Please type a plus sign (+) inside this box → [+]

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.	34533-51
First Inventor or Application Identifier	Nabors, Forrest
Title	Apparatus and Process for Facilitating Customer-Driven Sales of Products
Express Mail Label No.	EI494582538US

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

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. [X] * Fee Transmittal Form *(e.g., PTO/SB/17)*
   (Submit an original and a duplicate for fee processing)

2. [X] Specification [Total Pages 25]
   (preferred arrangement set forth below)
   - 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

3. [X] Drawing(s) *(35 U.S.C. 113)* [Total Sheets 11]

4. Oath or Declaration [Total Pages ___]
   a. [ ] Newly executed (original or copy)
   b. [ ] Copy from a prior application (37 C.F.R. § 1.63(d))
      (for continuation/divisional with Box 17 completed)
      [Note Box 5 below]
      i. [ ] DELETION OF INVENTOR(S)
         Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. [ ] 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 to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. [ ] Microfiche Computer Program *(Appendix)*

7. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
   a. [ ] Computer Readable Copy
   b. [ ] Paper Copy (identical to computer copy)
   c. [ ] Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. [ ] Assignment Papers (cover sheet & document(s))
9. [ ] 37 C.F.R.§3.73(b) Statement *(when there is an assignee)* [ ] Power of Attorney
10. [ ] English Translation Document *(if applicable)*
11. [ ] Information Disclosure Statement (IDS)/PTO-1449   [ ] Copies of IDS Citations
12. [ ] Preliminary Amendment
13. [X] Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
14. [ ] * Small Entity Statement(s) (PTO/SB/09-12)   [ ] Statement filed in prior application, Status still proper and desired
15. [ ] Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. [ ] Other: ....

* NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:
[ ] Continuation [ ] Divisional [ ] Continuation-in-part (CIP) of prior application No: ____/_____
Prior application information: Examiner _____ Group / Art Unit _____

18. CORRESPONDENCE ADDRESS

[ ] Customer Number or Bar Code Label *(Insert Customer No. or Attach bar code label here)* or [X] Correspondence address below

Name	Todd M. Becker
	Davis Wright Tremaine LLP
Address	2600 Century Square
	1501 Fourth Avenue

City	Seattle	State	WA	Zip Code	98101-1688
Country	USA	Telephone	206-628-7670	Fax	206-628-7699

Name (Print/Type)	Todd M. Becker	Registration No. (Attorney/Agent)	P43,487
Signature	*Todd M. Becker*	Date	11/9/98

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.
These are the fees effective October 1, 1997.
Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

Complete if Known	
Application Number	
Filing Date	November 9, 1998
First Named Inventor	Nabors, Forrest
Examiner Name	
Group / Art Unit	
Attorney Docket No.	34533-51

TOTAL AMOUNT OF PAYMENT ($) 494

METHOD OF PAYMENT (check one)

1. [ ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number _____
Deposit Account Name _____

[ ] Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17
[ ] Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance

2. [X] Payment Enclosed:
[X] Check [ ] Money Order [ ] Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee ($)	Fee Code	Fee ($)		
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

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below		Fee Paid
Total Claims 29 -20** = 9		X 11	=	99
Independent Claims 3 -3** = 0		X	=	0
Multiple Dependent			=	0

**or number previously paid, if greater; For Reissues, see below*

Large Entity		Small Entity		Fee Description
Fee Code	Fee ($)	Fee Code	Fee ($)	
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) ($) 99

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee ($)	Fee Code	Fee ($)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____
Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 0

SUBMITTED BY			Complete (if applicable)	
Typed or Printed Name	Todd M. Becker		Reg. Number	P43,487
Signature	Todd M. Becker	Date 11/9/98	Deposit Account User ID	

APPARATUS AND PROCESS FOR FACILITATING CUSTOMER-DRIVEN SALES OF PRODUCTS HAVING MULTIPLE CONFIGURATIONS

FIELD OF THE INVENTION

5 The invention provides an apparatus and a process for facilitating customer-driven sales of products having multiple configurations over an electronic network, and more particularly a process for facilitating customer-driven sales of automobiles over the Internet.

BACKGROUND OF THE INVENTION

10 The Internet has developed as an important vehicle for information exchange, as well as a forum for conducting, or at least facilitating, commerce. Systems using the Internet as a commercial forum fall broadly into two categories: seller-driven or customer-driven. The difference between customer and seller driven systems lies in which party takes the initiative to find the other. In a seller-driven system, the seller finds the customer; in a customer-driven

15 system the customer finds the seller.

Most Internet commerce systems in use today are seller-driven and are either passive sites or active sites. A typical seller's Internet site is a passive advertising site that provides information about the product and directs potential customers to places they can obtain the product. Automobile manufacturers are a typical example: their sites provide information about

20 the manufacturer's line of cars, available options, and locations of authorized dealers.

A smaller number of sellers have active selling sites that not only provide product information but allow potential customers to conduct a transaction over the Internet and purchase the product. The seller prices and packages the product and then holds it out for sale to potential customers via the Internet. The seller specifies, through their web site, the terms of the sale, and

25 potential customers must either accept the seller's terms or find another seller whose terms are acceptable. Products sold on these sites are typically lower-priced standardized goods such as books, compact disks, and videos.

In a customer-driven system, the customer specifies the product they want and the terms under which they will buy it, and then sends this specification to sellers. Some attempts have been

30 made to implement customer-driven systems on the Internet. Examples are news groups and bulletin boards where any potential customer can post "wanted" ads at little or no cost.

Customer driven systems have certain benefits that other systems do not. Where a large number of potential sellers exist, but those sellers do not have the resources to advertise globally, it makes sense for customers, if they can, to take the initiative in communicating their needs to a seller. The Internet is ideal in this situation because Internet postings are global, and the customer theoretically can communicate his offer to a large number of potential sellers. Moreover, customers can usually exercise more control over the terms and conditions of their purchases.

Despite their advantages, existing customer-driven systems have some drawbacks. Sellers are deterred from using customer-driven systems because sellers do not want to be inundated with numerous requests from potential customers, many of whom may be marginal or unqualified. Moreover, if each customer has a different set of purchasing specifications and communicates his or her needs to sellers using a non-standard format with different conditions, terms, and language styles, the specification may require too much time for the seller to interpret. Furthermore, sellers are deterred from using customer-driven systems because there is no guarantee of the authenticity of the request, and the financial ability of the customer to enter into the transaction is uncertain. In addition, newsgroups scattered across the Internet make it difficult, if not impossible, for sellers to find customer requests. In practice, these customer-driven systems are ineffective because potential sellers do not frequent all the various newsgroups or bulletin boards or respond to posting in those places. Customers are deterred from using customer-driven systems for many of the same reasons sellers are deterred. For example, a potential seller does not want to be inundated with offers from many marginal or unqualified customers.

The problems inherent in existing customer-driven systems are compounded where the product being sold is available in multiple configurations, for example motor vehicles such as an automobile or a truck. These products cause problems because for any given product there are thousands of possible option configurations, and not all combinations of options are feasible. For example, automobile manufacturers usually do not make vehicles having every possible combination of options, but rather make the most popular ones. Thus, for example, if a potential customer wants a purple Ford truck with a yellow interior and a V-12 engine, that engine and combination of colors may not be available from the manufacturer (Ford). The customer, however, has no way of knowing this before sending the request to potential sellers.

Attempts have been made to implement customer-driven systems that address some of the above problems. U.S. Patent No. 5,794,207 to Walker et. al. ("Walker") is illustrative. Walker

does not, however, solve all the foregoing problems. Among other things, Walker does not direct the customer's request to a target set of sellers who are likely, if not certain, to have the desired product. Instead, Walker merely places the customer's request where it can be accessed by interested sellers. Walker, although it provides for guaranteeing payment by the customer, does

5   not guarantee that the sellers will be credible and able to deliver. Walker does not provide means for checking whether a complex product the customer wants is feasible, that is, whether it exists or can be manufactured. Finally, Walker provides a system where the customer must send a binding purchase offer which can be accepted by any seller, thereby binding the customer to a contract. This opens up the possibility that the offer could be accepted by an unscrupulous seller. There is

10   thus a need in the art for an apparatus and method that solves the above problems.

SUMMARY OF THE INVENTION

The present invention comprises an apparatus and process for facilitating customer-driven sales of products having multiple configurations. The apparatus of the present invention

15   comprises a computer network apparatus to facilitate the purchase of a product having multiple configurations, the product being sold by manufacturer-licensed sellers and each product configuration being described by a set of product attributes. The computer network apparatus comprises a server, an intermediary subsystem, and a seller subsystem.

The server comprises a processor with a storage device connected to the processor. The

20   storage device has stored thereon a product database, the product database including information regarding existing combinations of product attributes; a seller database stored on the storage device, the seller database including seller information such as geographic location; and a program stored on the storage device for controlling the processor. The program is operative with the processor to receive a customer's selected set of product attributes, query the product database

25   using the customer's desired set of product attributes to confirm the feasibility of the customer's selected configuration, query the seller database using a set of seller attributes to select a target set of sellers in the customer's geographic area, transmit a request for quote (RFQ) to the target set of sellers, the RFQ including the customer's desired set of product attributes, receive a quote from at least one seller from the target set of sellers, receive an acceptance of one of the quotes, and

30   transmit the acceptance to the seller whose quote was accepted.

DOCKET ALARM

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.

fastcase®
Smarter legal research.