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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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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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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



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#16

Docket No. *Wolzein*
4942.02 *1/30/01*

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

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*

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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

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.

Signature of Person Mailing Correspondence

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P12LARGE/REV08

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
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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.
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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>
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