

FILE HISTORY

US 6,233,736

PATENT: 6,233,736

INVENTORS: Wolzien, Thomas R.

TITLE: Media online service access system and
method

APPLICATION NO: US199854740A

FILED: 03 APR 1998

ISSUED: 15 MAY 2001

COMPILED: 21 MAY 2015

JCS26 U.S. PTO
09/054740
04/03/98

725	Class
110	Subclass
ISSUE CLASSIFICATION	

U.S. UTILITY PATENT APPLICATION

PATENT NUMBER
6233736

SCANNED *[Signature]* O.P.E. *[Signature]* Q.A. *[Signature]* PATENT DATE
MAY 15 2001

SECTOR	CLASS <i>725</i>	SUBCLASS <i>110</i>	ART UNIT <i>2611</i>	EXAMINER <i>Miller</i>
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PREPARED AND APPROVED FOR ISSUE

ISSUING CLASSIFICATION					
ORIGINAL		CROSS REFERENCE(S)			
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)		
725	110	725	112	133	
INTERNATIONAL CLASSIFICATION					
H 0 4 N	7/173				

Continued on Issue Slip inside File Jacket

<input checked="" type="checkbox"/> TERMINAL DISCLAIMER 091054740	DRAWINGS			CLAIMS ALLOWED	
	Sheets Drwg. <i>3</i>	Figs. Drwg. <i>3</i>	Print Figs. <i>1</i>	Total Claims <i>12</i>	Print Claim for O.G. <i>1</i>
<input type="checkbox"/> a) The term of this patent subsequent to _____ (date) has been disclaimed.	_____ (Assistant Examiner) _____ (Date)			NOTICE OF ALLOWANCE MAILED <i>12-19-00</i>	
<input checked="" type="checkbox"/> b) The term of this patent shall not extend beyond the expiration date of U.S. Patent No. <i>5,761,606</i> .	JOHN W. MILLER PATENT EXAMINER <i>[Signature]</i> 12/20/00 (Date)			ISSUE FEE Amount Due <i>\$1240.00</i> Date Paid <i>3/5/01</i>	
<input type="checkbox"/> c) The terminal _____ months of this patent have been disclaimed.	<i>[Signature]</i> 1/30/01 (Date) (Legal Instruments Examiner)			ISSUE BATCH NUMBER <i>W-79</i>	

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Form PTO-436A
(Rev. 10/97)

(LABEL AREA)

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6,233,736

MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

Transaction History

Date	Transaction Description
04-03-1998	Preliminary Amendment
04-07-1998	Initial Exam Team nn
04-30-1998	IFW Scan & PACR Auto Security Review
04-30-1998	IFW Scan & PACR Auto Security Review
06-17-1998	Case Docketed to Examiner in GAU
07-02-1998	Information Disclosure Statement (IDS) Filed
07-02-1998	Information Disclosure Statement (IDS) Filed
03-24-1999	Application Dispatched from OIPE
09-09-1999	Mail Non-Final Rejection
09-09-1999	Non-Final Rejection
11-30-1999	Change in Power of Attorney (May Include Associate POA)
12-21-1999	Information Disclosure Statement (IDS) Filed
12-21-1999	Information Disclosure Statement (IDS) Filed
01-10-2000	Information Disclosure Statement (IDS) Filed
01-10-2000	Information Disclosure Statement (IDS) Filed
03-09-2000	Terminal Disclaimer Filed
03-09-2000	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received
03-09-2000	Response after Non-Final Action
03-09-2000	Request for Extension of Time - Granted
03-30-2000	Date Forwarded to Examiner
06-05-2000	Non-Final Rejection
06-05-2000	Terminal Disclaimer Approved in TC
06-07-2000	Mail Non-Final Rejection
10-06-2000	Case Docketed to Examiner in GAU
10-27-2000	Examiner Interview Summary Record (PTOL - 413)
12-05-2000	Response after Non-Final Action
12-08-2000	Date Forwarded to Examiner
12-19-2000	Mail Notice of Allowance
12-19-2000	Notice of Allowance Data Verification Completed
02-27-2001	Workflow - File Sent to Contractor
03-08-2001	Issue Fee Payment Verified
03-08-2001	Workflow - Drawings Finished
03-08-2001	Workflow - Drawings Matched with File at Contractor
03-08-2001	Workflow - Drawings Received at Contractor
03-08-2001	Workflow - Drawings Sent to Contractor
04-11-2001	Workflow - Complete WF Records for Drawings
04-15-2001	Application Is Considered Ready for Issue
04-27-2001	Issue Notification Mailed
05-15-2001	Recordation of Patent Grant Mailed
10-09-2003	Correspondence Address Change
11-14-2003	Post Issue Communication - Certificate of Correction
05-02-2004	Correspondence Address Change
05-18-2004	Correspondence Address Change
01-19-2006	Correspondence Address Change
01-25-2008	Change in Power of Attorney (May Include Associate POA)
01-25-2008	Correspondence Address Change
12-27-2013	Petition Requesting Trial
06-24-2014	Request for Trial Granted
01-26-2015	Termination or Final Written Decision



PATENT APPLICATION



INITIALS 4/9/98 10

CONTENTS

	Date received (Incl. C. of M.) or Date Mailed	Date received (Incl. C. of M.) or Date Mailed
1. Application papers.		
2. <i>Amended</i>	4/3/98	
3. <i>IDS</i>	7/2/98	
4. <i>Rej. 3mos.</i>	9-9-99	
5. <i>Assoc Power</i>	11/30/99	
6. <i>IOS</i>	12/21/99	
7. <i>IDS</i>	1/10/00	
8. <i>Ext. of Time (3mos)</i>	3/9/00	
9. <i>Response</i>	3/9/00	
10. <i>Affidavit</i>	3/9/00	
11. <i>Terminal Disclaimer</i>	3/9/00	
12. <i>Rej (3 months)</i>	6-7-00	
13. <i>Interview Summary</i>	10/27/00	
14. <i>Amend B</i>	12/5/00	
15. <i>Notice of Allowance</i>	12/19/00	
16. <i>Ext. of Time (3mos)</i>	1/5/01	
17. <i>Final Drawings (3 sheets)</i>	3/8/01	
18. <i>Req. for cyc</i>	8-12-02	
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ISSUE SLIP STAPLE AREA (for additional cross references)

POSITION	INITIALS	ID NO.	DATE
FEE DETERMINATION	<i>[Handwritten Signature]</i>	66461	4/8/98
O.I.P.E. CLASSIFIER		49	4/9/98
FORMALITY REVIEW		69300	

INDEX OF CLAIMS

- ✓ Rejected
- II Allowed
- (Through numeral) Canceled
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- N Non-elected
- I Interference
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Claim	Date
Final	
Original	9/17/6/00
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SEARCHED

SEARCH NOTES (INCLUDING SEARCH STRATEGY)

Class	Sub.	Date	Exmr.
348	6, 10, 42, 13, 46, 461, 465, 468, 469, 473, 476, 477, 563, 564, 565	9/99	<i>2</i>
455	3, 1, 5, 1, 6, 1, 6-2, 6, 3		
1144N	7/00 7/10 7/14		
709	2/7-2/19		
UPDATED ABOVE		6/00	<i>2</i>
UPDATED ABOVE		12/00	<i>2</i>
725	105, 109, 110, 111, 112, 113, 131, 133		

Date	Exmr.

INTERFERENCE SEARCHED

Class	Sub.	Date	Exmr.
725	133, 112, 110	12/00	<i>2</i>

(RIGHT OUTSIDE)



US006233736B1

(12) **United States Patent**
Wolzien

(10) **Patent No.:** US 6,233,736 B1
(45) **Date of Patent:** *May 15, 2001

(54) **MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD**

(75) **Inventor:** Thomas R. Wolzien, Grandview, NY (US)

(73) **Assignee:** Media Online Services, Inc., New York, NY (US)

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) **Appl. No.:** 09/054,740

(22) **Filed:** Apr. 3, 1998

Related U.S. Application Data

(63) Continuation of application No. 08/597,432, filed on Feb. 8, 1996, now Pat. No. 5,761,606.

(51) **Int. Cl.⁷** H04N 7/173

(52) **U.S. Cl.** 725/110; 725/112; 725/133

(58) **Field of Search** 348/6, 10, 12, 348/13, 460, 461, 465, 468, 469, 473, 476-479, 563, 564, 565; 455/3.1, 5.1, 6.1, 6.2, 6.3; 709/217-219; 725/105, 109, 110, 111, 112, 113, 131, 133; H04N 7/00, 7/10, 7/14

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4,894,789	1/1990	Yee	
4,905,094	2/1990	Pocock et al.	
5,014,125	5/1991	Pocock et al.	
5,128,752	7/1992	Von Kohorn	
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WO 9702699	1/1997	(WO)
WO9727546	7/1997	(WO)

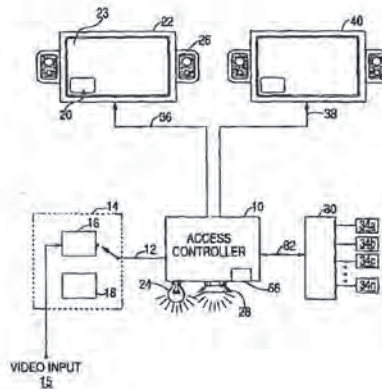
Primary Examiner—John W. Miller

(74) *Attorney, Agent, or Firm*—Dorsey & Whitney LLP

(57) **ABSTRACT**

A system is disclosed for providing direct automated access to an online information services provider through an address embedded in a video or audio program, commercial message, or news story. The system operates with video or audio programs which are received through broadcast, cable or pre-recorded media, and which are encoded in either analog or digital formats. The address of an online information provider is encoded in a vertical blanking interval or other non-displayed portion of an electronic signal which represents the video or audio program so as not to interfere with the program as displayed or transduced on a television or audio sound system. The online information provider address is detected and decoded from the electronic signal and used in establishing a direct digital communication link to the online information provider. Upon detecting an online provider address, the system indicates to the user that more information is available. The user may then elect to establish a connection with the online information provider by giving a simple command, e.g., pushing a special button on a remote control. The system then automatically establishes a direct digital communication link to the online information provider through the address and provides for interactive information exchange and processing to permit signals received from the online information provider to be displayed on a conventional television, transduced on a sound system, or also on a high resolution reproducing system such as a computer monitor, or other reproduction device.

12 Claims, 3 Drawing Sheets



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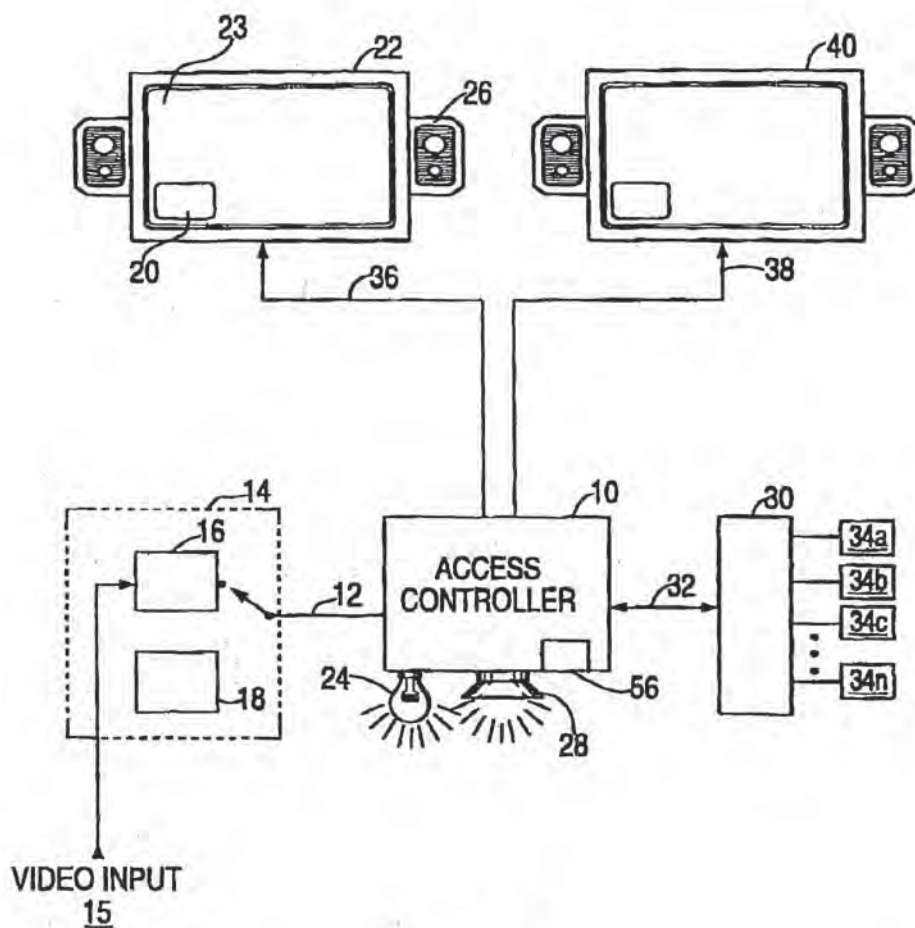


FIG. 1

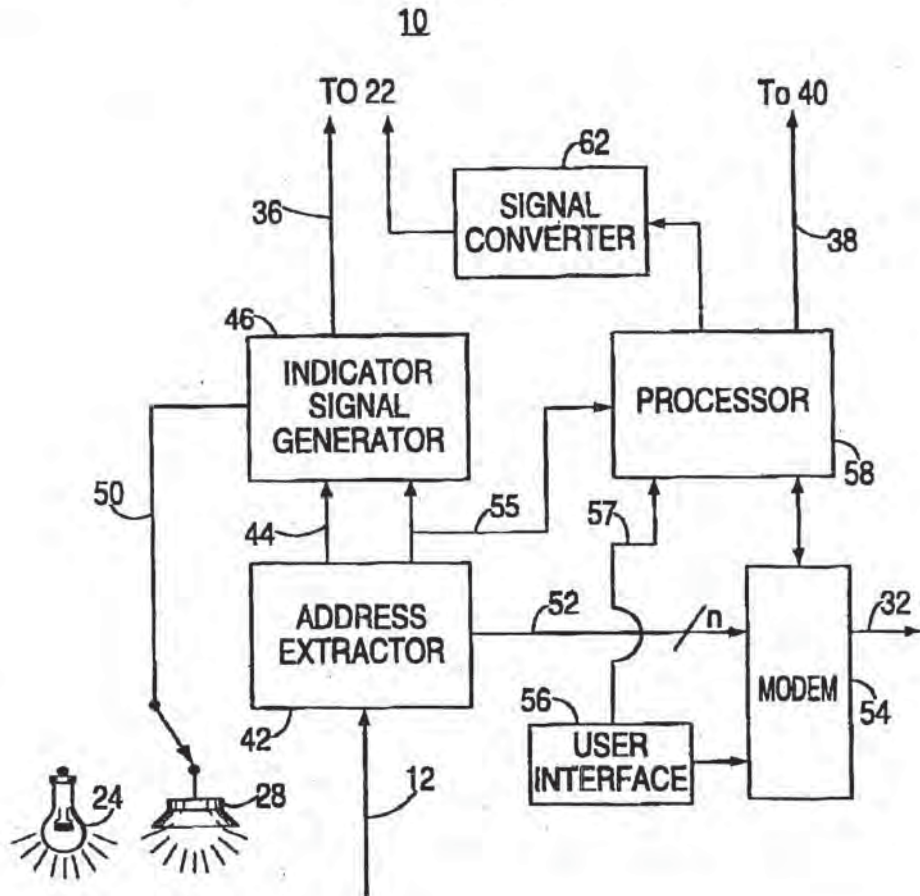


FIG. 2

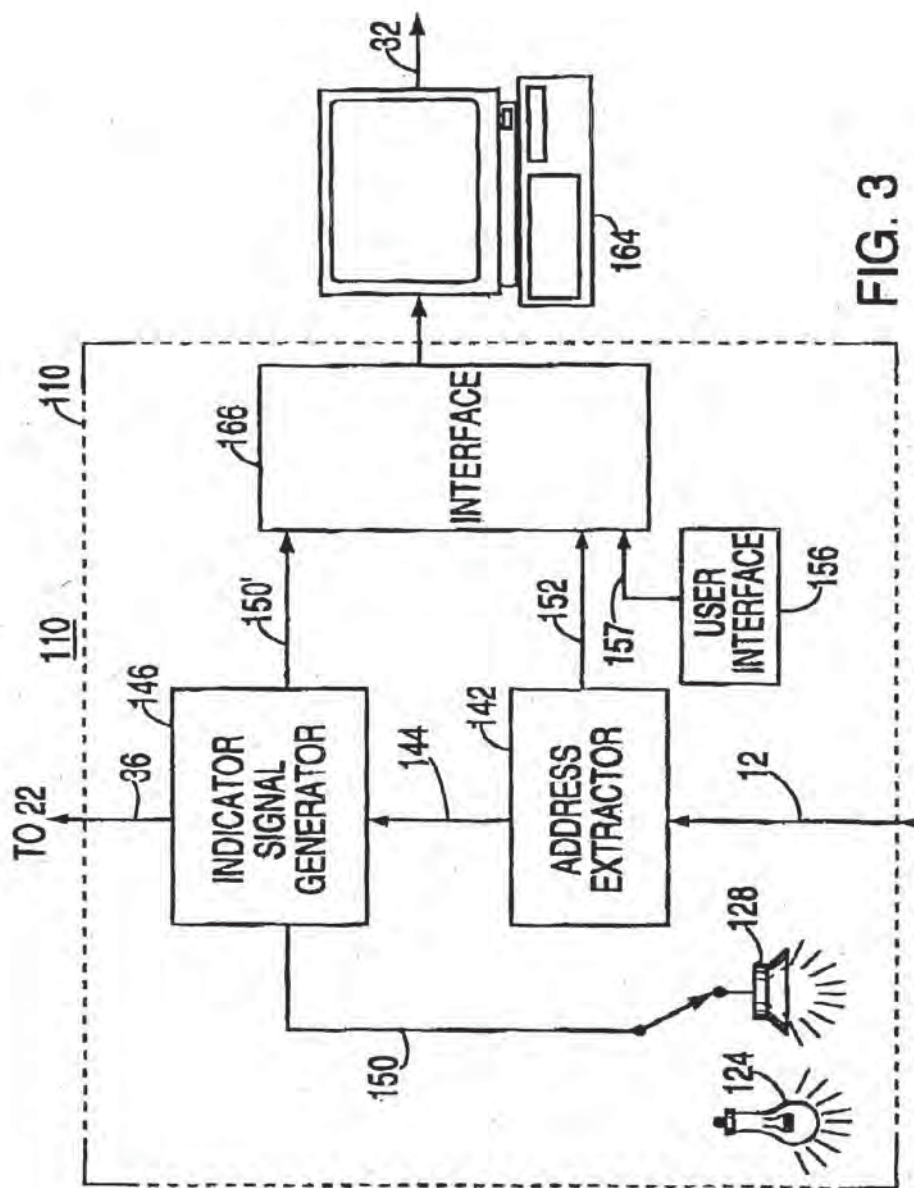


FIG. 3

MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

This is a continuation of Ser. No. 08/597,432, filed Feb. 8, 1996 now U.S. Pat. No. 5,761,606.

The present invention relates to an electronic information access system and more specifically to a media online services access system which provides direct, automated access to an online information provider through an address embedded in an electronic signal which carries a program segment (e.g., through television, radio, or a pre-recorded video or audio medium).

BACKGROUND OF THE INVENTION

Heretofore, media receiving and display systems such as television and radio receivers have been linked to interactive information providers in only very limited ways. Some systems exist which permit the exchange of digital information with the viewer of a television program over or in combination with a television signal, but such systems have provided access to a single information source available from, for example, the broadcast or cable television operator. In such systems, the selection of information services has been entirely within the control of the broadcast or cable television operator. At the same time, some television and radio broadcasters have begun announcing an Internet address for viewer inquiries during the course of program transmission. Access to this Internet address requires the user to utilize his or her computer. No system yet exists which provides automated and direct user access to online information providers through an address embedded in a video or audio program signal.

The recent explosion in the usage of online information services through digital networks such as the Internet, Prodigy (R), America Online (R) and Compuserve (R), for example, indicate that the demand for access to readily available up-to-date or detailed information is increasing. The viewer of a video program, whether the program is received through broadcast, or cable means or from a pre-recorded medium, may often seek to discover more information which relates to a topic presented in the video program. Since television programs and recordings are of finite length, they do not contain all the related information which a consumer may wish, and the information contained therein may not be timely. Therefore, it would be desirable for there to be a system which automatically and directly provides access to an online information provider through an address which can be extracted from an audio or video program such as a television program, commercial or news story. With such system, several benefits would be obtained. For example, adults and children viewing an educational or historical video program could easily locate additional materials provided in text or still picture by the producers of the video program by accessing more information from the producers digitally through the online address. Consumers seeking more information about a specific advertised product could easily find such information by accessing the online address of an information provider designated by the advertiser. News program viewers seeking specific information from news stories or more detailed information could easily access such information through an online information provider designated by the producers of such program.

The online services access system could be used to provide still other benefits to consumers, business owners, and the government. For example, an automobile manufacturer could make information available directly to a con-

sumer through an online address embedded in a video presentation so the consumer could reach its online site quickly to ask for more information, to request a test drive, or to purchase parts. Through such system, a grocery store could advertise and receive orders through its online site from customers for home delivery, or for other shopping needs. A catalog retailer could use such system to provide rapid access to consumers, after airing a commercial, to its catalog in online form and to enable orders to be placed readily through its online site. A record company could use such system to enable customers to order a recording while listening to a song or viewing a music video. Government agencies, e.g., the Internal Revenue Service, military recruiters, or health agencies, for example, could use such system to provide consumers with readily available information following the airing of public service announcements regarding regulations, programs, or public health concerns, e.g., cancer, AIDS, and heart disease. Educators and students could use such system to obtain more detailed or up-to-the-minute information from online bulletin boards and databases regarding topics presented in a video program, even though the program was recorded some time in the past.

Systems exist at present in which digitally encoded information is transmitted and received through a modified video signal of a conventional television transmission. For example, a system is described in U.S. Pat. No. 4,894,789 wherein a digital information signal is transmitted during the vertical blanking interval of an analog broadcast television signal and decoded and displayed on the television screen in addition to the analog broadcast video signal.

U.S. Pat. No. 5,128,752 describes a system in which a retailer broadcasts information for reception upon a conventional television set regarding products available through a central location. The system includes a decoder for displaying the product information on the television screen, and also a token generator for producing tokens, at the user's option, to be redeemed when a product is purchased. The broadcast information includes data related to token redemption and value considerations available upon purchase of the product.

U.S. Pat. No. 5,285,278 describes a system in which coupon-related digital information is received from a transmitted television signal through a decoder. The decoder records the coupon-related data for later readout and redemption when a product is purchased.

U.S. Pat. No. 4,905,094 ("the '094 Patent") describes an interactive cable television system in which a subscriber tunes to a channel and requests connection to a remote location by either dialing a predetermined telephone number or accessing a cable television channel. When the system identifies the subscriber the television set displays the frame of video (and possibly accompanying audio information) describing products or services which may be viewed and purchased. The '094 Patent does not describe the extraction of encoded address information from the television signal, or a system enabling a television program viewer to access online information providers by establishing connection automatically through such extracted address.

Thus, systems exist which are capable of providing interactive user access through a broadcast or cable television signal. However, such systems are limited in the access they provide to information sources directly available through the unitary cable or broadcast provider. By contrast, the present invention facilitates direct automated user access to an unlimited number of online information providers through provider addresses which are embedded in the electronic signal which carries a video or audio program.

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Accordingly, it is an object of the invention to provide a system for extracting an address of an online information provider from an electronic signal which carries an video or audio program.

It is a further object of the invention to provide a system which indicates to the program user (i.e., viewer or listener), after extracting an online information provider address, that more information is available.

Still another object of the invention is to provide an automated system which, upon receipt of a single user command, directly and automatically establishes a digital connection with an online information provider through an address extracted from an electronic signal which carries a video or audio program.

Another object of the invention is to provide a system which converts information signals received from an online information provider to a form capable of being displayed on a conventional reproducing system such as a television set.

These and other objects are provided by the media online services access system of the present invention.

SUMMARY OF THE INVENTION

The media online services access system of the present invention provides a system and process which links video and audio program content with online information signal content. The system provides heretofore unattained direct automated user access from a media program such as a received or pre-recorded television or radio (audio) signal to an online information provider through a link provided in the media program. The access system receives an electronic signal representing a video or audio program or a combined audio/video program from an available medium (e.g., broadcast and cable television and radio, or a pre-recorded medium such as a tape or disc). Embedded in the electronic signal, for example, in the vertical blanking interval, or otherwise encoded in the electronic signal in such manner as not to interfere with the displayed image, is an information signal representing an electronic address of an online information provider. The online information provider can be any one of millions of interactive information providers which can be accessed through exchange of digital information signals, for example, a publisher who is available through the Internet for interactive transactions. As the media program is received for reproduction on a video display or audio sound system, the access system extracts the embedded electronic address for use in directly accessing the online information provider at the selection of the user.

Preferably, the address is stored at the time of extraction, for use in accessing the online information provider at the selection of the user. The duration in which an extracted signal address is stored may be relatively short, as in the case where the address is transmitted and refreshed continuously or at very short intervals, e.g., once per each frame of a video signal, or it may be longer, as when an address is transmitted only at selected intervals of a program.

Upon successfully extracting an electronic address, the access system provides a indicator signal to the user that more information is available. The indicator signal may take the form of a message displayed on a video screen, or other indicators such as a light, a sound or a wireless tactile indicator, e.g., vibrating wristband or clip-on unit. Alternatively, the video or audio program may contain a logo or message to be displayed for the user at points in the program which coincide with the presence of an embedded online information provider address, which, in such case,

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would eliminate the need for the access system to incorporate specific structure to provide indication to the user, in response to successful extraction of an online provider address.

After receiving the indicator signal, if the user desires more information, the user may request access to the online information provider through a command to the access system, e.g., through pushbutton, user control keypad, voice command, mouse, touchpad, touchscreen, or other such input. Upon receiving such command, the access system automatically establishes a digital communication link with the online information provider through transmission of a signal containing the extracted address. Preferably, upon establishment of such communication link, the access system enables interactive communications with the online information provider.

In another embodiment of the invention, the extracted address can be used without first being stored, as in cases where a connection already exists between the access system and a network. Where such connection exists, the access system provides an indicator signal to the user upon successful extraction of an online information provider address. However, in this embodiment, the access system waits to receive a user command to initiate access, and only after receiving such command does the access system extract the next received address from the electronic signal and use it to establish a direct connection to the online information provider.

In a preferred embodiment, after accessing an online services provider, the access system receives information from the online information provider and processes it for reproduction on a video or audio reproducing system. For example, the information can be displayed on the television screen in place of the television broadcast signal, on a separate computer monitor or other display device, or together with the television broadcast signal in a picture-in-picture format. In this way, the user can fully explore all of the related information available from the online information provider. Preferably, the access system is provided with hardware to reformat the received information signal for display upon an otherwise incompatible system, for example, to convert a digitally encoded video signal to an analog signal for reproduction on a conventional television set. Preferably, the access system is also provided with hardware for receiving and processing user commands for transmission to the online information provider for providing user communication transactions with the provider.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a block and schematic diagram illustrating the online services access system in accordance with the present invention.

FIG. 2 is a block and schematic diagram of an access controller used in the online access system of FIG. 1.

FIG. 3 is a block and schematic diagram of another embodiment of an access controller used with a computer in accordance with the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

An online services access system according to the present invention is illustrated in FIG. 1. Referring to FIG. 1, the online services access system includes access controller 10 which incorporates all components necessary to provide online access and to access received online information

signals. Access controller 10 is constructed to receive an electronic signal 12 from a broadcast, cable or prerecorded medium program in conventional form from a video signal source 14. Video signal source 14 can be selectively switchable to provide output from a channel selector 16 connected to a cable or broadcast video input 15 or from a video playback system 18 which may be, for example, a video-cassette recorder or an analog or digital videodisc device. It will be appreciated that channel selector 16 may be provided in a unit separate from playback system 18, or within access controller 10 itself. Alternatively, access controller 10 can be constructed to receive and decode program signals at radio frequency as received from a broadcast or cable video source, or as downconverted to baseband, by for example, the front end receiving circuitry of a video cassette recorder or digital video disc device. It will also be appreciated that the function and results provided by access controller 10 are not dependent upon which of many available playback systems is connected thereto, whether such systems are analog or digital in format, or whether such playback systems operate upon videotape, audiotape, or disc media.

Access controller 10 is connected via a primary output signal line 36 to a conventional reproducing system 22 such as a television set, and is optionally connected through a second output signal line 38 to a high resolution reproducing system 40, such as a computer monitor. In addition, access controller 10 is connected to a public or private network 30 through an information signal carrier 32, e.g., telephone line, coaxial cable, fiber optic link, cellular, radiotelephone, or satellite link. Network 30, which may be any private or public local area network or wide area network such as an office network, company network, public Internet or circuit-switched network is used to route address and information signals between access controller 10 and a selected one of a plurality of online information providers 34a, 34b, 34c, . . . 34n. Access controller 10 receives from the online information provider, through network 30, information signals having a video or audio program content and selectively provides, through appropriate conventional processing, a conventional program signal or a high resolution signal for reproduction upon standard reproducing system 22, or high resolution reproducing system 40, respectively.

The internal construction of access controller 10 is described with reference to FIG. 2. Access controller 10 is provided with an address extractor 42 which receives the electronic signal 12. Address extractor 42 includes hardware and/or software to detect, decode and store an address which has been embedded in a video or audio program signal. Among the ways which exist to detect an address signal transmitted in conjunction with an analog video signal, address extractor 42 may be constructed to detect a digital address which is transmitted during a vertical blanking interval or other portion of a conventional video signal in such manner that displayed image quality is not affected. For example, the address signal can be transmitted during a portion of a video signal such as in the vertical interval, in sync or through changes in the luminance or chroma signals. Address extraction 42 is constructed to electronically store, e.g., via a register or memory device (not shown), the detected address for use in accessing the online services provider at the selection of the user. The address signal may be transmitted at very short intervals, e.g., once for each frame of a video program such that storing and refreshing of the extracted address signal occurs at very short intervals. Alternatively, the address signal may be transmitted at longer intervals, i.e., at discrete intervals in a program such that the duration in which an extracted address signal is stored is much longer.

In such cases in which video or audio program is encoded digitally, address extractor 42 may be constructed in any of several existing ways to detect an address signal which is received in conjunction with a digitally encoded video or audio electronic signal 12. The details of the construction of address extractor 42 are well known in the art and need not be described in further detail.

Address extractor 42 has an output connection to an indicator signal generator 46. The indicator signal generator 46 signals the user that more information relating to the program is available, such information being accessible through an electronic address when address extractor 42 has decoded such address from the electronic signal 12. Indicator signal generator 46 causes, for example, a video image 20 (e.g., picture within picture, logo, or icon) to be displayed with the video program signal on reproducing system 22 to signal the user that an address of an online provider has been stored and that additional information is available. Instead, or in addition to such visual display, indicator signal generator 46 may signal the user by activating a light 24 or other visual indicator located on an exterior panel of access controller 10 or of reproducing system 22. Alternatively, indicator signal generator may cause a sound to be produced on a speaker 26 of reproducing system 22, or by a speaker 28 provided in access controller 10. Here again, the design of indicator signal generator 46 is well known in the art.

Access controller 10 is provided with a user input interface 56 for receiving a user command which automatically initiates establishment of a direct digital communication link to an online information provider through an address detected from the electronic signal 12 by address extractor 42 and permits interactive communication between the user and the online information provider. It will be appreciated that many conventional input interfaces are well suited for use as user interface 56 because of their compatibility with conventional television and audio sound systems. Among such input interfaces are infrared, radio and audio frequency interfaces which decode single key or multiple key sequence input from a wired or wireless remote user control. Preferably, user input interface 56 detects when a special purpose button on a remote user control has been pressed and provides a responsive signal which automatically causes the stored address of the online provider to be retrieved and transmitted. User input interface 56 can also be constructed to detect when a special sequence of keys has been pressed on a conventional user control (e.g., a sequence such as "ENTER," "ENTER," "+VOLUME") and to enable interactive communication with the online information provider. Alternatively, user input interface 56 can be implemented by any appropriate microcomputer type user interface, e.g., mouse, touchpad, touchscreen, trackball, joystick, pushbutton, eraser head, or other such device. Preferably, user interface 56 is constructed to provide and receive transmission of digital information signals through modem 54 to the online information provider, thereby enabling interactive user access with the online provider for conducting detailed information searches, conducting transactions, and sending or posting messages to the accessed provider.

Access controller 10 is provided with a modem 54 for transmitting and receiving digital information signals between access controller 10 and public switching network 30 through an information signal carrier line 32. Modem 54 demodulates incoming information signals and outputs them to processor 58 which extracts a video and/or an audio signal 38. Preferably, access controller 10 includes a signal converter 62 for adjusting or converting an incompatible signal for display upon conventional reproducing system 22, such

as a television set, either in place of the television signal, superimposed over the television signal, or in picture-in-picture format, as controlled by the user. Alternatively, processor 58 provides the video signal on line 38 to a high resolution reproducing system 40, such as a computer monitor. Indicator signal generator 46 may also incorporate a switch (not shown) which automatically switches off the primary output signal 36 whenever a signal appears at the output of signal converter 62. In this manner, information signals received from online information providers will be automatically displayed on conventional reproducing system 22 in place of the ordinarily displayed video signal 36. Processor 58 can also receive the input video or audio electronic program signal through a line 55 output from address extractor 42 (although direct connection of the electronic signal line 12 is possible). In this manner, processor 58 may be constructed to operate upon the video or audio signal in conjunction with information signals received from an online information provider to generate a "picture within picture" signal for display upon conventional reproducing system 22.

The operation of the system will now be described. An electronic signal 12, such as a signal from a video or audio program from channel selector 16 or playback system 18, e.g., prerecorded videotape, or an analog or digital video disc, containing an embedded signal representing the electronic address of an online information provider in the blanking interval or other non-displayed portion of the electronic signal 12 is received by address extractor 42. From the electronic signal 12, address extractor 42 detects, decodes and stores a digital address of the online services provider, if any such address is embedded therein. If an address is successfully decoded and stored, address extractor 42 activates, through signal line 44, indicator signal generator 46. Indicator signal generator 46 then produces an indicator signal and overlays or encodes it onto a conventional program signal 36 to be displayed or transduced by conventional reproducing system 22. Alternatively, indicator signal generator 46 produces a signal on line 50 which activates a special purpose indicator, e.g., illuminating a light 24 or producing a sound on a speaker 28 of access controller 10.

If the user wants to access the online information provider, the user gives such command to access controller 10 by, for example, pushing a special button on his or her remote control device. The remote control device transmits a command signal to user interface 56 which receives the command signal. User interface 56 in turn, produces a signal which is applied to address extractor 42 to retrieve the stored address of the online information provider. Under appropriate software or hardware control, the address is transmitted via modem 54 over network 30 to an online information provider, e.g., 34c.

Once access to the online information provider has been established, access controller 10 can automatically receive digital information signals through modem 54 from the online information provider. Received information signals are operated upon by processor 58 for displaying upon conventional TV reproducing system 22 or high resolution reproducing system 40, e.g., a computer monitor or other display device. Preferably, received signals which are incapable of being directly displayed upon conventional reproducing system 22, e.g., a conventional television set, are converted by a signal converter 62 for display thereon. Information signals received from an online information provider may be displayed as still or moving images in place of the ordinarily displayed video signal on the conventional

reproducing system 22, or may be displayed as part of a "picture within picture" display in conjunction with the ordinarily displayed video signal on conventional reproducing system 22 or on the computer monitor 40 or other display device.

After access has been established, user commands received through user interface 56 are transmitted as information signals through modem 54 to the online information provider, thereby providing interactive user access with the online provider and enabling searching for detailed information, conducting transactions, sending or posting messages to the accessed provider and any other actions that can ordinarily be conducted through an online connection.

Another embodiment of the invention is illustrated in FIG. 3. FIG. 3 shows an embodiment which operates in conjunction with an available computer 164. In this embodiment, access controller 110 does not require an internal processor or modem because such functions are provided by a computer 164 attached thereto. In addition, computer 164 also provides a monitor and audio reproducing components which function as high resolution reproducing system 40. Address extractor 142, indicator signal generator 146, and user input interface 156 of access controller 110 are connected through an output interface 166 for providing decoded address output, indicator signals, and user commands, respectively, to computer 164. In other respects, access controller 110 is connected to receive an electronic signal 12 and provide a conventional program signal 122 and a signal 150 to indicator 124 or indicator 128, in like manner as in the self-contained embodiment of access controller 10 described in the foregoing (FIG. 2). It will be appreciated that the computer supported embodiment of the invention (FIG. 3) provides the same function and operates in essentially the same manner as the self-contained embodiment (FIGS. 1-2) and need not be described in any further detail.

In still another embodiment of the invention, with reference to FIGS. 1-3, a connection to network 30 is maintained continuously by access controller 10 through modem 54 or the modem provided in computer 164. This embodiment will be described with reference to the access controller 10 shown in FIG. 2, although the skilled person in the art will readily understand the structural modifications required for operation in accordance with the access controller shown in FIG. 3. In this embodiment, address extractor 42 detects and decodes an online information provider address embedded in the video or audio program signal, but does not store the address.

As described in the foregoing embodiments of the invention, address extractor 42 provides a signal to indicator signal generator 46 when it successfully detects an online information provider address in the electronic signal. Address extractor 42 detects and decodes the embedded address and passes it to modem 54. Modem 54, in turn, only uses the extracted address if it has first received a user command to initiate access to the online information provider. It will be appreciated that this embodiment of the invention can be used with a video or an audio program signal wherein the online information provider address is frequently or continuously transmitted. Modem 54 is provided with hardware and/or software to automatically establish, upon receiving a user command to initiate online access, a direct digital communication link with the online information provider associated with the next received online information provider address.

As an example of the operation of this non-address storing embodiment of the invention, a video or an audio program

signal having a frequently transmitted embedded signal containing an online information provider address is received through line 12 by address extractor 42. Address extractor 42 detects and decodes the online information provider address, but does not store it before passing it to modem 54. Modem 54 does nothing with the online information provider address unless a user command to initiate access has first been received from user interface 56. If such user command has been received, modem 54 transmits a signal over network 30 using the next received address to establish a digital communication link with the online information provider. The function and operation of the non-address storing embodiment is otherwise the same as in the other described embodiments of the invention and need not be described in any further detail.

In yet another embodiment of the invention, automated direct user access to online information providers is achieved without incorporating an indicator signal generator 46, 146 (FIG. 3) into the access controller 10. In this embodiment, the video or audio program as produced incorporates a visual or auditory indicator, such as a logo or message, which is automatically displayed or sounded by conventional reproducing system 22 and/or high resolution reproducing system 40 during portions of the program when an online information provider address is present in the underlying electronic program signal. Through the visual or auditory indicator, the user is made aware of the availability of the online information provider address. Therefore, in this embodiment of the invention, address extractor 42 may be constructed and used in a manner so as to detect and decode an embedded online information provider address only after receiving a user command to initiate access to the online information provider. The skilled person in the art will appreciate that this embodiment of the invention operates in other respects as in the other embodiments of the invention described in the foregoing and need not be described in further detail.

While the invention has been particularly described and illustrated with reference to preferred embodiments thereof, it will be understood by those skilled in the art that changes in the above description or illustration may be made with respect to form or detail without departing from the spirit and scope of the invention.

What is claimed is:

1. A method of providing to a user of online information services automatic and direct access to online information through an address associated with an online information source provided with a video program comprising:

indicating to the user that an address has been provided with said video program; and

electronically extracting said address and automatically establishing, in response to a user initiated command, a direct communication link with the online information source associated with said address so that the user has direct access to the online information.

2. The method in accordance with claim 1 further comprising using said communication link to provide interactive exchange of information between said online information source and the user.

3. The method in accordance with claim 1 wherein said step of indicating includes producing a visual indication to be displayed on the system wherein said program is displayed.

4. The method in accordance with claim 1 wherein said step of indicating includes producing an auditory indication to be sounded on a speaker where an audio portion of said program is reproduced.

5. The method in accordance with claim 1 where said step of indicating includes activating a sensory indicator on a system separate from that on which said program is reproduced.

6. A method of providing to a user of online information services automatic and direct access to online information, comprising the steps of:

receiving a television broadcast signal having an information signal representing the address of an online information source;

extracting the address of said online information source from said received television broadcast signal;

automatically using said address, in response to a user initiated command, to transmit a signal to connect said user directly with the online information source associated with said address so that the user has direct access to the online information; and

receiving online information signals from said online information provider.

7. A method of providing to a user of online information services, at the time of viewing a video program represented by an electronic signal, automatic and direct access to online information through a link provided in said video program, comprising:

indicating to the user that an address is available for establishing communication with an online information source;

electronically extracting, in response to a user initiated command, an address associated with an online information source from an information signal embedded in said electronic signal, and automatically using said extracted address to establish a direct communication link with the online information source associated with said extracted address so that the user has direct access to the online information.

8. A method of providing to a user of online information services automatic and direct access to online information through a link provided in a video program, comprising:

indicating to the user that a link to online information services is available for receiving the online information; and

automatically and directly electronically accessing said online information associated with said link in response to a user initiated command so that the user has direct access to the online information.

9. A media online services access system for providing to a user of online information services while viewing or listening to a video or audio program represented by an electronic signal, automatic and direct access to online information by establishing a direct digital communication link with an online information source through a link provided in said electronic signal, comprising:

means for indicating to the user that an address is available for extraction from said electronic signal which permits communication with an online information source; and

means for extracting an address associated with an online information source from an information signal embedded in said electronic signal, and for automatically

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establishing, in response to a user initiated command, a direct link with the online information source associated with said extracted address so that the user has direct access to the online information.

10. The media online services access system in accordance with claim 9 wherein said program is a video program, further comprising:

means for receiving an information signal from said online information source; and

means for displaying an image signal detected from said received information signal.

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11. The media online services access system in accordance with claim 9 wherein said indicating means comprises a visual indicator displayed on a system on which said program is displayed.

12. The media online services access system in accordance with claim 9 further comprising a user control device coupled to said system to permit said user to interactively communicate with said online information source.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,233,736 B1
DATED : May 15, 2001
INVENTOR(S) : Thomas R. Wolzien

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 10,

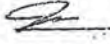



Line 22, delete the word "as" and insert -- has -- therefore.

Signed and Sealed this

Second Day of December, 2003



JAMES E. ROGAN
Director of the United States Patent and Trademark Office

SERIAL NUMBER	09/054,740	FILING DATE	04/03/98	CLASS	455	GROUP ART UNIT	2711	ATTORNEY DOCKET NO.	96262/6
APPLICANT	THOMAS R. WOLZIEN, GRANDVIEW, NY.								
	CONTINUING DOMESTIC DATA*** VERIFIED THIS APPLN IS A CON OF 08/597,432 02/08/96 PAT 5,761,606 								
	371 (NAT'L STAGE) DATA*** VERIFIED  NONE								
	FOREIGN APPLICATIONS*** VERIFIED  NONE								
IF REQUIRED, FOREIGN FILING LICENSE GRANTED 03/23/99									
Foreign Priority claimed	35 USC 119 (a-d) conditions met		<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<input type="checkbox"/> Met after Allowance	STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS	INDEPENDENT CLAIMS
Verified and Acknowledged 						NY	3	12	5
ADDRESS	MSTER, ROTHSTEIN & EBENSTEIN 90 PARK AVE. NEW YORK NY 10016								
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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

05/15/1998 BALEXAND 00000021 011785 09054740
01 FC:101 313.00 CH 477.00 DP
02 FC:102 164.00 CH

*Harrell
6-16-98*

04/08/1998 DFLOYD 00000027 09054740
01 FC:101 477.00 DP

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Adjustment date: 05/15/1998 BALEXAND
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01 FC:101 -477.00 DP

13557 U.S. PTO
04/03/98

Please type a plus sign (+) inside this box → PTO/SB/05 (12/97)
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 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No. 96262/6	Total Pages
	First Named Inventor or Application Identifier	
	Thomas R. Wolzien	
	Express Mail Label No. EB827421658US	

<p style="text-align: center;">APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small></p> <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <small>(Submit an original, and a duplicate for fee processing)</small></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 23] <small>(preferred arrangement set forth below)</small></p> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 3]</p> <p>4. Oath or Declaration [Total Pages 1]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 17 completed) (Note Box 5 below)</small></p> <p style="margin-left: 20px;">L. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>	<p style="text-align: center;">ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</p> <p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p>
ACCOMPANYING APPLICATION PARTS	
<p>8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement [] Power of Attorney <small>(when there is an assignee)</small></p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations</p> <p>12. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small></p> <p>14. <input type="checkbox"/> Small Entity [] Statement filed in prior application, Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small></p> <p>16. <input type="checkbox"/> Other:</p>	
<p>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:</p> <p><input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 08 J 597,432</p>	

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label or Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	Michael J. Berger			
	Amster, Rothstein & Ebenstein			
ADDRESS	90 Park Avenue			
CITY	New York	STATE	NY	ZIP CODE 10016
COUNTRY	U.S.A.	TELEPHONE	(212)697-5995	FAX (212)286-0854

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Ans.
a.

MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD

The present invention relates to an electronic information access system and more specifically to a media online services access system which provides direct, automated access to an online information provider through an address embedded in an electronic signal which carries a program segment (e.g., through television, radio, or a pre-recorded video or audio medium).

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BACKGROUND OF THE INVENTION

Heretofore, media receiving and display systems such as television and radio receivers have been linked to interactive information providers in only very limited ways. Some systems exist which permit the exchange of digital information with the viewer of a television program over or in combination with a television signal, but such systems have provided access to a single information source available from, for example, the broadcast or cable television operator. In such systems, the selection of information services has been entirely within the control of the broadcast or cable television operator. At the same time, some television and radio broadcasters have begun announcing an Internet address for viewer inquiries during the course of program transmission. Access to this Internet address requires the user to utilize his or her computer. No system yet exists which provides automated and direct user access to online information providers through an address embedded in a video or audio program signal.

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The recent explosion in the usage of online information services through digital networks such as the Internet, Prodigy (R), America Online (R) and CompuServe (R), for example, indicate that the demand for access to readily available up-to-date or detailed information is increasing. The viewer of a video program, whether the program is received through

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SECRET 0121500

broadcast, or cable means or from a pre-recorded medium, may often seek to discover more information which relates to a topic presented in the video program. Since television programs and recordings are of finite length, they do not contain all the related information which a consumer may wish, and the information contained therein may not be timely. Therefore, it would be desirable for there to be a system which automatically and directly provides access to an online information provider through an address which can be extracted from an audio or video program such as a television program, commercial or news story. With such system, several benefits would be obtained. For example, adults and children viewing an educational or historical video program could easily locate additional materials provided in text or still picture by the producers of the video program by accessing more information from the producers digitally through the online address. Consumers seeking more information about a specific advertised product could easily find such information by accessing the online address of an information provider designated by the advertiser. News program viewers seeking specific information from news stories or more detailed information could easily access such information through an online information provider designated by the producers of such program.

The online services access system could be used to provide still other benefits to consumers, business owners, and the government. For example, an automobile manufacturer could make information available directly to a consumer through an online address embedded in a video presentation so the consumer could reach its online site quickly to ask for more information, to request a test drive, or to purchase parts. Through such system, a grocery store could advertise and receive orders through its online site from customers for home delivery, or for other shopping needs. A catalog

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retailer could use such system to provide rapid access to consumers, after airing a commercial, to its catalog in online form and to enable orders to be placed readily through its online site. A record company could use
5 such system to enable customers to order a recording while listening to a song or viewing a music video. Government agencies, e.g., the Internal Revenue Service, military recruiters, or health agencies, for example, could use such system to provide consumers with readily
10 available information following the airing of public service announcements regarding regulations, programs, or public health concerns, e.g., cancer, AIDS, and heart disease. Educators and students could use such system to obtain more detailed or up-to-the-minute information
15 from online bulletin boards and databases regarding topics presented in a video program, even though the program was recorded some time in the past.

Systems exist at present in which digitally encoded information is transmitted and received through
20 a modified video signal of a conventional television transmission. For example, a system is described in U.S. Patent No. 4,894,789 wherein a digital information signal is transmitted during the vertical blanking interval of an analog broadcast television signal and
25 decoded and displayed on the television screen in addition to the analog broadcast video signal.

U.S. Patent No. 5,128,752 describes a system in which a retailer broadcasts information for reception upon a conventional television set regarding products
30 available through a central location. The system includes a decoder for displaying the product information on the television screen, and also a token generator for producing tokens, at the user's option, to be redeemed when a product is purchased. The broadcast
35 information includes data related to token redemption and value considerations available upon purchase of the product.

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U.S. Patent No. 5,285,278 describes a system in which coupon-related digital information is received from a transmitted television signal through a decoder. The decoder records the coupon-related data for later
5 readout and redemption when a product is purchased.

U.S. Patent No. 4,905,094 ("the '094 Patent") describes an interactive cable television system in which a subscriber tunes to a channel and requests connection to a remote location by either dialing a
10 predetermined telephone number or accessing a cable television channel. When the system identifies the subscriber the television set displays the frame of video (and possibly accompanying audio information) describing products or services which may be viewed and
15 purchased. The '094 Patent does not describe the extraction of encoded address information from the television signal, or a system enabling a television program viewer to access online information providers by establishing connection automatically through such
20 extracted address.

Thus, systems exist which are capable of providing interactive user access through a broadcast or cable television signal. However, such systems are limited in the access they provide to information
25 sources directly available through the unitary cable or broadcast provider. By contrast, the present invention facilitates direct automated user access to an unlimited number of online information providers through provider addresses which are embedded in the electronic signal
30 which carries an video or audio program.

Accordingly, it is an object of the invention to provide a system for extracting an address of an online information provider from an electronic signal which carries an video or audio program.

35 It is a further object of the invention to provide a system which indicates to the program user (i.e., viewer or listener), after extracting an online

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information provider address, that more information is available.

Still another object of the invention is to provide an automated system which, upon receipt of a single user command, directly and automatically establishes a digital connection with an online information provider through an address extracted from an electronic signal which carries a video or audio program.

Another object of the invention is to provide a system which converts information signals received from an online information provider to a form capable of being displayed on a conventional reproducing system such as a television set.

These and other objects are provided by the media online services access system of the present invention.

SUMMARY OF THE INVENTION

The media online services access system of the present invention provides a system and process which links video and audio program content with online information signal content. The system provides heretofore unattained direct automated user access from a media program such as a received or pre-recorded television or radio (audio) signal to an online information provider through a link provided in the media program. The access system receives an electronic signal representing a video or audio program or a combined audio/video program from an available medium (e.g., broadcast and cable television and radio, or a pre-recorded medium such as a tape or disc). Embedded in the electronic signal, for example, in the vertical blanking interval, or otherwise encoded in the electronic signal in such manner as not to interfere with the displayed image, is an information signal representing an electronic address of an online information provider. The online information provider

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can be any one of millions of interactive information providers which can be accessed through exchange of digital information signals, for example, a publisher who is available through the Internet for interactive transactions. As the media program is received for reproduction on a video display or audio sound system, the access system extracts the embedded electronic address for use in directly accessing the online information provider at the selection of the user.

Preferably, the address is stored at the time of extraction, for use in accessing the online information provider at the selection of the user. The duration in which an extracted signal address is stored may be relatively short, as in the case where the address is transmitted and refreshed continuously or at very short intervals, e.g., once per each frame of a video signal, or it may be longer, as when an address is transmitted only at selected intervals of a program.

Upon successfully extracting an electronic address, the access system provides a indicator signal to the user that more information is available. The indicator signal may take the form of a message displayed on a video screen, or other indicators such as a light, a sound or a wireless tactile indicator, e.g., vibrating wristband or clip-on unit. Alternatively, the video or audio program may contain a logo or message to be displayed for the user at points in the program which coincide with the presence of an embedded online information provider address, which, in such case, would eliminate the need for the access system to incorporate specific structure to provide indication to the user, in response to successful extraction of an online provider address.

After receiving the indicator signal, if the user desires more information, the user may request access to the online information provider through a command to the access system, e.g., through pushbutton,

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user control keypad, voice command, mouse, touchpad, touchscreen, or other such input. Upon receiving such command, the access system automatically establishes a digital communication link with the online information provider through transmission of a signal containing the extracted address. Preferably, upon establishment of such communication link, the access system enables interactive communications with the online information provider.

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10 In another embodiment of the invention, the extracted address can be used without first being stored, as in cases where a connection already exists between the access system and a network. Where such connection exists, the access system provides an
 15 indicator signal to the user upon successful extraction of an online information provider address. However, in this embodiment, the access system waits to receive a user command to initiate access, and only after receiving such command does the access system extract
 20 the next received address from the electronic signal and use it to establish a direct connection to the online information provider.

In a preferred embodiment, after accessing an online services provider, the access system receives
 25 information from the online information provider and processes it for reproduction on a video or audio reproducing system. For example, the information can be displayed on the television screen in place of the television broadcast signal, on a separate computer
 30 monitor or other display device, or together with the television broadcast signal in a picture-in-picture format. In this way, the user can fully explore all of the related information available from the online information provider. Preferably, the access system is
 35 provided with hardware to reformat the received information signal for display upon an otherwise incompatible system, for example, to convert a digitally

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encoded video signal to an analog signal for reproduction on a conventional television set. Preferably, the access system is also provided with hardware for receiving and processing user commands for
 5 transmission to the online information provider for providing user communication transactions with the provider.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a block and schematic diagram
 10 illustrating the online services access system in accordance with the present invention.

FIG. 2 is a block and schematic diagram of an access controller used in the online access system of FIG. 1.

15 FIG. 3 is a block and schematic diagram of another embodiment of an access controller used with a computer in accordance with the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

An online services access system according to
 20 the present invention is illustrated in FIG. 1. Referring to FIG. 1, the online services access system includes access controller 10 which incorporates all components necessary to provide online access and to
 25 access received online information signals. Access controller 10 is constructed to receive an electronic signal 12 from a broadcast, cable or prerecorded medium program in conventional form from a video signal source
 14. Video signal source 14 can be selectively switchable to provide output from a channel selector 16
 30 connected to a cable or broadcast video input 15 or from a video playback system 18 which may be, for example, a videocassette recorder or an analog or digital videodisc device. It will be appreciated that channel selector 16 may be provided in a unit separate from playback system
 35 18, or within access controller 10 itself. Alternatively, access controller 10 can be constructed to receive and decode program signals at radio frequency

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as received from a broadcast or cable video source, or as downconverted to baseband, by for example, the front end receiving circuitry of a video cassette recorder or digital video disc device. It will also be appreciated
 5 that the function and results provided by access controller 10 are not dependent upon which of many available playback systems is connected thereto, whether such systems are analog or digital in format, or whether such playback systems operate upon videotape, audiotape,
 10 or disc media.

Access Controller 10

Access controller 10 is connected via a primary output signal line 36 to a conventional reproducing system 22 such as a television set, and is optionally connected through a second output signal line 38 to a
 15 high resolution reproducing system 40, such as a computer monitor. In addition, access controller 10 is connected to a public or private network 30 through an information signal carrier 32, e.g., telephone line, coaxial cable, fiber optic link, cellular,
 20 radiotelephone, or satellite link. Network 30, which may be any private or public local area network or wide area network such as an office network, company network, public Internet or circuit-switched network is used to route address and information signals between access
 25 controller 10 and a selected one of a plurality of online information providers 34a, 34b, 34c, . . . 34n. Access controller 10 receives from the online information provider, through network 30, information signals having a video or audio program content and
 30 selectively provides, through appropriate conventional processing, a conventional program signal or a high resolution signal for reproduction upon standard reproducing system 22, or high resolution reproducing system 40, respectively.

35 The internal construction of access controller 10 is described with reference to FIG. 2. Access controller 10 is provided with an address extractor 42

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which receives the electronic signal 12. Address
extractor 42 includes hardware and/or software to
detect, decode and store an address which has been
embedded in a video or audio program signal. Among the
5 ways which exist to detect an address signal transmitted
in conjunction with an analog video signal, address
extractor 42 may be constructed to detect a digital
address which is transmitted during a vertical blanking
interval or other portion of a conventional video signal
10 in such manner that displayed image quality is not
affected. For example, the address signal can be
transmitted during a portion of a video signal such as
in the vertical interval, in sync or through changes in
the luminance or chroma signals. Address extraction 42
15 is constructed to electronically store, e.g., via a
register or memory device (not shown), the detected
address for use in accessing the online services
provider at the selection of the user. The address
signal may be transmitted at very short intervals, e.g.,
20 once for each frame of a video program such that storing
and refreshing of the extracted address signal occurs at
very short intervals. Alternatively, the address signal
may be transmitted at longer intervals, i.e., at
discrete intervals in a program such that the duration
25 in which an extracted address signal is stored is much
longer.

In such cases in which video or audio program
is encoded digitally, address extractor 42 may be
constructed in any of several existing ways to detect an
30 address signal which is received in conjunction with a
digitally encoded video or audio electronic signal 12.
The details of the construction of address extractor 42
are well known in the art and need not be described in
further detail.

35 Address extractor 42 has an output connection
to an indicator signal generator 46. The indicator
signal generator 46 signals the user that more

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information relating to the program is available, such information being accessible through an electronic address when address extractor 42 has decoded such address from the electronic signal 12. Indicator signal generator 46 causes, for example, a video image 20 (e.g., picture within picture, logo, or icon) to be displayed with the video program signal on reproducing system 22 to signal the user that an address of an online provider has been stored and that additional information is available. Instead, or in addition to such visual display, indicator signal generator 46 may signal the user by activating a light 24 or other visual indicator located on an exterior panel of access controller 10 or of reproducing system 22. Alternatively, indicator signal generator may cause a sound to be produced on a speaker 26 of reproducing system 22, or by a speaker 28 provided in access controller 10. Here again, the design of indicator signal generator 46 is well known in the art.

Access controller 10 is provided with a user input interface 56 for receiving a user command which automatically initiates establishment of a direct digital communication link to an online information provider through an address detected from the electronic signal 12 by address extractor 42 and permits interactive communication between the user and the online information provider. It will be appreciated that many conventional input interfaces are well suited for use as user interface 56 because of their compatibility with conventional television and audio sound systems. Among such input interfaces are infrared, radio and audio frequency interfaces which decode single key or multiple key sequence input from a wired or wireless remote user control. Preferably, user input interface 56 detects when a special purpose button on a remote user control has been pressed and provides a responsive signal which automatically causes the stored

address of the online provider to be retrieved and transmitted. User input interface 56 can also be constructed to detect when a special sequence of keys has been pressed on a conventional user control (e.g., a
5 sequence such as "ENTER," "ENTER," "+VOLUME") and to enable interactive communication with the online information provider. Alternatively, user input interface 56 can be implemented by any appropriate microcomputer type user interface, e.g., mouse,
10 touchpad, touchscreen, trackball, joystick, pushbutton, eraser head, or other such device. Preferably, user interface 56 is constructed to provide and receive transmission of digital information signals through modem 54 to the online information provider, thereby
15 enabling interactive user access with the online provider for conducting detailed information searches, conducting transactions, and sending or posting messages to the accessed provider.

Access controller 10 is provided with a modem
20 54 for transmitting and receiving digital information signals between access controller 10 and public switching network 30 through an information signal carrier line 32. Modem 54 demodulates incoming information signals and outputs them to processor 58
25 which extracts a video and/or an audio signal 38. Preferably, access controller 10 includes a signal converter 62 for adjusting or converting an incompatible signal for display upon conventional reproducing system 22, such as a television set, either in place of the
30 television signal, superimposed over the television signal, or in picture-in-picture format, as controlled by the user. Alternatively, processor 58 provides the video signal on line 38 to a high resolution reproducing system 40, such as a computer monitor. Indicator signal
35 generator 46 may also incorporate a switch (not shown) which automatically switches off the primary output signal 36 whenever a signal appears at the output of

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signal converter 62. In this manner, information signals received from online information providers will be automatically displayed on conventional reproducing system 22 in place of the ordinarily displayed video signal 36. Processor 58 can also receive the input video or audio electronic program signal through a line 55 output from address extractor 42 (although direct connection of the electronic signal line 12 is possible). In this manner, processor 58 may be constructed to operate upon the video or audio signal in conjunction with information signals received from an online information provider to generate a "picture within picture" signal for display upon conventional reproducing system 22.

The operation of the system will now be described. An electronic signal 12, such as a signal from a video or audio program from channel selector 16 or playback system 18, e.g., prerecorded videotape, or an analog or digital video disc, containing an embedded signal representing the electronic address of an online information provider in the blanking interval or other non-displayed portion of the electronic signal 12 is received by address extractor 42. From the electronic signal 12, address extractor 42 detects, decodes and stores a digital address of the online services provider, if any such address is embedded therein. If an address is successfully decoded and stored, address extractor 42 activates, through signal line 44, indicator signal generator 46. Indicator signal generator 46 then produces an indicator signal and overlays or encodes it onto a conventional program signal 36 to be displayed or transduced by conventional reproducing system 22. Alternatively, indicator signal generator 46 produces a signal on line 50 which activates a special purpose indicator, e.g., illuminating a light 24 or producing a sound on a speaker 28 of access controller 10.

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If the user wants to access the online information provider, the user gives such command to access controller 10 by, for example, pushing a special button on his or her remote control device. The remote control device transmits a command signal to user interface 56 which receives the command signal. User interface 56 in turn, produces a signal which is applied to address extractor 42 to retrieve the stored address of the online information provider. Under appropriate software or hardware control, the address is transmitted via modem 54 over network 30 to an online information provider, e.g., 34c.

Once access to the online information provider has been established, access controller 10 can automatically receive digital information signals through modem 54 from the online information provider. Received information signals are operated upon by processor 58 for displaying upon conventional TV reproducing system 22 or high resolution reproducing system 40, e.g., a computer monitor or other display device. Preferably, received signals which are incapable of being directly displayed upon conventional reproducing system 22, e.g., a conventional television set, are converted by a signal converter 62 for display thereon. Information signals received from an online information provider may be displayed as still or moving images in place of the ordinarily displayed video signal on the conventional reproducing system 22, or may be displayed as part of a "picture within picture" display in conjunction with the ordinarily displayed video signal on conventional reproducing system 22 or on the computer monitor 40 or other display device.

After access has been established, user commands received through user interface 56 are transmitted as information signals through modem 54 to the online information provider, thereby providing interactive user access with the online provider and

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enabling searching for detailed information, conducting transactions, sending or posting messages to the accessed provider and any other actions that can ordinarily be conducted through an online connection.

5 Another embodiment of the invention is illustrated in FIG. 3. FIG. 3 shows an embodiment which operates in conjunction with an available computer 164. In this embodiment, access controller 110 does not require an internal processor or modem because such
10 functions are provided by a computer 164 attached thereto. In addition, computer 164 also provides a monitor and audio reproducing components which function as high resolution reproducing system 40. Address extractor 142, indicator signal generator 146, and user
15 input interface 156 of access controller 110 are connected through an output interface 166 for providing decoded address output, indicator signals, and user commands, respectively, to computer 164. In other respects, access controller 110 is connected to receive
20 an electronic signal 12 and provide a conventional program signal 122 and a signal 150 to indicator 124 or indicator 128, in like manner as in the self-contained embodiment of access controller 10 described in the foregoing (FIG. 2). It will be appreciated that the
25 computer supported embodiment of the invention (FIG. 3) provides the same function and operates in essentially the same manner as the self-contained embodiment (FIGS. 1-2) and need not be described in any further detail.

In still another embodiment of the invention,
30 with reference to FIGS. 1-3, a connection to network 30 is maintained continuously by access controller 10 through modem 54 or the modem provided in computer 164. This embodiment will be described with reference to the access controller 10 shown in FIG. 2, although the
35 skilled person in the art will readily understand the structural modifications required for operation in accordance with the access controller shown in FIG. 3.

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In this embodiment, address extractor 42 detects and decodes an online information provider address embedded in the video or audio program signal, but does not store the address.

5 As described in the foregoing embodiments of the invention, address extractor 42 provides a signal to indicator signal generator 46 when it successfully detects an online information provider address in the electronic signal. Address extractor 42 detects and
10 decodes the embedded address and passes it to modem 54. Modem 54, in turn, only uses the extracted address if it has first received a user command to initiate access to the online information provider. It will be appreciated that this embodiment of the invention can be used with a
15 video or an audio program signal wherein the online information provider address is frequently or continuously transmitted. Modem 54 is provided with hardware and/or software to automatically establish, upon receiving a user command to initiate online access,
20 a direct digital communication link with the online information provider associated with the next received online information provider address.

As an example of the operation of this non-address storing embodiment of the invention, a video
25 or an audio program signal having a frequently transmitted embedded signal containing an online information provider address is received through line 12 by address extractor 42. Address extractor 42 detects and decodes the online information provider address, but
30 does not store it before passing it to modem 54. Modem 54 does nothing with the online information provider address unless a user command to initiate access has first been received from user interface 56. If such user command has been received, modem 54 transmits a
35 signal over network 30 using the next received address to establish a digital communication link with the online information provider. The function and operation

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of the non-address storing embodiment is otherwise the same as in the other described embodiments of the invention and need not be described in any further detail.

5 In yet another embodiment of the invention, automated direct user access to online information providers is achieved without incorporating an indicator signal generator 46, 146 (FIG. 3) into the access controller 10. In this embodiment, the video or audio
10 program as produced incorporates a visual or auditory indicator, such as a logo or message, which is automatically displayed or sounded by conventional reproducing system 22 and/or high resolution reproducing system 40 during portions of the program when an online
15 information provider address is present in the underlying electronic program signal. Through the visual or auditory indicator, the user is made aware of the availability of the online information provider address. Therefore, in this embodiment of the
20 invention, address extractor 42 may be constructed and used in a manner so as to detect and decode an embedded online information provider address only after receiving a user command to initiate access to the online information provider. The skilled person in the art
25 will appreciate that this embodiment of the invention operates in other respects as in the other embodiments of the invention described in the foregoing and need not be described in further detail.

While the invention has been particularly
30 described and illustrated with reference to preferred embodiments thereof, it will be understood by those skilled in the art that changes in the above description or illustration may be made with respect to form or detail without departing from the spirit and scope of
35 the invention.

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WHAT IS CLAIMED IS:

1. A method of providing to a user of online information services, at the time of viewing a video program represented by an electronic signal, direct digital communication access to an online information provider through a link provided in said video program, comprising:-

electronically extracting an address associated with an online information provider from an information signal embedded in said electronic signal;

indicating to the user that an address has been extracted permitting communication with an online information provider; and

automatically using said extracted address, in response to a user initiated command, to establish a direct digital communication link with the online information provider associated with said extracted address.

2. The method in accordance with Claim 1 further comprising using said direct communication link to provide interactive exchange of information between said online information provider and the user.

3. The method in accordance with Claim 1 wherein said step of indicating includes producing a visual indication to be displayed on the system wherein said program is displayed.

4. The method in accordance with Claim 1 wherein said step of indicating includes producing an auditory indication to be sounded on a speaker where an audio portion of said program is reproduced.

5. The method in accordance with Claim 1 wherein said step of indicating includes activating a sensory indicator on a system separate from that on which said program is reproduced.

6. The method in accordance with Claim 1 wherein said step of indicating further includes indicating that more information relating to the content

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of said video program is available through said extracted address.

7. A method of providing online information services to a user of such online services, comprising 5 the steps of:

providing an audio or video signal having an embedded information signal representing the address of an online information provider;

10 extracting and storing the address of said online information provider from said audio or video signal;

15 automatically using said stored address, in response to a user initiated command, to transmit a signal to connect said user with the online information provider associated with said stored address; and

receiving online information signals from said online information provider.

8. A method of providing to a user of online information services, at the time of viewing a video 20 program represented by an electronic signal, direct digital communication access to an online information provider through a link provided in said video program, comprising:

25 indicating to the user that an address is available for extraction from said electronic signal which permits communication with an online information provider;

30 automatically electronically extracting, in response to a user initiated command, an address associated with an online information provider from an information signal embedded in said electronic signal, and using said extracted address to establish a direct digital communication link with the online information provider associated with said extracted address.

35 9. A media online services access system for providing to a user of online information services, while viewing or listening to a video or audio program

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represented by an electronic signal, a direct digital communication link with an online information provider through a link provided in said electronic signal, comprising:

5 electronic detecting means for extracting an address associated with an online information provider from an information signal embedded in said electronic signal;

10 means for indicating to the user that an address has been extracted which permits communication with an online information provider; and

15 means responsive to a user initiated command for automatically establishing a direct digital communication link with the online information provider associated with said extracted address.

10. The media online services access system in accordance with Claim 9 wherein said program is a video program, further comprising:

20 means for receiving an information signal from said online information provider; and

25 means for displaying an image signal detected from said received information signal.

11. The media online services access system in accordance with Claim 9 wherein said indicating means comprises a visual indicator displayed on a system on which said program is displayed.

12. The media online services access system in accordance with Claim 9 wherein said program is an audio program.

30 13. The media online services access system in accordance with Claim 9 further comprising a user control device coupled to said system to permit said user to interactively communicate with said online information provider.

35 14. The media online services access system in accordance with Claim 9 wherein said means further includes means for indicating that more information

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relating to the content of said video program is available through said extracted address.

15. A media online services access system for providing to a user of online information services, while viewing or listening to a video or audio program represented by an electronic signal, a direct digital communication link with an online information provider through a link provided in said electronic signal, comprising:

10 means for extracting and storing an address associated with an online information provider from an information signal embedded in said electronic signal;

15 means for indicating to the user that an address has been extracted which permits communication with an online information provider; and

20 means responsive to a user initiated command for automatically establishing a direct digital communication link with the online information provider associated with said stored address.

16. The media online services access system in accordance with Claim 15 wherein said means further includes means for indicating that more information relating to the content of said video program is available through said extracted address.

17. A media online services access system for providing to a user of online information services, while viewing or listening to a video or audio program represented by an electronic signal, a direct digital communication link with an online information provider through a link provided in said electronic signal, comprising:

35 means for indicating to the user that an address is available for extraction from said electronic signal which permits communication with an online information provider; and

means responsive to a user initiated

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command for extracting an address associated with an
online information provider from an information signal
embedded in said electronic signal, and for
automatically establishing a direct digital
5 communication link with the online information provider
associated with said extracted address.

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ABSTRACT

A system is disclosed for providing direct automated access to an online information services provider through an address embedded in a video or audio program, commercial message, or news story. The system operates with video or audio programs which are received through broadcast, cable or pre-recorded media, and which are encoded in either analog or digital formats. The address of an online information provider is encoded in a vertical blanking interval or other non-displayed portion of an electronic signal which represents the video or audio program so as not to interfere with the program as displayed or transduced on a television or audio sound system. The online information provider address is detected and decoded from the electronic signal and used in establishing a direct digital communication link to the online information provider. Upon detecting an online provider address, the system indicates to the user that more information is available. The user may then elect to establish a connection with the online information provider by giving a simple command, e.g., pushing a special button on a remote control. The system then automatically establishes a direct digital communication link to the online information provider through the address and provides for interactive information exchange and processing to permit signals received from the online information provider to be displayed on a conventional television, transduced on a sound system, or also on a high resolution reproducing system such as a computer monitor, or other reproduction device.

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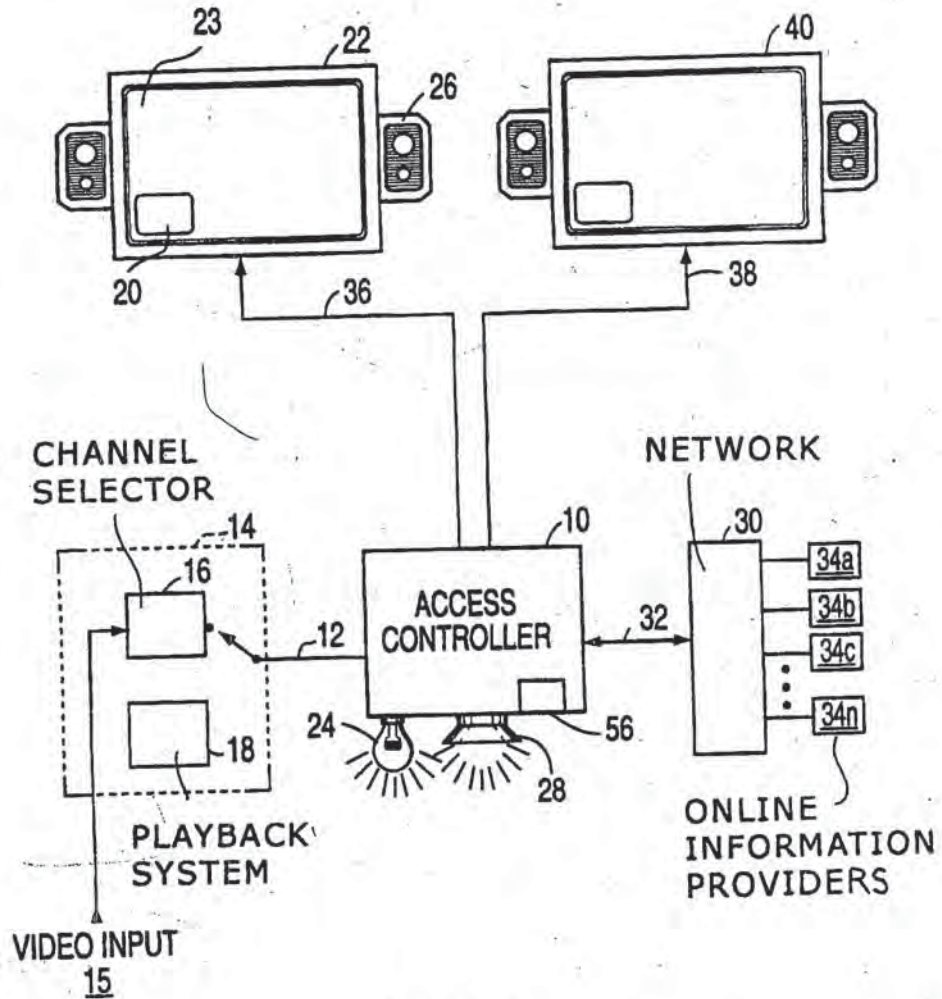


FIG. 1

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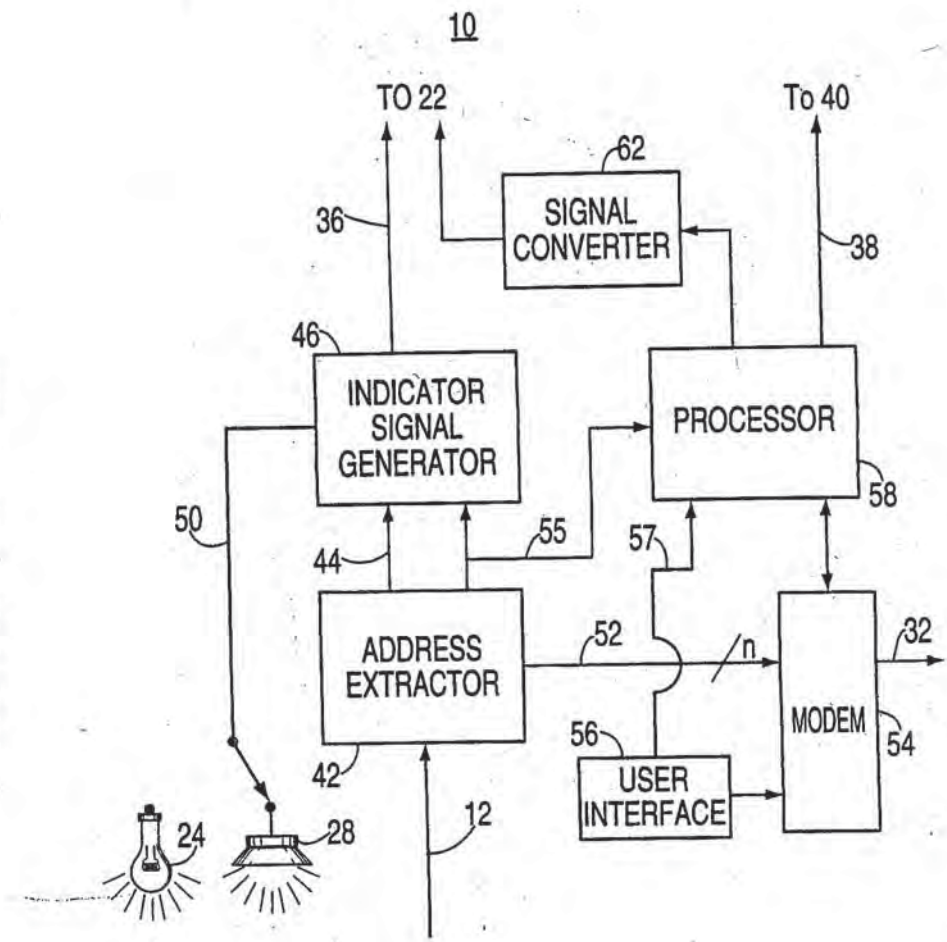


FIG. 2

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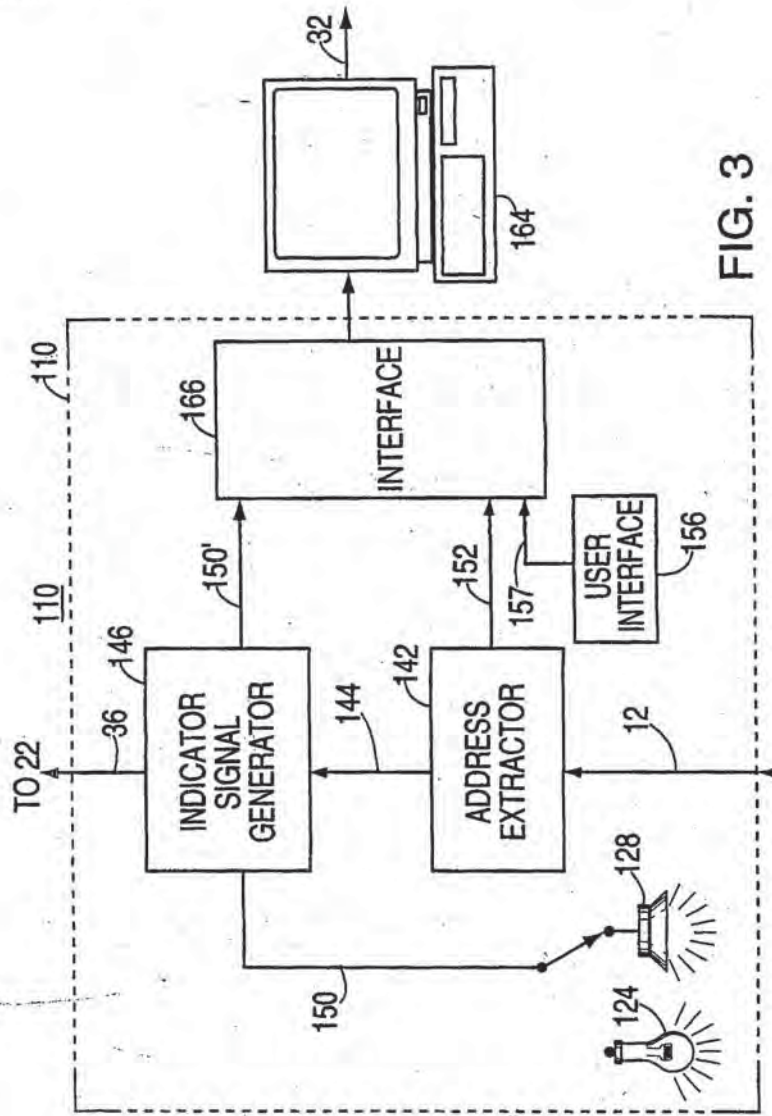


FIG. 3

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
ENGLISH LANGUAGE DECLARATION**

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below under my name,
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD

the specification of which
(check one)

is attached hereto
 was filed on _____ as

Application Serial No. _____

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	(DAY/MONTH/YEAR FILED)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 (a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS PATENTED, PENDING, ABANDONED

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.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Morton Amster, Registration No. 18,877	Neil M. Zipkin, Registration No. 27,478
Jesse Rothstein, Registration No. 20,118	Anthony F. LoCicero, Registration No. 29,403
Daniel S. Ebenstein, Registration No. 24,832	Joel E. Lutzker, Registration No. 29,406
Philip H. Gottfried, Registration No. 25,871	Kenneth P. George, Registration No. 30,259
Michael J. Berger, Registration No. 25,829	Daryl K. Neff, Registration No. 38,253

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FULL NAME OF SECOND JOINT INVENTOR, IF ANY	CITIZENSHIP
SECOND INVENTOR'S SIGNATURE <i>[Signature]</i>	DATE
RESIDENCE	
POST OFFICE ADDRESS	
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	CITIZENSHIP
INVENTOR'S SIGNATURE <i>[Signature]</i>	DATE
RESIDENCE	
POST OFFICE ADDRESS	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas H. Wolzien
Serial No. : Unknown
Filed : Herewith
For : MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

"Express Mail" mailing label no. EH 82740165845
Date of Deposit 04/03/98
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513
THOMAS H. WOLZIE
Thomas H. Wolzien
(Signature of person mailing paper or fee)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application, please amend the application as follows:

In the Specification

After the Title and before the first line, kindly insert: -- This is a

continuation of Ser. No. 08/597,432, filed February 8, 1996. *Now U.S. Patent No. 5,761,606*

In the Claims

Kindly delete Claims 1-17 and add the following claims:

18. A method of providing to a user of online information services access to online information through an address associated with an online information source provided with a video program comprising:

indicating to the user that an address has been provided with said video

program; and

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electronically extracting said address to establish a communication link
with the online information source associated with said address.

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19. The method in accordance with Claim 18 further comprising using
said communication link to provide interactive exchange of information between said
online information source and the user.

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20. The method in accordance with Claim 18 wherein said step of
indicating includes producing a visual indication to be displayed on the system wherein
said program is displayed.

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21. The method in accordance with Claim 18 wherein said step of
indicating includes producing an auditory indication to be sounded on a speaker where
an audio portion of said program is reproduced.

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22. The method in accordance with Claim 18 where said step of indicating
includes activating a sensory indicator on a system separate from that on which said
program is reproduced.

Subby 23. A method of providing online information services to a user of such
online services, comprising the steps of:

 receiving a television broadcast signal having an information signal
 representing the address of an online information source;

 extracting the address of said online information source from said received
 television broadcast signal;

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automatically using said address, in response to a user initiated command,
to transmit a signal to connect said user with the online information source associated
with said address; and

receiving online information signals from said online information provider.

24. A method of providing to a user of online information services, at the
time of viewing a video program represented by an electronic signal, access to online
information through a link provided in said video program, comprising:

indicating to the user that an address is available for establishing
communication with an online information source;

electronically extracting, in response to a user initiated command, an
address associated with an online information source from an information signal
embedded in said electronic signal, and using said extracted address to establish a
communication link with the online information source associated with said extracted
address.

25. A method of providing to a user of online information services access
to online information through a link provided in a video program, comprising:

indicating to the user that a link to online information services is available
for receiving the online information; and

electronically accessing said online information associated with said link in
~~response to a user initiated command.~~

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26. A media online services access system for providing to a user of online information services while viewing or listening to a video or audio program represented by an electronic signal, a direct digital communication link with an online information source through a link provided in said electronic signal, comprising:

means for indicting to the user that an address is available for extraction from said electronic signal which permits communication with an online information source; and

means for extracting an address associated with an online information source from an information signal embedded in said electronic signal, and for establishing a link with the online information source associated with said extracted ~~address.~~

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¹⁰ 27. The media online services access system in accordance with Claim ⁹ 26

wherein said program is a video program, further comprising:

means for receiving an information signal from said online information source; and

means for displaying an image signal detected from said received information signal.

¹¹ 28. The media online services access system in accordance with Claim ⁹ 26

wherein said indicating means comprises a visual indicator displayed on a system on which said program is displayed.

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*AD
and*

¹² ~~29~~. The media online services access system in accordance with Claim ⁹ ~~26~~
further comprising a user control device coupled to said system to permit said user to
interactively communicate with said online information source.

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REMARKS

Applicant has amended the Specification to indicate that the present application is a continuation of parent U.S. Application Ser. No. 08/597,432 which was filed on February 8, 1996. Additionally, Applicant has canceled Claims 1-17 and added Claims 18-29 for prosecution on the merits. Claims 1-17 have been allowed in the parent application which is expected to issue shortly.

A check for the filing fee has been enclosed. The filing fee has been calculated based on the number of claims in issue as a result of this Preliminary Amendment. Any other fee required and not submitted herewith should be charged to the Deposit Account of the undersigned attorneys, Account No. 01-1785; any refund should be credited to the same account.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 697-5995

By: 

Michael J. Berger
Registration No. 25,829

Dated: New York, New York
April 3, 1998

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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.

<h2 style="text-align: center;">FEE TRANSMITTAL</h2> <p style="text-align: center; font-size: small;">Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</p>	Complete if Known	
	Application Number	
	Filing Date	
	First Named Inventor	Thomas R. Wolzien
	Examiner Name	
	Group / Art Unif	
TOTAL AMOUNT OF PAYMENT	(\$) 477.00	Attorney Docket No. 96262/6

<p>METHOD OF PAYMENT (check one)</p> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 01-1785 Deposit Account Name: Amster, Rothstein & Ebersole</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.16 at the Mailing of the Notice of Allowance</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <p style="text-align: center;">FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table border="1" style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>101 790</td> <td>201 395</td> <td>Utility filing fee</td> <td style="text-align: center;">395</td> </tr> <tr> <td>106 330</td> <td>206 165</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107 540</td> <td>207 270</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108 790</td> <td>208 395</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114 150</td> <td>214 75</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1)</td> <td style="text-align: center;">(\$) 395.00</td> </tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <table border="1" style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>12</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>5</td> <td>2</td> <td>41.00</td> <td>82.00</td> </tr> <tr> <td colspan="3">Multiple Dependent</td> <td style="text-align: center;">82.00</td> </tr> </tbody> </table> <p><i>**or number previously paid, if greater; For Reissues, see below</i></p> <table border="1" style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>103 22</td> <td>203 11</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102 82</td> <td>202 41</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104 270</td> <td>204 135</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>109 82</td> <td>209 41</td> <td>** Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110 22</td> <td>210 11</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (2)</td> <td style="text-align: center;">(\$) 477.00</td> </tr> </tbody> </table>	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	101 790	201 395	Utility filing fee	395	106 330	206 165	Design filing fee		107 540	207 270	Plant filing fee		108 790	208 395	Reissue filing fee		114 150	214 75	Provisional filing fee		SUBTOTAL (1)			(\$) 395.00	Total Claims	Extra Claims	Fee from below	Fee Paid	12	0	0	0	5	2	41.00	82.00	Multiple Dependent			82.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	103 22	203 11	Claims in excess of 20		102 82	202 41	Independent claims in excess of 3		104 270	204 135	Multiple dependent claim, if not paid		109 82	209 41	** Reissue independent claims over original patent		110 22	210 11	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)			(\$) 477.00	<p>3. 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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Michael J. Berger	Reg. Number	25,829
Signature		Deposit Account User ID	
Date	4/3/98		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



GP2711

anc
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#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas H. Wolzien
Serial No. : 09/054,740 ✓
Filed : April 3, 1998
For : MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

Assistant Commissioner for Patents
Washington, D.C. 20321

Sir:

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97

98 JUL 13 AM 10:33
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Enclosed herewith are a "List of Prior Art Cited by Applicant" (PTO Form 1449) listing documents which were cited by the Examiner during the prosecution of Patent Application No. 08/597,432, now issued Patent No. 5,761,606.

The Examiner is respectfully requested to consider the cited documents and indicate his consideration thereof by initialing the enclosed PTO Form 1449 and returning a copy of the initialed form to Applicant's undersigned attorney.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 697-5995

"Express Mail" mailing label No. EL077035918115
Date of Deposit: 7/2/98
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.
Name: SAHARD LONG
Signature: [Signature]

By: [Signature]
Michael J. Berger
Registration No. 25,829

Dated: New York, New York
July 2, 1998

40629.1



Sheet _____ of _____

FORM PTO-14... (Rev. 7-82)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 96262/6	SERIAL NO. O 09/054,740
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (See several sheets if necessary)		APPLICANT Thomas R. Wolzien	
		FILING DATE 4/3/98	GROUP #74-2011

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
						YES	NO
	4 8 9 4 7 8 9	1/90	Yee				
	4 9 0 5 0 9 4	2/90	Pocock et al.				
	5 1 2 8 7 5 2	7/92	Von Kohorn				
	5 2 8 5 2 7 8	2/94	Holman				

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER <i>John W. Miller</i>	DATE CONSIDERED <i>7/99</i>
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EXAMINER: Initial if citation 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.

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Patent and Trademark Office

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Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/054,740	04/03/98	WOLZIEN	T 96262/6

AMSTER, ROTHSTEIN & EBENSTEIN
90 PARK AVE.
NEW YORK NY 10016

LM02/0909

EXAMINER

MILLER, J

ART UNIT


PAPER NUMBER

2711
DATE MAILED:

09/09/99

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

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/054,740	Applicant(s) Wolzien	
	Examiner John W. Miller	Group Art Unit 2711	

Responsive to communication(s) filed on _____

This action is **FINAL**.

Since this application is in condition for allowance 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.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 18-29 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 18-29 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s): 3

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Art Unit: 2711

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 18-29 are rejected under the judicially created doctrine of double patenting over claims 1-17 of U. S. Patent No. 5,761,606 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: the providing of an online address with a video program, the electronic extraction of the address, the visual or auditory indication of the presence of an address, and the establishing of a communication link with an online information source associated with the address.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application

Art Unit: 2711

which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968).

See also MPEP § 804.

Claim Rejections - 35 USC § 102

3. 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 --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 18-20, 22, 23, 25, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Honey et al (5,912,700), cited by the examiner.

Note the Honey et al reference, Figure 21 and the disclosure of col. 25, lines 38-67, which discloses hardware at a viewer's home which allows for the enhancement of television presentations based on non-video data. Particularly, television signals are received at by a television and sent to a decoder (which is a stand-alone decoder or one incorporated within a computer) to remove data from the vertical blanking interval of the signals. The decoder removes this non-video data, which may be one or more addresses of web-pages on the Internet, and displays the data in a window on the display of the computer such that the user is able to click on an address with a mouse or other input means, thus causing software in the computer (e.g. Mosaic or Netscape) to load the addressed web page.

Art Unit: 2711

Claims 18-20, 22, 23, 25, and 27 are met by that discussed above.

Claim Rejections - 35 USC § 103

5. 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.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Honey et al (5,912,700), cited by the examiner.

As to claim 21, the Honey et al reference does not disclose an auditory indication on a speaker where an audio portion of the television program is reproduced. Rather, as noted above, the system provides a 'visual indication'/'sensory indicator' in the form of data associated with the addresses of web pages being displayed in a window of the display of the computer. However, this is not considered a patentable distinction. It is notoriously well-known in the art to provide an auditory indication of the occurrence, or forthcoming occurrence, of additional data transmitted along with television programming. One example of the use of such indicators is for emergency warning data and the like. The examiner submits that it would have been clearly obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings in the Honey et al reference in order to alert the viewer to the presence or future occurrence of nonvideo data.

Art Unit: 2711

Allowable Subject Matter

7. Claims 24, 26, 28, and 29 are allowable over the art of record.

Conclusion

8. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on _____
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) _____ on _____
(Date)

Typed or printed name of person signing this certificate:

Application/Control Number: 09/054,740

Page 6

Art Unit: 2711

Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

9. Any response to this action should be:

(a) mailed to: Commissioner of Patents and Trademarks

Washington, D.C. 20231

(b) or faxed to: (703) 308-9051 (for formal communications intended for entry)

(c) or faxed to: (703) 308-5359 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

(d) or hand-delivered to: Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor

(Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John W. Miller whose telephone number is (703) 305-4795. The examiner can normally be reached on Monday through Friday from 8:30 AM to 6:00 PM.

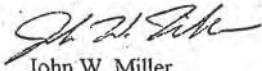
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached at (703) 305-4380. The fax phone number for this Group is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Application/Control Number: 09/054,740

Page 7

Art Unit: 2711



John W. Miller

September 6, 1999

John W. Miller
Primary Examiner
Art Unit 2711

Notice of References Cited

Application No. 09/054,740	Applicant(s) Wolzien
Examiner John W. Miller	Group Art Unit 2711
Page 1 of 1	

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,262,860	11/16/93	Fitzpatrick et al	348	476 X
B	5,438,355	8/1/95	Palmer	455	2 X
C	5,570,295	10/26/96	Isonberg et al	364	514R
D	5,604,542	2/18/97	Dedrick	348	6 X
E	5,640,193	6/17/97	Wellner	348	7
F	5,694,163	12/2/97	Harrison	348	13
G	5,818,441	10/6/98	Throckmorton et al	348	13 X
H	5,912,700	6/15/99	Honey et al	348	157
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

2711



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
POWER OF ATTORNEY

Docket No.
4942.02

Name of Applicant: Thomas R. Wotzien
Address of Applicant:

Title: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

Serial No., if Any: 09/054740
Filed: April 3, 1998

TO THE ASSISTANT COMMISSIONER FOR PATENTS

The Assistant Commissioner for Patents
Washington, D.C. 20231

Honorable Sir:
I hereby appoint:

Customer No. 20686

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:
Customer No. 20686

By: W.C. Samuels
Name: William C. Samuels
Title: President
Media Online Services, Inc.
Suite 2401
1270 Avenue of the Americas
New York, NY 10020

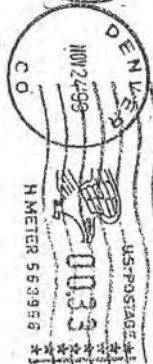
Dated: November 19, 1999

am
12/7/99
#6

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DORSEY & WHITNEY LLP
REPUBLIC Bldg. BUILDING, SUITE 4400
370 SEVENTEENTH STREET
DENVER, COLORADO 80202-5644



Assistant Commissioner for Patents
Washington, D.C. 20231





Express Mail No. EM569689019US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 3 - 2000

GROUP 2700

In re Patent Application of:

Inventor: Thomas R. Wolzien ✓

Serial No.: 09/054740 ✓

Group Art Unit: 2711

Filed: April 3, 1998 ✓

Examiner: J. Miller

For: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

am
1/6/00
#6

INFORMATION DISCLOSURE STATEMENT
Under 37 C.F.R. §§ 1.97(c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO-1449 during examination of the above-identified patent application. These references are submitted for the Examiner's consideration and are submitted pursuant to an Applicant's duty of disclosure under 37 C.F.R. § 1.56. Copies of the references are provided.

Enclosed is a check in the amount of \$240.00 pursuant to 37 C.F.R. 1.17(p). Any deficiency in the fee or overpayment may be applied to Deposit Account No. 04-1415. A duplicate copy of this disclosure statement is enclosed for use as may be appropriate.

Should the examiner have any questions concerning the relevance of the cited references in this disclosure, please contact the undersigned attorney.

12/27/1999 NSHIFERA 00000005 09054740

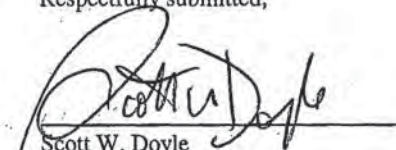
01 FC:126

240.00 DP

Serial No. 09/054740
Page 2



Dated: December 21, 1999

Respectfully submitted,


Scott W. Doyle
Registration No. 39,176
Attorney for Applicant

Customer No. 20686
DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4400
Denver, Colorado 80202
Tel: 303-629-3400
Fax: 303-629-3450

SWD/dtc

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Docket Number (Optional) 4942.02	Application Number 09/054740			
				Applicant(s) Thomas R. WOLZIEN				
				Filing Date April 3, 1998	Group Art Unit 2711 2611			
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
								
							RECEIVED	
							JAN 3 - 2003	
							GROUP 2700	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		0757485	02/1997	Europe				
		WO960727	03/1996	PCT				
		WO9613124	05/1996	PCT				
		WO9727546	07/1997	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER John W. Miller				DATE CONSIDERED 6/00				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

12-22-99

GP2711



Express Mail No. EM569689019US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

JAN 3 - 2000
GROUP 2700

In re Patent Application of:

Inventor: Thomas R. Wolzien

Serial No.: 09/054740

Group Art Unit: 2711

Filed: April 3, 1998

Examiner: J. Miller

For: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

CERTIFICATE OF MAILING BY EXPRESS MAIL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the attached **INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449 AND COPIES OF CITED REFERENCES, \$240.00 CHECK; RETURN POSTCARD, AND THIS CERTIFICATE OF MAILING BY EXPRESS MAIL**, relating to the above application, were deposited as "Express Mail," Mailing Label No. EM569689019US, with the United States Postal Service, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on Dec. 21, 1999.

Mailer

Print Name: Ramon Palma

Customer No. 20686
DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4400
Denver, Colorado 80202
Tel: 303-629-3400
Fax: 303-629-3450



01-11-00

GP 2711/1

Express Mail No. EL401164593US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Am
1/14/00
#7

In re Patent Application of:

Inventor: Thomas R. Wolzien

Serial No.: 09/054740

Group Art Unit: 2711

Filed: April 3, 1998

Examiner: J. Miller

For: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

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GROUP 2700

THIRD
INFORMATION DISCLOSURE STATEMENT
Under 37 C.F.R. §§ 1.97(c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO-1449 during examination of the above-identified patent application. These references are submitted for the Examiner's consideration and are submitted pursuant to an Applicant's duty of disclosure under 37 C.F.R. § 1.56. Copies of the references are provided.

German Pat. No. 19545882 is not in the English language, but an English Derwent abstract has been attached to the fact of the patent.

Enclosed is a check in the amount of \$240.00 pursuant to 37 C.F.R. 1.17(p). Any deficiency in the fee or overpayment may be applied to Deposit Account No. 04-1415. A duplicate copy of this disclosure statement is enclosed for use as may be appropriate.

Should the examiner have any questions concerning the relevance of the cited references in this disclosure, please contact the undersigned attorney.

01/13/2000 RTSEBRYE 00000022 09054740 240.00 DP
01 FC:126

Serial No. 09/054740
Page 2



Dated: January 10, 2000

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott W. Doyle".

Scott W. Doyle
Registration No. 39,176
Attorney for Applicant

Customer No. 20686
DORSEY & WHITNEY LLP
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Denver, Colorado 80202
Tel: 303-629-3400
Fax: 303-629-3450

SWD/dtc

INFORMATION DISCLOSURE CITATION <small>(Use several sheets if necessary)</small>		ATTY DOCKET NO. 4942.02	SERIAL NO. 09/054740				
		Thomas R. Wolzien FILING April 3, 1998		GROUP <i>2711-2011</i>			
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<i>[initials]</i>	5014125	05/07/91	Pocock et al.	—	—	RECEIVED JAN 14 1998 GROUP 2700	
	5140416	08/18/92	Galumbeck et al.	—	—		
	5453794	09/26/95	Ezaki	—	—		
	5479268	12/26/95	Young	—	—		
	5481542	01/02/96	Logston et al.	—	—		
	5526035	06/11/96	Lappington et al.	—	—		
	5534913	07/09/96	Majeti et al.	—	—		
	5537141	07/16/96	Harper	—	—		
	5539471	07/23/96	Myhrvold et al.	—	—		
	5543849	08/06/96	Long	—	—		
	5553221	09/03/96	Reimer et al.	—	—		
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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<i>[initials]</i>	19545882A	06/97	Germany	—	—		✓
	WO 9413107A	06/09/94	PCT	—	—		
	WO 9702699A	01/23/97	PCT	—	—		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER <i>John W. Miller</i>				DATE CONSIDERED <i>6/00</i>			
<small>*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.</small>							

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				ATTY DOCKET NO. 4942.02	SERIAL NO. 09/054740		
				Thomas R. Wolzien		FILING April 3, 1998	GROUP 2711-2611
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5564073	10/08/96	Takahisa				
	5572442	11/05/96	Schulhof et al.				
	5585858	12/17/96	Harper et al.				
	5589892	12/31/96	Knee et al.				
	5612730	03/18/97	Lewis				
	5633918	05/27/97	Mankovitz				
	5643088	07/01/97	Vaughn et al.				
	5649284	07/15/97	Yoshinobu				
	5659366	08/19/97	Kerman				
	5667708	10/14/97	Glass et al.				
	5668592	09/16/97	Spaulding, II				
FOREIGN PATENT DOCUMENTS							
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						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER <i>JOHN W. MILLER</i>				DATE CONSIDERED <i>6/00</i>			

Form PTO-A820
(also form PTO-1449)

P09C/REV03

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PAGE 2 OF 3

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		ATTY DOCKET NO. 4942.02	SERIAL NO. 09/054740				
		Thomas R. Wolzien FILING April 3, 1998		GROUP 2711 2611			
U.S. PATENT DOCUMENTS							
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						YES	NO
	5696905	12/09/97	Reimer et al.				
	5724091	03/03/98	Freeman et al.				
	5724103	03/03/98	Batchelor				
	5729252	03/17/98	Fraser				
	5734437	03/31/98	Back				
	5761602	06/02/98	Wagner et al.				
	5774664	06/30/98	Hidary et al.				
	5778181	07/07/98	Hidary et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER <i>JOHN W. MILLER</i>				DATE CONSIDERED <i>6/00</i>			
<small>*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.</small>							

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 GROUP 2700



Express Mail No. EL401164593US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Inventor: Thomas R. Wolzien

Serial No.: 09/054740

Group Art Unit: 2711

Filed: April 3, 1998

Examiner: J. Miller

For: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

CERTIFICATE OF MAILING BY EXPRESS MAIL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the attached **THIRD INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449 AND COPIES OF CITED REFERENCES, \$240.00 CHECK; RETURN POSTCARD, AND THIS CERTIFICATE OF MAILING BY EXPRESS MAIL**, relating to the above application, were deposited as "Express Mail," Mailing Label No. EM569689019US, with the United States Postal Service, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on

1-10-00

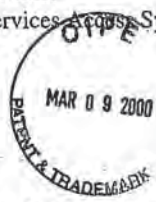
Mailer

Print Name: Ramon Palma

Customer No. 20686
DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4400
Denver, Colorado 80202
Tel: 303-629-3400
Fax: 303-629-3450

#9
W. Lowder
3/20/00

Applicant: Thomas R. Wolzien Docket No.: 4942.02
Serial No.: 09/054,740 Filed: April 3, 1998
Examiner: John W. Miller Group Art: 2711
Title: Media Online Services Access System and Method



Assistant Commissioner for Patents
Washington, D.C. 20231

Express Mailing label number: EI218004697US
Date of Deposit: March 9, 2000
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
Name: <u>Ramon Palma</u>
Signature: <u>Ramon Palma</u>

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MAR 14 2000
TC 2700 MAIL ROOM

RESPONSE TO OFFICE ACTION

Dear Assistant Commissioner:

This Response is filed in reply to the Office Action, Paper No. 4, mailed September 9, 1999, in regard to the above-referenced application. Applicant respectfully requests reconsideration of all pending claims as well as the issuance of a Notice of Allowance.

In the Office Action, the Examiner states that a terminal disclaimer in compliance with 37 CFR 1.321(c) is necessary to overcome an actual or provisional rejection of claims 18-29. Applicant hereby submits the attached terminal disclaimer for the instant application with the associated fee.

Additionally, Applicant thanks the Examiner for specifically allowing claims 24, 26, 28, and 29 over the art of record. Since claim 27 depends from independent claim 26, Applicant contends that claim 27 should also be allowed over the art of record.

The Examiner also rejected claims 18-20, 22, 23, 25, and 27 under 35 U.S.C. 102(e) as being anticipated by Honey et al (U.S. Patent Number 5,912,700). Similarly, the Examiner rejected claim 21 under 35 U.S.C. 103(a) as being unpatentable over Honey et al (U.S. Patent Number 5,912,700).

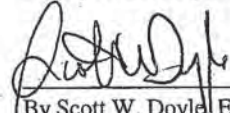
The Applicant respectfully overcomes these rejections and directs the Examiner's attention to the attached Affidavit by the sole inventor Thomas R. Wolzien, filed under 37 C.F.R. §1.131. As shown in the Affidavit, the Applicant conceived of the ideas claimed prior to January 10, 1996 and proceeded with due diligence to a constructive reduction to practice of the claimed subject matter with

the filing of the parent application sn. 08/597,432 on February 8, 1996, now US Patent No. 5,761,606.

As such, the Applicant's Affidavit overcomes the Honey prior art reference, and claims 18-20, 22, 23, 25 and 27 should be allowed over the art of record.

Dorsey & Whitney L.L.P.

March 9, 2000



By Scott W. Doyle, Esq.
Attorney for Applicant
USPTO Reg. No. 39,176
Customer No. 20686



#10
W. Lawton
3/22/00

Express Mail No. EI218004697US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Inventor: Thomas R. Wolzien

Serial No.: 09/054740

Group Art Unit: 2711

Filed: April 3, 1998

Examiner: J. Miller

For: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

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AFFIDAVIT UNDER 37 CFR 1.131


Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Thomas R. Wolzien being duly sworn, depose and state:

1. I am the inventor or claims 18-29 of the above-identified patent application.
2. Prior to January 10, 1996, I conceived the idea of a system linking addresses of online information providers, which may be one or more addresses of web-pages on the Internet, with television broadcasts or pre-recorded video or audio programs to allow viewers to call up additional information by loading the addressed information from an on line service. A description and diagrams of embodiments of the invention was prepared by me, signed by me and notarized, and mailed to the U.S. Patent and Trademark Office ("Patent Office") as a Disclosure Document on September 15, 1995 (copy attached as Exhibit A).

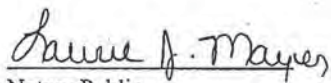
3. The Patent Office acknowledged receipt of my invention disclosure and assigned it Disclosure Document no. 382213.
4. On October 9, 1995, I discussed my invention with my attorney, Mr. Michael J. Berger of the law firm of Amster, Rothstein & Ebenstein, and requested that he initiate a prior art search on my invention (copy attached as Exhibit B).
5. Mr. Berger conducted a novelty search and had the results of the search in early November 1995.
6. I authorized Mr. Berger to prepare a patent application in my letter dated November 17, 1995 (copy attached as Exhibit C).
7. Mr. Berger forwarded a draft of the patent application with his letter of January 3, 1996 (copy of the letter attached as Exhibit D).
8. After receiving my comments on the draft, Mr. Berger forwarded a second draft of the application with his letter of February 1, 1996 (copy of the letter attached as Exhibit E).
9. I returned the executed application to Mr. Berger for filing by letter of February 7, 1996 (copy of letter attached as Exhibit F).
10. The application was filed on February 8, 1996 in the Patent Office, assigned serial no. 08/597,432, and issued on June 2, 1998 as U.S. Patent No. 5,761,606.
11. The above-identified application, with serial no. 09/054740 assigned by the Patent Office, was filed as a continuation application of U.S. patent application 08/597,432 on April 3, 1998 and claiming the filing date of now U.S. Patent No. 5,761,606.


Thomas R. Wolzien

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

Subscribed and sworn to before me by Thomas R. Wolzien on this 7TH day of March 2000.




Notary Public

My Commission expires:

10/21/02

EXHIBIT A



River Road
Grandview, NY 10960
September 15, 1995



DISCLOSURE DOCUMENT NO.

382213

FILING FEE: \$10.00

RETAINED FOR 2 YEARS

THIS IS NOT A PATENT APPLICATION

Assistant Commissioner for Patents
PO Box DD
Washington, D.C. 20231

Dear Sir:

Enclosed is a notarized disclosure statement for my invention known as the "TeleWeb Link," along with a check for the disclosure fee of \$10.

Thank you very much.

Sincerely,

Thomas R. Wolzien

Disclosure Document

Title of Invention: TeleWeb Link

Date: September 14, 1985

Name of Inventor: Thomas R. Wolzien

Address of Inventor: 91 River Road, Grandview, NY 10960

Summary: The process of linking the addresses of on-line information providers with broadcast or pre recorded video materials to give viewers the ability to easily call up related materials from on line services for the purposes of entertainment, commerce, information, education, or research.

Detailed Description:

Address of an on line information or entertainment provider is linked to a video picture transmitted by broadcast or cable or prerecorded and distributed by videotape or digital recording to permit the consumer to easily call up additional information or conduct commerce or associated digital or analog signals through use of existing technologies. The linkage of the on-line address and the video picture makes it easy and convenient for the consumer to seek more information from or conduct transactions with the producer of the television picture.

Using one or more buttons on the remote control (as defined below), the consumer requests "more information" from the on line provider(s) specified by address data imbedded in the video picture or the picture's associated signals and/or data (as defined below). A message or logo appears on the television screen to notify the viewer that more information is available. The address is read from the television signal, and transmitted upstream through a modem and then by any wired or non wired means including telephone, cable, cellular radio phone, to a point of presence of an on line service. Once the connection with the on line service is established, "More information" is transmitted to the use site for display on the television set, a related computer screen, or a combined television-computer picture, where the user has the ability to explore full range related information provided by the originator on the on-line service.

(See Diagrams 1-5 attached.)

Claim:

1. Claim 1 is for the linkage through the television signal of an address of an on-line information provider and the television picture, and related notification of viewer that more information exists through an on-screen or aural message. The process of this linkage provides the television user with an easy method of reaching an on-line information provider for purpose of gaining more information for educational, commerce, informational, or research use. (Terms "television signal", "television picture", and "on-line information provider" are defined below.)
2. Claim 2 is for inclusion of on-line access button on remote (as defined below) with such "button" causing access to on-line services using the address data imbedded in or linked to the television picture as outlined in Claim 1.

Examples of Benefits:

1. **Examples of Benefits to the Consumer:** The user of video, whether broadcast, transmitted by cable or other wire means, or distributed in a recorded form (as tape, digital disk, or other prerecorded medium) would be able to quickly find out more information about a specific subject as provided by the originator of the video. Since television programs or recordings are of finite length, they do not contain all the related information which a consumer may wish, and information which they do contain may not be timely. The linkage to an on line service specified in the video presentation by the producer or advertiser would serve to give the consumer easy and direct access to additional information.

Children or adults viewing educational or historical video material could easily find additional materials provided in text or still picture by the producers at an on line site.

Consumers looking for more information about a specific advertised product could easily find that information by going directly to an on-line site specified by an advertiser.

News viewers looking for specific items from news stories or more detail could go directly to the on-line site where the program producers house such material.

Once at the site, consumers could engage in whatever transactions they wished for additional material or to make purchases.

2. Examples of Benefits for Commerce

Process links advertiser's broadcast or recorded commercial message with a specific on-line location where consumers can acquire more information or order product. Information from on-line location can be updated to the minute, even though video presentation is pre recorded.

An auto manufacturer could embed its on-line site address in the video presentation so consumer could reach an on-line site quickly to ask for more information, request a test drive, or purchase parts.

A grocery store could provide easy link to web site so consumers could order home delivery of grocery products advertised in video presentation, and do additional shopping as well.

A catalog retailer could use the process to allow consumers to rapidly gain access to an electronic catalog after viewing a commercial on television.

A record company could use process to allow customers to reach the record company to purchase a recording while watching a rock video.

3. Examples of Benefits in Education and Training

Individuals using educational, training, or other pre recorded materials could request additional information, enter on-line bulletin board conversations, or enter databases providing real time and current details, even though the video presentation was made at some time in the past.

4. Examples of Benefits in Government: Use of the process to link public service announcements on television and government agencies would give consumers immediate access to additional information from the Internal Revenue Service, military recruiters, or health agencies to provide details following up on announcements regarding such problems as cancer, AIDs, and heart disease.

Definitions:

Address: Address includes the specific on-line address of the information provider (such as the inventor's Internet address twolzien@wolzien.com and any specific subsets of the address necessary to connect the user to the specific area of information requested).

Button: Button includes a physical button on a television remote control device, or a virtual button located on the television screen and activated by a cursor or other remote device, or an aural button which is voice activated.

On-Line Information Provider: On-line information provider includes any educational, institutional, governmental or commercial firm which maintains data bases accessible by the public (for free or for pay) or performs transactions with the public (for free or for pay) by way of electronic network connections including The Internet and World Wide Web, commercial on-line services such as America on Line or Prodigy, or through direct connections over telephone or cable networks.

Television Signal: Television signal is meant to mean an analog or digital signal transmitted by broadcast or wire, or a signal pre recorded on video tape, disc or other medium, the primary purpose of which is to provide pictures and sound to the user. The television signal includes all the electronic signals and impulses associated with transmission of the video, vertical blanking interval, audio, synchronization pulses, chrominance and luminance of the analog signal, as well as digital data to make up the television picture and sound and data that can be related to that picture during the process of digital recording, transmission or playback in recorded form.

Television Picture: That portion of the television signal seen by the viewer and its related audio.

On this 15th day of September 1995, before me personally came Thomas R. Wolzien to me known, who being by me duly sworn, did state that on this date he wrote the above and drew the attached diagrams 1-5.

State of New York
County of New York


Notary Public

BRENDA GLOVER
Notary Public, State of New York
No. 41-4989385
Qualified in Queens County
Commission Expires December 2, 1995

TELEVISION MARK 1/15/95
 WORKING 9/15/95

1

On line address is transmitted in Vertical interval, Sync, or elsewhere in signal.
 (Example - cars
 "www. ~~cars~~.com")

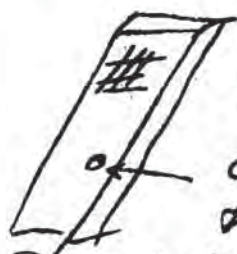


TV PICTURE / Signal from PRODUCTION CODE, VIDEO TAP DEVICES, VIDEO DIS PLAYERS, ET

"more information" message 0-1090 alerts viewer that on-line information is available

CLAIM 1: LINKAGE OF ON LINE ADDRESS WITH TELEVISION PICTURE related message to alert consumer.

2

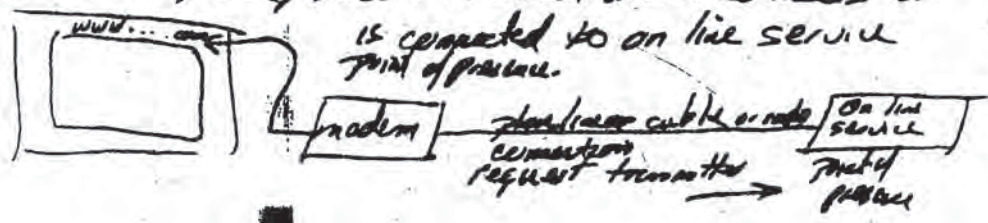


VIEWER PASSES "more information" button on remote or causes virtual button screen to be activated.

CLAIM 2: Press on "virtual" button on remote or screen which activates linked on-line address to request more information.

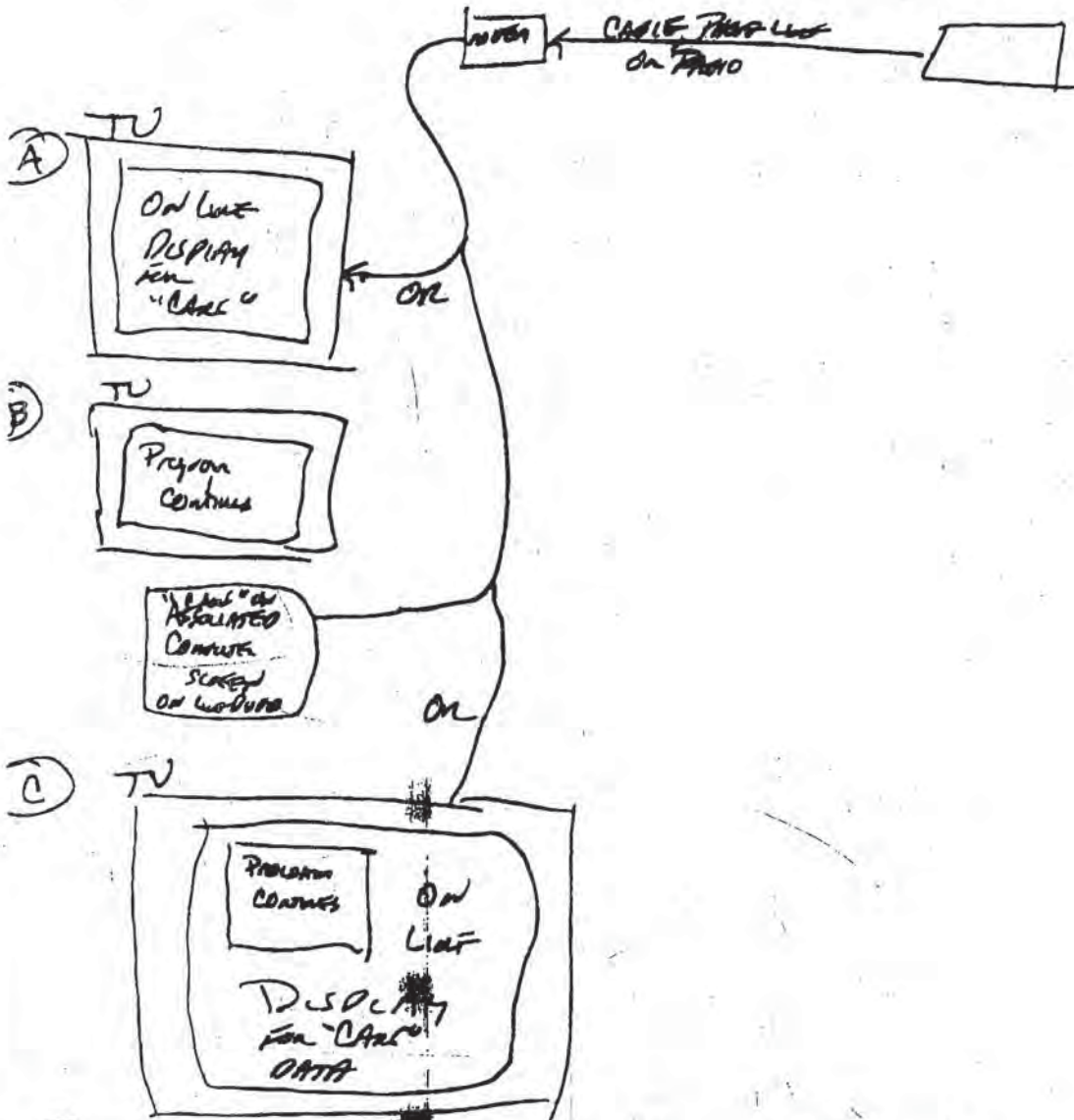
3

→ Prior art reads address from television or related signal, sends to modem which connects or is connected to on line service point of purchase.



more ↓

④ ON LINE TV: "RETURNS TO TV" ISOLATED CHANNEL,
 ON TV-COMPUTE. CONNECTION WITHIN CONSUMER
 CAN USE ANY ON-LINE SERVICES -



⑤ TRANSACTIONS WITH ON-LINE SERVICES USE PRIME ANT
 ONE LINKAGE IS ESTABLISHED.

EXHIBIT B

91 River Road
Grandview, NY 10960
October 9, 1985

Mr. Michael Berger
Amster, Rothstein, and Ebenstein
90 Park Avenue
New York, NY 10016

Dear Mr. Berger:

As discussed on the phone this afternoon, enclosed is a check for \$1500 as retainer in the patent search which you are handling for me. I look forward to hearing from you as the search progresses.

Sincerely,



Thomas R. Wolzien

PS: The address on the check is different from the one above because I've just moved and the new checks haven't reached me yet.

PS - COPY OF RETURNED DELIVERED CHECK ENCLOSED

THOMAS R. WOLZIEN 18 RAVINE RD. TENAFLY, NJ 07670-2125		116
DATE: <u>Oct 10</u> 19 <u>85</u>		1-59 210
PAY TO THE ORDER OF: <u>Amster, Rothstein & Ebenstein</u>		\$ <u>1500</u>
<u>Five Hundred Only</u>		DOLLARS
CITIBANK CITIBANK, N.A. BR. 89 40 PARK AVENUE AT 51TH STREET NEW YORK, NY 10022		60076260 402 4001 21 101995
MEMO: <u>Retainer</u>		<u>Thomas R. Wolzien</u>
⑆02100089⑆ 15397389⑆ 0116		⑆0000150000⑆

EXHIBIT C

91 River Road
Grandview, NY 10960
November 17, 1995

Mr. Michael J. Berger
Amster, Rothstein & Ebenstein
90 Park Avenue
New York, NY 10016

Dear Mr. Berger:

Enclosed is a check for \$2,000, as requested, in partial payment for drafting the patent application.

I look forward to seeing the language.

With best wishes,

Thomas R. Wolzien

EXHIBIT D

AMSTER, ROTHSTEIN & EBENSTEIN

COUNSELORS AT LAW
PATENTS · TRADEMARKS · COPYRIGHTS
90 PARK AVENUE
NEW YORK, NEW YORK 10016

(212) 697-5995

MORTON AMSTER
JESSE ROTHSTEIN
DANIEL S. EBENSTEIN
PHILIP H. GOTTFRIED
MICHAEL J. BERGER
NEIL M. ZIPKIN
ANTHONY F. LO CICERO
JOEL E. LUTZKER
KAREN ARTZ ASH
KENNETH P. GEORGE
ABRAHAM KASDAN, PH.D.
NEAL L. ROSENBERG
LEONARD S. SORGI
IRA E. SILFIN
BARBARA KOLBUN
LAURIE J. GENTILE
JAMES TRAMONTANA
CHESTER ROTHSTEIN
ANNE VACHON DOUGHERTY**
NEIL S. GOLDSTEIN
DAVID H. KAGAN
RUTH E. LAZAR
GARY H. MONKA
DENISE A. LINDENAUER
VALERIE G. DUGAN
JAMES E. HANFT
CRAIG J. ARNOLO
RICHARD J. BASILE
GREGG I. GOLDMAN
BRENDAN P. RAE, PH.D.**

INTERNATIONAL DEPARTMENT
DAVID R. BROWN*
CABLE ADDRESS
AMROTHPAT
TWX NUMBER
710-581-4786
FACSIMILE NOS.
212-286-0884
212-286-0082
*NON-LAWYER
**NOT ADMITTED
IN NEW YORK

January 3, 1996

VIA FEDERAL EXPRESS

Mr. Thomas R. Wolzien
91 River Road
Grandview, NY 10980

Re: U.S. Patent Application
Title: MEDIA ONLINE SERVICES ACCESS SYSTEM
Inventor: Thomas R. Wolzien
Our File: 96262/4

Dear Tom:

We are pleased to enclose an advanced draft of the patent application covering your Media Online Services Access System. We also enclose sketches which we have prepared to aid in the description of that system.

Please review the application for completeness and accuracy and provide us with any changes which you think are necessary in order to ensure that the application completely and accurately describes your invention. We will incorporate those changes into the application and then send you the final application together with the necessary documents which you must execute in connection with filing this application in the United States Patent and Trademark Office.

Mr. Thomas R. Wolzien


-2-

January 3, 1996

If you have any particular questions, please do not
hesitate to call.

Very truly yours,

AMSTER, ROTHSTEIN & EBENSTEIN



Michael J. Berger

MJB/par
Enclosures
2121h

EXHIBIT E

AMSTER, ROTHSTEIN & EBENSTEIN

COUNSELORS AT LAW

PATENTS · TRADEMARKS · COPYRIGHTS

90 PARK AVENUE

NEW YORK, NEW YORK 10016

(212) 697-5995

NORTON AMSTER
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VALERIE G. DUGAN
JAMES E. HANFT
CRAIG J. ARNOLD
RICHARD J. BABILE
GREGG I. GOLDMAN
BRENDAN P. RAE, PH.D.*

INTERNATIONAL DEPARTMENT

DAVID R. BROWN*

CABLE ADDRESS

AMROTHPAT

TWX NUMBER

710-551-4766

FACSIMILE NOS.

212-266-0654

212-266-0682

*NON-LAWYER

**NOT ADMITTED

IN NEW YORK

February 1, 1996

VIA FEDERAL EXPRESS

Mr. Thomas R. Wolzien
91 River Road
Grandview, NY 10980

Re: New U.S. Patent Application
Title: Media Online Services
Access System and Method
Inventor: Thomas R. Wolzien
Our File: 96262/4

Dear Tom:

Based on the comments in your January 12, 1996 letter and our subsequent telephone conversation, we have revised and enclose two copies of the patent application covering your Media Online Services Access System and Method for accessing online services. Please review the application for completeness and accuracy.

If the application completely and accurately describes your invention, please execute the Declaration attached to the application as well as the Small Entity Statement which is also enclosed and return the application, executed Declaration and executed Small Entity Statement to us for filing in the U.S. Patent and Trademark Office. The second copy of the application, Declaration and Small Entity Statement are for your files.

Mr. Thomas R. Wolzien


-2-

February 1, 1996

If you have any questions, please call. Otherwise we await the return of the executed documents.

Very truly yours,

AMSTER, ROTHSTEIN & EBENSTEIN



Michael J. Berger

MJB/DKN/par
Enclosures
2164h

EXHIBIT F

91 River Road
Grandview, NY 10960
February 7, 1996

Mr. Michael Berger
Amster, Rothstein & Ebenstein
90 Park Avenue
NY, NY 10016

Dear Michael:

The executed and corrected version of the Media OnLine Services description and application documents are enclosed, along with the check for \$2500 which you requested. As we discussed, please send an itemized statement for my records when it is convenient.

Please let me know when the application is filed.

Thanks for all your help.

Sincerely,



Thomas R. Wolzien

Express Mail No. EI218004697US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of

Inventor: Thomas R. Wolzien

Serial No.: 09/054740

Filed: April 3, 1998


For: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

CERTIFICATE OF MAILING BY EXPRESS MAIL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the attached: **Response to Office Action, Petition for Extension Time; Affidavit Under 37 CFR 1.131; Terminal Disclaimer; \$980.00 check; return postcard; and this Certificate of Mailing by Express Mail**, all relating to the above application were deposited as "Express Mail", Mailing Label No. EI218004697US, with the United States Postal Service, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on March 9, 2000.



Mailer - Ramon Palma

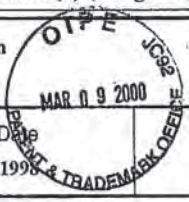
Customer No. 20686

03-10-00

GAU 2711

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)	Docket No. 4942.02
---	-----------------------

In Re Application Of: Thomas R. Wolzien



#8
3/22/00

Serial No. 09/054740	Filing Date April 3, 1999	Examiner J. Miller	Group Art Unit 2711
-------------------------	------------------------------	-----------------------	------------------------

Invention: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

RECEIVED
MAR 11 2000
TC 2700 MAIL ROOM

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 09/09/1999 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

- One month Two months Three months Four months Five months

from: 12/10/1999 until: March 9, 2000
Date *Date*

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	12	20	0	x \$18.00	\$0.00
INDEP. CLAIMS	5	5	0	x \$78.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$870.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$870.00

03/13/2000 SLUANG 00000116 09054740
02 FC:117 870.00 DP

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)

Docket No.
4942.02

The PTO did not receive the following listed item(s) \$930.00 but 980.00

The fee for the amendment and extension of time is to be paid as follows:

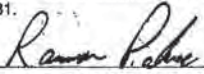
- A check in the amount of **\$930.00** for the amendment and extension of time/is enclosed. and terminal disclaimer
- Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **04-1415**
A duplicate copy of this sheet is enclosed.
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **04-1415** A duplicate copy of this sheet is enclosed.


signature

Scott W. Doyle, Reg. No. 39,176
Customer No. 20686

Dated: March 9, 2000

I certify that this document and fee is being deposited on 3-9-00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Ramon Palma
Typed or Printed Name of Person Mailing Correspondence

cc: Media Online Services, Inc.

P28LARGE/REV03



#11

Applicant: Thomas R. Wolzien
 Serial No.: 09/054,740
 Examiner: John W. Miller
 Title: Media Online Service Access System and Method

Docket No.: 4942.02
 Filed: April 3, 1998
 Group Art: 2711

Assistant Commissioner for Patents
 Washington, D.C. 20231

Express Mailing label number: EF218004697US

Date of Deposit: March 9, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Name: Ramon Palma

Signature: Ramon Palma

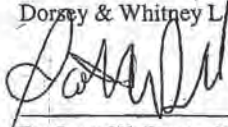
RECEIVED
 MAR 11 2000
 TSC 2700 MAIL ROOM

TERMINAL DISCLAIMER

Applicant having a one hundred percent ownership interest in the subject patent application and in United States Patent No. 5,761,606 hereby disclaims the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of prior Patent No. 5,761,606. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent in the event the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 U.S.C. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

March 9, 2000

Dorsey & Whitney L.L.P.

 By Scott W. Doyle, Esq.
 Attorney for Applicant
 USPTO Reg. No. 39,176
 Customer No. 20686

03/13/2000 SLURANG 00000116 09054740
 02 FC:148 110.00 BP

BEST COPY



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

HO

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/054,740	04/03/98	WOLZIEN	T 96262/6

LM12/0607
AMSTER, ROTHSTEIN & EBENSTEIN
90 PARK AVE.
NEW YORK NY 10016

EXAMINER

MILLER, J

ART UNIT	PAPER NUMBER
2711	12


2711

12

DATE MAILED: 06/07/00

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

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/054,740	Applicant(s) Wolzien	
	Examiner John W. Miller	Group Art Unit 2711	

Responsive to communication(s) filed on Mar 9, 2000

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

Claim(s) 18-29 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 18-29 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 5 & 6

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2711

Terminal Disclaimer

1. The terminal disclaimer filed on 3/9/00 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of prior Patent No. 5,761,606 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Amendment

2. The affidavit filed on 3/9/00 under 37 CFR 1.131 is sufficient to overcome the Honey et al (5,912,700) reference.

Claim Rejections - 35 USC § 103

3. 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.

4. Claims 18-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Throckmorton et al (5,818,441).

As to claim 18, note the Throckmorton et al reference, Figure 4, which discloses a system which inserts data associated with a broadcast television program into the vertical blanking interval of a television signal. On the receiving side, the system includes a computer capable of

Art Unit: 2711

receiving the television program and storing the associated data locally. The addition of a two-way channel allows the user to access online services or the Internet. Further, when the associated data contains pointers (i.e., URLs) to locations across the two-way channel, the user can access information of particular relevance to the television program. The reference differs from that claimed in that it is silent as to whether or not the user is provided with an explicit indication of the presence of an address. Rather, the reference merely discloses that associated data is stored locally at the time that the primary data stream is rendered, and available thereafter for browsing by the user using, for example, a menu, col. 7, lines 65+. However, this is not considered to be a patentable distinction. That is, it was notoriously well-known in the art at the time of the invention to provide indications, either audibly or visually, of the occurrence, or forthcoming occurrence, of additional data transmitted along with television programming. One example of the use of such audible or visual indications is for emergency warning data and the like. The examiner submits that it would have been clearly obvious to one of ordinary skill in the art at the time the invention was made to implement such teachings in the Throckmorton et al reference in order to alert the viewer to the presence or future occurrence of nonvideo data.

Claims 19-29 are met by that discussed above.

Art Unit: 2711

Response to Arguments

5. Applicant's arguments with respect to claims 18-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on _____
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) _____ on _____
(Date)

Application/Control Number: 09/054,740

Page 5

Art Unit: 2711

Typed or printed name of person signing this certificate:

Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

7. Any response to this action should be:

(a) mailed to: Commissioner of Patents and Trademarks

Washington, D.C. 20231

(b) or faxed to: (703) 308-6306 or (703) 308-6296 for either formal communications intended for entry, or informal or draft communications (please label "PROPOSED" or "DRAFT")

(c) or hand-delivered to: Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John W. Miller whose telephone number is (703) 305-4795. The examiner can normally be reached on Monday through Friday from 8:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached at (703) 305-4380. The fax phone number for this Group is (703) 308-5359.

Application/Control Number: 09/054,740

Page 6

Art Unit: 2711

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



John W. Miller

June 5, 2000

John W. Miller
Primary Examiner
Art Unit 2711

ATTACHMENT TO AND MODIFICATION OF
NOTICE OF ALLOWABILITY (PTO-37)

(November, 2000)

NO EXTENSIONS OF TIME ARE PERMITTED TO FILE CORRECTED OR FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION, notwithstanding any indication to the contrary in the attached Notice of Allowability (PTO-37).

If the following language appears on the attached Notice of Allowability, the portion lined through below is of no force and effect and is to be ignored¹:

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS FROM THE "DATE MAILED"** of this Office action. Failure to comply will result in ABANDONMENT of this application. ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Similar language appearing in any attachments to the Notice of Allowability, such as in an Examiner's Amendment/Comment or in a Notice of Draftperson's Patent Drawing Review, PTO-948, is also to be ignored.

¹ The language which is crossed out is contrary to amended 37 CFR 1.85(c) and 1.136. See "Changes to Implement the Patent Business Goals", 65 Fed. Reg. 54603, 54629, 54641, 54670, 54674 (September 8, 2000), 1238 Off. Gaz. Pat. Office 77, 99, 110, 135, 139 (September 19, 2000).

BEST COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/054,740	04/03/98	WOLZIEN	T 96262/6

AMSTER, ROTHSTEIN & EBENSTEIN
90 PARK AVE.
NEW YORK NY 10016

WM02/1116

EXAMINER

MILLER, J

ART UNIT

PAPER NUMBER

2611

13

DATE MAILED:

11/16/00

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

Commissioner of Patents and Trademarks

Interview Summary

Application No. 09/054,740	Applicant(s) Wolzien
Examiner John W. Miller	Group Art Unit 2611

All participants (applicant, applicant's representative, PTO personnel):

(1) John W. Miller (3) Thomas Wolzien

(2) Scott Doyle (4) _____

Date of Interview Oct 27, 2000

Type: Telephonic Personal (copy is given to applicant applicant's representative).

Exhibit shown or demonstration conducted: Yes No. If yes, brief description:

Agreement was reached. was not reached.

Claim(s) discussed: all

Identification of prior art discussed:

Throckmorton et al ('441)

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:


Applicant proposed adding language to the claims to indicate the 'automatic' electronic extraction of address data, and the establishment of a 'direct link', initiated by the user, to an online information source. These features, if added to the claims, would likely render them allowable over Throckmorton et al alone. That is, the prior art discloses the selection of a source of information from a menu of sources, each associated with pointers to the sources, rather than a user-initiated, automatic and direct link to the sources.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.


JOHN W. MILLER
PRIMARY EXAMINER
ART UNIT 2611

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.

DORSEY & WHITNEY LLP

REPUBLIC PLAZA BUILDING
SUITE 4400
370 SEVENTEENTH STREET
DENVER, COLORADO 80202-5644

FACSIMILE COVER SHEET
(303) 629-3400

OFFICIAL

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Date: December 5, 2000

Time:

Total Number of Pages (including this cover sheet):

7

TO: Examiner John W. Miller

FAX #: 1 (703) 308-5359

FIRM NAME: United States Patent and Trademark Office
Group Art Unit 2711

LOCATION: Washington D.C.

TELEPHONE #:

FROM: John T. Kennedy, Registration Number 42,717, Attorney for Applicant, ACTV Inc.

TELEPHONE NUMBER: (303) 260-6362

COMMENTS:

Dear Examiner Miller: Attached for your review and convenience is a copy of the Response to the Second Office Action for ACTV patent application serial number 09/054,740, titled "Media Online Services Access System and Method" (our Docket Number 4942.02) which we have mailed to the USPTO via Express Mail today. Please contact myself or Mr. Scott Doyle if you have any questions or concerns regarding the attached copy of the Response. Thank you for your consideration of the Applicant's Response.



Originator's Signature

Original will be sent via (check one): Mail Messenger Air Courier Will not be sent

PLEASE CONTACT FACSIMILE OPERATOR _____ Receptionist at (303) 629-3400
IF TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

Reference # 3429496783-1
436109-0001

BS

002

#14/B
W. Lawson
12/18/00

Express Mail No. EL 759 367 709 US
Attorney Docket No. 4942.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of:

WOLZEIN

Serial No.: 09/054,740

Group Art: 2711

Filed: April 3, 1998

Examiner: John W. Miller

Title: MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD

Assistant Commissioner for Patents
Washington, D.C. 20231

Express Mailing label number: EL 759 367 709 US

Date of Deposit: December 5, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Name: Jane Lallo/Dorsey & Whitney LLP

Signature: [Handwritten Signature]

RESPONSE TO OFFICE ACTION

Dear Assistant Commissioner:

This Response is filed in reply to the Office Action mailed June 7, 2000, in regard to the above-referenced application rejecting claims 18-29. Applicant respectfully requests reconsideration of all pending claims and entry of the following claim amendments as well as the issuance of a Notice of Allowance.

Please amend the above-identified application as follows.

In the Claims

18. (Amended) A method of providing to a user of online information services automatic and direct access to online information through an address associated with an online information source provided with a video program comprising:

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B1
Concl.

indicating to the user that an address has been provided with said video program; and
electronically extracting said address [to establish] and automatically establishing, in
response to a user initiated command, a direct communication link with the online information
source associated with said address so that the user has direct access to the online information.

✓
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(Amended) A method of providing to a user of online information services [to a user of
such online services] automatic and direct access to online information, comprising the steps of:

receiving a television broadcast signal having an information signal representing the
address of an online information source;

extracting the address of said online information source from said received television
broadcast signal;

automatically using said address, in response to a user initiated command, to transmit a
signal to connect said user directly with the online information source associated with said

B2

✓

address so that the user has direct access to the online information; and

receiving online information signals from said online information provider.

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24

(Amended) A method of providing to a user of online information services, at the time of
viewing a video program represented by an electronic signal, automatic and direct access to
online information through a link provided in said video program, comprising:

indicating to the user that an address is available for establishing communication with an
online information source;

electronically extracting, in response to a user initiated command, an address associated
with an online information source from an information signal embedded in said electronic signal,
and automatically using said extracted address to establish a direct communication link with the

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Serial No.: 09/054,740
Page 3

online information source associated with said extracted address so that the user has direct access to the online information.

⁸
25. (Amended) A method of providing to a user of online information services automatic and direct access to online information through a link provided in a video program, comprising:

indicating to the user that a link to online information services is available for receiving the online information; and

automatically and directly electronically accessing said online information associated with said link in response to a user initiated command so that the user has direct access to the online information.

BA
Cancel.

⁹
26. (Amended) A media online services access system for providing to a user of online information services while viewing or listening to a video or audio program represented by an electronic signal, automatic and direct access to online information by establishing a direct digital communication link with an online information source through a link provided in said electronic signal, comprising:

means for indicating to the user that an address is available for extraction from said electronic signal which permits communication with an online information source; and

means for extracting an address associated with an online information source from an information signal embedded in said electronic signal, and for automatically establishing, in response to a user initiated command, a direct link with the online information source associated with said extracted address so that the user has direct access to the online information.

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Page 4

REMARKS

Claims 18-29 are rejected by the Examiner. In particular, claims 18-29 are rejected under 35 USC §103 as obvious over Throckmorton et al (5,818,441) (hereinafter, "Throckmorton"). In the Office Action, the Examiner rejected claims 18-29 under 35 U.S.C. 103(a) as being unpatentable over Throckmorton et al (U.S. Patent Number 5,818,441).

With respect to such rejection, the Examiner stated that Throckmorton discloses a system which inserts data associated with a broadcast television program into the vertical blanking interval of a television signal. When the associated data contains pointers (i.e, URLs) to locations across a two-way channel, as set forth by the Examiner, the user can access information of particular relevance to the television program. The Examiner also stated that while the reference differs from the claimed invention in that it is silent with respect to whether or not the user is provided with an explicit indication of the presence of an address, such distinction is not a "patentable distinction".

Applicant respectfully disagrees with the rejection and Applicant appreciates that the Examiner agreed to an interview regarding the case. The Applicant met with the Examiner on 27 October 2000 to discuss the rejection and the Throckmorton reference and agreement was reached that the §103 rejection was overcome by proposed amended claims. The Applicant was represented by Scott Doyle and the inventor, Thomas Wolzein. Applicants representatives explained that Throckmorton does not describe or teach a system and method which allows "direct communication link" which is "automatically" established by a user command "so that the user has direct access to online information" from an online provider, as set forth in amended

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Serial No.: 09/054,740

Page 5

claims 18-29. As explained to the Examiner, it is important that the user not have to access links which are stored in a directory or access one of a series of links in a menu. In Applicant's amended claims, the choice for the user is from the video or audio program directly to the additional content, without the need of intermediate steps. In Applicant's invention, the user need not have to select amongst several different links. Therefore, in Applicant's invention, the user never has to leave the screen to access additional content because access is "direct" from the user to the content. Based on the above, the difference is substantial because Throckmorton does not teach "direct" and "automatic" access to the online information from the primary video or audio program and thus, the differences between Wolzien's claims and the Throckmorton reference are such that the subject matter as a whole would not have been obvious to one of ordinary skill in the art.

Regarding claims 18-22 and 24-29, these claims are additionally patentable because the "indicating means" or "indicating" step provides a subtle function of alerting the user that more content is directly and automatically available to the user through a simple user command. Thus, a user does not have to access storage or a menu to determine whether any addresses were delivered to the client device and if delivered, which of the addresses to select for establishing a communications link with an online site.

As agreed to by the Examiner, Applicant has added the terms of a "direct" communication link which is "automatically" established by a user command "so that the user has direct access to online information" from an online provider to all independent claims, and thus all dependent claims, pending in the case. Therefore, Applicant respectfully requests that

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Serial No.: 09/054,740
Page 6

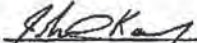
the rejection be withdrawn. In view of the above amendments, Applicant now believes that the claims to be in condition for allowance, and a Notice of Allowance is requested.

Additionally, the Applicant has provided herewith a check in the amount of \$ 890.00 to pay for the three month extension fee for filing this Response. Applicant requests the United States Patent Office to charge any overpayments or additional filing fees under 37 C.F.R. 1.16 and 1.17 to the Applicants deposit account number 04-1415.

If the Examiner believes that any issues remain unresolved, he is invited to telephone Scott Doyle at (303) 628-1504 or the undersigned to expedite allowance.

Respectfully submitted,

Date: 5 December 2000



John T. Kennedy, Esq.
Attorney for Applicant
USPTO Reg. No. 42,717
Dorsey & Whitney LLP
Customer No. 20686
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, CO 80202-5644
(303) 260-6362

B

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)

Docket No. *11/30/01*
 4942.02

In Re Application Of: **WOLZEIN**



Serial No. 09/054,740	Filing Date April 3, 1998	Examiner Miller, John W.	Group Art Unit 2711
--------------------------	------------------------------	-----------------------------	------------------------

Invention: **MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of June 7, 2000 in the above-identified application.
Date

The requested extension is as follows (check time period desired):
 One month Two months Three months Four months Five months
 from: September 7, 2000 until: December 7, 2000
Date Date

RECEIVED
 DEC 18 2000
 Technology Center 2600

The fee for the extension of time is **\$890** and is to be paid as follows:
 A check in the amount of the fee is enclosed.
 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **04-1415**
 A duplicate copy of this sheet is enclosed.
 If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **04-1415**
 A duplicate copy of this sheet is enclosed.

John T. Kennedy
 Signature
John T. Kennedy
 Registration No. 42,717
 Dorsey & Whitney LLP
 Customer No. 20686

Dated: December 5, 2000

12/03/2000 RHARIS1 00000060 09054740
 01 FC:117 890.00 0P

cc:

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
<i>[Signature]</i> Signature of Person Mailing Correspondence
<i>[Name]</i> Typed or Printed Name of Person Mailing Correspondence

AMENDMENT TRANSMITTAL LETTER (Large Entity)		Docket No.
Applicant(s): WOLZEIN		4942.02

Serial No. 09/054,740	Filing Date April 3, 1998	Examiner Miller, John W.	Group Art Unit 2711
---------------------------------	-------------------------------------	------------------------------------	-------------------------------

Invention: **MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD**



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	-	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	-	3 =	0 x	\$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- A check in the amount of _____ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **04-1415**
A duplicate copy of this sheet is enclosed.
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.

RECEIVED
DEC 18 2000
Technology Center 2600


John T. Kennedy
Signature
John T. Kennedy
Registration No. **42,717**
Dorsey & Whitney LLP
Customer No. **20686**

Dated: *December 5, 2000*

cc: **Scott W. Doyle, Esq.**

<p>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p> <p>_____ Signature of Person Mailing Correspondence</p> <p>_____ Typed or Printed Name of Person Mailing Correspondence</p>
--

P11LARGE/REV08

Notice of Allowability	Application No. 09/054,740	Applicant(s) Wolzen	
	Examiner John W. Miller	Group Art Unit 2611	

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to the amendment filed 12/5/00

The allowed claim(s) is/are 18-29 (re-numbered as 1-12)

The drawings filed on _____ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Notice of Draftsperson's Patent Drawing Review, PTO-948

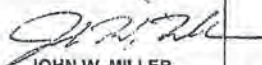
Notice of Informal Patent Application, PTO-152

Interview Summary, PTO-413

Examiner's Amendment/Comment

Examiner's Comment Regarding Requirement for Deposit of Biological Material

Examiner's Statement of Reasons for Allowance


JOHN W. MILLER
 PRIMARY EXAMINER
 ART UNIT 2611

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mf



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

mf

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

WM01/1219

AMSTER, ROTHSTEIN & EBENSTEIN
90 PARK AVE.
NEW YORK NY 10016

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/054,740	04/03/98	012	MILLER, J	2611 12/19/00
First Named Applicant	WOLZIEN		35 USC 154(b) term ext. =	0 Days.

TITLE OF INVENTION: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 96263/6	725-110.000	W79	UTILITY	NO	\$1240.00	03/19/01

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

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

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

PATENT AND TRADEMARK OFFICE COPY

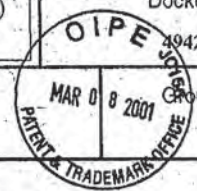
PTOL-85 (REV. 10-96) Approved for use through 06/30/99: (0651-0033)

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)
 Applicant(s): WOLZIEN

Docket No.

3942.02

Serial No. 09/054,740	Filing Date April 3, 1998	Examiner J. Miller	Group Art Unit 2611
--------------------------	------------------------------	-----------------------	------------------------



Invention:
MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

I hereby certify that the following correspondence:

Transmittal of Payment of Issue Fee (Large Entity); Part B -- Issue Fee Transmittal, Transmittal of Formal Drawings, 3 Sheets of Formal Drawing, Change of Correspondence Address Application, Return Acknowledgement Postcard and Check for \$1240.00

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

March 8, 2001.
(Date)

Jane Lalis/DORSEY & WHITNEY LLP

(Typed or Printed Name of Person Mailing Correspondence)

Jane Lalis

(Signature of Person Mailing Correspondence)

EL 759 298 787 US

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P08A/REV02

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PART B—ISSUE FEE TRANSMITTAL

Complete and mail this form, together with a cable fee, to: Box ISSUE FEE Assistant Commissioner for Patents Washington, D.C. 20231

DEC 26 2000 AMSTER ROTHSTEIN & EBENSTEIN

EXPRESS MAIL LABEL NO.: EL759298787US

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE. Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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

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AMSTER, ROTHSTEIN & EBENSTEIN 90 PARK AVE. NEW YORK NY 10016



Name Lalis/DORSEY & WHITNEY (Attorney's name)

Handwritten signature and date: 3/8/01

(Signature)

(Date)

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/054,740	04/03/98	012	MILLER, J 2611	12/19/00
First Named Applicant: WOLZIEN,		35 USC 154(b) term ext. = 0 Days.		

TITLE OF INVENTION: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 96262/6	725-110.000	W79	UTILITY	NO	\$1240.00	03/19/01

- 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.
 - Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 - "Fee Address" indication (or "Fee Address" indication form PTO/SB/47) attached.
- 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
 - 1. Dorsey & Whitney LLP
 - 2. _____
 - 3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Media Online Services, Inc. (B) RESIDENCE (CITY & STATE OR COUNTRY): New York, New York. Please check the appropriate assignee category indicated below (will not be printed on the patent): Individual corporation or other private group entity government

4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks): Issue Fee Advance Order - # of Copies _____

4b. The following fees or deficiency in these fees should be charged to:

DEPOSIT ACCOUNT NUMBER: 04-1415 (ENCLOSE AN EXTRA COPY OF THIS FORM)

Issue Fee Advance Order - # of Copies _____

The COMMISSIONER OF PATENTS AND TRADEMARKS IS requested to apply the Issue Fee to the application identified above.

(Authorized Signature) John T. Kennedy Reg. No. 42,717 (Date) Mar 8, 2001

NOTE: The Issue Fee will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

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

03/11/2001 09054740 1240.00 00000014 09054740 01 FEB 142

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TRANSMITTAL OF FORMAL DRAWINGS

Docket No.
4942.02



In Re Application Of:
WOLZIEN

Serial No.	Filing Date	Batch No.	Examiner	Art Unit
09/054,740	April 3, 1998	W79	J. Miller	2611

Invention:
MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Transmitted herewith are:
3 sheets of formal drawing(s) for this application.

Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c) on the reverse side of the drawing.

John T. Kennedy
Signature

John T. Kennedy, Esq.
Registration No. 42,717
DORSEY & WHITNEY LLP
Customer No. 20686

Dated: 8 March 2001

cc: Scott W. Doyle, Esq., ACTV, Inc., Denver

I certify that this document and attached formal drawings are being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

P238/REV01

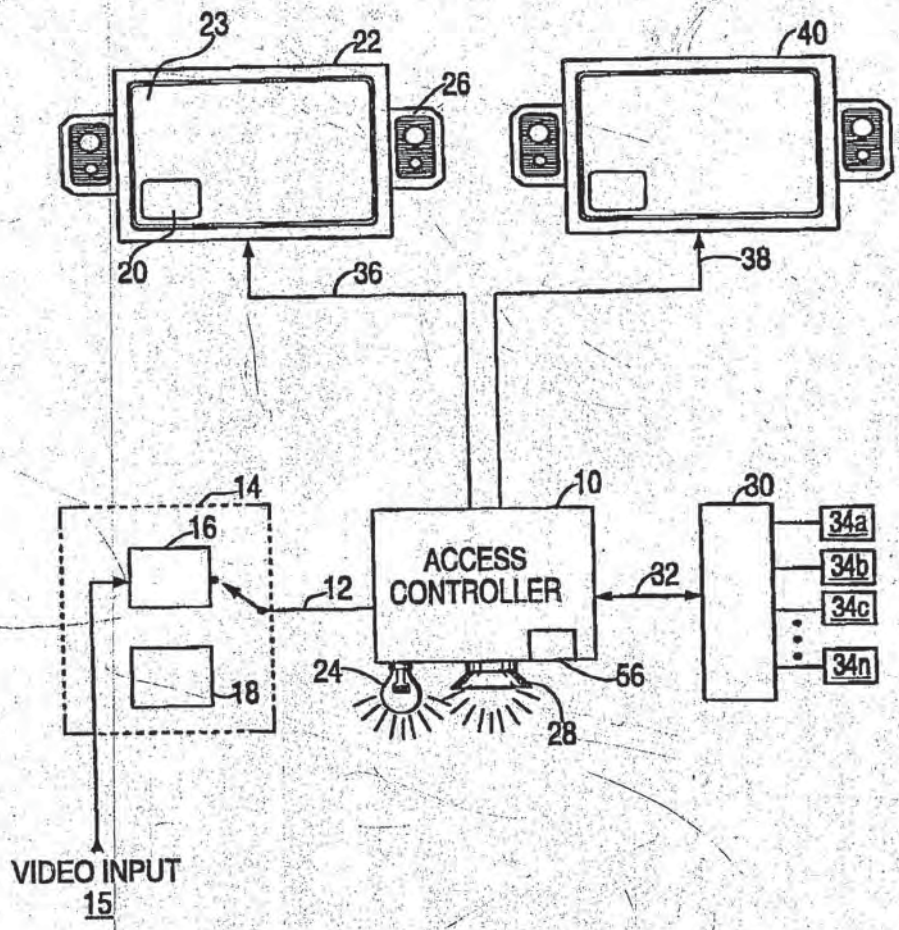


FIG. 1

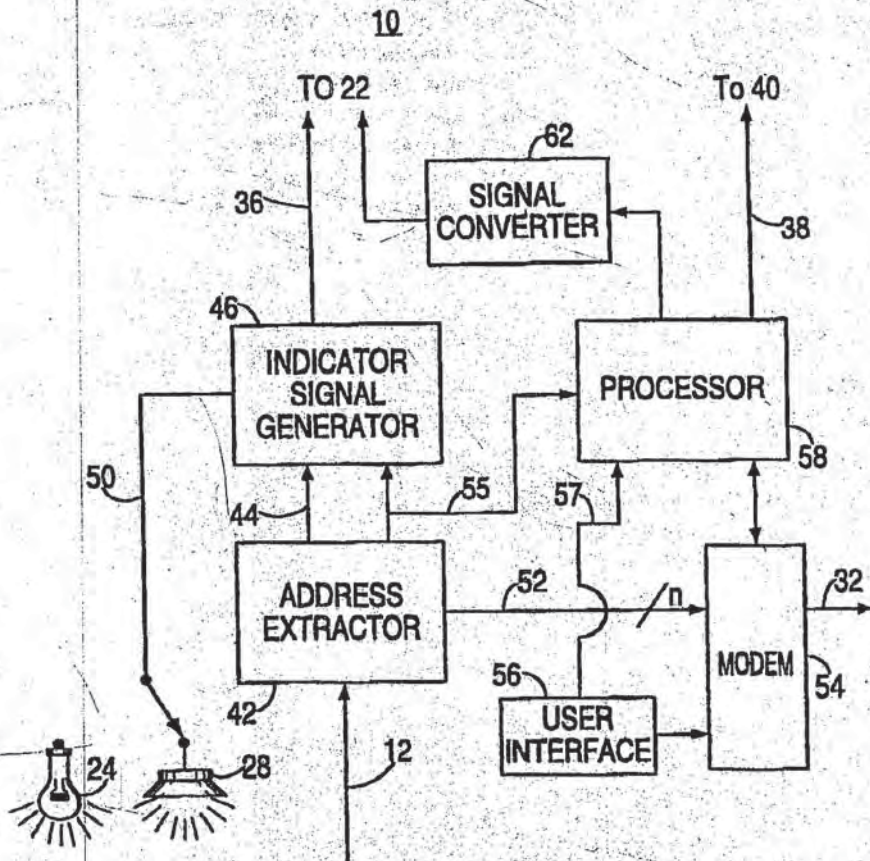


FIG. 2



3/3

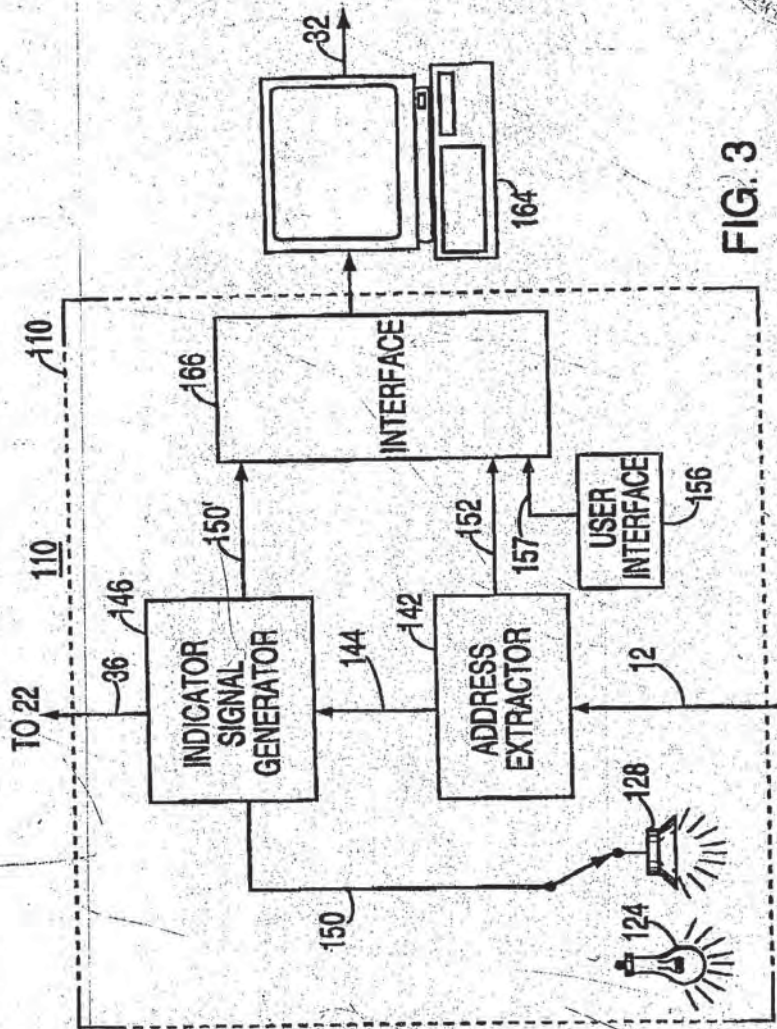


FIG. 3

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Approved for use through 10/31/2002. OMB 0851-0035
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PTO/SB/122 (10-00)

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Application Number	09/054,740
Filing Date	April 3, 1998
First Named Inventor	WOLZIEN
Group Art Unit	2611
Examiner Name	J. Miller
Attorney Docket Number	4942.02



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- 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.
- 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 _____

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Typed or Printed Name **John T. Kennedy, Esq.**

Signature *[Handwritten Signature]*

Date *8 March 2001*

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.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



08-12-02

COPT.

Attorney Docket No. 4942.02
Express Mail No. EV 016 641 625 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6233736 (09/054,740)
Issued: May 15, 2001
Name of Patentee: Thomas R. Wolzien
Title of Invention: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

CERTIFICATE OF MAILING BY EXPRESS MAIL **Certificate**

Commissioner of Patents & Trademarks
Washington, D.C. 20231

AUG 19 2002
of Correction

ATTENTION: Decision and Certificate of Correction
Branch of the Patent Issue Division

Sir:

The undersigned hereby certifies that the attached: **SECOND REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR PTO MISTAKE (37 CFR 1.322(a)); REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR PTO MISTAKE (37 CFR 1.322(a)); Form PTO 1050--CERTIFICATE OF CORRECTION (in duplicate); a copy of a POSTCARD RECEIVED FROM THE USPTO; RETURN POSTCARD; AND THIS CERTIFICATE OF MAILING BY EXPRESS MAIL**, all relating to the above application were deposited as Express Mail, Mailing Label No. EV 016 641 625 US, with the United States Postal Service, addressed to the Commissioner of Patents & Trademarks, Attn: Decision and Certificate of Correction Branch of the Patent Issue Division, Washington, D.C. 20231 on August 12, 2002.

Jane Kalis


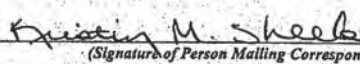
Mailex

Jane Kalis

(print name)

Customer No. 20686
DORSEY & WHITNEY LLP
370 17th Street, Suite 4700
Denver, CO 80202
Tel: 303-629-3400
Fax: 303-629-3450

AUG 19 2002

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 4942.02
Applicant(s): WOLZEIN			
Serial No. 09/054,740 (Pat. 6233736)	Filing Date April 3, 1998	Examiner Miller, John W.	Group Art Unit 2611
Invention: MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD			
			
I hereby certify that the following correspondence:			
Request for Certificate of Correction of Patent for PTO Mistake (37 CFR 1.322 (a)); Certificate of Correction (2 copies); this Certificate of Mailing by "Express Mail"; and Return Acknowledgement Postcard			
<i>(Identify type of correspondence)</i>			
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner Commissioner for Patents, Washington, D.C. 20231 on <u>August 22, 2001.</u> <i>(Date)</i>			
<u>Kristin Sheek/Dorsey & Whitney LLP</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>			
 <i>(Signature of Person Mailing Correspondence)</i>			
<u>EL 809 718 127 US</u> <i>("Express Mail" Mailing Label Number)</i>			
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P08A/REV02

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Attorney Docket No. 4942.02
Express Mail No. EL 809 718 127 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6233736 (09/054,740)
Issued: May 15, 2001
Name of Patentee: Thomas R. Wolzien
Title of Invention: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**ATTENTION: Decision and Certificate of Correction
Branch of the Patent Issue Division**

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR 1.322(a))**

1. Attached in duplicate is Form PTO-1050 with at least one copy being suitable for printing.
2. The exact page and line number where the error occurs in the application file are:

Location in Patent	Location in Application	Error
Col. 10, line 22 (claim 6)	Amendment of 12/5/2000; page 2, see amendment of claim 23, line 9	"as" should be — has —


3. Please send the Certificate of Correction to:

Name: John T. Kennedy
Address: Dorsey & Whitney LLP
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, CO 80202-5647

Attorney Docket No. 4942.02
Express Mail No. EL 809 718 127 US

Respectfully Submitted,

22 August 2001
Date


John T. Kennedy, Reg. No. 42,717
Attorney for Assignee

Customer No. 20686
Dorsey & Whitney LLP
370 Seventeenth St., Suite 4400
Denver, CO 80202-5644
Tel: 303-629-3400
Fax: 303-629-3450

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,233,736
DATED : May 15, 2001
INVENTOR(S) : Thomas R. Wolzien

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Col. 10, line 22 (claim 6)

delete the word "as" and insert -- has -- therefore. 

MAILING ADDRESS OF SENDER:

PATENT NO. 6,233,736

John T. Kennedy, Esq.
Dorsey & Whitney LLP
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, CO 80202-5647

FORM PTO-1050 (REV. 3-75) (Modified)
Copyright 1994 Legalsort P18/REV01

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,233,736 *B1*
DATED : May 15, 2001
INVENTOR(S) : Thomas R. Wolzien

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Col. 10, line 22 (~~claim 6~~)

delete the word "as" and insert -- has -- therefore. *C*

MAILING ADDRESS OF SENDER:

PATENT NO. 6,233,736

John T. Kennedy, Esq.
Dorsey & Whitney LLP
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, CO 80202-5647

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Attorney Docket No. 4942.02
Express Mail No. EV 016 641 625 US

18
EJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6233736 (09/054,740)
Issued: May 15, 2001
Name of Patentee: Thomas R. Wolzien
Title of Invention: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

**ATTENTION: Decision and Certificate of Correction
Branch of the Patent Issue Division**

**SECOND REQUEST FOR
CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR 1.322(a))**

This Request for Certificate of Correction of Patent for PTO Mistake was first filed on August 22, 2001; however, as of August 12, 2002, a Certification of Correction has not been received. Furthermore, the United States Patent and Trademark PAIR system does not indicate receipt of the original Request for Certificate of Correction for PTO Mistake.

Enclosed are the following documents:

1. Request for Certificate of Correction of Patent for PTO Mistake (37 CFR 1.322(a)) as filed on August 22, 2001, including, in duplicate, Form PTO-1050 with at least one copy being suitable for printing.
2. A copy of the postcard received from the USPTO acknowledging receipt of a request for a Certificate of Correction for U.S. Patent 6,233,726 with a mailing date of November 19, 2001.

Attorney Docket No. 4942.02
Express Mail No. EV 016 641 625 US

The exact page and line number where the error occurs in the application file is:


Location in Patent	Location in Application	Error
Col. 10, line 22 (claim 6)	Amendment of 12/5/2000; page 2, see amendment of claim 23, line 9	"as" should be — has —

Please send the Certificate of Correction to:

Name: John T. Kennedy
Address: Dorsey & Whitney LLP
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, CO 80202-5647

Respectfully Submitted,

3/12/02
Date


John T. Kennedy, Reg. No. 42,717
Attorney for Assignee

Customer No. 20686
Dorsey & Whitney LLP
370 Seventeenth St., Suite 4400
Denver, CO 80202-5644
Tel: 303-629-3400
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UNITED STATES POSTAL SERVICE®

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 COMMISSIONER OF PATENTS & TRADEMARKS
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RETURN RECEIPT POSTCARD - PATENT AMENDMENT

Express Mail No. EL 809 718 127 US Atty Docket No. 4942.02
Serial No. 09/054,740 now Pat 6233736 Client No. 436109-1
Filed: 4/3/98 Issued 5/15/2001
Title of Invention: MEDIA ONLINE SERVICE ACCESS SYSTEM AND METHOD
Inventors: WOLZIEN

PLEASE STAMP AND CONFIRM RECEIPT IN THE USPTO OF THE FOLLOWING:



<input type="checkbox"/> Missing Parts:	<input type="checkbox"/> Declaration & POA	<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> Small Entity Declaration	<input type="checkbox"/> PTO Notice	<input type="checkbox"/> Amendment transmittal letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> PTO 1449	<input type="checkbox"/> Extension of time
<input type="checkbox"/> References:	<input type="checkbox"/> Assignment w/cover sheet	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Issue fee transmittal
<input checked="" type="checkbox"/> Other Request for Cert. of Correction of Patent for PTO		<input type="checkbox"/> Formal dwgs, No. sheets
		<input type="checkbox"/> Notice of Appeal
		<input type="checkbox"/> Appeal Brief
		<input checked="" type="checkbox"/> Certificate of Mailing by Express Mail
		Fee \$

Date mailed: August 22, 2001 Mistake: Certificate of Correction (in duplicate) Date due:

U.S. DEPARTMENT OF COMM
PATENT AND TRADEMARK OF
WASHINGTON, D.C. 20231



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ISS #9 DENVER CO PAID 00

A request for a Certificate of Correction has been received for U.S. Patent 6233736

JOHN T. KENNEDY
DORSEY AND WHITNEY LLP
REPUBLIC PLAZA BUILDING, SUITE 4700
370 SEVENTEENTH STREET
DENVER, COLORADO 80202-5647

07



UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,233,736 B1
DATED : May 15, 2001
INVENTOR(S) : Thomas R. Wolzien

Page 1 of 1

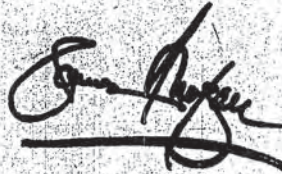
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 10.

Line 22, delete the word "as" and insert -- has -- therefore.

Signed and Sealed this

Second Day of December, 2003



JAMES E. ROGAN
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.
Petitioner

v.

OPENTV, INC.
Patent Owner

Case IPR2014-00269
U.S. Patent 6,233,736

Mailed: December 27, 2013

Before Lawrence J. Banks, *Trial Paralegal*.

NOTICE OF FILING DATE ACCORDED TO PETITION
AND
TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for *inter partes* review in the above proceeding has been accorded the filing date of December 18, 2013.

Case IPR2014-00269
Patent 6,233,736

Administrative Patent Judge Sally C. Medley has been designated to manage the proceeding. 37 C.F.R. § 42.5.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at <http://www.uspto.gov/PTAB>.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition.

The parties are encouraged to use the heading on the first page of this Notice for all future filings in the proceeding.

The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions shall be filed in accordance with the “Order -- Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site under “Representative Orders, Decisions, and Notices.”

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <http://www.uspto.gov/PTAB>. To file documents, users must first obtain a user ID and password by registering with PRPS. Information

Case IPR2014-00269
Patent 6,233,736

regarding how to register with and use PRPS is available at the Board Web site.

If there are any questions pertaining to this notice, please contact Lawrence J. Banks at 571-272-3450 or the Patent Trial and Appeal Board at 571-272-7822.

PETITIONER:

Andrew S. Ehmke
Dustin Johnson
HAYNES AND BOONE, LLP
andy.ehmke.ipr@haynesboone.com
dustin.justin.ipr@haynesboone.com

PATENT OWNER:

SCHWEGMAN, LUNDBERG & WOESSNER/OPEN TV
P.O. Box 2938
Minneapolis, MN 55402-0938

Trials@uspto.gov
Tel: 571-272-7822

Paper 13
Entered: June 24, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.,
Petitioner,

v.

OPENTV, INC.,
Patent Owner.

IPR2014-00269
Patent 6,233,736

Before SALLY C. MEDLEY, JAMES T. MOORE, and
JUSTIN BUSCH, *Administrative Patent Judges*.

BUSCH, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

A. Background

Netflix, Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1-12 of U.S. Patent No. 6,233,736 (Ex. 1001, “the ’736 patent”) on December 18, 2013. Paper 1 (“Pet.”). OpenTV, Inc. (“Patent Owner”) filed a Patent Owner Preliminary Response on March 27, 2014. Paper 11 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. §§ 6(b) and 314.

The standard for instituting an *inter partes* review is set forth in 35 U.S.C. § 314(a), which states:

THRESHOLD -- The Director may not authorize an *inter partes* review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

Inter partes review is instituted only if the petition supporting the ground demonstrates “that there is a reasonable likelihood that at least one of the claims challenged in the petition is unpatentable.”

37 C.F.R. § 42.108(c).

Upon consideration of the Petition and the Patent Owner Preliminary Response, we conclude Petitioner has established a reasonable likelihood that it would prevail with respect to claims 1-12 of the ’736 patent and, accordingly, we institute an *inter partes* review of claims 1-12.

IPR2014-00269
Patent 6,233,736

B. Related Proceedings

Petitioner indicates that the '736 patent was asserted against Petitioner in *OpenTV, Inc. v. Netflix, Inc.*, No. 1:12-cv-01733 (D. Del.), Pet. 1. Petitioner also indicates that “a proceeding relating to European Patent EP 0 879 534, which claims priority to the parent of the '736 patent, arising out of request number KG RK 13-1834 is pending in The Hague District Court, The Netherlands.” *Id.* The same parties and related patents are involved in the following petitions for *inter partes* review before this Board: *Netflix, Inc. v. OpenTV, Inc.*, Case IPR2014-00252 (Dec. 16, 2013); *Netflix, Inc. v. OpenTV, Inc.*, Case IPR2014-00267 (PTAB Dec. 17, 2013); and *Netflix, Inc. v. OpenTV, Inc.*, Case IPR2014-00274 (PTAB Dec. 19, 2013).

C. The '736 Patent (Ex. 1001)

The specification of the '736 patent describes a method and system “for providing direct automated access to an online information services provider” by extracting an address that is embedded in a signal containing an audio or video program. Ex. 1001, Abstract. The '736 patent explains that the address used to access online information is encoded either in the vertical blanking interval (VBI) of a video signal or some other portion of a signal that is not displayed so that the encoded address does not interfere with the program. *Id.* The system and method disclosed by the '736 patent can detect and decode an encoded address and alert the user that additional information is available. *Id.* In response to the indication that additional

information is available, the user may opt to access the online information provider “by giving a simple command, e.g., pushing a special button on a remote control.” *Id.* “The system then automatically establishes a direct digital communication link to the online information provider through the address.” *Id.* One described embodiment provides a system that generates a secondary advertisement that is not derived from the primary advertisement when a user elects to skip or fast forward through the primary advertisement. Ex. 1001, 2:53-61.

Of the challenged claims, claims 1 and 6-9 are independent claims. Claims 1 and 6-8 are directed to methods, and claim 9 is directed to a system with means-plus-function limitations that provide similar function as the method steps of claim 1. Illustrative claim 1 is reproduced as follows:

1. A method of providing to a user of online information services automatic and direct access to online information through an address associated with an online information source provided with a video program comprising:
 - indicating to the user that an address has been provided with said video program; and
 - electronically extracting said address and automatically establishing, in response to a user initiated command, a direct communication link with the online information source associated with said address so that the user has direct access to the online information.

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D. Asserted Grounds of Unpatentability

Petitioner asserts the following grounds of unpatentability under 35 U.S.C. § 103:

Reference[s]	Basis	Challenged Claims
Throckmorton ¹	§ 103	1-3 and 6-12
Throckmorton and Williams ²	§ 103	4
Throckmorton and Kerman ³	§ 103	5

II. ANALYSIS

A. Claim Construction

In an *inter partes* review, claim terms in an unexpired patent are given their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.100(b). Under the broadest reasonable construction standard, claim terms are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). Any special definition for a claim term must be set forth with reasonable clarity, deliberateness, and precision. *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

¹ Throckmorton et al. (“Throckmorton”), U.S. Patent No. 5,818,441, Oct. 6, 1998 (Ex. 1004).

² Williams et al. (“Williams”), U.S. Patent No. 5,701,161, Dec. 23, 1997 (Ex. 1005).

³ Kerman, U.S. Patent No. 5,659,366, Aug. 19, 1997 (Ex. 1006).

Independent claim 1 recites “automatically establishing, in response to a user initiated command, a direct communication link with the online information source.” Independent claims 1 and 6-9 each recite “so that the user has direct access to the online information.” Claim 9 recites “means for indicating to the user that an address is available for extraction from said electronic signal,” and “means for extracting an address associated with an online information source from an information signal embedded in said electronic signal, and for automatically establishing, in response to a user initiated command, a direct link with the online information source.” Dependent claim 10 recites “means for receiving an information signal from said online information source,” and “means for displaying an image signal detected from said received information signal.”

Petitioner argues that the inventor of the '736 patent did not provide any special meaning for the claim terms and, thus, the terms should be given their ordinary and customary meanings, as understood by an ordinarily skilled artisan. Pet. 6-7. Petitioner proposes a construction for each of those terms based on the customary and ordinary meaning. *Id.* at 7-8. Patent Owner does not propose a construction for any term but argues that Petitioner’s proposed constructions lack material facts necessary to construe the claims. Prelim. Resp. 4-9. In particular, Patent Owner argues the Petition does not point to anything in the specification of the '736 patent supporting the proposed constructions. *Id.* Patent Owner further asserts that any argument in Mr. Kramer’s declaration should not be considered because

the Petition itself must identify the evidence to support Petitioner's constructions. *Id.*

I. "automatically establishing, in response to a user initiated command, a direct communication link with the online information source" (the "automatically establishing limitation")

Petitioner asserts the ordinary and customary meaning of the automatically establishing limitation is "in response to a user initiated command, establishing a communication link to an online information source without the user performing additional steps." Pet. 7. We do not see, nor does Patent Owner point to, anything in the specification of the '736 patent providing a definition for the automatically establishing limitation or any terms therein. Therefore, we agree with Petitioner that the automatically establishing limitation should be construed according to its ordinary and customary meaning, in light of the specification.

We note that the '736 patent explains that existing media receiving and display systems (e.g., radio and television receivers) provide only limited access to interactive information providers. Ex. 1001, col. 1, ll. 15-17. The '736 patent expounds that current systems may either display an Internet address the viewer can access using his computer or provide access to a single information source from the media provider (e.g., the broadcast or cable operator), leaving the media provider in control of selecting the information provider. *Id.* at col. 1, ll. 17-29. The '736 patent also points out that, while systems providing interactive access "through a broadcast or cable television signal" exist, "such systems are limited in the access they

provide to information sources *directly* available through the unitary cable or broadcast provider,” whereas “the present invention facilitates *direct* automated user access to an unlimited number of online information providers through provider addresses.” *Id.* at col. 2, ll. 59-67 (emphasis added); *see also id.* at col. 1, ll. 29-32 (“[n]o system yet exists which provides automated and direct user access to online information providers through an address embedded in a video or audio program signal”).

While we conclude Petitioner’s proposed construction uses a plain and ordinary meaning of the relevant terms, we determine it is not complete. In particular, Petitioner’s proposed construction does not appear to provide any meaning for the recited term “direct.” Therefore, based on the record, the broadest reasonable construction of the automatically establishing limitation is in response to a command from a user, establishing, without further input from the user, a communication link directly between the user and the online information source. As seen in the above analysis, each of the limitations includes receiving a command initiated by a user, which then triggers the connection being established automatically.

Additionally, we note that, while a communication link is established in response to a user command and with no further input required from the user, there is no limitation on when or how the communication link is established. Furthermore, while the communication link must be established directly between the user and the information source, one of ordinary skill in the art would have understood that Internet routing involves various

intermediaries inherent to Internet traffic routing. The direct connection merely implies that the user does not need to go “through” the provider of the video program or any other intermediary not inherent to Internet traffic routing.

2. “so that the user has direct access to the online information”
(the “direct access limitation”)

Petitioner asserts the ordinary and customary meaning of the direct access limitation is “displaying online information without the user leaving the screen to access the online information.” Pet. 7. Once again, we do not see, nor does Patent Owner point to, anything in the specification of the ’736 patent providing a definition for the direct access limitation or any terms therein. Therefore, we agree with Petitioner that the direct access limitation should be construed according to its ordinary and customary meaning, in light of the specification.

We disagree with Petitioner’s proposed construction. We are not directed to anything in the specification of the ’736 patent that indicates “direct access to the online information” requires the system to display the online information to the user without the user leaving the screen to access the information. *See id.* As discussed above with respect to the automatically establishing limitation, the ’736 patent indicates that direct access means that the user does not need to go through the program provider in order to access the online information. Therefore, the broadest reasonable construction of the direct access limitation is that the user has access to the online information directly from the online information source. Once again,

this means that the system establishes a communication link *directly* between the user and the online information source, without any intervening intermediary that is not inherent to Internet traffic routing.

3. “means for indicating to the user that an address is available for extraction from said electronic signal”
(the “indicating means”)

We agree with Petitioner that the indicating means should be construed in accordance with 35 U.S.C. § 112, ¶ 6.⁴ Moreover, we agree with the Petitioner that the function of the indicating means is stated clearly in the claim as “indicating to the user that an address is available for extraction,” and does not need further explanation. Pet. 7. We also agree with Petitioner that the structure of the indicating means includes “a message or other indicator, or equivalents.” *Id.*; Ex. 1001, 3:60-63. However, the specification of the ’736 patent provides additional detail regarding the structure of the indicating means. Specifically, the structure of the indicating means is “a message displayed on a video screen, . . . a light, a sound or a wireless tactile indicator, e.g., vibrating wristband or clip-on unit . . . [or] a logo or message to be displayed for the user at points in the program which coincide with the presence of an embedded online information provider address” and equivalents thereof. Ex. 1001, 3:60-67.

⁴ Section 4(c) of the Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) (“AIA”), re-designated 35 U.S.C. § 112, ¶ 6, as 35 U.S.C. § 112(f). Because the ’736 patent has a filing date before September 16, 2012 (effective date of AIA), we use the citation § 112, ¶ 6.

According to Patent Owner, the Petition cites only to Mr. Kramer's declaration and not to the specification of the '736 patent in support of Petitioner's proposed construction. Prelim. Resp. 5-6. While, in some instances, we may deny instituting review because the Petitioner does not cite to the appropriate evidence for support, we decline to do so in this case. Petitioner should have directly cited to the specification of the '736 patent, rather than citing to the declaration, which in turn cites to the relevant portion of the specification. However, Petitioner's failure to cite to the specification does not appear to be an attempt to circumvent the page limits. Moreover, the portion of the '736 patent cited in Mr. Kramer's declaration reveals the relevant structure without need for further analysis.

4. *“means for extracting an address associated with an online information source from an information signal embedded in said electronic signal, and for automatically establishing, in response to a user initiated command, a direct link with the online information source” (the “extracting and connecting means”)*

We agree with Petitioner that the extracting and connecting means should be construed in accordance with 35 U.S.C. § 112, ¶ 6. Petitioner asserts the ordinary and customary meaning of the function of the indicating means is “(i) extracting an address associated with an online information source from an information signal embedded in said electronic signal and (ii) automatically establishing, in response to a user initiated command, a direct link with the online information source.” Pet. 7-8. For the same reasons as discussed above with respect to the indicating means, the function

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of the extracting and connecting means is stated clearly in the claim. We see nothing in the specification of the '736 patent to alter the proposed construction of the function of the extracting and connecting means nor a need for further explanation. We also agree with Petitioner's assertion that the structure of the extracting and connecting means is hardware and/or software. *Id.* at 8. According to the specification, the extracting and connecting means is an access controller including both an address extractor and a modem. Ex. 1001, Fig. 1, 5:43-6:7, 8:53-65. However, as identified in Mr. Kramer's declaration, the specification provides additional detail. Ex. 1005 ¶ 38.

Specifically, the address extractor portion of the extracting and connecting means is "hardware and/or software to detect, decode and store an address which has been embedded in a video or audio program signal." Ex. 1001, 5:45-47. The '736 patent also explains that there are multiple ways to detect an address signal, including detecting an address transmitted in the vertical blanking interface or other portion of a video signal. *Id.* at 5:50-52. The '736 patent states that "[t]he details of the construction of address extractor 42 are well known in the art and need not be described in further detail." *Id.* at 6:5-7. The modem portion of the extracting and connecting means also is described as hardware and/or software that can automatically establish a direct digital communication link to the online information provider. *Id.* at 8:60-65. Therefore, the extracting and connecting means is hardware, software, or some combination of hardware

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and software that is programmed or configured to detect, decode and store an address transmitted as part of a program and use the address to establish a digital communications link directly between the user and the online information source, and equivalents thereof.

Once again, we have considered Patent Owner's argument regarding the failure of the Petition to cite to the specification of the '736 patent but decline to deny institution on that basis in this case.

5. *"means for receiving an information signal from said online information source" (the "receiving means")*

We agree with Petitioner that the receiving means should be construed in accordance with 35 U.S.C. § 112, ¶ 6. Petitioner asserts the ordinary and customary meaning of the function of the indicating means is "receiving an information signal from said online information source." Pet. 8. For the same reasons as discussed above, the function of the receiving means is stated clearly in the claim. We see nothing in the specification of the '736 patent to alter the proposed construction of the function of the receiving means nor a need for further explanation. We also agree with Petitioner's assertion that the structure of the receiving means is "a modem, or equivalents." *Id.*

The function of the modem and the fact that it may be implemented in hardware and/or software generally is described above with respect to the extracting and connection means. Moreover, the '736 patent further indicates the modem is used "for transmitting and receiving digital information signals between access controller 10 and public switching

network 30 through an information signal carrier line 32.” Ex. 1001, 6:59-62. Therefore, we conclude the receiving means is a modem implemented in hardware, software, or some combination thereof programmed or configured to receive information signals and its equivalents.

As discussed above, we have considered Patent Owner’s argument regarding the failure of the Petition to cite to the specification of the ’736 patent but decline to deny institution on that basis in this case.

6. *“means for displaying an image signal detected from said received information signal” (display means)*

We agree with Petitioner that the display means should be construed in accordance with 35 U.S.C. § 112, ¶ 6. Petitioner asserts the ordinary and customary meaning of the function of the indicating means is “displaying an image signal detected from said received information signal.” Pet. 8. For the same reasons as discussed above, the function of the display means is stated clearly in the claim. We see nothing in the specification of the ’736 patent to alter the proposed construction of the function of the receiving means nor a need for further explanation. Petitioner asserts that the structure of the display means includes a “computer monitor or other display device, or equivalents.” *Id.*

The ’736 patent explains “[r]eceived information signals are operated upon by processor 58 for displaying upon conventional TV reproducing system 22 or high resolution reproducing system 40, e.g., a computer monitor or other display device.” Ex. 1001, 7:57-61. Therefore, we

conclude the display means is a television, computer monitor, and equivalents.

As discussed above, we have considered Patent Owner's argument regarding the failure of the Petition to cite to the specification of the '736 patent but decline to deny institution on that basis in this case.

B. Asserted Obviousness Grounds Based on Throckmorton, Throckmorton and Williams, and Throckmorton and Kerman

1. Overview of Throckmorton (Ex. 1004)

Throckmorton describes systems and methods for providing apparent or actual two-way interactive access to information related to a one-way data stream, such as a television program broadcast. Ex. 1004, Abstract.

Throckmorton provides a consumer of broadcast programming with access to data relevant to the programming in real time (i.e., "during the process of program reception"). *Id.* at 1:59-64. Throckmorton describes supplying a one-way data stream, including the primary data stream and associated data, to a consumer, at which point the primary data stream may be rendered to the consumer and the associated data may be accessed. *Id.* at 3:6-14. If the primary data stream is a television broadcast, the associated data may be encoded in the vertical blanking interval (VBI). *Id.* at Abstract, 7:63-65.

Throckmorton describes two preferred embodiments for interacting with the associated information. The first preferred embodiment provides the consumer with apparent two-way interactive access and is described as providing additional online information relevant to the primary data stream that can be stored locally at the consumer's receiver. *Id.* at 7:53-67. The

consumer then has access to the online information, and it appears to the consumer that the locally stored data is coming from an online service. *Id.* at 8:1-15. The second preferred embodiment provides the consumer with actual two-way interactive access and is described as adding a two-way communication channel connected to the microprocessor that provides access to online information. *Id.* at 8:16-24. Throckmorton explains that the two-way communication channel allows access to information for which only references (such as URLs), rather than actual data (such as web pages), have been received. *Id.* at 8:63-9:15. Throckmorton also discloses that the second embodiment may deliver actual data, rather than just references, so that the consumer experiences apparent interactivity even if the consumer does not have a two-way communication channel. *Id.* at 9:16-26.

The primary difference between the first and second preferred embodiments is that the second preferred embodiment includes a two-way communication channel (and an associated network protocol manager) connected to the processor and a remote data manager. *See id.* at 8:18-19, 8:26-27, Figs. 3-5.

2. *Overview of Williams (Ex. 1005)*

Williams describes a system and method for providing real time data (including emergency broadcast messages) on the same screen on which a user is viewing broadcast programming. Ex. 1005, Abstract. Williams allows for the real time data to be extracted and displayed, superimposed

over any video signal being viewed, including broadcast programming and VCR playback. *Id.*

3. *Overview of Kerman (Ex. 1006)*

Kerman describes a system for providing a visible and/or audible alarm upon the occurrence of certain events. Ex. 1006, Abstract. Kerman discloses extracting an information signal from a received television signal and, upon determination that a certain event has occurred, activating the visible and/or audible alarm. *Id.* Kerman discusses that the event triggering the alarm may include receipt of a certain message, program, or details about a program. *Id.*

4. *Analysis of Asserted Obviousness Ground Based on Throckmorton (Claims 1-3 and 6-12), Throckmorton and Williams (Claim 4), and Throckmorton and Kerman (Claim 5)*

Petitioner contends that claims 1-3 and 6-12 would have been obvious in view of Throckmorton (Pet. 9-39), claim 4 would have been obvious in view of Throckmorton and Williams (*id.* at 39-42), and claim 5 would have been obvious in view of Throckmorton and Kerman (*id.* at 42-47).

Regarding the obviousness challenge to claims 1-3 and 6-12, Petitioner discusses the two embodiments of Throckmorton and provides a motivation for combination of the two embodiments, including that a combination of the two disclosed embodiments is the combination of elements in the manner described in the reference, resulting in two-way communication while viewing a program. *Id.* at 13. Petitioner further argues that Throckmorton teaches the proposed combination and “specifically teaches such a result.”

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Id. Petitioner maps portions of Throckmorton to each of the limitations in claims 1-3 and 6-12. *Id.* at 14-39.

Petitioner provides a description of Williams's teachings, a reason to combine Williams with Throckmorton, and a mapping of Williams to the additional limitation recited in claim 4. *Id.* at 39-42. Petitioner also describes Kerman's teachings, a reason to combine Kerman with Throckmorton, and a mapping of Kerman to the additional limitation recited in claim 5. *Id.* at 42-47.

Patent Owner argues the Petition does not map the cited art to the claim language as construed by Petitioner, specifically the proposed construction of "so that the user has direct access to the online information." *Id.* at 10-12. As discussed above, our construction is different from that proposed by Petitioner. Therefore, we look to Petitioner's application of the cited art to the claim limitations as we have construed them. We have analyzed Petitioner's challenges to claims 1-12 and are persuaded that Petitioner has shown sufficiently that Throckmorton teaches the recited "so that the user has direct access to the online information," as construed. Specifically, the cited portions of Throckmorton discuss establishing a connection between the consumer and the online information source, without the program provider, or any other entity, acting as an intermediary. *Id.* at 16-18 (citing Ex. 1004, 9:1-12).

Patent Owner's primary contention regarding the teachings of the cited references is that Petitioner has not shown where the recited

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“automatic” or “automatically,” in regards to establishing a connection, is found in Throckmorton. Prelim. Resp. 12-15. However, each of Petitioner’s mappings identified by Patent Owner states that the connection is established automatically because the system performs the connection and retrieving. *Id.* at 13-14. As discussed above, in each of the automatically establishing limitations, the connection is established in response to some user initiated command. Thus, in this case, as discussed in our construction of the automatically establishing limitations, the “automatic” or “automatically” means that the connection is established without further input from the user *after* receipt of the user initiated command. Therefore, we are persuaded Petitioner has shown sufficiently that Throckmorton teaches the automatically establishing limitations.

Patent Owner also argues that the Petition does not provide a complete obviousness analysis. *Id.* at 15-17. In particular, Patent Owner argues that the Petition cites to disparate sections of Throckmorton (i.e., both of Throckmorton’s preferred embodiments) without explaining which of the embodiments is being relied on for the proposed ground or how the two embodiments would be combined to render the claims obvious. *Id.* at 16-17.

Patent Owner also asserts the obviousness analysis is incomplete because the proposed motivation is conclusory and insufficient. *Id.* at 17-19.

We agree with the parties that Throckmorton teaches both a one-way communications embodiment and a two-way communications embodiment. Throckmorton’s disclosure indicates that both embodiments provide a

consumer with access to online information during the process of program reception. As discussed above, Throckmorton's description of the two-way communications embodiment explains that the two-way communications embodiment adds a two-way communication channel to the system described by the one-communications way embodiment. Ex. 1004, Abstract, 8:16-9:25; *See* Pet. 9. Therefore, for purposes of this decision, we are persuaded by Petitioner's argument that combining the two embodiments, for establishing a connection in response to a user initiated command, is "simply combining elements contained in the same reference in precisely the manner described in the reference." Pet. 13.

III. CONCLUSION

For the foregoing reasons, we determine that Petitioner has shown a reasonable likelihood that it would prevail in demonstrating that: (1) claims 1-3 and 6-12 of the '736 patent are unpatentable as obvious in view of Throckmorton; (2) claim 4 is unpatentable as obvious in view of the combination of Throckmorton and Williams; and (3) claim 5 is unpatentable as obvious in view of the combination of Throckmorton and Kerman. The Board has not made a final determination on the patentability of any challenged claim.

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IV. ORDER

For the reasons given, it is:

ORDERED that pursuant to 35 U.S.C. § 314(a), an *inter partes* review is hereby instituted as to claims 1-12 of the '736 patent;

FURTHER ORDERED that the trial is limited to the stated grounds and no other grounds are authorized; and

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, the trial commences on the entry date of this decision, and notice is hereby given of the institution of a trial.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.,
Petitioner,

v.

OPENTV, INC.,
Patent Owner.

Cases IPR2014-00252 (Patent 8,107,786 B2)
IPR2014-00267 (Patent 7,409,437 B2)
IPR2014-00269 (Patent 6,233,736 B1)

Before SALLY C. MEDLEY, JAMES T. MOORE, and JUSTIN BUSCH,
Administrative Patent Judges.

MEDLEY, *Administrative Patent Judge.*

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On January 20, 2015, the parties filed, in each proceeding, a joint motion to terminate, along with a true copy of their written agreement, made in connection

IPR2014-00252 (Patent 8,107,786 B2)
IPR2014-00267 (Patent 7,409,437 B2)
IPR2014-00269 (Patent 6,233,736 B1)

with the termination of the respective proceeding, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). The parties also filed a joint request to have their agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *See, e.g.*, IPR2014-00252 (Papers 38, 39; Ex. 1008). The joint motions request termination of the proceedings and further explain that the parties have stipulated to dismiss, without prejudice, the related district court litigations. *See, e.g.*, IPR2014-00252, Paper 38 at 1.

On June 24, 2014, we instituted trial for each proceeding. The Board does not have before it full briefing on the trial issues and the Board has not entered a final decision.

Based on the facts of these proceedings, it is appropriate to enter judgment¹ without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

It is

ORDERED that the parties' joint request that the agreement be treated as business confidential information, to be kept separate from the patent file, is *granted*;

FURTHER ORDERED that the joint motions to terminate the proceedings are *granted*; and

FURTHER ORDERED that the proceedings are *terminated*.

¹ A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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IPR2014-00269 (Patent 6,233,736 B1)

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(circle one) → "P" "R"

*Today's Date: 10/08/03 Patent No. 6,233,736
STATUS/TELEPHONE INQUIRY & EXPEDITE REQUEST

(11/19/2002)

Caller's Name: _____ Tel. #: _____

Comments (note what is being requested or problem): _____

PALM Location: _____ Date: _____ Charged to (name): _____ Loc.: _____

Record In CofC Database (circle one) Y / N (If more than one record, use reverse side)

MRD (for record in CofC Database): _____ / _____ / _____ Assigned to (LIE's initials (initials)): _____

Date Assigned: _____ / _____ / _____ Sent to Loc.: _____ Rec'd: _____ / _____ / _____ Turned-in: _____ / _____ / _____

Date PALM updated: _____ / _____ / _____ CofC Issued: _____ / _____ / _____ CofC Denied: _____ / _____ / _____

Patent number listed on C of C listing in OG (circle one) Y / N

CofC Issued for this record is attached to patent on Internet (circle one) Y / N

New/different correction(s) requested. Check Intranet or with RTIS. (circle one) Y / N

Corrections request here, are exactly the same as in CofC on Intranet. (circle one) Y / N

- 1. Outstanding pending request, order file, dispatch to JCWS, to match paper and assign to an LIE, ASAP.
- 2. CofC was recently issued or denied. If CofC was issued less than 2 weeks ago, inform applicant/attorney to allow approximate 2 weeks and if CofC is not received, to submit status inquiry. Inquiries regarding CofCs that were recently issued/denied, after receipt of the inquiry, should be placed in the file.
- 3. If CofC was issued more than three two weeks ago, and the attorney has not been received, inform attorney to file a written request. Status letters for CofCs issued more than 3 weeks ago, or any request for duplicate certified CofC (a "Request for Duplicate Certified Copy of Published Certificate of Correction"); should be forwarded to JCWS with the file. JCWS, duplicate Certified copies should be direct to address in PALM, only. If request was denied forward file to LIE, to send applicant copy of denial letter.
- 4. The request is assigned to an LIE or LIE has sent file to TC, give customer the LIE's name and telephone number, and transfer call to the LIE that the file is assigned. If the LIE does not answer phone and caller insists that the call is urgent, direct call to the LIE's Team Leader.
- 5. If errors were made in the keying of corrections for published/issued CofC, inform attorney/applicant to noted corrections to quoted text or corrections on a copy of incorrect CofC and send it to this Branch. Key new record. If request was processed without file locate CofC in "PUBLISH" CofCs and forward fax/request to Team Leader, screening requests for the week. Team Leader change MRD if current date was keyed in order to complete record in CofC Database. If request was processed with file, give request to JCWS to order file and assign to Tony. Tony, place request/file on Expedite list and rack.
- 6. Error in in LIE's decision (correction(s) denied), inform applicant to submit Request for Reconsideration with statements and copies supporting requested corrections., i.e. 1449 or 892, PTOL-85B, ect. DO NOT REQUEST COPY OF ORIGINAL REQUEST. Key new record. Forward to Team Leader whose Team is processing request for the week, to determine whether error was made by Examiner or LIE, in making decisions. (See # 4. for errors in keying (supersedes).
- 7. No record in CofC Database (History or Current). Ask attorney to to send a copy of the request, PTOL-1050 forms and post card, to your attention. When request is received, key a record, immediately forward any outstanding request to Team Leader to screening for type of distribution. If "P", place on Expedite rack and list. If "R", Team Leader should order file and give file/request to JCWS to assign to an LIE to Expedite (place in red mail tub for next issue being processed for publishing approved corrections), ASAP.

TO: JCWS AJ TO: TEAM LEADER _____ TO: LIE _____ To OAC: _____ (Revised 5/09/2003 chn) # 3

Date Rec'd: _____ Team Leader: _____ Pat. No. _____

Initials

SECOND REQUEST (DIFFERENT CORRECTONS), SUPERSEDE OR RECONSIDERATION
(USE A RED PEN FOR COMPLETING INFO, ON THIS COVER SHEET)

Team Leader, an Office Automation Clerk may assist you by supplying data from CofC Database (Current & History), PALM, and copies from Intranet, to determine type of request (second request, supersede, and/or reconsideration) and to determine if there were any errors made in decisions and/or publishing are attributable. Team Leader, check appropriate boxes below, key record (if necessary) and forward to JCWS, to order file and assign file to an LIE, to EXPEDITE.

Team Leader, DO NOT ORDER FILE.

MRD (for request attached to this cover sheet): _____ / _____ / _____ (Team Leader have LDRC, stamp same MRD on 1050s.)

File Charged to (in PALM): _____ Date Charged to Loc.: _____ / _____ / _____

Information re most recent record in CofC database (Check Current & History)

MRD: _____ / _____ / _____ Examiner (LIE's initials): _____

Date Assigned: _____ / _____ / _____ Turned In: _____ / _____ / _____

CofC Issued: _____ / _____ / _____ CofC Denied: _____ / _____ / _____ Updated: Y / N Date: _____ / _____ / _____

Patent number listed on C of C listing in OG (circle one) Y / N

CofC Issued for this record is attached to patent on Internet (circle one) Y / N

New/different correction(s) requested. Check Intranet or with RTIS. (circle one) Y / N

Corrections request here, are exactly the same as in CofC on Intranet. (circle one) Y / N

Second Request requesting new/different corrections or additional corrections. **TEAM LEADER, DO NOT ORDER FILE.** If necessary, call attorney/applicant for assistance in determining if new/different corrections. Team Leader, key new a record no: _____ / _____ / _____. Place request with CofCs keyed same week, to be screened to determine if "P", "R", or "RTC" (add to total keyed). Mark through any corrections on 1050, that were appropriately published.

Reconsideration Supersede Special CofC Erratum Expedite CofC

Team Leader, determine if a Request for a Corrected CofC (Supersede) or Reconsideration, due to error in decisions or keying, attributable to (check the appropriate box, below):

RTIS
Keying Error

LIE: _____
LIE Processing or
Decision Error

OFFICE
Error in Entry of Document
or Ex. Decision

ATTY.
1,323 Consideration
or Petition Required

If errors are attributable to LIE, use guidelines for appropriately notifying the LIE and recording errors (make copies supporting that the LIE made error, attach copies to this cover sheet, keeping copies for your records, and forward copies to CBN, at the end of each month).

JW or OL, locate request for CofC published on: _____ / _____ / _____ and return to: _____
(Circle OAC Initials)

_____ Team Leader keyed record on on: _____ / _____ / _____
Team Leader's Note Your Initials (For MRD, use date faxed or issue date on CofC from RTIS.)

JCWS, order file and assign or reassign to an LIE/to: _____

Comments/ Instructions: _____

SEE REVERSE SIDE, FOR ADDITIONAL COMMENTS/INSTRUCTIONS

(Revised 05/09/2003 cbn) #4

TODAY'S DATE: 8/19/02 PATENT NO.: 623,736

"A RECORD ALREADY EXISTS" IN DATABASE - From: Tasneem Siddiqui

Pending

IF REQUEST SHOULD BE RETURNED TO JCWS

- NOT A REQUEST FOR CofC OR PETITION, THIS DOCUMENT: _____
- DISCRENCY IN PATENT NUMBERS ORDER CORRECT FILE/ RETURN TO SENDER.
- PLACE WITH REVIEW OR TC REQUESTS RECEIVED SAME DATE, SINCE REQUEST HAS *ALREADY KEYED*

9300

IF PENDING RECORD (NO ISSUE OR DENIAL DATE) COMPLETE THIS SECTION

- SUBSTITUTE OR SUPPLEMENTAL REQUEST, PENDING REQUEST NOT ASSIGNED; JCWS, LOCATE ORIGINAL REQUEST AND STAPLE THIS REQUEST TO THE PENDING REQUEST, ASAP.

MRD 8 122 101 CofC Rec'd date 8 130 12001

2

- PALM REFLECTS THAT THE FILE IS IN OUR LOCATION. (CHECK COFC DATABASE AND PALM AND FORWARD THIS REQUEST TO THE PERSON FILE IS ASSIGNED OR CHARGED TO: _____)
- CofC UPDATED IN PALM UPDATED, FORWARD TO A TEAM LEADER, TO RETREIVE FILE/REQUEST FROM RTIS
- KEYED ON: _____ PLACE WITH PAPER TO BE SCREENED

IF NO PENDING RECORD (CofC ISSUED OR DENIED) COMPLETE THIS SECTION

- KEY RECORD PAT. NO. KEYED BY TEAM LEADER ON: / /
- UPDATE/EDIT RECORD (KEY MRD, COFC REC'D & ISSUE DATE, INVENTOR, AND ADDRESS)
- JCWS, ORDER FILE (IF FILE IS NOT ALREADY CHARGED TO OUR LOCATION).
- ATTACH TO REQUESTS FOR CofC ISSUED/PUBLISHED: / /
- ORIGINALLY ASSIGNED TO: _____ ASSIGN TO: _____ SUPERSEDE OR ERRATTUM
- RETURN FILE TO LIE, REQUEST IS FOR GRANT OR PALM CORRECTIONS AND SHOULD BE FORWARDED TO: KEVIN POOLE (GRANT CORRECTIONS) LAMONT FLECHTER (PALM CORRECTIONS).
- COMMENTS (and note Issue or Denial date(s) here): _____

❖ DETERMINE WHETHER THIS IS A SUBSTITUE REQUEST, REQUEST FOR CORRECTION OF ISSUED/PUBLISHED CofC (APPLICANTS' OR OFFICE ERRORS), A REQUEST FOR RECONSIDERATION, REQUEST FOR GRANT OR PALM CORRECTIONS, SECOND REQUEST, OR DUPLICATE REQUEST.

❖ CHECK CofC(s) ATTACHED TO PATENT ON INTRANET TO VIEW CORRECTIONS THAT HAVE BEEN PUBLISHED, BEFORE MAKING YOUR DECISION. NOTE "NO" IN LEFT HAND MARGIN OF 1050, BESIDE ANY CORRECTION THAT SHOULD NOT BE PUBLISHEDOR THAT ARE DUPLICATED ON 1050 FORMS.

DO NOT REMOVE THIS NOTICE

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 1997

Application or Docket Num

CLAIMS AS FILED - PART I		
	(Column 1)	(Column 2)
FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	12 minus 20 =	—
INDEPENDENT CLAIMS	5 minus 3 =	2
MULTIPLE DEPENDENT CLAIM PRESENT		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY TYPE <input type="checkbox"/>		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
	395.00	OR		790.00
x\$11=		OR	x\$2=	
x41=		OR	x8=	164.
+135=		OR	+2=	
TOTAL		OR	TOTAL	954.

CLAIMS AS AMENDED - PART II				
	(Column 1)	(Column 2)	(Column 3)	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus **	=
	Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY TYPE <input type="checkbox"/>		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x\$11=		OR	x\$22=	
x41=		OR	x82=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus **	=
	Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY TYPE <input type="checkbox"/>		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x\$11=		OR	x\$22=	
x41=		OR	x82=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus **	=
	Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY TYPE <input type="checkbox"/>		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x\$11=		OR	x\$22=	
x41=		OR	x82=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

