

OTHER ART			
Examiner Initials	Item	Author	Title Date Pertinent Pages Etc.
	1		Defendants' Amended Invalidity Contentions Pursuant to Local Rule 3-6; Civil Action No. 2-06CV-42 (DF); February 6, 2012.
	2		Claim Charts from Defendants' Amended Invalidity Contentions; Civil Action No. 2-06CV-42 (DF), comparing claims of Ross et al. U.S. Patent 6,629,135 to various references; February 6, 2012.
	3		Claim Charts from Defendants' Amended Invalidity Contentions; Civil Action No. 2-06CV-42 (DF), comparing claims of Ross et al. U.S. Patent 6,993,572 to various references; February 6, 2012.
	4		Claim Charts from Defendants' Amended Invalidity Contentions; Civil Action No. 2-06CV-42 (DF), comparing claims of Ross et al. U.S. Patent 7,818,399 to various references; February 6, 2012.
	5	Edwards, et al.	"Making Money In Cyberspace"; September 1998.
	6		Archived web pages at www.wilsonweb.com; February 7, 1998.
	7		Archived web page at www.wilsonweb.com; June 26, 1998.
	8	Wilson, Ralph	"Review of ShopSite Manager 3.1"; Web Commerce Today; Issue 2; September 15, 1997.
	9		Screen images from www.wilsonweb.com, showing "Review of ShopSite Manager 3.1"; from Web Commerce Today; Issue 2; September 15, 1997.
	10	Wilson, Ralph	"How ViaWeb and ShopSite Pro Incorporate Affiliate Program Software; Web Commerce Today; Issue 8, March 15, 1998 (as posted on www.wilsonweb.com)
	11		Archived web page at astrology.net; October 29, 1996.
	12		Archived web pages at www.viamail.com; March 29, 1997.
	13		Archived web page at www.austads.com; May 20, 1998.
	14		"The CDnow Story", pages 172-176, referring to history in November 1994, March 1997, and "early in 1998."
	15		Screen image from Barry's Temple of Godzilla; www.godzillatemple.com, showing CDnow.com; September 24, 1998.
	16		Screen image from rollingstone.com, showing links to CDnow, September 24, 1998.
	17	Halper, Mark	Archived web page at www.businessweek.com, dated June 15, 1997, showing "Cyberstorefronts for Rookies"; October 12, 2008.
	18		Archived web page at www.fredericks.com; July 21, 1997.
	19		Pages from Publishers Weekly, U.S. Copyright Office, and Phoenix Public Library, showing publication of Edwards' "Making Money in Cyberspace"; August 10, 1998.

Examiner: Yogesh Garg/ Date Considered: 09/29/2012

EXAMINER: Initial if reference considered whether or not citation is in conformity with MPEP 609. Docket Alarm, LLC - Ex. 2011

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_____	401		Pages from Publishers Weekly, U.S. Copyright Office, and Phoenix Public Library, showing publication of Edwards' "Making Money in Cyberspace";	August 10, 1998.			
_____	402		Archived web page at www.fredericks.com ; April 18, 1997.				

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /Y.G./

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Examiner: /YOGESH C GARG/ Date Considered: 11/09/2016

EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609. Draw

Comparison of the U.S. Patent No. 6,629,135 and the DBC Prior Art

Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in DBC Prior Art
	<p>easy and reliable way to supplement a company's existing website with an excellent source of the financial and market news." <i>DBC Co-Branded Sites</i>. [DFNDT0002074-5]</p> <p>"DBC co-brands these pages by using the logo, background and navigation bars of the company's web site, creating a . . . [Brand Label Quote site] that retains the look and feel of the original site design." Contribution Agreement between CBS Inc., DBC and Marketwatch.com, LLC at 43, October 29, 1997 (hereinafter "Contribution Agreement"). [DFNDT0001546-81]</p> <p>". . . DBC designs a customized company Web site quote page that enables another company's Web site visitors to 'seamlessly access' DBC's quote server even though it appears they are still on the original company's site." <i>Data Broadcasting Real-Time Stock Market Quote Service Begins</i>, <i>Business Wire</i>, April 26, 1996 (hereinafter "Data Broadcasting Press Release"). [DFNDT0001544-5]</p> <p>"DBC has offered other companies a special link to its quote server through a customized 'brand-label' quote service. DBC designs a quote page for the client's company's Web site and users actually access DBC's quote server, even though it appears they are still on the original company's site." <i>\$29.95 a Month</i> Press Release.</p>

Comparison of the U.S. Patent No. 6,629,135 and the DBC Prior Art

Claim No.	Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in DBC Prior Art
		<p>[DFNDT0001582-3]</p> <p>"DBC Online's quote retriever can now be put on your Web site – absolutely FREE! By adding just a few lines of HTML code, you can have data from America's leading provider of market information directly on your own Web page. The customizability of the quote page allows you to place the title of your Web site at the top of the results screen. And your site will always be backlinked at the bottom of the results screen, so that anyone who uses your 'Personal Quote' box will feel as though they were still on your Web site!" <i>DBC Online: Person Quote Link</i>, http://web.archive.org/web/19961115110927/www3.dbc.com/cgi-bin/htx.exe/core/dbc/pql... (November 15, 1996 version of www3.dbc.com/cgi-bin/htx.exe/core/dbc/pql... as archived by the Internet Archive. (see note 2)) (hereinafter, "DBC Online website").⁴ [DFNDT0001584-9]</p>
8(b)	providing the host website with a link for inclusion within a page on the host website for serving to a visitor computer, wherein the provided link correlates the host website with a selected commerce object; and	<p>The selected commerce object is, for example, stock quotes from New York Stock Exchange.</p> <p>"DBC has offered other companies a special link to its quote server through a customized 'brand-label' quote service. DBC designs a quote page for the client's company's Web site and users actually access DBC's quote server, even though it appears they are still on the original company's site." <i>\$29.95 a Month</i> Press Release. [DFNDT0001582-3]</p> <p>"DBC Online's quote retriever can now be put on your Web site – absolutely FREE! By adding just a few lines of HTML code, you can have data from America's leading provider of market information directly on your own web page. The customizability of the quote page allows you to place the title of your Web site at the top of the results screen. And your site will always be backlinked at the bottom of the results screen, so that anyone who uses your 'Personal Quote' box will feel as though they were still on your Web site!" <i>DBC Online website</i>. [DFNDT0001584-9]</p> <p>"DBC co-brands these pages by using the logo, background and navigation bars of</p>

⁴ Also see *DBC Online: Person Quote Link*, <http://web.archive.org/web/19970705042614/www.dbc.com/cgi-bin/htx.exe/core/dbc/pql.h...> (August 5, 1997 version of www.dbc.com/cgi-bin/htx.exe/core/dbc/pql.h... as archived by the Internet Archive. (see note 2)). [DFNDT0001584-9]

Comparison of the U.S. Patent No. 6,629,135 and the DBC Prior Art

Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in DBC Prior Art
	<p>the company's web site, creating a . . . [Brand Label Quote site] that retains the look and feel of the original site design." Contribution Agreement. [DFNDT0001546-81]</p> <p>". . . DBC designs a customized company Web site quote page that enables another company's Web site visitors to 'seamlessly access' DBC's quote server even though it appears they are still on the original company's site." <i>Data Broadcasting Press Release</i>. [DFNDT0001544-5]</p>
<p>on receiving an activation of the provided link on the visitor computer, serving to the visitor computer an e commerce supported page with a look and feel corresponding to the captured look and feel description of the host website associated with the provided link and with content based on the commerce object associated with the provided link.</p>	<p>"DBC has offered other companies a special link to its quote server through a customized 'brand-label' quote service. DBC designs a quote page for the client's company's Web site and users actually access DBC's quote server, even though it appears they are still on the original company's site." <i>\$29.95 a Month</i> Press Release. [DFNDT0001582-3]</p> <p>"DBC Online's quote retriever can now be put on your Web site – absolutely FREE! By adding just a few lines of HTML code, you can have data from America's leading provider of market information directly on your own web page. The customizability of the quote page allows you to place the title of your Web site at the top of the results screen. And your site will always be backlinked at the bottom of the results screen, so that anyone who uses your 'Personal Quote' box will feel as though they were still on your Web site!" <i>DBC Online website</i>. [DFNDT0001584-9]</p> <p>"DBC co-brands these pages by using the logo, background and navigation bars of the company's web site, creating a . . . [Brand Label Quote site] that retains the look and feel of the original site design." Contribution Agreement. [DFNDT0001546-81]</p> <p>". . . DBC designs a customized company Web site quote page that enables another company's Web site visitors to 'seamlessly access' DBC's quote server even though it appears they are still on the original company's site." <i>Data Broadcasting Press Release</i>. [DFNDT0001544-5]</p>

Comparison of the U.S. Patent No. 6,629,135 and U.S. Patent No. 6,016,504 "Method and system for tracking the purchase of a product and services over the Internet"¹

Based upon the Court's claim construction order [DI 309], the claim interpretations Plaintiff appears to be asserting and the alleged applications of those interpretations to one or more products of Defendants' products in Plaintiff's Amended Infringement Contentions served January 23, 2012, U.S. Patent No. 6,016,504 anticipates and/or renders obvious, alone or in combination with other prior art identified in Defendants' Amended Invalidity Contentions, the asserted claims as described in part below.

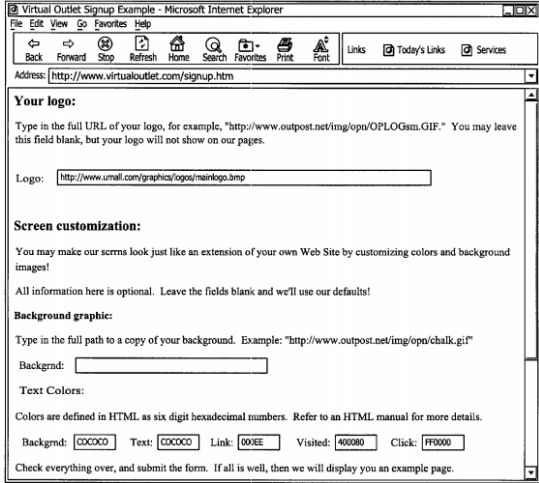
Claim No.	Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in U.S. Patent No. 6,016,504 ("the '504 patent")
8	An e commerce outsourcing process providing a host website in communication with a visitor computer with context sensitive, transparent e commerce support pages, comprising the steps of:	<p>The '504 patent discloses an e-commerce outsourcing process wherein a host website ("virtual outlet Web site," Col. 5:25) in communication with a visitor computer ("customer computer," Col. 5:37-38) is provided with context sensitive, transparent e-commerce support pages ("merchant Web page," Col. 5:50) to facilitate purchases from customers:</p> <ul style="list-style-type: none"> • A "method... where [a] merchant, virtual outlet owner, and customer each have a computer connected through a network and where [a] purchase is conducted as a transaction over the network." Col. 4:5-7 (Summary of the invention). • "To purchase a product, a customer would first view a Web page provided by a VO... If a customer wishes to find more information about a product (e.g., cost or size information) or to purchase the product, the customer simply selects the image of the product displayed. When the image is selected, the customer computer then requests access to the merchant Web page identified by the associated URL. A merchant computer provides the merchant Web page to the customer computer." Col. 5:40-53. <p>The merchant computer dynamically creates a Web page with "a layout similar to that of the Web page for the [VO]." Col. 7:54-60.</p>
8(a)	capturing a look and feel description associated with a host website;	<p>The '504 patent discloses capturing a look and feel description associated with a host website (VO). The look and feel description is provided by the virtual outlet to the merchant.</p> <ul style="list-style-type: none"> • "The Web page of FIG. 6 inputs information concerning the appearance that the VO expects for a merchant order Web page that will be displayed when a customer hot links through the VO to the merchant site. This information

¹ Unless noted, all citations in this chart are to U.S. Patent No. 6,016,504 "Method and system for tracking the purchase of a product and services over the Internet" by Arnold, Bennett, et al. (filed Aug. 28, 1996, issued Jan. 18, 2000). [DFNDT0000077-0000114]

of the U.S. Patent No. 6,629,135 and **U.S. Patent No. 6,016,504** "Method and system for tracking the purchase of a product and services over the Internet "

Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in U.S. Patent No. 6,016,504 ("the '504 patent")
	<p>includes a URL for a graphics file that contains the VO's logo, the desired background color, and other such information." Col. 9:14-20.</p> <ul style="list-style-type: none"> "The example confirmation Web page repeats certain of the supplied sign-up information and displays the appearance requested by the representative for the merchant order Web page, including colors and fonts." Col. 9:46-50. "[The Merchant Sign-up Component] prepares a confirmation Web page in the style specified by the VO for order processing Web pages, including specified logos, graphics, colors, and text fonts[.]" Col. 12:59-65. "[Software routines] support processes by which the VO changes the appearance of order Web pages displayed by the merchant to customers." Col. 13:67-14:2. "FIG. 16 lists example information returned by the VO to the merchant during the sign-up process." Col. 12:55-56. <p>The information in Figure 16 includes: URL of logos to display on order pages; URL for graphics for background; colors for various parts of screen; fonts for text; other characteristics for HTML display; etc.</p> <p>The '504 patent also discloses capturing a look and feel description using the Screen Customization option Provided in the Virtual Outlet Signup Screen:</p>

Comparison of the U.S. Patent No. 6,629,135 and **U.S. Patent No. 6,016,504** "Method and system for tracking the purchase of a product and services over the Internet "

Claim No.	Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in U.S. Patent No. 6,016,504 ("the '504 patent")
		 <p>[See '504 at Figure 6.] As described in the "Screen Customization Field: "You may make our serms (sic) look just like an extension of your own Web site by customizing colors and background images!"</p>
8(b)	providing the host website with a link for	The '504 patent discloses providing the host website (VO) with a link (URL) for

of the U.S. Patent No. 6,629,135 and **U.S. Patent No. 6,016,504** "Method and system for tracking the purchase of a product and services over the Internet "

Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in U.S. Patent No. 6,016,504 ("the '504 patent")
inclusion within a page on the host website for serving to a visitor computer, wherein the provided link correlates the host website with a selected commerce object; and	<p>inclusion within a page on the host website for serving to a visitor computer (customer), wherein the provided link correlates the host website with a selected commerce object (product):</p> <p>"The Catalog_Browser routine allows a VO representative to browse through catalog Web pages supplied by the merchant... Items for sale are described and listed along with URLs corresponding to the order Web page that the merchant will supply to a customer linking through a VO Web page to the merchant site in order to purchase the item. The VO may incorporate items into the VO Web pages by including the URLs obtained from the merchant's catalog as hot links in the VO Web pages." Col. 10:41-50.</p>
on receiving an activation of the provided link from the visitor computer, serving to the visitor computer an e-commerce supported page with a look and feel corresponding to the captured look and feel description of the host website associated with the provided link and with content based on the commerce object associated with the provided link.	<p>The '504 patent discloses, upon receiving an activation of the provided link from the visitor computer (customer selects merchant hotlink on VO Web page), serving to the visitor computer (customer computer) an e-commerce supported page (order page) with a look and feel corresponding to the captured look and feel description of the host website (VO) associated with the provided link and with content based on the commerce object (product) associated with the provided link:</p> <ul style="list-style-type: none"> Where a request to display an order Web page corresponding to an item displayed by the VO on a VO Web page "has come to the merchant via a hotlink from the VO Web Page" the Merchant Order Processing Component "retrieves stored information supplied by the VO that allows the merchant computer to construct a description of an order Web page that appears similar to a VO Web page and uses the information to construct a description of an order Web page and send it to the customer[.] Some information, including the VO logo, may be obtained from the VO by accessing VO files using stored URLs. Other information may be stored entirely on the merchant computer." Col. 14:15-27 (emphasis added). <ul style="list-style-type: none"> Claim 1 (emphasis added): <ul style="list-style-type: none"> [...]

Comparison of the U.S. Patent No. 6,629,135 and **U.S. Patent No. 6,016,504** "Method and system for tracking the purchase of a product and services over the Internet "

Claim No.	Claim Language of U.S. Patent No. 6,629,135	Relevant Disclosure in U.S. Patent No. 6,016,504 ("the '504 patent")
		<ul style="list-style-type: none"> Displaying at the customer computer the virtual outlet Web page; Receiving from the customer at the customer computer a selection of the product; Sending from the customer computer to the merchant computer a request for the merchant Web page identified by the link associated with the selected product, the request including an indication of the virtual outlet; Receiving at the merchant computer the request for the merchant Web page; Upon receiving the request for the merchant Web page, under control of the merchant computer, modifying the merchant Web page [...] Sending from the merchant computer the modified merchant Web page... <ul style="list-style-type: none"> Claim 2 (emphasis added): <ul style="list-style-type: none"> The method of claim 1 wherein the merchant computer maintains a database of information describing a desired layout of the merchant Web page when the merchant Web page is accessed through the virtual outlet Web page and wherein the merchant computer customizes the merchant Web page in accordance with the information. Claim 3: <ul style="list-style-type: none"> The method of claim 2 wherein the information includes a name and logo of the virtual outlet. Claim 4 <ul style="list-style-type: none"> The method of claim 2 wherein the information includes preferred coloring of the merchant Web page. Claim 5 <ul style="list-style-type: none"> The method of claim 1 wherein the links are universal resource locators.

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