audio data to a local audio-video system. Col. 5, l. 64-col. 6, l. 17; col. 7, ll. 21-col. 8, l. 8; fig. 8.

For all these reasons, we do not sustain the rejection of claims 1, 3-4, 6-8, 21, 23 and 26 as anticipated by Mages. Since claim 9 is dependent on claim 1, for the same reasons we cannot sustain the rejection of claim 9 as obvious over Mages.

Reisman

The Examiner finds that Reisman teaches auxiliary site addresses that are structured to be remotely accessed by the remote server because Reisman describes that a sponsor website or other remote location writes new/current/additional content to the local computer station and the local computer station accesses the new/current/additional content in conjunction with local pages or content stored on a CD. Ans. 10, 38-39, citing col. 41, ll. 15-45; col. 42, ll. 8-53. Rothschild argues that Reisman does not describe the disputed limitations but instead teaches that the remote server sends a new content element to the local system. App. Br. 31.

The Examiner does not direct us to, and we can not find, where Reisman describes that the new/current/additional content (i.e., auxiliary site addresses) is *structured to be remotely accessed by the remote server* (i.e.,

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directly). Instead, Reisman describes that the new/current/additional content elements (i.e., auxiliary site addresses) are accessed by the local computer (i.e., processor). In particular, Reisman describes the new/current/additional content elements (i.e., auxiliary site addresses, auxiliary site data) are retrieved from a remote information source (i.e. remote server) and locally stored at a local computer station (i.e., local processor) and accessed by an offline browser operating on the local computer station (i.e., local processor) and integrated with other local content elements (i.e., primary site data). Col. 39, l. 54-col. 40, l. 10; col. 41, ll. 15-21.

For all these reasons, we do not sustain the rejection of claims 1, 6-21 and 23 as anticipated by Reisman.

Uranaka

The Examiner finds that Uranaka teaches auxiliary site addresses that are structured to be remotely accessed by the remote server because Uranaka describes that a server generated display script for displaying DVD content is sent to and written to the catalog shopping client which accesses and uses the script in conjunction with DVD data. Ans. 16, 39-40, citing col. 16, l. 17-col. 18, line 21; fig. 12. Rothschild argues that Uranaka does not describe the disputed limitations but instead teaches that the remote server sends a script. App. Br. 33-34.

The Examiner does not direct us to, and we can not find, where Uranaka describes that the display script (i.e., auxiliary site addresses) is *encoded* on a compact, portable and interchangeable computer readable medium and *structured to be remotely accessed by a remote server* (i.e., directly). As acknowledged by the Examiner (Ans. 16, 39-40), Uranaka describes that the server generated display script (i.e., auxiliary site

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addresses) is transferred from the remote server to the local catalog shopping client (i.e., local processor) which uses (i.e., accesses) the display script for displaying the electronic catalog shopping DVD content (i.e., primary site data). Col. 19, ll. 6-36.

For all these reasons, we do not sustain the rejection of claims 1, 4 and 6-8 as anticipated by Uranaka.

Fidelibus

The Examiner finds that Fidelibus teaches auxiliary site addresses that are structured to be remotely accessed by a remote server because Fidelibus describes a remote server that reads the local computer's CD data with the remote server providing data that can be used in conjunction with the local CD data. Ans. 19, 42, citing col. 4, l. 39-col. 5, l. 20. Rothschild argues that Fidelibus does not teach the disputed limitations but instead teaches that the remote server sends a webpage with a control panel. App. Br. 37.

The Examiner does not direct us to, and we can not find, where Fidelibus describes that the CD data (i.e., auxiliary site addresses) are *structured to be remotely accessed by the remote server* (i.e., directly). Additionally, the Examiner does not direct us to, and we can not find, where Fidelibus describes that the remote sever *reads* the CD data as found by the Examiner. Instead, Fidelibus describes that the local computer reads the CD data. Specifically, Fidelibus describes that data input by a user regarding the CD data (i.e., auxiliary site addresses) are transmitted from the local computer (i.e., processor) to the remote server. Col. 6, ll. 16-34. Thereafter, the local computer (i.e., processor) is instructed to scan (i.e., access, read) the CD in the media drive (i.e., auxiliary site addresses) to validate the CD,

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including identifying the CD and/or the locating a particular track. Col. 6, ll. 35-57, Fig. 2A: steps 204, 205.

For all these reasons, we do not sustain the rejection of claims 1 and 3-8 as anticipated by Fidelibus. Independent claim 23 recites identical limitations to the disputed limitations of claim 1 and the Examiner's rationale with respect to the identical limitations is the same. Therefore we do not sustain the rejection of claim 23 as obvious over Fidelibus for the same reasons.

DECISION

We REVERSE the rejection of claims 1, 3-4, 6-8, 21, 23 and 26 under 35 U.S.C. § 102(e) as anticipated by Mages.

We REVERSE the rejection of claims 1, 6-21 and 23 under 35 U.S.C. § 102(e) as anticipated by Reisman.

We REVERSE the rejection of claims 1, 4 and 6-8 under 35 U.S.C. § 102(e) as anticipated by Uranaka.

We REVERSE the rejection of claims 1 and 3-8 under 35 U.S.C. § 102(e) as anticipated by Fidelibus.

We REVERSE the rejection of claim 23 under 35 U.S.C. § 103(a) as unpatentable over Fidelibus.

We REVERSE the rejection claim 9 under 35 U.S.C. § 103(a) as unpatentable over Mages.

ORDER

REVERSED

Appeal 2010-003273
Reexamination Control 90/008,591
Patent 6,101,534

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REEXAMINATION - PATENT OWNER POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Control Number(s)	90/008,591
	Filing Date(s)	April 11, 2007
	First Named Inventor	Leigh Rothschild
	Title	Interactive, remote, computer interface
	Patent Number	6,101,534
	Examiner Name	William Wood
	Attorney Docket No(s).	

I hereby revoke all previous patent owner powers of attorney given in the above-identified reexamination proceeding control number(s).

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SIGNATURE of inventor or Patent Owner

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Title and Company

NOTE: Signatures of all the inventors or patent owners of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. 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 1.11 and 1.14. This collection is estimated to take 3 minutes 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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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.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: LMR Inventions, LLC

Application No./Patent No.: 6,101,534

Filed/Issue Date: August 8, 2000

Titled: INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM

LMR Inventions, LLC, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. the assignee of the entire right, title, and interest in;
- 2. an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is _____ %); or
- 3. the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 022584, Frame 0246, or for which a copy therefore is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____


The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature

01-31-11
Date

LMR Inventions, LLC
Printed or Typed Name

Managing Director
Title

This collection of information is required by 37 CFR 3.73(b). 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 1.11 and 1.14. This collection is estimated to take 12 minutes 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.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Acknowledgement Receipt

EFS ID:	9344012
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	29973
Filer:	Kevin Thomas Cuenot
Filer Authorized By:	
Attorney Docket Number:	1093-008
Receipt Date:	31-JAN-2011
Filing Date:	11-APR-2007
Time Stamp:	16:01:23
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		PowerofAttorney_Statementunder373.pdf	3849505 <small>50a29197890ac6348e596e28f0cde44851f98498</small>	yes	2

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Power of Attorney	1	1
Assignee showing of ownership per 37 CFR 3.73(b).	2	2
Warnings:		
Information:		
Total Files Size (in bytes):	3849505	
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> 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.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> 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.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> 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.</p>		

Litigation Search Report CRU 3999

Reexam Control No. 90/008,591

TO: William Wood
Location: CRU
Art Unit: 3993
Date: 2/14/2011

From: Patricia Volpe
Location: CRU 3999
MDW 7C69
Phone: (571) 272-6825

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Search Notes

Litigation Search for U.S. Patent Number: **6,101,534**

Status (**CLOSED**) 3:07cv400
Status (**CLOSED**) 1:06cv22921
Status (**CLOSED**) 1:06cv21359
Status (**CLOSED**) 1:03cv20672
Status (**CLOSED**) 1:02cv21192

- 1) I performed a KeyCite Search in Westlaw, which retrieves all history on the patent including any litigation.
- 2) I performed a search on the patent in Lexis CourtLink for any open dockets or closed cases.
- 3) I performed a search in Lexis in the Federal Courts and Administrative Materials databases for any cases found.
- 4) I performed a search in Lexis in the IP Journal and Periodicals database for any articles on the patent.
- 5) I performed a search in Lexis in the news databases for any articles about the patent or any articles about litigation on this patent.

KEYCITE**H US PAT 6101534 INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM, (Aug 08, 2000)****History****Direct History**

- => 1 **INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM, US PAT 6101534, 2000 WL 1112598 (U.S. PTO Utility Aug 08, 2000) (NO. 08/922926)**

Construed by

- H** 2 **Rothschild Trust Holdings, LLC v. Citrix Systems, Inc., 491 F.Supp.2d 1105, 20 Fla. L. Weekly Fed. D 857, 2007 Markman 1702579 (S.D.Fla. Jun 05, 2007) (NO. 06-21359-CIV) (Markman Order Version)**

Court Documents**Trial Court Documents (U.S.A.)****S.D.Fla. Trial Pleadings**

- 3 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2006 WL 1736675 (Trial Pleading) (S.D.Fla. May 26, 2006) Complaint (NO. 06CV21359)**
- 4 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants., 2007 WL 1568387 (Trial Pleading) (S.D.Fla. Apr. 2, 2007) Citrix Systems Inc.'s and Citrix Online, LLC's Opposition to Rothschild Trust Holdings, LLC's Claim Construction Brief (NO. 01-06-CIV-21359)**
- 5 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. OPPOSITION BRIEF CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 1568388 (Trial Pleading) (S.D.Fla. Apr. 2, 2007) Rothschild Trust Holdings, LLC's Claim Construction Opposition Brief (NO. 01-06-CIV-21359)**

S.D.Fla. Expert Testimony

- 6 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 5282068 (Expert Report and Affidavit) (S.D.Fla. Feb. 26, 2007) Declaration of Raj Rajkumar (NO. 01-06-CIV-21359)**
- 7 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC., Defendant., 2007 WL 1511289 (Expert Deposition) (S.D.Fla. Mar. 19, 2007) Video-taped Deposition of Professor Richard E. Newman (NO. 01-06-CIV-21359)**
- 8 **ROTHSCHILD TRUST, v. CITRIX SYSTEMS, INC., 2007 WL 1511290 (Expert Deposition)**

- (S.D.Fla. Apr. 6, 2007) **Deposition of Raj Rajkumar** (NO. 106CV21359)
9 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., and Citrix Online, LLC, Defendants.**, 2008 WL 2581863 (Expert Report and Affidavit) (S.D.Fla. Jan. 28, 2008) **Declaration of Peter A. Matos** (NO. 06-21359-CIV-KING)

S.D.Fla. Trial Motions, Memoranda And Affidavits

- 10 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants.**, 2007 WL 5307883 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Feb. 26, 2007) **Rothschild Trust Holdings, LLC's Claim Construction Brief** (NO. 106CV21359)
- 11 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants.**, 2007 WL 1568389 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Apr. 10, 2007) **Citrix Systems Inc.'s and Citrix Online, LLC's Motion to Strike Untimely Claim Constructions and Evidence and Memorandum of Law** (NO. 01-06-CIV-21359)
- 12 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., and Citrix Online, LLC, Defendants.**, 2007 WL 5083089 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Jul. 27, 2007) **Plaintiff Rothschild Trust Holdings, LLC's Motion for a Stay of Proceedings Pending Re-examination of the Patent-in-Suit by the United States Patent and Trademark Office** (NO. 106CV21359)
- 13 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants.**, 2007 WL 5083090 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Nov. 29, 2007) **Defendant Citrix Systems, Inc.'s Memorandum of Law in Support of its Motion for Entry of a Protective Order** (NO. 106CV21359)
- 14 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants.**, 2008 WL 972236 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Jan. 10, 2008) **Memorandum of Law in Support of Citrix's Motion for Summary Judgment that it Does Not Infringe the "534 Patent** (NO. 01-06-CIV-21359)
- 15 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., and Citrix Online, LLC, Defendants.**, 2008 WL 972237 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Jan. 10, 2008) **Plaintiff's Motion to Compel Defendants' Depositions** (NO. 01-06-CIV-21359)
- 16 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., and Citrix Online, LLC, Defendants.**, 2008 WL 972233 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Jan. 28, 2008) **Plaintiff's Memorandum in Opposition to Defendants' Motion for Summary Judgment** (NO. 01-06-CIV-21359)
- 17 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants.**, 2008 WL 972234 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Feb. 7, 2008) **Reply Memorandum in Support of Citrix's Motion for Summary Judgment that it Does not Infringe the "534 Patent** (NO. 01-06-CIV-21359)
- 18 **ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiffs, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants.**, 2008 WL 972235 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Feb. 7, 2008) **Citrix Systems, Inc. and Citrix Online, LLC'S Memorandum in Support of**

their Motion to Strike the Declarations of Peter A. Matos and Raj Rajkumar (NO. 01-06-CIV-21359)

- 19 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiffs, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants., 2008 WL 2688527 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Feb. 14, 2008) **Citrix Systems, Inc. and Citrix Online, LLC's Motion for Reconsideration because Plaintiff did not Disclose or File the Offending Declarations until After the Court's Deadline (NO. 106CV21359)**
- 20 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., and Citrix Online, LLC, Defendants., 2008 WL 2310244 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Mar. 3, 2008) **Plaintiff's Memorandum In Opposition to Defendants' Motion for Reconsideration (NO. 106CV21359)**

S.D.Fla. Trial Filings

- 21 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2006 WL 5535689 (Trial Filing) (S.D.Fla. Jul. 21, 2006) **Joint Report Pursuant to Federal Rules of Civil Procedure 26(f) and Joint Scheduling Report Pursuant to Local Rule 16.1 (NO. 106CV21359)**
- 22 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2006 WL 4034092 (Trial Filing) (S.D.Fla. Dec. 20, 2006) **Joint Claim Construction and Prehearing Statement (NO. 01-06-CIV-21359)**
- 23 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 2813807 (Trial Filing) (S.D.Fla. Jan. 26, 2007) **Rothschild Trust's Prehearing Statement (NO. 01-06-CIV-21359)**

Dockets (U.S.A.)

S.D.Fla.

- 24 ROTHSCCHILD TRUST v. CITRIX SYSTEMS, INC., ET AL, NO. 1:06cv21359 (Docket) (S.D.Fla. May 26, 2006)

Expert Court Documents (U.S.A.)

S.D.Fla. Expert Testimony

- 25 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 5282068 (Expert Report and Affidavit) (S.D.Fla. Feb. 26, 2007) **Declaration of Raj Rajkumar (NO. 01-06-CIV-21359)**
- 26 ROTHSCCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC., Defendant., 2007 WL 1511289 (Expert Deposition) (S.D.Fla. Mar. 19, 2007) **Video-taped Deposition of Professor Richard E. Newman (NO. 01-06-CIV-21359)**
- 27 ROTHSCCHILD TRUST, v. CITRIX SYSTEMS, INC., 2007 WL 1511290 (Expert Deposition) (S.D.Fla. Apr. 6, 2007) **Deposition of Raj Rajkumar (NO. 106CV21359)**

28 ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., and Citrix Online, LLC, Defendants., 2008 WL 2581863 (Expert Report and Affidavit) (S.D.Fla. Jan. 28, 2008) Declaration of Peter A. Matos (NO. 06-21359-CIV-KING)

S.D.Fla. Trial Motions, Memoranda And Affidavits

29 ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC. Citrix Online, LLC, Defendants., 2007 WL 1568389 (Trial Motion, Memorandum and Affidavit) (S.D.Fla. Apr. 10, 2007) Citrix Systems Inc.'s and Citrix Online, LLC's Motion to Strike Untimely Claim Constructions and Evidence and Memorandum of Law (NO. 01-06-CIV-21359)

S.D.Fla. Trial Filings

30 ROTHSCHILD TRUST HOLDINGS, LLC, Plaintiff, v. CITRIX SYSTEMS, INC., Citrix Online, LLC, Defendants., 2007 WL 2813807 (Trial Filing) (S.D.Fla. Jan. 26, 2007) Rothschild Trust's Prehearing Statement (NO. 01-06-CIV-21359)

Patent Family

31 INTERACTIVE REMOTE COMPUTER INTERFACE SYSTEM USED WITH REAL ESTATE DISPLAY SYSTEM, HAS COMPUTER READABLE MEDIUM STORED WITH ENCODED AUXILIARY SITE ADDRESSES WITH SELECT PORTIONS OF QUANTITY OF AUXILIARY SITE DATA, Derwent World Patents Legal 2000-655159

Assignments

- 32 Action: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). Number of Pages: 002, (DATE RECORDED: Apr 23, 2009)
- 33 ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, (DATE RECORDED: Aug 13, 2001)
- 34 ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). NUMBER OF PAGES: 002, (DATE RECORDED: Aug 13, 2001)

Patent Status Files

- .. Request for Re-Examination, (OG DATE: Jun 19, 2007)
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),

Docket Summaries

- 39 "ORB NETWORKS, INC. v. ROTHSCHILD TRUST HOLDINGS LLC", (N.D.CAL. Jan 22, 2007) (NO. 3:07CV00400), (28 USC 2201 DECLARATORY JUDGEMENT)
- 40 "TWIN RIVERS ENGINEERING, INC. v. INFICON, INC.", (M.D.FLA. Dec 07, 2006) (NO. 6:06CV01870), (35 USC 271 PATENT INFRINGEMENT)

- 41 "ROTHSCHILD TRUST HOLDINGS, LLC v. ORB NETWORKS, INC.", (S.D.FLA. Dec 01, 2006) (NO. 1:06CV22921), (28 USC 1331 FEDERAL QUESTION)
- 42 "ROTHSCHILD TRUST v. CITRIX SYSTEMS, INC., ET AL", (S.D.FLA. May 26, 2006) (NO. 1:06CV21359), (35 USC 271 PATENT INFRINGEMENT)
- 43 TRUST LICENSING v. INTERACTUAL TECH, (S.D.FLA. Mar 21, 2003) (NO. 1:03CV20672), (35 USC 271 PATENT INFRINGEMENT)

Litigation Alert

- 44 Derwent LitAlert P2007-24-35 (Jan 22, 2007) Action Taken: A complaint was filed
- 45 Derwent LitAlert P2006-37-06 (May 26, 2006) Action Taken: A complaint was filed
- 46 Derwent LitAlert P2003-17-25 (Mar 21, 2003) Action Taken: A complaint was filed.

Prior Art (Coverage Begins 1976)

- C** 47 DISTRIBUTED INTERFACE ARCHITECTURE FOR PROGRAMMABLE INDUSTRIAL CONTROL SYSTEMS, US PAT 5805442 Assignee: Control Technology Corporation, (U.S. PTO Utility 1998)
- C** 48 METHOD AND APPARATUS FOR PROVIDING BOOKMARKS WHEN LISTENING TO PREVIOUSLY RECORDED AUDIO PROGRAMS, US PAT 5922045 Assignee: AT&T Corp., (U.S. PTO Utility 1999)
- C** 49 PROTECTOR SYSTEM FOR COMPUTER ACCESS AND USE, US PAT 4672572 Assignee: Gould Inc., (U.S. PTO Utility 1987)
- C** 50 SYSTEM FOR AUTOMATIC UNATTENDED ELECTRONIC INFORMATION TRANSPORT BETWEEN A SERVER AND A CLIENT BY A VENDOR PROVIDED TRANSPORT SOFTWARE WITH A MANIFEST LIST, US PAT 5694546 (U.S. PTO Utility 1997)

US District Court Civil Docket

U.S. District - California Northern
(San Francisco)

3:07cv400

Orb Networks, Inc v. Rothschild Trust Holdings Llc

This case was retrieved from the court on Wednesday, September 19, 2007

Date Filed: 01/22/2007	Class Code: ADRMOP, AO279, CLOSED, E-Filing, STAYED
Assigned To: Honorable Charles R Breyer	Closed: Yes
Referred To:	Statute: 28:2201
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Declaratory Judgement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

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Rothschild Trust Holdings Llc A Florida Limited Liability
Company
Defendant

Date	#	Proceeding Text
01/22/2007	1	COMPLAINT against Rothschild Trust Holdings LLC (Filing fee \$ 350, receipt number 54611000305.) SUMMONS ISSUED. Filed by Orb Networks, Inc. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/25/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)
01/22/2007	2	NOTICE of pendency of other action or proceeding by Orb Networks, Inc. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/25/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)
01/22/2007	3	ADR SCHEDULING ORDER: Case Management Statement due by 4/20/2007. Case Management Conference set for 4/27/2007 08:30 AM. (mcl, COURT STAFF) (Filed on 1/22/2007) Additional attachment(s) added on 1/23/2007 (mcl, COURT STAFF). (Entered: 01/23/2007)

01/22/2007 -- CASE DESIGNATED for Electronic Filing. (mcl, COURT STAFF) (Entered: 01/23/2007)
01/23/2007 4 REPORT on the filing or determination of an action regarding Patent Infringement (cc: form mailed to register). (mcl, COURT STAFF) (Filed on 1/23/2007) (Entered: 01/23/2007)
02/01/2007 5 SUMMONS Returned Executed by Orb Networks, Inc.. Rothschild Trust Holdings LLC served on 1/25/2007, answer due 2/14/2007. (Goldman, William) (Filed on 2/1/2007) (Entered: 02/01/2007)
02/14/2007 6 MOTION to Stay [Stipulated] Motion to Stay Action Pending Consideration of Motions in Related Action filed by Orb Networks, Inc.. (Wainscoat, Aaron) (Filed on 2/14/2007) (Entered: 02/14/2007)
02/14/2007 7 Proposed Order re 6 MOTION to Stay [Stipulated] Motion to Stay Action Pending Consideration of Motions in Related Action by Orb Networks, Inc.. (Wainscoat, Aaron) (Filed on 2/14/2007) (Entered: 02/14/2007)
02/15/2007 8 ORDER by Judge Charles R. Breyer granting 6 Motion to Stay (be, COURT STAFF) (Filed on 2/15/2007) (Entered: 02/15/2007)
07/27/2007 9 Letter from William Goldman/Aristotie Evia to Honorable Charles R. Breyer. (Goldman, William) (Filed on 7/27/2007) (Entered: 07/27/2007)
07/30/2007 10 ORDER STAYING CASE AND CLOSING CASE ADMINISTRATIVELY. Signed by Judge Charles R. Breyer on July 30, 2007. (crblc2, COURT STAFF) (Filed on 7/30/2007) (Entered: 07/30/2007)

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US District Court Civil Docket

**U.S. District - Florida Southern
(Miami)**

1:06cv22921

Rothschild Trust Holdings, Llc v. Orb Networks, Inc

This case was retrieved from the court on Wednesday, August 22, 2007

Date Filed: 12/01/2006	Class Code: CLOSED, STAY, WCT
Assigned To: Judge Alan S Gold	Closed: Yes
Referred To:	Statute: 28:1331
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Federal Question	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

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Date	#	Proceeding Text
12/01/2006	1	COMPLAINT against ORB Networks, INC. Filing fee \$ 350. Receipt#: 950862, filed by Rothschild Trust Holdings, LLC.(mp) (Entered: 12/07/2006)
12/01/2006	2	Summons Issued as to ORB Networks, INC.. (mp) (Entered: 12/07/2006)
12/01/2006	3	FORM AO 120 FORM SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (mp) (Entered: 12/07/2006)
01/05/2007	4	Unopposed MOTION for Extension of Time to File Response/Reply to Plaintiff's Complaint by ORB Networks, INC.. (Mullins, Edward) (Entered: 01/05/2007)
01/11/2007	5	NOTICE by Rothschild Trust Holdings, LLC of filing Affidavit of Service (Rebull, Thomas) (Entered: 01/11/2007)
01/11/2007	6	ORDER granting 4 Motion for Extension of Time to File Response/Reply Responses/Answer due by 1/22/2007. Signed by Judge Alan S. Gold on 1/9/07. (lk) (Entered: 01/11/2007)
01/18/2007	7	MOTION to Appear Pro Hac Vice for Attorney Brian Wikner, Filing Fee \$75, Receipt #953444. (cw) (Entered: 01/22/2007)
01/18/2007	8	MOTION to Appear Pro Hac Vice for Attorney William G. Goldman, Filing Fee \$75, Receipt #953445. (cw) (Entered: 01/22/2007)
01/22/2007	9	MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support by ORB Networks, INC.. Responses due by 2/5/2007 (Attachments: # 1)(Mullins, Edward) (Entered: 01/22/2007)
01/25/2007	10	ORDER granting 7 Motion to Appear Pro Hac Vice Name of Attorney Brian Scott Wilkerson for ORB Networks, INC., William G. Goldman for ORB Networks, INC., granting 8 Motion to Appear Pro Hac Vice Name of Attorney Brian Scott Wilkerson for ORB Networks, INC., William G. Goldman for ORB Networks, INC. Signed by Judge Alan S. Gold on 1/24/07 (lk) (Entered: 01/25/2007)
01/25/2007	14	Notice of Docket Correction re 10 Order on Motion to Appear Pro Hac Vice, Brian Wikner is correct attorney (sk) (Entered: 02/08/2007)
02/05/2007	11	Plaintiff's MOTION for Extension of Time to File Response/Reply to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit # 2 Exhibit) (Rebull, Thomas) (Entered: 02/05/2007)
02/06/2007	12	RESPONSE to Plaintiff's Motion to Enlarge Time and Toll Compliance with Non-Related Deadlines During Jurisdictional Discovery filed by ORB Networks, INC.. (Escobar, Annette) (Entered: 02/06/2007)
02/07/2007	13	Amended MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a) by ORB Networks, INC.. Responses due by 2/22/2007 (Attachments: # 1 Affidavit Exhibit A)(Escobar, Annette) (Entered: 02/07/2007)
02/08/2007	16	MOTION to Appear Pro Hac Vice for Attorney Elizabeth Day, Filing Fee \$75, Receipt #954467. (cw) (Entered: 02/12/2007)
02/09/2007	15	REPLY to Response to Motion re 11 Plaintiff's MOTION for Extension of Time to File Response/Reply to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California filed by Rothschild Trust Holdings, LLC. (Rebull, Thomas) (Entered: 02/09/2007)
02/15/2007	17	ORDER setting TELEPHONIC status conference for Friday, February 16, 2007 at 4:00 p.m. Signed by Judge Alan S. Gold on 02/15/2007 (lms) (Entered: 02/15/2007)
02/16/2007	18	TEXT Minute Entry for proceedings held before Judge Alan S. Gold : Telephone Status Conference held on 2/16/2007 to determine whether or not evidentiary hearing is necessary re motion to dismiss DE 9. (Court Reporter Joseph Millikan.) (jh) (Entered: 02/20/2007)
02/20/2007	19	ORDER granting 16 Motion to Appear Pro Hac Vice by Elizabeth Day;Signed by Judge Alan S. Gold on 02/15/2007 (bs) (Entered: 02/20/2007)
02/22/2007	20	ORDER FOLLOWING TELEPHONIC STATUS CONFERENCE Pretrial Order due by 2/26/2007. Signed by Judge Alan S. Gold on 2/21/07 (lk) (Entered: 02/22/2007)
02/23/2007	21	MOTION to Appear Pro Hac Vice for Attorney Aaron Wainscoat, Filing Fee \$75, Receipt #955349. (cw) (Entered: 02/26/2007)
02/26/2007	22	NOTICE by ORB Networks, INC. of Filing Agreed Proposed Order (Mullins, Edward) (Entered: 02/26/2007)

02/26/2007)

02/28/2007 23 RESPONSE in Opposition re 13 Amended MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a) filed by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit)(Rebull, Thomas) (Entered: 02/28/2007)

03/01/2007 24 ORDER Setting Briefing Schedule: denying as moot 11 Motion for Extension of Time to File Response/Reply to Motion to Dismiss or Transfer Action. Signed by Judge Alan S. Gold on 3/1/2007 (ls) (Entered: 03/02/2007)

03/01/2007 -- Set/Reset Deadlines as to 13 Amended MOTION to Transfer to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a). Responses due by 2/28/2007 Replies due by 3/7/2007. (ls) (Entered: 03/02/2007)

03/01/2007 -- Set/Reset Deadlines as to 9 MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support. Responses due by 4/27/2007 Replies due by 5/8/2007. (ls) (Entered: 03/02/2007)

03/07/2007 25 REPLY to Response to Motion re 13 Amended MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. Section 1404(a) filed by ORB Networks, INC.. (Attachments: # 1 Exhibit A)(Mullins, Edward) (Entered: 03/07/2007)

03/07/2007 26 DECLARATION OF TAKING of Brian P. Wikner in Support of Defendant Orb Networks' Motion to Transfer This Action to the Northern District of California by ORB Networks, INC... (Attachments: # 1 Exhibit A-Q)(Mullins, Edward) (Entered: 03/07/2007)

03/08/2007 27 NOTICE TO FILERS: Pursuant to Administrative Procedures for electronically filing motions via CM/ECF, after filing ANY non-dispositive motions, counsel MUST send a proposed order in WORDPERFECT format to the Judge's ECF mailbox to: gold@flsd.uscourts.gov {Although the Administrative Procedures allows documents to be sent in Word format, this Court prefers the Wordperfect format}[Please refer to docket entry number on proposed order]To review complete instructions, please refer to the Administrative Procedures on the Court's Website at www.flsd.uscourts.gov (lms) (Entered: 03/08/2007)

03/09/2007 28 NOTICE by ORB Networks, INC. of Filing [Proposed] Order Granting Defendant Orb Networks, Inc.'s Motion to Transfer Pursuant to 28 U.S.C. s 1404(a) (Escobar, Annette) (Entered: 03/09/2007)

04/26/2007 29 Unopposed MOTION for Extension of Time to File Response/Reply as to 24 Order on Motion for Extension of Time to File Response/Reply by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Exhibit A: Embarq Response# 2 Exhibit Exhibit B: Preliminary Confidentiality Agreement) (Geldens, Jeffrey) (Entered: 04/26/2007)

05/03/2007 30 ORDER granting 29 Motion for Extension of Time to File Response/Reply re 29 Unopposed MOTION for Extension of Time to File Response/Reply as to 24 Order on Motion for Extension of Time to File Response/Reply Responses due by 5/9/2007 Replies due by 5/21/2007.Signed by Judge Alan S. Gold on 5/3/07. (hd) (Entered: 05/03/2007)

05/09/2007 31 Plaintiff's MOTION for Leave to File Materials Under Seal by Rothschild Trust Holdings, LLC. (Attachments: # 1)(Geldens, Jeffrey) (Entered: 05/09/2007).

05/09/2007 32 NOTICE by Rothschild Trust Holdings, LLC of Filing and Request for Judicial Notice (Rebull, Thomas) (Entered: 05/09/2007)

05/09/2007 33 NOTICE by Rothschild Trust Holdings, LLC of Filing (Rebull, Thomas) (Entered: 05/09/2007)

05/09/2007 34 Sealed Document. (jc) (Entered: 05/10/2007)

05/09/2007 36 Sealed Document. (jc) (Entered: 05/10/2007)

05/10/2007 35 Notice of Instruction to Filer, Notice of Docket Correction re 31 Plaintiff's MOTION for Leave to File Materials Under Seal filed by Rothschild Trust Holdings, LLC, : ERROR: Attachment to Motion did not have a description; FUTURE documents containing attachments need to be described.- Corrected by Court. (gp) (Entered: 05/10/2007)

05/11/2007 37 ORDER granting 31 Motion for Leave to File Materials under seal;Signed by Judge Alan S. Gold on 05/10/2007. (bs) (Entered: 05/11/2007)

05/15/2007 38 ORDER denying 13 Motion to Transfer ;Signed by Judge Alan S. Gold on 05/14/2007. (bs) (Entered: 05/15/2007)

05/16/2007 39 ORDER Setting TELEPHONIC Status Conference: Status Conference set for 5/17/2007 03:00 PM in Miami Division before Judge Alan S. Gold.Signed by Judge Alan S. Gold on 05/16/2007.(lms) (Entered: 05/16/2007)

05/17/2007 40 TEXT Minute Entry for proceedings held before Judge Alan S. Gold : Telephone Status

Conference held on 5/17/2007. Court Reporter: Joseph Millikan (jh) (Entered: 05/18/2007)

05/18/2007 41 ORDER following telephonic status conference.Signed by Judge Alan S. Gold on 5/17/07.(hd) (Entered: 05/21/2007)

06/08/2007 42 Unopposed MOTION for Leave to File Materials Under Seal by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Exhibit A RTH-Orb Confidentiality Agreement# 2 Exhibit Exhibit B Embarq Request for Confidential Treatment)(Geldens, Jeffrey) (Entered: 06/08/2007)

06/08/2007 43 Sealed Document. (jc) (Entered: 06/08/2007)

06/11/2007 44 NOTICE by ORB Networks, INC. of Request for Notices of Electronic Filings (Mullins, Edward) (Entered: 06/11/2007)

06/11/2007 45 Notice to the Court for Pro Hac Vice Attorney to Receive Electronic Notification by ORB Networks, INC. **For image please see DE # 44. (gp) (Entered: 06/12/2007)

06/12/2007 46 Notice of Docket Correction: re 44 Notice (Other) filed by ORB Networks, INC., Error: Wrong Event Selected; Correct event to use is "Notice for PHV Attorneys to Receive Electronic Notification" found under Notices.- Corrected by Court, see DE # [45]. (gp) (Entered: 06/12/2007)

06/14/2007 47 ORDER granting 42 Motion for Leave to File Materials Under Seal;Signed by Judge Alan S. Gold on 06/12/2007. (bs) (Entered: 06/14/2007)

06/15/2007 48 ORDER granting 21 Motion to Appear Pro Hac Vice by attorney Aaron Wainscoat. Signed by Judge Alan S. Gold on 6/15/07. (jh) (Entered: 06/15/2007)

06/15/2007 49 Notice to the Court for Pro Hac Vice Attorney to Receive Electronic Notification by ORB Networks, INC. (Mullins, Edward) (Entered: 06/15/2007)

06/15/2007 50 MEMORANDUM in Support re 9 MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California and Accompanying Memorandum of Law in Support filed by ORB Networks, INC.. (Mullins, Edward) (Entered: 06/15/2007)

06/15/2007 51 NOTICE by ORB Networks, INC. of Objections to Plaintiff's Notice of Filing and Request for Judicial Notice (D.E.32) and Notice of Filing (D.E. 33) (Mullins, Edward) (Entered: 06/15/2007)

06/15/2007 52 NOTICE by ORB Networks, INC. of Filing Exhibit 1 to its Reply Memorandum in Support of its Motinto Dismiss for Lack of Personal Jurisdiction (Mullins, Edward) (Entered: 06/15/2007)

06/27/2007 53 ORDER, Set/Reset Deadlines as to 9 MOTION to Dismiss 1 Complaint for Lack of Personal Jurisdiction or, Alternatively, to Transfer the Action to the Northern District of California, Motion Hearing set for 9/21/2007 03:00 PM in Miami Division before Judge Alan S. Gold.Signed by Judge Alan S. Gold on 6/27/07.(hd) (Entered: 06/28/2007)

07/02/2007 54 MOTION to Stay Litigation Pending Reexamination of U.S. Patent No. 6,101,534 and Memorandum of Law in Support Thereof by ORB Networks, INC.. Responses due by 7/17/2007 (Attachments: # 1 Affidavit of Aaron Wainscoat# 2 Exhibit A# 3 Text of Proposed Order) (Mullins, Edward) (Entered: 07/02/2007)

07/17/2007 55 ORDER Setting Hearing on Motion 54 MOTION to Stay and 9 MOTION to Dismiss ; Motion Hearing set for 9/21/2007 03:00 PM before Judge Alan S. Gold.Signed by Judge Alan S. Gold on 07/16/2007.(bs) (Entered: 07/17/2007)

07/19/2007 56 RESPONSE to Motion re 54 MOTION to Stay Litigation Pending Reexamination of U.S. Patent No. 6,101,534 and Memorandum of Law in Support Thereof filed by Rothschild Trust Holdings, LLC. Replies due by 7/26/2007. (Geldens, Jeffrey) (Entered: 07/19/2007)

07/23/2007 57 ORDER administratively closoing case, granting 54 Motion to Stay.Signed by Judge Alan S. Gold on 7/20/07. (hd) (Entered: 07/23/2007)

US District Court Civil Docket

**U.S. District - Florida Southern
(Miami)**

1:06cv21359

Rothschild Trust v. Citrix Systems, Inc, et al

This case was retrieved from the court on Monday, May 05, 2008

Date Filed: 05/26/2006	Class Code: CLOSED, MEDIATION)
Assigned To: Senior Judge James Lawrence King	Closed: Yes
Referred To: Magistrate Judge Barry L Garber	Statute: 35:0271
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Patent Infringement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: U.S. Government Defendant	

Litigants

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Plaintiff

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Date	#	Proceeding Text
05/26/2006	1	COMPLAINT filed; FILING FEE \$350.00 RECEIPT # 940943 ; Magistrate Judge Garber (dg, Deputy Clerk) (Entered: 05/31/2006)
05/26/2006	2	SUMMONS(ES) issued for Citrix Systems, Inc. (dg, Deputy Clerk) (Entered: 05/31/2006)
05/26/2006	3	SUMMONS(ES) issued for Citrix Online, LLC (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	--	FORM AO 120 sent to: Commissioner of Patents & Trad (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	4	Form AO 120 sent to Commissioner of Patents & Trademarks (dg, Deputy Clerk) (Entered: 05/31/2006)
05/31/2006	5	ORDER setting scheduling conference; set scheduling conference for 10:00 8/3/06 before Judge

James Lawrence King (Signed by Judge James Lawrence King on 05/31/06) [EOD Date: 6/1/06] (bs, Deputy Clerk) (Entered: 06/01/2006)

06/15/2006 6 ANSWER to Complaint by Citrix Systems, Inc., Citrix Online, LLC (Attorney J. Raul Cosio) (bs, Deputy Clerk) (Entered: 06/16/2006)

06/15/2006 7 CERTIFICATE of interested persons and corporate disclosure statement by Citrix Systems, Inc. (bs, Deputy Clerk) (Entered: 06/16/2006)

06/15/2006 8 CERTIFICATE of interested persons and corporate disclosure statement by Citrix Online, LLC (bs, Deputy Clerk) (Entered: 06/16/2006)

06/16/2006 9 RETURN OF SERVICE executed for Citrix Systems, Inc. on 5/26/06 Answer due on 6/15/06 for Citrix Systems, Inc. (bs, Deputy Clerk) (Entered: 06/19/2006)

06/16/2006 10 RETURN OF SERVICE executed for Citrix Systems, Inc. on 5/26/06 (bs, Deputy Clerk) (Entered: 06/19/2006)

06/16/2006 11 RETURN OF SERVICE executed for Citrix Online, LLC on 5/26/06 Answer due on 6/15/06 for Citrix Online, LLC (bs, Deputy Clerk) (Entered: 06/19/2006)

06/19/2006 12 MOTION by Citrix Systems, Inc., Citrix Online, LLC for Wiliam A. Meunier to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00; RECEIPT # 942291 (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 13 MOTION by Citrix Systems, Inc., Citrix Online, LLC (Attorney Douglas J. Kline) for Douglas J. Kline to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 942290 (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 14 MOTION by Citrix Systems, Inc., Citrix Online, LLC for Robert S. Blasi, JR to appear pro hac vice (bs, Deputy Clerk) (Entered: 06/20/2006)

06/19/2006 -- Filing Fee Paid; FILING FEE \$ 75.00 RECEIPT # 942289 (bs, Deputy Clerk) (Entered: 06/20/2006)

06/21/2006 15 ORDER granting [14-1] motion for Robert S. Blasi, JR to appear pro hac vice, granting [13-1] motion for Douglas J. Kline to appear pro hac vice, granting [12-1] motion for Wiliam A. Meunier to appear pro hac vice (Signed by Judge James Lawrence King on 06/21/06) [EOD Date: 6/23/06] (bs, Deputy Clerk) (Entered: 06/23/2006)

06/28/2006 16 Corporate Disclosure Statement by Rothschild Trust (kw, Deputy Clerk) (Entered: 06/29/2006)

07/21/2006 17 JOINT Scheduling Report of Scheduling Meeting by Rothschild Trust, Citrix Systems, Inc., Citrix Online, LLC (rb, Deputy Clerk) (Entered: 07/26/2006)

07/28/2006 22 Initial Disclosures/Exhibit and Witness List by Rothschild Trust (dg, Deputy Clerk) (Entered: 08/10/2006)

07/31/2006 18 ORDER rejecting joint scheduling report; parties to discuss all issues, exchange of list of witnesses and documents they intend to rely on for the respective sides of their case and to select discovery, pleading practice deadlines and trial date at the conference to be held 08/03/06 (Signed by Judge James Lawrence King on 07/28/06) [EOD Date: 8/1/06] (bs, Deputy Clerk) (Entered: 08/01/2006)

08/03/2006 19 Minutes of Scheduling Conference held before Judge James Lawrence King on 08/03/06; Court Reporter Name or Tape #: Bill Romanishin (bb, Deputy Clerk) (Entered: 08/04/2006)

08/03/2006 -- Scheduling conference held before Judge James Lawrence King (bb, Deputy Clerk) (Entered: 08/04/2006)

08/07/2006 20 ORDER on joint scheduling conference (Signed by Judge James Lawrence King on 08/07/06) [EOD Date: 8/8/06] (bs, Deputy Clerk) (Entered: 08/08/2006)

08/07/2006 21 ORDER setting continuation of Scheduling Conference and Markman Hearing date; set scheduling conference for 10:45 4/6/07 before Judge James Lawrence King , set Markman Hearing for 10:00 4/13/07 before Judge James Lawrence King (Signed by Judge James Lawrence King on 08/07/06) [EOD Date: (bs, Deputy Clerk) (Entered: 08/08/2006)

08/31/2006 23 MOTION by Rothschild Trust (Attorney) to extend time to file disclosure of asserted claims (kw, Deputy Clerk) (Entered: 09/01/2006)

09/01/2006 24 ORDER granting [23-1] motion to extend time to file disclosure of asserted claims (Signed by Judge James Lawrence King on 09/01/06) [EOD Date: 9/5/06] (bs, Deputy Clerk) (Entered: 09/05/2006)

09/08/2006 25 NOTICE of disclosure of asserted claims and preliminary infringement contentions by Rothschild Trust (cj, Deputy Clerk) (Entered: 09/11/2006)

12/18/2006 26 Unopposed MOTION for Extension of Time to File Joint Claim Construction and Prehearing Statement by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order) (Rebull, Thomas) (Entered: 12/18/2006)

12/19/2006 27 ORDER granting 26 Plaintiff's Unopposed Motion for Extension of Time to File Joint Claim Construction and Prehearing Statement. The parties have up to 12/20/2006 to file the Joint Claim Construction and Prehearing Statement. Signed by Judge James Lawrence King on 12/19/2006. (jw) (Entered: 12/19/2006)

12/20/2006 28 Statement of: Joint Claim Construction and Prehearing Statement by Rothschild Trust Holdings, LLC. (Traband, Rhett) (Entered: 12/20/2006)

01/24/2007 29 MOTION for Hearing Demonstrative Hearing by Rothschild Trust Holdings, LLC. (Rebull, Thomas) (Entered: 01/24/2007)

01/26/2007 30 Statement of: Order on Joint Scheduling Conference Prehearing Statement by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 01/26/2007)

02/05/2007 31 [VACATED by DE# 35] ORDER REFERRING MOTION to Magistrate Judge Barry L. Garber: 29 MOTION for Hearing Demonstrative Hearing filed by Rothschild Trust Holdings, LLC, Signed by Judge James Lawrence King on 2/5/2007 (lc1) Modified to reflect "vacated" on 2/28/2007 (wc). (Entered: 02/05/2007)

02/12/2007 32 MEMORANDUM in Opposition re 29 MOTION for Hearing Demonstrative Hearing filed by Citrix Systems, Inc.. (Cosio, J.) (Entered: 02/12/2007)

02/26/2007 33 MEMORANDUM OF LAW REGARDING CLAIM CONSTRUCTION BRIEF by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Declaration of Raj Rajkumar# 2 Exhibit Joint Claim and Prehearing Statement)(Bozza, Gabrielle) (Entered: 02/26/2007)

02/26/2007 34 Agreed MOTION for Leave to File Brief Which Exceeds Page Limit by Citrix Systems, Inc.. (Attachments: # 1 Exhibit Citrix's Brief on the Correct Construction of Disputed Claim Terms) (Cosio, J.) (Entered: 02/26/2007)

02/27/2007 35 ORDER Vacating 31 Order Referring Motion. Signed by Judge James Lawrence King on 2/27/2007 (lc1) (Entered: 02/27/2007)

02/27/2007 36 NOTICE of conventional filing of brief on the correct construction of disputed claim terms by Citrix Systems, Inc., Citrix Online, LLC (pa) (Entered: 02/28/2007)

02/27/2007 37 NOTICE of brief, by Citrix Systems, Inc., Citrix Online, LLC re 36 notice of filing (pa) Additional attachment(s) added on 2/28/2007 (pa). (Entered: 02/28/2007)

02/28/2007 -- Motions No Longer Referred: 29 MOTION for Hearing Demonstrative Hearing [This referral was vacated by DE# 35] (wc) (Entered: 02/28/2007)

03/06/2007 38 ORDER granting 34 Defendants' Assented to Motion for Leave to Exceed Page Limit Signed by Judge James Lawrence King on 3/2/2007 (jw) (Entered: 03/06/2007)

03/15/2007 39 NOTICE OF UNAVAILABILITY by Rothschild Trust Holdings, LLC for dates of 4/23-27; 5/7-11; 5/14-18; 5/21-25 (Traband, Rhett) (Entered: 03/15/2007)

03/22/2007 40 Joint MOTION for Protective Order (STIPULATED CONFIDENTIALITY ORDER) by Rothschild Trust Holdings, LLC. (Attachments: # 1 Stipulated Confidentiality Order# 2)(Bozza, Gabrielle) (Entered: 03/22/2007)

03/26/2007 41 ORDER denying 40 Motion for Protective Order. Signed by Judge James Lawrence King on 3/26/2007. (lc1) (Entered: 03/26/2007)

03/27/2007 42 Joint MOTION for Extension of Time to File Their Opposition Briefs by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 03/27/2007)

03/27/2007 43 Joint MOTION for Extension of Time to File Enlargement Of Time For The Parties To File Their Opposition Briefs by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order Order Granting Joint Motion For Enlargement of Time To File Opposition Briefs)(Bozza, Gabrielle) (Entered: 03/27/2007)

03/27/2007 44 CERTIFICATE of Interested Party by Rothschild Trust Holdings, LLC. (Bozza, Gabrielle) (Entered: 03/27/2007)

03/28/2007 45 ORDER granting 43 Motion for Extension of Time to File Opposition Briefs. The parties shall have until Monday, 4/2/2007. Signed by Judge James Lawrence King on 3/28/2007. (jw) (Entered: 03/28/2007)

03/29/2007 46 Plaintiff's MOTION to Bring Electronic Equipment into the courtroom by Rothschild Trust

Holdings, LLC. Responses due by 4/12/2007 (Attachments: # 1 Text of Proposed Order)(Rebull, Thomas) (Entered: 03/29/2007)

03/30/2007 47 ORDER granting 46Motion to Bring Electronic Equipment into the courtroom. Signed by Judge James Lawrence King on 3/30/07. (sd) Modified judge's signature date from 3/3/07 to 3/30/07 on 4/3/2007 (wc). (Entered: 04/02/2007)

04/02/2007 48 MEMORANDUM in Opposition re 33 Memorandum of Law in Opposition to Rothschild Trust Holdings, LLC's Claim Construction Brief filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Exhibit 11# 2 Exhibit 12)(Cosio, J.) (Entered: 04/02/2007)

04/02/2007 49 MEMORANDUM OF LAW Rothschild Trust Holdings, LLC Claim Construction Opposition Brief by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Notice of Filing In Conventional Form Exhibits A Through E)(Bozza, Gabrielle) (Entered: 04/02/2007)

04/03/2007 50 Unopposed MOTION to Bring Electronic Equipment into the courtroom and for Leave to Bring Audiovisual Equipment by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 4/17/2007 (Attachments: # 1 Text of Proposed Order Proposed Order Granting Def. Unopposed Motion Permitting the Use of Electronic Equip.)(Cosio, J.) (Entered: 04/03/2007)

04/04/2007 51 ORDER granting 50 Defendants'Motion to Bring Electronic Equipment and Audiovisual Equipment into the courtroom.Signed by Judge James Lawrence King on 4/4/07. (sd) (Entered: 04/04/2007)

04/06/2007 52 NOTICE OF CONVENTIONAL FILING form Exhibits A through E of Rothschild Trust Holdings LLC's claim construction opposition brief, by Rothschild Trust Holdings, LLC (Attachments: # 1 Appendix # 2 Appendix # 3 Appendix)(pa) (Entered: 04/06/2007)

04/10/2007 53 Defendant's MOTION to Strike 49 Memorandum of Law and Untimely Claim Constructions and Evidence by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 4/24/2007 (Attachments: # 1 Exhibit Exhibit A# 2 Exhibit Exhibit B# 3 Exhibit Exhibit C# 4 Errata Exhibit D# 5 Errata Exhibit E# 6 Errata Exhibit F# 7 Errata Exhibit G# 8 Exhibit Exhibit H)(Cosio, J.) (Entered: 04/10/2007)

04/12/2007 54 NOTICE by Rothschild Trust Holdings, LLC NOF Part of Pert. Pros. History (Rebull, Thomas) (Entered: 04/12/2007)

04/13/2007 55 Minute Entry for proceedings held before Judge James Lawrence King : Markman Hearing held on 4/13/2007. Court Reporter: Carly Horenkamp (jw) (Entered: 04/13/2007)

04/13/2007 56 Amended Minute Entry for proceedings held before Judge James Lawrence King : Markman Hearing held on 4/13/2007. Court Reporter: Carly Horenkamp (jw) (Entered: 04/13/2007)

04/23/2007 57 ORDER Setting Continuation of Markman Hearing set for 5/2/2007 09:30 AM in Miami Division before Judge James Lawrence King in Courtroom II, Eleventh Floor.Signed by Judge James Lawrence King on 4/23/2007.(jw) (Entered: 04/23/2007)

04/24/2007 58 ORDER Granting re 50 Unopposed MOTION to Bring Electronic Equipment into the courtroom and for Leave to Bring Audiovisual Equipment filed by Citrix Systems, Inc., Citrix Online, LLC, Signed by Judge James Lawrence King on 4/24/2007.(jw) (Entered: 04/24/2007)

04/25/2007 59 AMENDED ORDER GRANTING MOTION TO BRING IN ELECTRONIC EQUIPMENTSigned by Judge James Lawrence King on 4/25/2007.(jw) (Entered: 04/25/2007)

04/25/2007 60 Joint MOTION for Hearing on Claim #4 of the 534 Patent by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Text of Proposed Order on the Joint Request for Hearing on Claim #4 of the 534 Patent)(Cosio, J.) (Entered: 04/25/2007)

04/25/2007 61 TRANSCRIPT of Markman Hearing held on 4/13/07 @ 10:06am before Judge James Lawrence King. Court Reporter: Carly Horenkamp 1-178 pages. (nc) (Entered: 04/26/2007)

04/26/2007 62 NOTICE by Rothschild Trust Holdings, LLC Notice of Filing Exhibit 2 (Rebull, Thomas) (Entered: 04/26/2007)

04/27/2007 63 ORDER granting 60 Motion for Request for hearing on Claim #4 of the '534 Patent to be heard at the same hearing on May 2, 2007 at 9:30 a.m. Signed by Judge James Lawrence King on 4/27/2007. (jw) (Entered: 04/27/2007)

05/02/2007 64 Minute Entry for proceedings held before Judge James Lawrence King : Continuation of Markman Hearing held on 5/2/2007. Court Reporter: Lisa Edwards (jw) (Entered: 05/03/2007)

05/02/2007 65 Exhibit and Witness List by Rothschild Trust Holdings, LLC, Citrix Systems, Inc., Citrix Online, LLC.. (jw) (Entered: 05/03/2007)

05/14/2007 66 NOTICE by Citrix Systems, Inc., Citrix Online, LLC of Submission of Proposed Order (Cosio, J.) (Entered: 05/14/2007)

05/14/2007 67 NOTICE by Rothschild Trust Holdings, LLC of Submission of Proposed Order (Attachments: # 1 Text of Proposed Order)(Deutch, Gregory) (Entered: 05/14/2007)

06/05/2007 68 ORDER on Claims Construction.Signed by Judge James Lawrence King on 06/05/2007.(lc2) (Entered: 06/05/2007)

06/06/2007 69 ORDER on claims construction; Signed by Judge James Lawrence King on 06/05/2007.(bs) (Entered: 06/06/2007)

06/06/2007 70 SCHEDULING ORDER: Final Pretrial Conference set for 3/14/2008 10:30 AM in Miami Division before Judge James Lawrence King. Jury Trial set for 4/28/2008 09:00 AM in Miami Division before Judge James Lawrence King. Calendar Call set for 4/24/2008 02:00 PM in Miami Division before Judge James Lawrence King in Courtroom II, Eleventh Floor. Discovery due by 1/5/2008. Motions due by 1/10/2008. Pretrial Stipulation due by 3/7/2008.Signed by Judge James Lawrence King on 6/5/2007.(jw) (Entered: 06/06/2007)

06/12/2007 71 Notice of Docket Correction: re 69 Order; Correction: 69 Order is a duplicate of 68 Order. (bs) (Entered: 06/12/2007)

07/27/2007 72 Plaintiff's MOTION to Stay Pending Reexamination of the Patent in Suit by the US PTO by Rothschild Trust Holdings, LLC. Responses due by 8/10/2007 (Attachments: # 1 Exhibit Exhibit A Order Granting Stay in Case 06-cv-22921)(Geldens, Jeffrey) (Entered: 07/27/2007)

08/13/2007 73 RESPONSE to Motion re 72 Plaintiff's MOTION to Stay Pending Reexamination of the Patent in Suit by the US PTO filed by Citrix Systems, Inc., Citrix Online, LLC. Replies due by 8/20/2007. (Cosio, J.) (Entered: 08/13/2007)

08/16/2007 74 ORDER denying 72 Motion to Stay. Signed by Judge James Lawrence King on 8/15/07. (ch1) (Entered: 08/16/2007)

11/29/2007 75 Defendant's MOTION for Protective Order by Citrix Systems, Inc.; Citrix Online, LLC. (Attachments: # 1 Text of Proposed Order Proposed Protective Order)(Cosio, J.) (Entered: 11/29/2007)

11/29/2007 76 MEMORANDUM OF LAW in Support of its Motion for Entry of a Protective Order by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) Modified on 11/30/2007 (ls). "Wrong Event Used, Re-docketed as Entry ([77]); Memorandum in Support". (Entered: 11/29/2007)

11/29/2007 77 MEMORANDUM in Support re 75 Defendant's MOTION for Protective Order filed by Citrix Systems, Inc., Citrix Online, LLC. [See Image at DE #76] (ls) (Entered: 11/30/2007)

11/30/2007 78 NOTICE of Docket Correction and Instruction to Filer: re 76 Memorandum of Law filed by Citrix Systems, Inc., Citrix Online, LLC, Error: Wrong Event Selected; Correction=Redocketed as Memorandum in Support. Instruction to Filer=In the future please select the proper Event; under "Motions and Related Filings" "Responses and Replies". (ls) (Entered: 11/30/2007)

11/30/2007 79 ORDER denying 75 Motion fto Seal Document Signed by Judge James Lawrence King on 11/30/2007. (jw) (Entered: 11/30/2007)

12/14/2007 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Ex A, Dec 10 Correspondence# 2 Exhibit Ex B, Defendants' Initial Disclosures# 3 Exhibit Ex C, Nov 26 Correspondence# 4 Exhibit Ex D, Nov 28 Correspondence# 5 Exhibit Ex E, Dec 6 Correspondence)(Geldens, Jeffrey) (Entered: 12/14/2007)

12/18/2007 81 Plaintiff's MOTION Oral Argument on Motion for Extension of Time re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates Pursuant to Local Rule 7.1.B by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) Modified text on 12/19/2007 (tp). See document [82] for Corrected Motion Entry (Entered: 12/18/2007)

12/18/2007 82 MOTION for Oral Argument re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates by Rothschild Trust Holdings, LLC. See document 81 for image (tp) (Entered: 12/19/2007)

12/19/2007 83 NOTICE of Docket Correction and Instruction to Filer: re 81 Plaintiff's MOTION Oral Argument on Motion for Extension of Time re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates Pursuant to Local Rule 7.1.B filed by Rothschild Trust Holdings, LLC, Error: Wrong Relief used. See document [82] for corrected entry. Document 81 has been terminated and replaced with [82] (tp) (Entered: 12/19/2007)

12/27/2007 84 Plaintiff's MOTION for Order of Referral to Mediation by Rothschild Trust Holdings, LLC. (Attachments: # 1 Text of Proposed Order for Mediation)(Rebull, Thomas) (Entered: 12/27/2007)

12/31/2007 85 RESPONSE in Opposition re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments:

1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I# 10 Exhibit J# 11 Exhibit K# 12 Exhibit L# 13 Exhibit M# 14 Exhibit N# 15 Exhibit O# 16 Exhibit P# 17 Exhibit Q# 18 Exhibit R# 19 Exhibit S# 20 Exhibit T# 21 Exhibit U# 22 Exhibit V# 23 Exhibit W# 24 Exhibit X)(Cosio, J.) (Entered: 12/31/2007)

01/02/2008 86 ORDER granting 84 Plaintiff's Motion for Mediation. Deadline for Mediation is 60 days before scheduled trial date of 04/28/2008Signed by Judge James Lawrence King on 1/2/2008. (jw) (Entered: 01/02/2008)

01/03/2008 87 REPLY to Response to Motion re 80 First MOTION for Extension of Time to Complete Discovery /Continuance of Dates filed by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) (Entered: 01/03/2008)

01/07/2008 88 ORDER denying 80 Motion for Extension of Time to Complete Discovery Signed by Judge James Lawrence King on 1/7/2008. (jw) (Entered: 01/07/2008)

01/10/2008 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 1/25/2008 (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9)(Cosio, J.) (Entered: 01/10/2008)

01/10/2008 90 Statement of: Material Facts in Support by Citrix Systems, Inc., Citrix Online, LLC re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9)(Cosio, J.) Modified on 1/11/2008 (ls). (Entered: 01/10/2008)

01/10/2008 91 MEMORANDUM OF LAW in Support of Citrix's Motion for Summary Judgment That It Does Not Infringe the '534 Patent by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) (Entered: 01/10/2008)

01/10/2008 92 NOTICE by Citrix Systems, Inc., Citrix Online, LLC re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent Notice of Filing (Attachments: # 1 Affidavit of Michael G. Strapp, Esq.)(Cosio, J.) (Entered: 01/10/2008)

01/10/2008 93 Plaintiff's MOTION to Compel Depositions by Rothschild Trust Holdings, LLC. Responses due by 1/25/2008 (Attachments: # 1 Exhibit Exhibit A, Citrix Website Excerpts# 2 Exhibit Exhibit B, Correspondence to Rebull# 3 Exhibit Exhibit C, Discovery Requests)(Geldens, Jeffrey) (Entered: 01/10/2008)

01/10/2008 94 MEMORANDUM in Support re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent filed by Citrix Systems, Inc., Citrix Online, LLC. [See Image at DE #91] (ls) (Entered: 01/11/2008)

01/11/2008 95 NOTICE of Docket Correction and Instruction to Filer: re 91 Memorandum of Law filed by Citrix Systems, Inc., Citrix Online, LLC, Error: Wrong Event Selected; Correction=Redocketed as Memorandum in Support. Instruction to Filer=In the future please select the proper Event; under "Motions and Related Filings" "Responses and Replies". (ls) (Entered: 01/11/2008)

01/15/2008 96 ORDER denying 93 Motion to Compel Signed by Judge James Lawrence King on 1/15/2008. (jw) (Entered: 01/15/2008)

01/17/2008 97 NOTICE of Mediator Selection: Barry L. Haley selected.(Geldens, Jeffrey) (Entered: 01/17/2008)

01/18/2008 98 NOTICE of Docket Correction and Instruction to Filer: re 97 Notice of Mediator Selection filed by Rothschild Trust Holdings, LLC, ERROR: In the future please remember to add the name of the mediator at the prompt.(tp) (Entered: 01/18/2008)

01/18/2008 99 NOTICE of Compliance by Citrix Systems, Inc., Citrix Online, LLC (Cosio, J.) (Entered: 01/18/2008)

01/28/2008 100 MEMORANDUM in Opposition re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent filed by Rothschild Trust Holdings, LLC. (Attachments: # 1 Exhibit Declaration of Dr Raj Rajkumar# 2 Exhibit Declaration of Peter A Matos# 3 Exhibit Newman Deposition Excerpts)(Geldens, Jeffrey) (Entered: 01/28/2008)

01/28/2008 101 Statement of: Material Facts Pursuant to Rule 7.5(C) in Support of Plaintiff's Opposition to Defendants' Motion for Summary Judgment by Rothschild Trust Holdings, LLC re 90 Statement. (Geldens, Jeffrey) (Entered: 01/28/2008)

01/28/2008 102 Plaintiff's MOTION Oral Argument re 100 Memorandum in Opposition, and Defendants' Motion for Summary Judgment by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) (Entered: 01/28/2008)

02/07/2008 103 REPLY to Response to Motion re 89 Defendant's MOTION for Summary Judgment That It Does Not Infringe the '534 Patent filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1

Exhibit A)(Cosio, J.) (Entered: 02/07/2008)

02/07/2008 104 MOTION to Strike the Declarations of Peter A. Matos and Raj Rajkumar by Citrix Systems, Inc., Citrix Online, LLC. Responses due by 2/22/2008 (Attachments: # 1 Text of Proposed Order) (Cosio, J.) (Entered: 02/07/2008)

02/07/2008 105 MEMORANDUM in Support re 104 MOTION to Strike the Declarations of Peter A. Matos and Raj Rajkumar filed by Citrix Systems, Inc., Citrix Online, LLC. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G)(Cosio, J.) (Entered: 02/07/2008)

02/12/2008 106 Notice of Mediation Hearing before Mediator, Barry L. Haley filed by Rothschild Trust Holdings, LLC. Mediation Hearing set for 2/20/2008 09:30 AM (Attachments: # 1 Text of Proposed Order Order Scheduling Mediation)(Rebull, Thomas) (Entered: 02/12/2008)

02/13/2008 107 ORDER denying 104 MOTION to Strike the Declarations of Peter A. Matos and Raj Rajkumar as Untimely Signed by Judge James Lawrence King on 2/13/2008. (jw) (Entered: 02/13/2008)

02/13/2008 108 ORDER Scheduling Mediation before Barry L. Haley Mediation Hearing set for 2/20/2008 09:30 AM at Broad & Cassel, One Biscayne Tower, 21st Floor, 2 South Biscayne Boulevard, Miami, Florida 33131. Signed by Judge James Lawrence King on 2/13/2008.(jw) (Entered: 02/13/2008)

02/14/2008 109 MOTION for Reconsideration Because Plaintiff Did Not Disclose or File The Offending Declarations Until After The Court's Deadline by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) (Entered: 02/14/2008)

02/14/2008 110 RESPONSE to Rothschild's Request For Hearing on Citrix's Motion for Summary Judgment filed by Citrix Systems, Inc., Citrix Online, LLC. (Cosio, J.) (Entered: 02/14/2008)

02/22/2008 111 FINAL REPORT of Mediation Disposition: Impasse(Haley, Barry) (Entered: 02/22/2008)

03/03/2008 112 RESPONSE in Opposition re 109 MOTION for Reconsideration Because Plaintiff Did Not Disclose or File The Offending Declarations Until After The Court's Deadline filed by Rothschild Trust Holdings, LLC. (Geldens, Jeffrey) (Entered: 03/03/2008)

03/07/2008 113 NOTICE of Settlement in Principle by Rothschild Trust Holdings, LLC (Geldens, Jeffrey) (Entered: 03/07/2008)

03/10/2008 114 FINAL ORDER OF DISMISSAL, Signed by Judge James Lawrence King on 3/10/08.(lh) (Entered: 03/10/2008)

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US District Court Civil Docket

**U.S. District - Florida Southern
(Miami)**

1:02cv21192

Trust Licensing v. Disc Publishing, et al

This case was retrieved from the court on Saturday, February 15, 2003

Date Filed: 04/17/2002 **Class Code: TEB CLOSED**
Assigned To: Judge Jose E Martinez **Closed: Yes**
Referred To: **Statute: 35:0145**
Nature of suit: Patent (830) **Jury Demand:**
Cause: Patent Infringement **Demand Amount: \$0**
Lead Docket: None **NOS Description: Patent**
Other Docket: None
Jurisdiction: Federal Question

Litigants

Attorneys

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FTS 858-0008

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FTS 858-0008

Disc Publishing, Inc AKA Digital Media Publishing Group
Defendant

Digital Media Publishing Group
Defendant

Lorne Grierson, Individual
Defendant

Date	#	Proceeding Text
04/17/2002	1	COMPLAINT filed; FILING FEE \$150.00 RECEIPT # 861292 ; Magistrate Judge Bandstra (dg) [Entry date 04/18/02]
04/17/2002	2	SUMMONS(ES) issued for Disc Publishing (dg) [Entry date 04/18/02]
04/17/2002	3	SUMMONS(ES) issued for Disc Publishing (dg) [Entry date 04/18/02]
05/08/2002	4	ORDER requiring counsel to meet and file joint scheduling report and proposed order (Signed by Judge Patricia A. Seitz on 5/7/02) [EOD Date: 5/9/02] (dg) [Entry date 05/09/02]
08/08/2002	5	NOTICE of filing return of service by Trust Licensing (dg) [Entry date 08/09/02]
08/08/2002	6	RETURN OF SERVICE executed for Disc Publishing on 7/30/02 Answer due on 8/19/02 for Disc Publishing (dg) [Entry date 08/09/02]
08/15/2002	7	RETURN OF SERVICE executed for Disc Publishing on 8/5/02 Answer due on 8/25/02 for Disc Publishing (dg) [Entry date 08/16/02]
09/25/2002	8	ORDER OF REASSIGNMENT transferring case to the calendar of Judge Jose E. Martinez for all further proceedings (Signed by Judge Patricia A. Seitz on 9/23/02) [EOD Date: 9/26/02] (ra) [Entry date 09/26/02]
09/25/2002	--	Case reassigned to the calendar of Judge Jose E. Martinez for all further proceedings (ra) [Entry date 09/26/02]
10/07/2002	9	NOTICE of filing attached return of service of summons and complaint by Trust Licensing (ra) [Entry date 10/08/02]
10/07/2002	9	COPY OF RETURN OF SERVICE executed for Disc Publishing on 8/5/02 Answer due on 8/25/02 for Disc Publishing (ra) [Entry date 10/08/02]
10/10/2002	10	ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE, plaintiff shall file moion for clerk's entry of default no later than 10/31/02 (Signed by Judge Jose E. Martinez on 10/10/02) [EOD Date: 10/11/02] (ra) [Entry date 10/11/02]
10/23/2002	11	FIRST AMENDED COMPLAINT by Trust Licensing, (Answer due 8/25/02 amending [1-1] complaint adding Digital Media, Lorne Grierson (ra) [Entry date 10/24/02]
10/23/2002	12	SUMMONS issued for Digital Media (ra) [Entry date 10/24/02]
10/23/2002	13	SUMMONS issued for Lorne Grierson (ra) [Entry date 10/24/02]
10/23/2002	14	NOTICE of voluntary dismissal without prejudice of defendant Disc Publishing, Inc. by Trust Licensing (ra) [Entry date 10/24/02]
10/31/2002	16	DECLARATION of Peter A. Matos by Trust Licensing Re: [15-1] motion for entry of default as to Digital Media, [15-2] motion for default judgment against Digital Media (ra) [Entry date 11/01/02]
10/31/2002	15	Notice of compliance: by Trust Licensing with [10-1] ORDER ON DEFAULT FINAL JUDGMENT PROCEDURE, plaintiff shall file moion for clerk's entry of default no later than 10/31/02 (ra) [Entry date 11/01/02]
10/31/2002	15	MOTION with memorandum in support by Trust Licensing for clerk's entry of default and default judgment against Digital Media (ra) [Entry date 11/01/02]
11/01/2002	17	MOTION by Digital Media, Lorne Grierson to extend time to answer amended complaint (ra) [Entry date 11/04/02]
11/14/2002	18	NOTICE of filing return of service by Trust Licensing (ra) [Entry date 11/15/02]
11/14/2002	19	RETURN OF SERVICE executed for Digital Media on 10/25/02 Answer due on 11/14/02 for Digital Media (ra) [Entry date 11/15/02]
11/14/2002	20	NOTICE of filing return of service by Trust Licensing (ra) [Entry date 11/15/02]
11/14/2002	21	RETURN OF SERVICE executed for Lorne Grierson on 10/29/02 Answer due on 11/18/02 for Lorne Grierson (ra) [Entry date 11/15/02]
11/19/2002	22	RESPONSE by Trust Licensing to [17-1] motion to extend time to answer amended complaint

(ra) [Entry date 11/20/02]

12/03/2002	23	FINAL ORDER OF DISMISSAL and order denying all pending motions as moot, mooted [17-1] motion to extend time to answer amended complaint, mooted [15-1] motion for clerk's entry of default and default judgment against Digital Media (Signed by Judge Jose E. Martinez on 12/03/02) [EOD Date: 12/4/02] (ra) [Entry date 12/04/02]
12/03/2002	--	CASE CLOSED. Case and Motions no longer referred to Magistrate. (ra) [Entry date 12/04/02]
12/05/2002	24	FINAL ORDER OF DISMISSAL and order denying all pending motions as moot (Signed by Judge Jose E. Martinez on 12/05/02) [EOD Date: 12/5/02] (ra)

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922926 (08) 6101534 August 8, 2000

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

6101534

Get Drawing Sheet 1 of 1
Access PDF of Official Patent *
Order Patent File History / Wrapper from REEDFAX®
Link to Claims Section

August 8, 2000

Interactive, remote, computer interface system

REEXAM-LITIGATE: April 11, 2007 - Reexamination requested April 11, 2007 by Van Mahamedi, Shemwell Mahamedi, LLP, San Jose, CA, Reexamination No. 90/008,591 (O.G. June 19, 2007) Ex. Gp.: 3992

NOTICE OF LITIGATION

Trust Licensing v. Interactual Tech, Filed March 21, 2003, D.C. S.D. Florida, Doc. No. 1:03cv20672

NOTICE OF LITIGATION

Rothschild Trust v. Citrix Systems, Inc, et al, Filed May 26, 2006, D.C. S.D. Florida, Doc. No. 1:06cv21359

NOTICE OF LITIGATION

Rothschild Trust Holdings, LLC v. ORB Networks, Inc, Filed December 1, 2006, D.C. S.D. Florida, Doc. No. 1:06cv22921

NOTICE OF LITIGATION

ORB Networks, Inc v. Rothschild Trust Holdings LLC, Filed January 22, 2007, D.C. N.D. California, Doc. No. 3:07cv400

APPL-NO: 922926 (08)

FILED-DATE: September 3, 1997

GRANTED-DATE: August 8, 2000

ASSIGNEE-AFTER-ISSUE: August 13, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., TRUST LICENSING, LLC SUITE 310 1108 KANE CONCOURSEMIAMI, FLORIDA, 33154, Reel and Frame Number: 012083/0609
August 13, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., LINN, JAY HOWARD (AS TRUSTEE OF IRREVOCABLE TRUST AGREEMENT "NUMBER 1" DATED OCTOBER 8, 1997) 1108 KANE CONCOURSE, SUITE 310MIAMI, FLORIDA, 33154, Reel and Frame Number: 012083/0623
March 29, 2006 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., ROTHSCHILD TRUST HOLDINGS, LLC 19333 COLLINS AVENUE, #2501 SUNNY ISLES BEACH FLORIDA 33160, Reel and Frame Number: 017681/0519

April 23, 2009 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., LMR INVENTIONS, LLC 19333 COLLINS AVENUE, #2501 SUNNY ISLES BEACH FLORIDA 33160, Reel and Frame Number: 022584/0246

PRIM-EXMR: Rinehart; Mark H.

CORE TERMS: display, site, processor, real estate, computer, remote, structured, user, auxiliary, dimensional, medium, server, readable, interchangeable, video, interface, quantity, data storage, spacial, beacon, audio, interactive, floor plans, displayed, remotely, select, compact, continuous, depiction, portable

Source: [Legal > / . . . / > Utility, Design and Plant Patents](#) 

Terms: **patno=6101534** (Edit Search | Suggest Terms for My Search)

View: Custom

Segments: Appl-no, Assign-type, Assignee, Cert-correction, Exmr, Lit-reex, Patno, Reexam-litigate, Reissue, Reissue-comment

Date/Time: Tuesday, February 15, 2011 - 12:41 PM EST

In

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491 F. Supp. 2d 1105, *; 2007 U.S. Dist. LEXIS 42102, **;
20 Fla. L. Weekly Fed. D 857

Rothschild Trust Holdings, LLC v. Citrix Sys.

CASE NO. 06-21359-CIV-KING

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

491 F. Supp. 2d 1105; 2007 U.S. Dist. LEXIS 42102; 20 Fla. L. Weekly Fed. D 857

June 5, 2007, Decided

June 5, 2007, Entered

CASE SUMMARY:

PROCEDURAL POSTURE: After a Markham hearing in a patent infringement case, the court issued its decision on claims construction as to 13 disputed terms. The patent, entitled "Interactive, Remote, Computer Interface System," was issued to plaintiff trust in 2000. Defendant was a computer systems company.

OVERVIEW: The purpose of the interactive, remote, computer interface system claimed in the patent was to overcome problems associated with transporting large data files over the Internet. The system described in the patent permitted persons at locations away from a computer to access, communicate and interact with data stored on such computer. The patent contained one independent claim, as to which the court construed, inter alia, the following terms and phrases: remote server assembly, local processor assembly, primary site data, auxiliary site data, data storage assembly, a compact, portable and interchangeable computer readable medium, said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly, and local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly. The court construed dependent claims under 35 U.S.C.S. § 112, para. 2, 4, holding that it had authority to correct an obvious typographical error in one dependent claim because the specification made clear what the inventor intended. The claim term "full band broadcast signal" was found to be indefinite.

OUTCOME: The court ordered that the disputed terms be given the constructions it had outlined in the opinion.

CORE TERMS: assembly, site, remote, processor, server, auxiliary, user, readable, medium, interchangeable ...

OPINION

... [*1108] [**1] and Defendants Citrix Systems, Inc. and Citrix Online, LLC (herein collectively "Citrix") argued their proposed constructions of thirteen (13) disputed terms in U.S. Patent No. **6,101,534** (herein "the 534 Patent") before this Court. The Court heard oral argument, took testimony, and examined various exhibits. After a full development of the record ...

1. Beach Accessories, GlobalAdSource (English), November 19, 2009 Thursday, 67 words
2. Drought comes after flood of bank mergers., Knight-Ridder Tribune Business News, January 4, 2009, 6101534, 336 words, Mark Foxwell
3. Connected Media Technologies, Inc. Receives Notice of Allowance for U.S. Patent on "A Media Validation System", Business Wire, May 24, 2005 Tuesday 1:00 PM GMT, , 849 words, PLANTATION, Fla. May 24, 2005
4. Receives Notice of Allowance for U.S. Patent on "A Media Validation System", Market News Publishing, May 24, 2005 Tuesday 8:05 AM EST, , 913 words
5. Trust Licensing, Inc. Changes Its Name to 'Connected Media Technologies, Inc.', Business Wire, May 19, 2005 Thursday 1:00 PM GMT, , 823 words, PLANTATION, Fla. May 19, 2005
6. Intellectual Property Today, June, 2003, RFC EXPRESS TM; Recently Filed Patent Cases; Pg. 24, 858 words
7. News in Brief, DVD REPORT, January 21, 2002, Vol. 7, No. 2, 558 words
8. Trust Licensing's EX-NET Patent has Many Implications for Enhanced DVD's & CD-ROM's; U.S. Patent No. 6,101,534 Addresses Interaction of DVD Content and the Internet, Business Wire, January 10, 2002, Thursday, 639 words, Jan. 10, 2002
9. TIMMINS HIGH SCHOOL, London Free Press (Ontario, Canada), June 10, 2000, Saturday,, Final EDITION, FORUM,, Pg. F8,, 51 words, P. TOFFANELLO, PRINCIPAL TIMMINS HIGH AND VOCATIONAL SCHOOL 451

Source: [Legal > / . . . / > News, All \(English, Full Text\)](#) [\[1\]](#)

Terms: **6101534** or **6,101,534** (Edit Search | Suggest Terms for My Search)

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Date/Time: Tuesday, February 15, 2011 - 12:43 PM EST

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502

55246 7590 03/18/2011

Cuenot, Forsythe & Kim
12230 FOREST HILL BLVD.
SUITE 120
WELLINGTON, FL 33414

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 03/18/2011

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



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VAN MAHAMED!
SHEMWELL MAHAMED! LLP
4880 STEVENS CREEK BOULEVARD SUITE 301
SAN JOSE CA 95129-1034

MAILED

MAR 18 2011

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/008,591.

PATENT NO. 6101534.

ART UNIT 3992.

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

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

Notice of Intent to Issue Ex Parte Reexamination Certificate	Control No.	Patent Under Reexamination	
	90/008,591	6101534	
	Examiner	Art Unit	
	WILLIAM H. WOOD	3992	

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

1. Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of
 - (a) Patent owner's communication(s) filed: _____.
 - (b) Patent owner's late response filed: _____.
 - (c) Patent owner's failure to file an appropriate response to the Office action mailed: _____.
 - (d) Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
 - (e) Other: BPAI Decision - Examiner Reversed (09/17/2010).

Status of *Ex Parte* Reexamination:

 - (f) Change in the Specification: Yes No
 - (g) Change in the Drawing(s): Yes No

(h) Status of the Claim(s):

 - (1) Patent claim(s) confirmed: 1 and 3-21.
 - (2) Patent claim(s) amended (including dependent on amended claim(s)): _____
 - (3) Patent claim(s) canceled: 2.
 - (4) Newly presented claim(s) patentable: 23 and 26.
 - (5) Newly presented canceled claims: 24 and 25.
 - (6) Patent claim(s) previously currently disclaimed: _____
 - (7) Patent claim(s) not subject to reexamination: 22.

2. Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."

3. Note attached NOTICE OF REFERENCES CITED (PTO-892).

4. Note attached LIST OF REFERENCES CITED (PTO/SB/08 or PTO/SB/08 substitute).

5. The drawing correction request filed on _____ is: approved disapproved.

6. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the certified copies have
 - been received.
 - not been received.
 - been filed in Application No. _____.
 - been filed in reexamination Control No. _____.
 - been received by the International Bureau in PCT Application No. _____.

* Certified copies not received: _____.

7. Note attached Examiner's Amendment.

8. Note attached Interview Summary (PTO-474).

9. Other: _____.

William H. Wood/
Examiner, Art Unit 3992

cc: Requester (if third party requester)

U.S. Patent and Trademark Office

PTOL-469 (Rev. 05-10)

Notice of Intent to Issue Ex Parte Reexamination Certificate

Part of Paper No 20110211

REEXAMINATION

REASONS FOR PATENTABILITY / CONFIRMATION

Reexamination Control No. 90/008,591

Attachment to Paper No. 20110211.

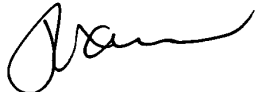
Art Unit 3992.

Claims 1, 3-21, 23 and 26 are patentable and/or confirmed.

The following is an examiner's statement of reasons for patentability and/or confirmation of the claims found patentable in this reexamination proceeding: the prior art discussed in the request fails to teach or suggest the claimed invention. Specifically, the prior art applied in rejection fails to disclose the claimed limitations as discussed in the decision issued by the Board of Patent Appeals and Interferences on 09/17/2010.


Conferees:

/EBK/




/William H. Wood/ Examiner, Art Unit 3992		
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PTOL-476 (Rev. 03-98)

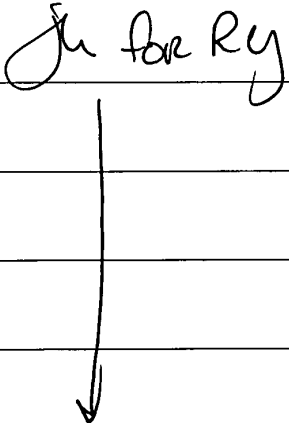
Issue Classification 	Application/Control No. 90/008,591	Applicant(s)/Patent under Reexamination 6101534
	Examiner WILLIAM H. WOOD	Art Unit 3992

ISSUE CLASSIFICATION												
ORIGINAL						INTERNATIONAL CLASSIFICATION						
CLASS			SUBCLASS			CLAIMED			NON-CLAIMED			
709			217			G	06	F	15	/16		
CROSS REFERENCES						G	06	F	15	/173		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					G	06	F	13	/38		
709	219	225	229			G	06	F	15	/17		
						H	04	M	3	/493		
						H	04	M	3	/487		
										/		
									Total Claims Allowed: 23			
(Assistant Examiner) (Date)						/William H. Wood/ 02/11/2010			O.G. Print Claim(s)			O.G. Print Fig.
<i>Wolfe</i> 3/17/11 (Legal Instruments Examiner) (Date)						(Primary Examiner) (Date)			1			2

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47							
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	2		32		62		92		122		152		182
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4	4		34		64		94		124		154		184
5	5		35		65		95		125		155		185
6	6		36		66		96		126		156		186
7	7		37		67		97		127		157		187
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9	9		39		69		99		129		159		189
10	10		40		70		100		130		160		190
11	11		41		71		101		131		161		191
12	12		42		72		102		132		162		192
13	13		43		73		103		133		163		193
14	14		44		74		104		134		164		194
15	15		45		75		105		135		165		195
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	28		58		88		118		148		178		208
	29		59		89		119		149		179		209
	30		60		90		120		150		180		210

Reexamination 	Application/Control No. 90/008,591	Applicant(s)/Patent Under Reexamination 6101534
	Certificate Date	Certificate Number C1

Requester Correspondence Address: <input type="checkbox"/> Patent Owner <input checked="" type="checkbox"/> Third Party
VAN MAHAMEDI SHEMWELL MAHAMEDI LLP 4880 STEVENS CREEK BOULEVARD SUITE 301 SAN JOSE CA 95129-1034

LITIGATION REVIEW <input checked="" type="checkbox"/>	WWI <small>(examiner initials)</small>	2/14/2011 <small>(date)</small>
Case Name		Director Initials
3:07cv400 <CLOSED>		
1:06cv22921 <CLOSED>		
1:06cv21359 <CLOSED>		
1:03cv20672 <CLOSED>		
1:02cv21192 <CLOSED>		

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
1. NONE	
2.	
3.	
4.	



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BIB DATA SHEET

CONFIRMATION NO. 7502

SERIAL NUMBER 90/008,591	FILING or 371(c) DATE 04/11/2007	CLASS 709	GROUP ART UNIT 3992	ATTORNEY DOCKET NO. 1093-008	
APPLICANTS 6101534, Residence Not Provided; Robinson Trust Holdings, LLC (Owner), Sunny Isles Beach, FL Van Mahamedi(3rd Pty. Req.), San Jose, CA; Van Mahamedi, San Jose, CA					
** CONTINUING DATA ***** This application is a REX of 08/922,926 09/03/1997 PAT 6,101,534 /ww/					
** FOREIGN APPLICATIONS ***** /ww/					
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>/WILLIAM H WOOD/</u> Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS 22 23	INDEPENDENT CLAIMS # 3
ADDRESS Cuenot, Forsythe & Kim 12230 FOREST HILL BLVD. SUITE 120 WELLINGTON, FL 33414 UNITED STATES					
TITLE INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM					
FILING FEE RECEIVED 2520	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		



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MAR 18 2011

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REEXAMINATION CONTROL NO. 90/008,591.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/008,591	04/11/2007	6101534	1093-008	7502
55246	7590	03/18/2011	EXAMINER	
Cuenot, Forsythe & Kim 12230 FOREST HILL BLVD. SUITE 120 WELLINGTON, FL 33414			ART UNIT	PAPER NUMBER

DATE MAILED: 03/18/2011

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

Notice of Intent to Issue Ex Parte Reexamination Certificate	Control No. 90/008,591	Patent Under Reexamination 6101534	
	Examiner WILLIAM H. WOOD	Art Unit 3992	

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1. Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of
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Status of *Ex Parte* Reexamination:

 - (f) Change in the Specification: Yes No
 - (g) Change in the Drawing(s): Yes No
 - (h) Status of the Claim(s):
 - (1) Patent claim(s) confirmed: 1 and 3-21.
 - (2) Patent claim(s) amended (including dependent on amended claim(s)): _____
 - (3) Patent claim(s) canceled: 2.
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 - a) All b) Some* c) None of the certified copies have
 - been received.
 - not been received.
 - been filed in Application No. _____.
 - been filed in reexamination Control No. _____.
 - been received by the International Bureau in PCT Application No. _____.

* Certified copies not received: _____.

7. Note attached Examiner's Amendment.

8. Note attached Interview Summary (PTO-474).

9. Other: _____.

William H. Wood/
Examiner, Art Unit 3992

cc: Requester (if third party requester)

REEXAMINATION

REASONS FOR PATENTABILITY / CONFIRMATION

Reexamination Control No. 90/008,591

Attachment to Paper No. 20110211.

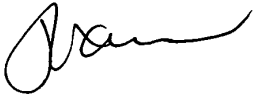
Art Unit 3992.

Claims 1, 3-21, 23 and 26 are patentable and/or confirmed.

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Conferees:

/EBK/



/William H. Wood/ Examiner, Art Unit 3992		
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PTOL-476 (Rev. 03-98)



US006101534C1

(12) **EX PARTE REEXAMINATION CERTIFICATE (8354th)**
United States Patent
Rothschild

(10) **Number:** **US 6,101,534 C1**
(45) **Certificate Issued:** **Jun. 28, 2011**

- (54) **INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM**
- (75) Inventor: **Leigh M. Rothschild, Miami, FL (US)**
- (73) Assignee: **LMR Inventions, LLC**

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Reexamination Request:
No. 90/008,591, Apr. 11, 2007

Reexamination Certificate for:
Patent No.: **6,101,534**
Issued: **Aug. 8, 2000**
Appl. No.: **08/922,926**
Filed: **Sep. 3, 1997**

- (51) **Int. Cl.**

<i>G06F 15/16</i>	(2006.01)
<i>G06F 15/173</i>	(2006.01)
<i>G06F 13/38</i>	(2006.01)
<i>G06F 15/17</i>	(2006.01)
<i>H04M 3/493</i>	(2006.01)
<i>H04M 3/487</i>	(2006.01)
- (52) **U.S. Cl.** 709/217; 709/219; 709/225; 709/229
- (58) **Field of Classification Search** None
See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS

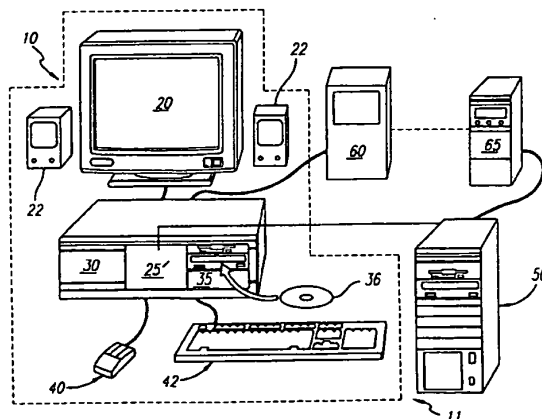
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(Continued)

Primary Examiner—William H. Wood

(57) **ABSTRACT**

An interactive, remote, computer interface system having a remote server assembly including a quantity of primary site data and at least one primary site address that contains at least a portion of the primary site data and is distinct so as to identify a location thereof on a computer network. The system further includes a local processor assembly coupled in data transmitting and receiving communication with the remote server assembly and structured to access the primary site address so as to achieve the data transmitting and receiving communication with the remote server assembly. At least one data storage assembly is associated with the local processor assembly and contains a quantity of auxiliary site data thereon, the auxiliary site data being associated with the primary site data. Further the data storage assembly including a compact, portable and interchangeable computer readable medium having a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of the quantity of auxiliary site data, and being structured to be remotely accessed by the remote server assembly so as to initiate utilization of select portions of the auxiliary site data by the local processor assembly in conjunction with the primary site data.



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* cited by examiner

1

**EX PARTE
REEXAMINATION CERTIFICATE
ISSUED UNDER 35 U.S.C. 307**

THE PATENT IS HEREBY AMENDED AS
INDICATED BELOW.

Matter enclosed in heavy brackets [] appeared in the patent, but has been deleted and is no longer a part of the patent; matter printed in italics indicates additions made to the patent.

AS A RESULT OF REEXAMINATION, IT HAS BEEN DETERMINED THAT:

The patentability of claims 1 and 3-21 is confirmed.

Claim 2 is cancelled.

New claims 23 and 24 are added and determined to be patentable.

Claim 22 was not reexamined.

23. An interactive, remote, computer interface system comprising:

- a remote server assembly, said remote server assembly including a quantity of primary site data;*
- said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;*
- a local processor assembly;*
- said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;*
- said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;*
- at least one compact portable and interchangeable computer readable medium associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data;*
- said compact, portable and interchangeable computer readable medium being distinct from a fixed hard drive of said local processor assembly;*
- said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;*
- said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;*

2

said remote server assembly remotely accessing said auxiliary site data to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;

5 *said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data; and said select portions of said quantity of auxiliary site data at the auxiliary site addresses accessible only while the local processor assembly is interactively online connected to the remote server assembly.*

24. An interactive, remote, computer interface system comprising:

- 15 *a remote server assembly, said remote server assembly including a quantity of primary site data;*
- said remote server assembly including at least one primary site address, said primary site address including at least a portion of said primary site data and being distinct so as to identify a location thereof on a computer network;*
- 20 *a local processor assembly;*
- said local processor assembly being coupled in data transmitting and receiving communication with said remote server assembly;*
- 25 *said local processor assembly being structured to access said primary site address so as to achieve said data transmitting and receiving communication with said remote server assembly;*
- at least one data storage assembly associated with said local processor assembly and structured to contain a quantity of auxiliary site data thereon, said auxiliary site data being associated with said primary site data; said data storage assembly including a compact, portable and interchangeable computer readable medium;*
- 35 *said compact, portable and interchangeable computer readable medium including a plurality of remotely accessible, auxiliary site addresses encoded therein, each of said remotely accessible, auxiliary site addresses including select portions of said quantity of auxiliary site data;*
- said remotely accessible, auxiliary site addresses being structured to be remotely accessed by said remote server assembly;*
- 45 *said remote server assembly remotely accessing said auxiliary site data to initiate utilization of said select portions of said quantity of auxiliary site data by said local processor assembly;*
- said select portions of said quantity of auxiliary site data utilized in conjunction with said primary site data;*
- said remotely accessible auxiliary site addresses being encoded so as to restrict access by said local processor assembly unless said access is directed by said remote server assembly; and*
- 55 *said select portions of said quantity of auxiliary site data at the auxiliary site addresses accessible only while the local processor assembly is interactively online connected to the remote server assembly.*

* * * * *

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.

CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i> Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	90/008,591
	Filing Date	APRIL 11, 2007
	First Named Inventor	ROTHSCHILD
	Art Unit	3992
	Examiner Name	WOOD, WILLIAM H.
	Attorney Docket Number	8153-0001 (REX. 101)

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I am the:

Applicant/Inventor

Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

Attorney or agent of record. Registration Number 42984.

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____.

Signature /SCOTT D. PAUL/

Typed or Printed Name SCOTT D. PAUL

Date JULY 18, 2011 Telephone 561-801-7700

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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 disclosure of these records is required by the Freedom of Information Act.
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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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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 inspection 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 Acknowledgement Receipt

EFS ID:	10538275
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	55246
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8153-0001 (REX. 101)
Receipt Date:	18-JUL-2011
Filing Date:	11-APR-2007
Time Stamp:	12:44:46
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Change of Address	8153-0001_Rex_ApplicationChangeofAddress.pdf	277598 <small>bbef25e593a912a498e9a8f8b7716db9b39a7fcc</small>	no	2

Warnings:

Information:

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.

“FEE ADDRESS” INDICATION FORM

Address to: Mail Stop M Correspondence Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	- OR -	Fax to: 571-273-6500
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INSTRUCTIONS: The issue fee must have been paid for application(s) listed on this form. In addition, only an address represented by a Customer Number can be established as the fee address for maintenance fee purposes (hereafter, fee address). A fee address should be established when correspondence related to maintenance fees should be mailed to a different address than the correspondence address for the application. **When to check the first box below:** If you have a Customer Number to represent the fee address. **When to check the second box below:** If you have no Customer Number representing the desired fee address, in which case a completed Request for Customer Number (PTO/SB/125) must be attached to this form. For more information on Customer Numbers, see the Manual of Patent Examining Procedure (MPEP) § 403.

For the following listed application(s), please recognize as the “Fee Address” under the provisions of 37 CFR 1.363 the address associated with:

Customer Number: 12896

OR

The attached Request for Customer Number (PTO/SB/125) form.

PATENT NUMBER <small>(if known)</small>	APPLICATION NUMBER
6,101,534	

Completed by (check one):

<input type="checkbox"/> Applicant/Inventor	_____ /SCOTT D. PAUL/ Signature
<input checked="" type="checkbox"/> Attorney or Agent of record <u>42984</u> (Reg. No.)	_____ SCOTT D. PAUL Typed or printed name
<input type="checkbox"/> Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ 561-801-7700 Requester's telephone number
<input type="checkbox"/> Assignee recorded at Reel _____ Frame _____	_____ 11 OCTOBER 2011 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

* Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.363. 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 1.11 and 1.14. This collection is estimated to take 5 minutes 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 COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop M Correspondence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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Privacy Act Statement

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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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Electronic Acknowledgement Receipt

EFS ID:	11159702
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	52023
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8153-0001 (REX. 101)
Receipt Date:	11-OCT-2011
Filing Date:	11-APR-2007
Time Stamp:	14:50:42
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Change of Address	REX_101_FeeAddressIndication Form_8153-0001.pdf	318098 <small>3b260618d2c8d781c224378c9a1447fc65c650b7</small>	no	2

Warnings:

Information:

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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

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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.

CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i> Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	90/008,591
	Filing Date	APRIL 11, 2007
	First Named Inventor	ROTHSCHILD
	Art Unit	7502
	Examiner Name	WOOD, WILLIAM H.
	Attorney Docket Number	8153-0001 (REX 101)

Please change the Correspondence Address for the above-identified patent application to:

The address associated with Customer Number:

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City State Zip

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This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

Applicant/Inventor

Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

Attorney or agent of record. Registration Number 42984.

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____.

Signature /SCOTT D. PAUL/

Typed or Printed Name SCOTT D. PAUL

Date OCTOBER 11, 2011 Telephone 561-801-7700

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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Electronic Acknowledgement Receipt

EFS ID:	11160073
Application Number:	90008591
International Application Number:	
Confirmation Number:	7502
Title of Invention:	INTERACTIVE, REMOTE, COMPUTER INTERFACE SYSTEM
First Named Inventor/Applicant Name:	6101534
Customer Number:	52023
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8153-0001 (REX. 101)
Receipt Date:	11-OCT-2011
Filing Date:	11-APR-2007
Time Stamp:	15:07:35
Application Type:	Reexam (Patent Owner)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Change of Address	8153-0001_ChangeofCorrAddress_10-11-11.pdf	271531 <small>4caee0873a209bb28ea1d01957bda7f5d47271ac</small>	no	2

Warnings:

Information:

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