

PTO/SB/05 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

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

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.

15949

U.S. PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	HAROLD-1
First Inventor	Michael D. HAROLD
Title	SYSTEM, METHOD AND APPARATUS FOR DISTRIBUTED CONTENT DISSEMINATION

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

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status
See 37 CFR 1.27.
3. Specification Total Pages 29
Both the claims and abstract must start on a new page
(For information on the preferred arrangement, see MPEP 608.01(a))
4. Drawing(s) (35 U.S.C. 113) Total Sheets 9
5. Oath or Declaration Total Pages 2
 - a. Newly executed (original or copy)
 - b. Copy from prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **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).
6. Application Data Sheet. See 37 CFR 1.76
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies.

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
Name of Assignee _____
10. 37 CFR 3.73(b) Statement Power of Attorney
(where there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449
 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified copy of Priority Document(s)
(if foreign priority is claimed)
16. Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent
17. Other

18. This application claims the benefit of co-pending U.S. Provisional Patent Application No. 60/838,438, filed on August 18, 2006, the entire contents of which is expressly incorporated herein by reference.

19. CORRESPONDENCE ADDRESS

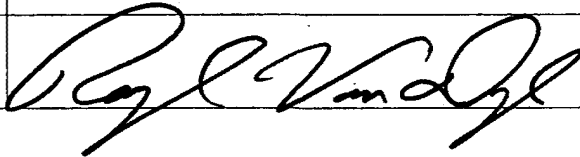
Customer Number or Bar Code

CUSTOMER NO. 28765

Name (Print/Type)

Raymond Van Dyke (Reg. No. 34,746)

Signature



Date

August 17, 2007

**RPX Corp.
Exhibit 1212**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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

Attorney Docket No.: HAROLD-1

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Michael D. HAROLD

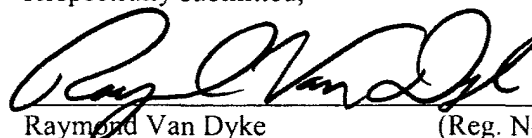
Title of the Invention: SYSTEM, METHOD AND APPARATUS FOR DISTRIBUTED CONTENT DISSEMINATION

PATENT APPLICATION FEE DETERMINATION

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	300.00
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	500.00
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	200.00
TOTAL CLAIMS (37 CFR 1.16(j))	31 minus 20 =	11	x 50.00 =	550.00
INDEPENDENT CLAIMS (37 CFR 1.16(h))	6 minus 3 =	3	x 200.00 =	600.00
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			360.00	0.00
50% REDUCTION FOR SMALL ENTITY			N/A	-1,075.00
TOTAL FILING FEE				1,075.00

- DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 112(b).
- This application claims the benefit of co-pending U.S. Provisional Patent Application No. 60/838,438, filed on August 18, 2006, entire contents of which is expressly incorporated herein by reference.
- Please charge the required fees to Winston & Strawn LLP Deposit Account No. 50-1814.

Respectfully submitted,



Raymond Van Dyke

(Reg. No. 34,746)

Date August 17, 2007

WINSTON & STRAWN LLP
Customer No. 28765

(202) 282-5904

SYSTEM, METHOD AND APPARATUS FOR DISTRIBUTED CONTENT DISSEMINATION

CROSS-REFERENCE TO PRIOR APPLICATION

[0001] This application claims the benefit of co-pending U.S. Provisional Patent Application No. 60/838,438, filed on August 18, 2006, the entire contents of which is expressly incorporated herein by reference.

BACKGROUND OF THE INVENTION

FIELD OF THE INVENTION

[0002] The present invention relates generally to methods for distributing content to devices substantially contiguous to a person or device.

BACKGROUND OF THE INVENTION

[0003] Changes in the electronic distribution of audio and visual content have created an environment in which end-users have increasing control over the means by which they may hear, view and interact with any given digital content. Through the use of various methods that incorporate wireless and Internet technologies, for example, Apple's iTunes system, music may be downloaded into handheld wireless devices and stored in a persistent manner so that it may be listened to at some future time. Audio, video and combined audio-video content may also be downloaded into handheld wireless devices and then stored in a persistent manner so that it may be listened to and viewed at

the user's discretion. Additionally, once stored, such audio-visual content can readily be transferred to other devices via simple commands.

[0004] In all cases where wireless cell phone devices are used to send, receive and store audio-visual content, one of three scenarios occurs. The first scenario involves the transfer of audio and visual content to another wireless cell phone device from a server, service or other wireless cell phone device acting itself as a server in a client-server relationship. The second scenario involves the transfer of audio and visual content from a wireless cell phone device acting as a server to one or more servers, services or other wireless cell phone devices acting as clients in a client-server relationship. The third scenario involves the use of a cell phone to control media devices by using wireless protocols such as SMS or Internet services such as Web browsers to request that media be sent to a specific device based on user requests.

[0005] At this time, the ability of a wireless cell phone user to control the distribution and delivery of digital content to physically contiguous audio and video devices is limited to a request-response model that does not allow the user to continuously interact with contiguous audio and visual display devices in real time over the Internet.

[0006] Orange France has created a service that allows customers of bars, restaurants and other businesses to choose a song from an SMS music menu to be played at the customer location. This service does not, however, provide a means to have the music sent to a speaker system located in direct proximity to the user. Neither does it provide the means to make selections using a cell phone and to have music videos

provided to a visual display device and speaker system located in direct proximity to the user.

[0007] AT&T, Inc. provides subscribers with the ability to control their digital video controllers through Web-enabled phones by scheduling or deleting recordings on their in-home set-top boxes. This service does not, however, provide users with the means to control the dissemination of content to contiguous audio and display devices that may be located in public venues, such as airports and malls. Furthermore, this control mechanism is dependent on the presence of an in-home set-top box to display the audio and visual content. In other words, it does not allow content dissemination over the Internet to contiguous devices in real time.

[0008] In U.S. Published Patent Application No. 20070136778, Birger, Joffe and Netchitailo generally describe a method to use an apparatus with a processor, memory, a display screen and an input device to accept user input from a user, the use of which is to control the operation of multiple devices for purposes of playback on the part of each device. There is, however, no reference to the use of a wireless cell phone device to accomplish the same or similar tasks. Furthermore, the invention set forth does not allow the user to use the apparatus to control the dissemination of content over the Internet in public venues. As with the prior cited references, this one, too, is deficient.

[0009] None of the presently-known methods of wireless cell phone content delivery addresses the complexity of a distributed audio-visual user experience, i.e., both individual and multiple persons experiencing the same or similar content simultaneously or substantially simultaneously through respective contiguously located devices.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.