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al. also disclose that after a user of the newly connected client logs in, the filter sequence associated with the client device is changed to another sequence. For example:

"The SMS maintains a series of filtering profiles, each of which includes one or more of filtering rules. **The SMS sets a default filter sequence for the newly connected client system** by downloading the sequence by the SMS to the ANCS .... Subsequently, the packet filter uses the rules of the login filtering profile sequence to selectively forward or discard IP packets originating from the client system. **This filtering sequence will allow newly connected client systems to perform login but nothing else.**" [3:5- 22, emphasis added]

"A preferred embodiment of the present invention also generates or selects filtering profiles for users. With the login filtering profile sequence in place, a user can use the newly connected client system to login to the network. The user login is monitored by the SMS. **If the user login is successful, the SMS selects or generates a user filtering profile sequence.** The user filtering profile sequence is then downloaded by the SMS to the ANCS ....**Subsequently, the new packet filter uses the rules of the user filtering profile sequence to selectively forward or discard IP packets originating from the client system.**" [3:34-50, emphasis added]

However, Radia et al. do not explicitly disclose utilizing the login filtering *sequence for an initial period of time*. (Instead Radia et al. only disclose utilizing the login filtering sequence until the user logs in.)

Coss et al. disclose that the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the firewall 211 is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

For instance, Coss et al. disclose:

"Exemplary dynamic rules include a 'one-time' rule which is only used for a single session, a **time-limited rule which is used only for a specified time period**, and a threshold rule which is used only when certain conditions are satisfied." [8:37-40, emphasis added]

Accordingly, Coss et al. disclose utilizing an initial rule set being a set of rules including the time-limited rule before the specified time period has expired, and utilizing a standard rule set being the set of rules not including the time-limited rule after the specified time period has expired.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one

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known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**53. The system of claim 1, wherein the individualized rule set includes at least one rule allowing access based on a request type and a destination address.**

Radia et al. disclose that the individualized rule set includes at least one rule allowing access based on a type of IP (Internet Protocol) packet and destination address.

For instance, Radia et al. disclose:

"In FIG. 5, it may be seen that each filtering rule 404 includes an action 500. Action 500 specifies the disposition of IP packets that match by a particular filtering rule 404. In particular, **action 500 may indicate that a matched IP packet will be forwarded, or that a matched IP packet will be discarded.**" [6:14-18]

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

"Filtering rule 404 also includes a destination IP address 502 and a destination IP mask 504. Destination IP address 502 corresponds to the destination address included in the header of an IP packet. Destination IP mask 504 is similar to destination IP address 502 but corresponds to a range of destination addresses. To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404." [6:18-29, emphasis added]

However, Radia et al. do not explicitly disclose the individualized rule set includes at least one rule allowing access based on a *request type* and a destination address.

Coss et al. disclose that the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

For instance, Coss et al. disclose:

Rule No. 40 in Figure 3 allowing access (i.e., action= "PASS") based on a request type of "MAIL" and a destination host of "D".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

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Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**54. The system of claim 44, wherein the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.**

Radia et al. do not explicitly disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

However, Coss et al. disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

For instance, Coss et al. disclose:

Rule No. 30 in Figure 3 redirecting data (i.e., action = "PROXY") based on a request type of "TELNET" and attempted destination host of "C".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**55. The system of claim 44, wherein the redirection server is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.**

Radia et al. do not disclose that the redirection server is configured to redirect data from the users computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

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However, Coss et al. disclose that firewall 211 is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

For instance, Coss et al. disclose:

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a designation of a special service which can be called for in a packet, **and a specification of an action to be taken on a packet.**" [4:1-6, emphasis added]

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy; if configured, the destination port can be changed as well; the original packet header data is recorded in the session cache along with any changed values;" [9:39-44, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

#### **56. In a system comprising**

Radia et al. Figure 1: computer network 100 is a system

**a database with entries correlating each of a plurality of user IDs with an individualized rule set;**

Radia et al. Figure 3: filtering profiles 316 are a database with entries correlating each of a plurality of user IDs with an individualized rule set.

For instance, Radia et al. disclose:

"In step 908, which follows, **a sequence of filtering profiles 400 associated with the user** are retrieved, by SMS 114, from **filtering profile database 316**. In general, it may be appreciated that various users of network 100 will have varying types of allowed access. As a result, different **network users will require different filtering profiles 400**. Generally, these filtering profiles 400 are defined separately for each user using either automatic or manual generation techniques. For the present invention, these filtering profiles 400 are preferably **maintained in filtering profile database 316 and retrieved using the identity of the particular user.**" [9:46-56, emphasis added]



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**a dial-up network server that receives user IDs from users' computers;**

Radia et al. disclose in Figure 1 that modems 104 (which may be telephone - i.e., dial-up) and DHCP server 110 establish a communications link with the user's PC. A login applet on the user's computer (one of PCs 102) allows users to login to the network 100.

For instance, Radia et al. disclose:

"A **cable modem** 104 is connected to each client system 102." [1:11-12, emphasis added]

"For example, an internet service provider (ISP) may have users who connect, login, logoff and disconnect to its network over time **telephone or cable modems.**" [2:45-48, emphasis added]

"The client systems, which are typically personal computers using cable modems, connect to the router. **As part of the connection process, each client system receives a dynamically allocated IP address from the DHCP server.**" [2:67-3:4, emphasis added]

"For a preferred embodiment of network 100, user logins are handled by downloading small, specifically tailored applications, known as "login applets," to client systems 102. The login applets are downloaded from a server system, such as server system 108, or in some cases, from SMS 114." [8:30-34, emphasis added]

"More specifically, as discussed with regard to method 700, for a preferred embodiment of network 100, **users login to network 100 using a login applet that communicates with a login server, such as SMS 114.**" [9:39-42, emphasis added]

However, Radia et al. do not explicitly disclose a *dial-up network server* that receives user IDs from users' computers.

Admitted prior art (APA) systems in Figure 1 of the '118 patent include a dial-up networking server 102 that receives user IDs from users' computers 100.

The APA systems are described as follows:

"In prior art systems as shown in FIG. 1 when an Internet user establishes a connection with an Internet Service Provider (ISP), **the user first makes a physical connection between their computer 100 and a dial-up networking server 102, the user provides to the dial-up networking server their user ID and password.** The dial-up networking server then passes the user ID and password, along with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104. A detailed description of the IP communications protocol is discussed in *Internetworking with TCP/IP*, 3rd ed., Douglas Comer, Prentice Hall, 1995, which is fully incorporated herein by reference. The authentication and accounting server, upon verification of the user ID and password using a database 106 would

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send an authorization message to the dial-up networking server 102 to **allow the user to use the temporary IP address assigned to that user by the dial-up networking server** and then logs the connection and assigned IP address." [" 118 patent, 1<sup>st</sup> paragraph of Background of the Invention section, emphasis added]

It would have been obvious to substitute the DHCP server 110 and login applet disclosed by Radia et al with the dial-up networking server 102 included in the APA systems to thereby obtain the predictable results of: 1) allowing dial-up users to login through the dial-up networking server rather than through an applet running on the user's computer, and 2) assigning a temporary IP address to the user's computer by the dial-up networking server 102 rather than by the DHCP server 110.

**a redirection server connected between the dial-up network server and a public network, and**

Radia et al. Figure 1 : router 106 is connected to the dial-up network server (substituted for DHCP server 110 and login applet) and server systems 108 of the network 100. Router 106 is similar to a redirection server because router 106 is connected between the user's computer (PC 102) and the network's server systems 108, and controls the user's access to the network's server systems 108.

Radia et al. further disclose that the network is a public network such as the Internet:

"For example, assume that a company uses a router to link its internal intranet with an external network, **such as the Internet.**" [2:5-7, emphasis added]

However, Radia et al. do not explicitly disclose that the router 106 controls the user's access to the public network *by utilizing redirection functionality*.

Coss et al. disclose a firewall that is connected between a user's computer and a public network that controls the user's access to the network by utilizing redirection functionality.

For instance, Coss et al. disclose:

"FIG. 2 shows a user site 201 connected to the Internet 105 via a firewall processor 211 ." [3:53-54]

"This invention relates to the **prevention of unauthorized access in computer networks** and, more particularly, to firewall protection within computer networks." [1:6-8, emphasis]

"Dynamic rules are rules which are included with the access rules as a need arises, for processing along with the access rules, e.g., by a rule processing engine. Dynamic rules can include unique, current information such as, for example, specific source and destination port numbers. They can

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**be loaded at any time by trusted parties, e.g., a trusted application, remote proxy or firewall administrator, to authorize specific network sessions."** [8:24-31, emphasis added]

"To unburden the firewall of application proxies, the firewall can be enabled to redirect a network session to a separate server for processing." [Abstract, emphasis added]

"Proxy reflection in accordance with the present invention involves redirecting a network session to another, "remote" proxy server for processing, and then later passing it back via the firewall to the intended destination. When a new session enters the firewall, a decision is made to determine whether service by a proxy server is required. If so, **the firewall replaces the destination address in the packet with the host address of the proxy application and, if necessary, it can also change the service port.**" [Coss et al., col. 8, lines 56-65, emphasis added]

It would be obvious to replace the router 106 of Radia et al. with the firewall 211 of Coss et al. to not only allow discarding and forwarding traffic as taught by Radia et al., but to also allow controlling the user's access to the network by redirecting traffic at the firewall 211 to thereby prevent the router 106 from having to utilize application proxies, as suggested by Coss et al.

Radia et al. further disclose that other networking technologies may be used instead of router 106, stating:

"The use of cable router 106 and cable modems 10d is also intended to be exemplary and it should be appreciated **that other networking technologies and topologies are equally practical.**" [1:13-16, emphasis added]

Therefore, it would have been further obvious to a person of ordinary skill in the art that the firewall 211 of Coss et al. could substitute the router 106 because the firewall 211 disclosed by Coss et al. is another type of networking technology and Radia et al. suggest other types of network technology is equally practical.

It would have been further obvious that simple substitution of the known firewall 211 for the router 106 obtains predictable results that the network 100 of Radia et al. may now benefit from the redirection functionality included in firewall 211.

**an authentication accounting server connected to the database, the dial-up network server and the redirection server,**

Radia et al. Figure 1 disclose access network control server ANCS 112 and services management system SMS 114 together are an authentication accounting server because ANCS 112 and SMS 114 are connected to the database (filtering profiles 316 within SMS 114 - see Figure 3), the dial-up network server (substituted for DHCP server 110 and login applet), and the redirection server (Coss' firewall 211 in the position of router 106 in Radia's FIG. 1).

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Radia et al. further disclose that the ANCS 112 and SMS 114 determine whether a user ID is authorized to access the network.

For instance, Radia et al. disclose:

"FIG. 9 is a flowchart showing the steps associated with a preferred embodiment of a method for **allocation of privileges to a user in a computer network.**" [4:59-61, emphasis added]

"Method 900 includes step **performed by SMS 114 and ANCS 112.**" [9:35-36, emphasis added]

"In step 908, which follows, a sequence of filtering profiles 400 **associated with the user** are retrieved, by SMS 114, from filtering profile database 316. In general, it may be appreciated that **various users of network 100 will have varying types of allowed access.**" [9:46-50, emphasis added]

"In FIG. 1, ANCS 112 and SMS 114 are shown as separate entities. It should be appreciated, however, that the present invention specifically anticipates that ANCS 112 and SMS 114 may be **implemented using a single computer system** that includes ANCS process 214, SMS process 314 and filtering profile database 316." [5:65-6:4, emphasis added]

**a method comprising the steps of:**

Method disclosed by Radia et al. in Figure 9

**communicating a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID from the dial-up network server to the authentication accounting server;**

Radia et al. disclose a login applet on a PC 102 and the DHCP server 110 respectively communicate a first user ID (entered using the login applet) for one of the users' computers (one of PCs 102) and a temporarily assigned network address (dynamically assigned IP address) for the first user ID to the authentication accounting server (SMS 114).

For instance, Radia et al. disclose the login applet communicates from PC 102 to SMS 114:

"Method 900 begins with step 906 where SMS 114 **waits for a user login.** More specifically, as discussed with regard to method 700, for a preferred embodiment of network 100, **users login to network 100 using a login applet that communicates with a login server, such as SMS 114.**" [9:37-42, emphasis added]

Radia et al. also disclose the DHCP server 110 passes the temporarily assigned network address for the first user ID to the SMS 114:

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"Method 700 begins with step 706 where **SMS 114 waits for the allocation of an IP address to a client system 102**. More specifically, for a preferred embodiment of network 100, power-on or reset of a client system 102 is followed by connection of the client system 102 to router 106. As part of this connection, the connecting client system 102 requests and receives a dynamically allocated IP address from DHCP server 110. This allocation requires that a number of messages pass between DHCP server 110 and the client system 102 requesting a new IP address. The last of these messages is a DHCPACK message sent by the DHCP server 110 to the client system 102. **To monitor the allocation of IP addresses, SMS 114 monitors DHCP messages within network 100.** Step 706 corresponds, in a general sense, to the methods and procedures that are executed by SMS 114 to wait for and detect DHCPACK messages within network 100." [7:21-34, emphasis added]

With reference to FIG. 9, it is inherent that the SMS 114 also receives the IP address of the client system 102 from the dial-up network server because Radia et al. disclose "**At the same time, the IP address of the client system 102 acting as a host for the user is passed by the SMS 114 to the ANCS 112.**" [9:62-64, emphasis added]

Radia et al. further disclose that the IP address of the client system (one of PCs 102) is temporarily assigned:

"More specifically, in systems that use the DHCP protocol for allocation of IP addresses, each IP address is allocated for a finite period of time. Systems that do not renew their IP address leases may lose their allocated IP addresses." [7:51-55, emphasis added]

However, Radia et al. do not explicitly disclose communicating a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID *from the dial-up network server* to the authentication accounting server.

In the admitted prior art (APA) system of FIG. 1, the dial-up network server 102 communicates a first user ID for one of the users' computers 100 and a temporarily assigned network address for the first user ID to the authentication accounting server 104.

For instance, the APA systems are described as follows:

"The dial-up networking server then passes the user ID and password, along with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104." ["118 patent, 1<sup>st</sup> paragraph of Background of the Invention section, emphasis added]

It would have been obvious to not remove these useful features of the *APA* systems when substituting the *APA* dial-up networking server 102 for the DHCP server 110 and login applet in FIG. 1 of Radia et al. This would have been obvious because simple substitution of the known dial-up networking server 102 for the DHCP server 110 and login applet obtains predictable results that the dial-up networking server 102 continues to include the above disclosed features.

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It would further have been obvious that the dial-up network server should continue to behave in this way because, rather than the SMS 114 receiving the user ID and IP address respectively from the login applet and DHCP server 110, the SMS 114 would receive this information from the dial-up networking server, as suggested by the APA.

**communicating the individualized rule set that correlates with the first user ID and the temporarily assigned network address to the redirection server from the authentication accounting server;**

Radia et al. disclose the ANCS 112 and SMS 114 access the database 316 and communicate the (identity of the user) and the temporarily assigned network address (dynamic IP address) to the router 106.

For instance, Radia et al. disclose:

FIG. 9: step 906 "wait for user login", step 908 "retrieve user filter profile from database", step 910 "download user profile to ancs", and step 920 "reconfigure network components"

"In step 908, which follows, a sequence of filtering profiles 400 associated with the user are retrieved, by SMS 114, from filtering profile database 316". [9:46-48, emphasis added]

"For the present invention, these filtering profiles 400 are preferably maintained in filtering profile database 316 and retrieved using the identity of the particular user." [9:53 -56, emphasis added]

"Step 908 is followed by step 910 where the sequence of user filtering profiles 400 is downloaded by SMS 114 to ANCS 112. At the same time, the IP address of the client system 102 acting as a host for the user is passed by the SMS 114 to the ANCS 112." [9:60-64, emphasis added]

"In the following step, the ANCS 112 uses each of the filtering rules 404 included in the sequence of user filtering profiles 400 to establish a packet filter for IP packets originating from the client system 102 acting as a host for the user." [9:64-10:1, emphasis added]

"The packet filter is established by reconfiguring one or more of the components of the network 100 that forward packets originating at the client system 102 acting as a host for the user. For example, in some cases, the packet filter may be established by reconfiguring the modem 104 connected to the client system 102. Alternatively, the packet filter may be established by reconfiguring router 106." [10:1-7, emphasis added]

It is inherent that the "packet filter for IP packets originating from the client system 102" communicated to the router 106 includes the temporarily assigned (i.e., dynamic) IP address of the client system 102 in order to identify the IP packets originating from the client system 102.

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However, Radia et al. do not explicitly disclose communicating the individualized rule set that correlates with the first user ID and the temporarily assigned network address *to the redirection server* from the ANCS 112 and SMS 114.

It would have been obvious to have the ANCS 112 and SMS 114 access the database 316 and communicate the individualized rule set that correlates with the first user ID and the temporarily assigned network address to the firewall 211 of Coss et al. A first reason is Radia et al. teach reconfiguring one or more network components that forward packets originating at the client system 102, and the firewall 211 of Coss et al. is a network component that forwards packets originating at a client system. As such, Radia et al. suggest reconfiguring the firewall 211.

It would have further been obvious to use a known technique (i.e., communicating an individualized rule set to thereby reconfiguring a router 106) to improve a similar device (firewall 211) in the same way.

Additionally, Coss et al. disclose dynamic rules can be loaded into the firewall 211 at any time by trusted applications to thereby authorize specific network sessions. For instance, Coss et al. teach:

"Dynamic rules can include unique, current information such as, for example, specific source and destination port numbers. They can be loaded at any time by trusted parties, e.g., a trusted application, remote proxy or firewall administrator, to authorize specific network sessions." [8:26-31, emphasis added]

It therefore would have further been obvious to have the ANCS 112 communicate the individualized rule set to the firewall 211 of Coss et al. because the ANCS 112 is a trusted application that authorizes specific network sessions, as suggested by Cosset al.

**and processing data directed toward the public network from the one of the users' computers according to the individualized rule set.**

Radia et al. disclose processing data directed toward the public network from the one of the user computers (one of PCs 102) according to the individualized rule set.

For instance, Radia et al. disclose:

"Subsequently, the packet filter established by the ANCS 112 is used to filter IP packets that originating from the client system 102 acting as a host for the user, allowing the packets that are associated with the network privileges of the user." [10:11-14,emphasis added]

**57. The method of claim 56, further including the step of controlling a plurality of data to and from the users' computers as a function of the individualized rule set.**

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Radia et al disclose that router 106 in FIG. 1 further provides control over a plurality of data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose the step of computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"The latter embodiment can allow the firewall techniques of the invention to provide, for example, parental control of Internet and video access in the home." [2:57-60]

See FIG. 3, rule No. 10 controlling FTP data **to host B**, and rule No. 30 controlling Telnet data **from host B**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43] allowing the firewall 211 to control data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**58. The method of claim 56, further including the step of blocking the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further blocks data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further blocks the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further blocks the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:



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FIG. 3, rule No. 20 blocking data **from host A**; and FIG. 4, fifth session key rule (D, A, Telnet) blocking data **to host A**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', '**drop**', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to block (i.e., drop) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**59. The method of claim 56, further including the step of allowing the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further allows the data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further allows the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further allows the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 4, first session key rule (A, B, TELNET) allowing data **to host B**, and second session key rule (B, A, TELNET) allowing data **from host B**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., '**pass**', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to allow (i.e., pass) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

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**60. The method of claim 8, further including the step of redirecting the data to and from the users' computers as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server further redirects the data to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further redirects the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"For some users and proxy applications, the connection should appear at the destination to be coming from the original source rather than the remote system. This applies, e.g., to services which check the source IP address to ensure that it matches the user who signed up for the requested service. **This capability is provided by "dual reflection" (or "two-way reflection"), with the source address of the outgoing connection changed back from the remote proxy to the original user's source address. This change is effected at the firewall, as each packet is received from the proxy and sent to the destination.**" [9:6-16, emphasis added]

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**61. The method of claim 56, further including the step of redirecting the data from the users' computers to multiple destinations as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server further redirects the data from the users' computers to multiple destinations* as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.

For instance, Coss et al. disclose:

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"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy" [9:39-42]

"Proxy processes have also been developed for other special-purpose applications, e.g., to perform services such as **authentication, mail handling, and virus scanning.**" [1:45-49, emphasis added]

Coss et al. also gives examples of redirecting data to both a Telnet proxy and an FTP proxy. For example, Figure 3, rule No. 30 redirects TELNET data to a Telnet proxy server. Coss et al. further state, "For example, an FTP proxy **application** could use a dynamic rule to authorize establishment of an FTP data channel in response to a data request." It is inherent that data was also redirected to the FTP proxy application as a function of the individualized rule set.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data from the users' computers to multiple destinations as a function of the individualized rule set.

**Additionally, Coss teaches "a computer network firewall can be instructed to redirect network session to a separate server for processing, so as to unburden the firewall application proxies. The server processes the redirected network session, and then passes the session back through the firewall to the intended original destination." See col. 2, lines 42-48.**

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**62. The method of claim 56, further including the step of creating database entries for a plurality of the plurality of users' IDs are correlated with a common individualized rule set.**

Radia et al. disclose that the database entries for a plurality of the plurality of the users' IDs are correlated with a common individualized rule set.

For instance, "In the above description, we have set a default profile called the default login profile. The default login profile is a static profile that **applies to ALL newly connected client systems.** This way the SMS does not need to be aware as new client systems are connected.

**"One may also consider setting the default profile to a null profile and for each client system as the client system connects; for example, since a client system that connects may do a**

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DHCP operation, this event can trigger the SMS to set the login profile for the newly connected computer." [3:23-33, emphasis added]

**63. The method of claim 8, wherein the individualized rule set includes at least one rule as a function of type of IP (Internet Protocol) service.**

Radia et al. disclose that the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) packet.

For instance, Radia et al. disclose:

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP,UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

Radia et al. also disclose that at least one rule forwards packets associated with a DNS (domain name service):

"The second of the login filtering profiles 400 forwards packets **associated with DNS (domain name service)** address resolution." [8:6-8, emphasis added]

However, Radia et al. do not explicitly disclose at least one rule as a function of *a type of IP service*.

Coss et al. disclose that the individual rule set includes at least one rule as a function of a type of IP service.

For instance, Coss et al. disclose:

"Service" column in rule table of Figure 3 providing rules as a function of types of IP services such as "FTP", "TELNET", and "MALL".

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a **designation of a special service which can be called for in a packet, and a specification of an action to be taken on a packet.** Special services can include proxy services, network address translation, and encryption, for example. In FIG. 3, the categories "Source Host," "Destination Host" and "Service" **impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet.**" [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any

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individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**64. The method of claim 56, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.**

Radia et al. disclose the individualized rule set includes a default filter sequence for a newly connected client system that allows the newly connected client system to perform login. Radia et al. also disclose that after a user of the newly connected client logs in, the filter sequence associated with the client device is changed to another sequence. For example:

"The SMS maintains a series of filtering profiles, each of which includes one or more of filtering rules. The SMS sets a default filter sequence for the newly connected client system by downloading the sequence by the SMS to the ANCS .... Subsequently, the packet filter uses the rules of the login filtering profile sequence to selectively forward or discard IP packets originating from the client system. This filtering sequence will allow newly connected client systems to perform login but nothing else." [3:5- 22, emphasis added]

"A preferred embodiment of the present invention also generates or selects filtering profiles for users. With the login filtering profile sequence in place, a user can use the newly connected client system to login to the network. The user login is monitored by the SMS. **If the user login is successful, the SMS selects or generates a user filtering profile sequence.** The user filtering profile sequence is then downloaded by the SMS to the ANCS .... **Subsequently, the new packet filter uses the rules of the user filtering profile sequence to selectively forward or discard IP packets originating from the client system.**" [3:34-50, emphasis added]

However, Radia et al. do not explicitly disclose utilizing the login filtering *sequence for an initial period of time*. (Instead Radia et al. only disclose utilizing the login filtering sequence until the user logs in.)

Coss et al. disclose that the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the firewall 211 is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

For instance, Coss et al. disclose:

"Exemplary dynamic rules include a 'one-time' rule which is only used for a single session, a time-limited rule which is used only for a specified time period, and a threshold rule which is used only when certain conditions are satisfied." [8:37-40, emphasis added]

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Accordingly, Coss et al. disclose utilizing an initial rule set being a set of rules including the time-limited rule before the specified time period has expired, and utilizing a standard rule set being the set of rules not including the time-limited rule after the specified time period has expired.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**65. The method of claim 56, wherein the individual rule set includes at least one rule allowing access based on a request type and a destination address.**

Radia et al. disclose that the individualized rule set includes at least one rule allowing access based on a type of IP (Internet Protocol) packet and destination address.

For instance, Radia et al. disclose:

"In FIG. 5, it may be seen that each filtering rule 404 includes an action 500. Action 500 specifies the disposition of IP packets that match by a particular filtering rule 404. In particular, **action 500 may indicate that a matched IP packet will be forwarded, or that a matched IP packet will be discarded.**" [6:14-18]

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

"Filtering rule 404 also includes a destination IP address 502 and a destination IP mask 504. Destination IP address 502 corresponds to the destination address included in the header of an IP packet. Destination IP mask 504 is similar to destination IP address 502 but corresponds to a range of destination addresses. To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404." [6:18-29, emphasis added]

However, Radia et al. do not explicitly disclose the individualized rule set includes at least one rule allowing access based on a *request type* and a destination address.

Coss et al. disclose that the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

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For instance, Coss et al. disclose:

Rule No. 40 in Figure 3 allowing access (i.e., action= "PASS") based on a request type of "MAIL" and a destination host of "D".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**66. The method of claim 56, wherein the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.**

Radia et al. do not explicitly disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

However, Coss et al. disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

For instance, Coss et al. disclose:

Rule No. 30 in Figure 3 redirecting data (i.e., action = "PROXY") based on a request type of "TELNET" and attempted destination host of "C".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

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**67. The method of claim 56, wherein the redirection server is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet Protocol) packet header by a second destination address as a function of the individualized rule set.**

Radia et al. do not disclose that the redirection server is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

For instance, Coss et al. disclose:

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a designation of a special service which can be called for in a packet, **and a specification of an action to be taken on a packet.**" [4:1-6, emphasis added]

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy; if configured, the destination port can be changed as well; the original packet header data is recorded in the session cache along with any changed values;" [9:39-44, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**Claims 16-24, 26, 27, 36-43, and 68-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coss et al. in view of the APA.**

The proposed rejection for claims 16-24, 26, 27, 36-43, and 68-90 on pages 338-484 of the request is hereby incorporated by reference.

**This is a RIGHT OF APPEAL NOTICE (RAN);** see MPEP § 2673.02 and § 2674. The decision in this Office action as to the patentability or unpatentability of any original patent



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claim, any proposed amended claim and any new claim in this proceeding is a FINAL DECISION.

No amendment can be made in response to the Right of Appeal Notice in an *inter partes* reexamination. 37 CFR 1.953(c). Further, no affidavit or other evidence can be submitted in an *inter partes* reexamination proceeding after the right of appeal notice, except as provided in 37 CFR 1.981 or as permitted by 37 CFR 41.77(b)(1). 37 CFR 1.116(f).

Each party has a **thirty-day or one-month time period, whichever is longer**, to file a notice of appeal. The patent owner may appeal to the Board of Patent Appeals and Interferences with respect to any decision adverse to the patentability of any original or proposed amended or new claim of the patent by filing a notice of appeal and paying the fee set forth in 37 CFR 41.20(b)(1). The third party requester may appeal to the Board of Patent Appeals and Interferences with respect to any decision favorable to the patentability of any original or proposed amended or new claim of the patent by filing a notice of appeal and paying the fee set forth in 37 CFR 41.20(b)(1).

In addition, a patent owner who has not filed a notice of appeal may file a notice of cross appeal within **fourteen days of service** of a third party requester's timely filed notice of appeal and pay the fee set forth in 37 CFR 41.20(b)(1). A third party requester who has not filed a notice of appeal may file a **notice of cross appeal within fourteen days of service** of a patent owner's timely filed notice of appeal and pay the fee set forth in 37 CFR 41.20(b)(1).

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Any appeal in this proceeding must identify the claim(s) appealed, and must be signed by the patent owner (for a patent owner appeal) or the third party requester (for a third party requester appeal), or their duly authorized attorney or agent.

Any party that does not file a timely notice of appeal or a timely notice of cross appeal will lose the right to appeal from any decision adverse to that party, but will not lose the right to file a respondent brief and fee where it is appropriate for that party to do so. If no party files a timely appeal, the reexamination prosecution will be terminated, and the Director will proceed to issue and publish a certificate under 37 CFR 1.997 in accordance with this Office action.

All correspondence relating to this *inter partes* reexamination proceeding should be directed as follows:

By Mail to:

Mail Stop *Inter Parte* Reexam  
ATTN: Central Reexamination Unit Commissioner of Patents United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX to:

(571) 273-9900  
Central Reexamination Unit

By Hand:

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

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Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at <https://efs.uspto.gov/efile/myportal/efs-registered>

EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are "soft scanned" (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the "soft scanning" process is complete.

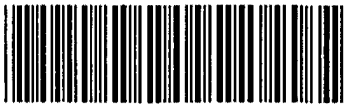
Any inquiry concerning this communication should be directed to the Central Reexamination Unit at (571) 272-7705.

/Jalatee Worjloh/

Primary Examiner, Art Unit 3992

/FOF/

  
WOO H. CHOI  
Supervisory Patent Reexamination Specialist  
CRU - Art Unit 3992

<b>Reexamination</b> 	<b>Application/Control No.</b> 95002035 and 90/012342	<b>Applicant(s)/Patent Under Reexamination</b> 6779118
	<b>Certificate Date</b>	<b>Certificate Number</b>

<b>Requester Correspondence Address:</b>	<input type="checkbox"/> <b>Patent Owner</b>	<input checked="" type="checkbox"/> <b>Third Party</b>
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<b>LITIGATION REVIEW</b> <input checked="" type="checkbox"/>	<i>I.J.W./</i> (examiner initials)	04/05/2013 (date)
<b>Case Name</b>	<b>Director Initials</b>	
(OPEN) 8:12cv522		
(CLOSED) 2:10cv277		
(CLOSED) 2:09cv26		
(CLOSED) 2:09cv26		
(CLOSED) 2:08cv385		
(CLOSED) 2:08cv304		
(CLOSED) 2:08cv264		

<b>COPENDING OFFICE PROCEEDINGS</b>	
<b>TYPE OF PROCEEDING</b>	<b>NUMBER</b>
NONE	

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

In re patent of Ikudome et al.	§ <i>Inter Partes</i> Reexamination
	§ <b>Control No. 95/002,035</b>
U.S. Patent No. 6,779,118	§
	§ Merged with <i>Ex Parte</i> Reexamination
Issued: August 17, 2004	§ <b>Control No. 90/012342</b>
	§
Title: USER SPECIFIC AUTOMATIC	§ Group Art Unit: 3992
DATA REDIRECTION SYSTEM	§
	§ Examiner: Jalatee Worjloh
	§
	§ Confirmation No.: 1745
	§

**COMMENTS BY THIRD PARTY REQUESTER**  
**PURSUANT TO 37 C.F.R. § 1.947**

Mail Stop *Inter Partes* Reexam  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On June 28, 2013, the Patent Owner filed a Response regarding the Action Closing Prosecution of April 29, 2013. Cisco Systems submits the following Comments. It is respectfully requested, for the reasons identified below, that the Examiner:

- (i) maintain the rejection of, and issue an action closing prosecution for, claims 2-7, 9-14, 16-24, and 26-90 (all the claims in reexamination), and
- (ii) deem the arguments advanced by the Patent Owner in the Response to be erroneous, improper, and/or unpersuasive.

In the context of this *inter partes* reexamination, the standard provided in MPEP § 2111 for claim interpretation during patent examination may be applied whereas a different standard may be used by a court in litigation. The Patent Office is not required to interpret claims in the same manner as a court would interpret claims in an infringement suit.

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## COMMENTS

Requester's Comments are based on an interpretation of the claims appropriate to this proceeding. In the context of this *inter partes* reexamination, the standard provided in MPEP § 2111 for claim interpretation during patent examination may be applied whereas a different standard may be used by a court in litigation. The Patent Office is not required to interpret claims in the same manner as a court would interpret claims in an infringement suit.

### **I. Summary of Argument**

Patent Owner's Response consists mostly of generalized arguments for patentability without reference to specific claim language. Where the Patent Owner does address the claim language, the Patent Owner merely argues for interpretations that are inconsistent with the broadest reasonable interpretation in view of the specification—the standard of claim interpretation that applies in this proceeding. Even if the proposed interpretations were reasonable, the Patent Owner frequently fails to show how the interpretation would distinguish the claim from the teachings of the prior art.

Patent Owner fails to show any error in the Examiner's rejections and presents no reason why the rejections should be reconsidered or withdrawn. Accordingly, the Examiner's rejections should be reaffirmed and made final in a Right of Appeal Notice.

### **II. Comments on the Action Closing Prosecution**

Requester generally agrees with the Examiner's statements in the Action Closing Prosecution (ACP), in particular the Examiner's decision to maintain the rejection of all of the claims in reexamination. Where appropriate, Requester provides further comments below in the context of the Patent Owner's Response.

### **III. Comments on the Decision to Withdraw Rejections of Claim 27**

The Examiner withdrew the rejections of claim 27 as 1) obvious over Willens in view of RFC 2138 and Stockwell and 2) obvious over Willens in view of RFC 2138 and the Admitted Prior Art. Although claim 27 remains rejected over other art, Requester believes that the decision to withdraw these rejections was incorrect. While, as the Examiner stated, Willens teaching of "updating the permit list ... does not necessarily include 'removal or reinstatement' of a portion of the rule set," Requester respectfully submits that Willens renders "removal or reinstatement" obvious. In particular, the Examiner's use of the word "necessarily" suggests that



the prior art was evaluated for *inherency*, which is not required since the proposed rejection is for obviousness, not anticipation. As such, Requester respectfully asks for reconsideration and re-adoption of the proposed obviousness rejections of claim 27 based in part on Willens.

**IV. Comments on the Patent Owner’s Claim Construction for “Redirection”**

Patent Owner acknowledges that none of the claims recite a “session” (Resp. at 5), but nevertheless argues that the claims “limit redirection to occurring only during a ‘session.’” (Resp. at 6.) In support of this argument, the Patent Owner cites various sections of the specification relating to the correlation between a user ID and a temporarily assigned network address.

The Examiner has already considered and disagreed with this argument, correctly stating that “the claims do not limit redirection to occur only ‘during a session.’” (ACP at 8.) The Patent Owner’s interpretation would improperly import limitations from the specification into the claims. However, it is well accepted that limitations from the specification are *not* read into the claims. *See In re Van Geuns*, 988 F.2d 1181 (Fed. Cir. 1993). Since the claims must be given their broadest reasonable interpretation in this proceeding, and since the claims do not limit redirection to occurring during a session, the Examiner correctly determined that the Patent Owner’s argument was without merit. (*See* ACP at 8-9.)

**V. Comments on the Patent Owner’s Response to the Rejection of Claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84 and 86-90 as Obvious over Willens in view of RFC 2138 and either Stockwell or the Admitted Prior Art**

The Examiner properly rejected claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84 and 86-90 as obvious over Willens (US5889958) in view of RFC 2138 and Stockwell (US5950195). As analyzed more fully in the Request for Reexamination:

- Willens teaches that each user can have an individualized set of rules that are enforced by a communication server, which blocks or allows data packets sent between the user’s computer and the network. (*See, e.g.*, Willens, 5:60–6:9.)
- Stockwell teaches a similar system for controlling users’ access to a network, with a further teaching that rules controlling a user’s access to the network can not only block or allow data packets, but also redirect data packets to an alternate destination. (*See, e.g.*, Stockwell 2:29-31.)

Thus, Willens, RFC 2138 and Stockwell render obvious the claimed systems and

methods including the “redirection server” that processes users data “according to the individualized rule set.”

Similarly, the Examiner properly rejected these same claims as obvious over Willens in view of RFC 2138 and the Admitted Prior Art. As analyzed more fully in the Request for Reexamination, the Admitted Prior art teaches that it was known to redirect a user’s request to an alternate destination. (*See, e.g.*, ’118 Patent 1:38-67.) Thus, Willens, RFC 2138 and the Admitted Prior Art render obvious the claimed systems and methods including the “redirection server” that processes users data “according to the individualized rule set.”

Patent Owner argues all of these rejections based in part on Willens, and accordingly Requester responds with the following comments.

**A. Willens Teaches Correlating a User ID to a Temporarily Assigned Network Address**

Patent Owner argues that “neither Willens nor Stockwell teaches or suggests a rule set ‘correlated to’ a temporarily assigned network address as a condition of redirection.” (Resp. at 6.) Patent Owner cites an example from the specification where a user’s rule set is associated with a temporarily assigned network address “at the time of user log in.” (*Id.*) The Examiner has correctly considered and rejected this argument. (*See* ACP at 19.)

First, none of the claims recite that the correlation is “a condition of redirection” as the Patent Owner argues. The Patent Owner fails to explain why such a “condition” limitation should be read into the claims. Thus, the argument fails to “point[] out the specific distinctions believed to render the claims ... patentable over any applied references.” *See* 37 CFR 1.111(b).

Second, Willens plainly teaches correlating a user’s rule set to a temporarily assigned network address as part of a user login process. Specifically, Willens teaches checking a user’s password, locating his user profile and filter (“individualized rule set”), and providing them to client software 44 (“redirection server”) to control the user’s access to the Internet:

When *user 22 logs in* through the communications server 14, the RADIUS client software 45 first determines if user 22 is authorized by checking his password through RADIUS server 16, utilizing user profiles 46. The user profiles 46 also identify a filter "F(Timmy)" in his user profile 46. After checking user 22's authorization, the RADIUS server 16 *supplies the filter identification* through the RADIUS client 45 software along with the verification acknowledgment for the user 22 *for use by client software 44 for controlling access by the user 22 to Internet sites.*

(Willens, 5:5-17.) Willens then shows that the user's individualized rule set is identified and applied to communications to or from the user's temporarily assigned network address:

*The source and destination addresses in the header packet are used to identify the user, allowing selection of the appropriate user filter, and to identify the site for which the user desires access. An example source address identifying a user might be:*

192.168.51.50

An example destination address identifying a site requested by the user might be:

172.16.3.4

The server 14 uses such addresses in packet headers for making decisions on the handing of IP packets, such as for firewall security.

(Willens, 6:35-46.)

Thus, Willens expressly teaches that— contrary to the Patent Owner's statement—the user's rule set and network address are “associated and occur together in the redirection server while data from the user is being processed.” (Resp. at 6.) The Examiner's rejection specifically highlighted the above-quoted teachings in Willens. (*See* Ex. AA at 10-11.) Patent Owner's argument is without merit.

**B. Willens and Stockwell, Together, Teach a Redirection Server**

Patent Owner continues to argue the references individually, stating that neither Willens nor Stockwell teach every aspect of the claimed “redirection server.” (Resp. at 7.) However, as the Examiner correctly explained, it is the combination of Willens and Stockwell that teach the claimed “redirection server.” (*See, e.g.*, ACP at 11.)

Patent Owner argues that the combination of Willens and Stockwell would provide only a limited redirection capability, with “a ‘redirection’ action occurring in response to an IP destination address.” (Resp. at 7.) However, the Patent Owner fails to identify any claim language that would require the redirection server to apply a rule that would redirect traffic on other criteria. As such, the argument fails to distinguish the claim language over the prior art teachings. Furthermore, Willens teaches a variety of criteria that may be used for filtering

traffic: “The firewall filtering of server 14 provides bidirectional (input/output) packet filtering for *source and destination addresses*, for *protocol* (Transport Layer Protocol(‘TCP’), User Datagram Protocol (‘UDP’), IP, Internetwork Packet Exchange (‘IPX’) and *port* (Hypertext Transport Protocol (‘http’), etc.).” (Willens, 6:16-22.) And Stockwell teaches that traffic may be filtered through a redirection action. (See Stockwell, 2:29-31.) Thus, the combination renders obvious applying a redirection filter based on a variety of criteria. “A person of ordinary skill in the art is also a person of ordinary creativity, not an automaton.” MPEP 2141 II.C (citing *KSR v. Teleflex*, 550 U.S. at 421, 82 USPQ2d at 1397(2007).)

Patent Owner states that the Admitted Prior Art “describes essentially the same redirection as taught by Stockwell” (Resp. at 7), and argues that the combination of Willens and the Admitted Prior Art is deficient for the same reasons argued regarding Stockwell. (Resp. at 7-8.) However, as shown above, the claims do not distinguish over Willens and Stockwell. For the reasons given in the Examiner’s rejections—which the Patent Owner does not address in detail—the claims are similarly obvious over Willens in combination with the Admitted Prior Art.

### C. Willens and Stockwell Teach Modifying a Rule Set

Patent Owner reiterates its previous arguments regarding claims 16-18, 23, 24, 26, 36-39, 42, 43, 68-82, and 86-90 which recite language such as “modification of at least a portion of the rule set.” (Resp. at 8-9.) This argument continues to fail because it is based on a misunderstanding of Willens. The Examiner correctly rejected the argument because “At least Willens teaches modifying the filters during a user session.” (ACP at 10.) Patent Owner’s argument also fails to consider the additional relevant teachings of Stockwell.

Willens teaches that the filter F (Timmy) includes references to filter lists, such as a “PTA List.” (See Fig. 3, elements 54 & 52.) Willens further teaches that the communication server 14 (the “redirection server”) loads and caches the PTA List from ChoiceNet server 18:

The server 14 looks at each filter rule found in "F(Timmy)" starting from the top. When it reaches the rule permit "PTA List", **the server 14 looks into its local cache 50** to see if www.playboy.com is on the PTA List. If not, **the server 14 sends a filter look-up request to the server 18**. This look-up contains the list name "PTA List" and the site Timmy is trying to access (www.playboy.com). The server 18 searches list 52 and sends back

the result. Based on the result, the server 14 either permits or denies access **and updates its local cache** 50.

(Willens, 5:64–6:7.) Thus, communication server 14 does not permanently store the entire PTA List as the Patent Owner argues, but rather stores recently used portions of it in a temporary cache. As is common with memory caching, over time some entries in the cache must be discarded to make room for newer entries. When a discarded entry is needed again, it is understood that communications server 14 will again contact the ChoiceNet server 18. Thus, Willens teaches that a portion of the rule set on communication server 14—specifically, the cached portion of the PTA List—may be automatically modified.

Furthermore, as noted in the Request, the ChoiceNet server 18 “automatically maintains the permit list by downloading updated versions of the list over the Internet,” perhaps “on a daily or hourly basis.” (Willens 5:41-43, 4:43-44.) Thus, the PTA List—part of the F(Timmy) rule set—may be automatically modified. For example, during the course of a student’s day at school, additional websites may be discovered that should be allowed or blocked, so they could be added to the PTA List. Within an hour, the update would reach the ChoiceNet server 18 and, as needed in response to a student’s queries, be obtained and applied by the communication server 14 to the student’s communications. Thus, Willens teaches that a portion of the rule set on communication server 14 may be automatically modified.

Regarding the communication server 14’s caching of access determinations, it would further have been obvious that these cache entries should include an expiration time after which they would be discarded (if they have not already been discarded for lack of recent use.) For example, Stockwell teaches that cache entries should only be relied on before their expiration, thus avoiding the use of stale data:

The reply can *include an expiration date* for the result of this query. This is *used internally for caching*. If a duplicate query is made by the same agent before the time expires, the cached reply is returned.

(Stockwell, 8:30-33, emphasis added.) It would have been obvious to apply a similar expiration timer to the cache entries in Willens’ communications server 14, thus ensuring that automatic updates received by ChoiceNet server 18 will propagate down to the communications server 14 in a timely fashion.

More generally, Requester submits that in view of Willens' teaching to automatically update a filter list on ChoiceNet server 18, it would have been obvious to update any filter lists in active use on communications server 14. For example, when an error in a school's filter list is discovered—whether a harmful site is allowed or an educational site is blocked—it would have been obvious for a teacher or school administrator to be able to correct the filter list and have the change applied to all students immediately. Without such a capability, a teacher's lesson plan might be thrown into disarray because access to a needed website is being inadvertently blocked. Similarly, an entire school could be disrupted by students accessing a website that the teachers and administrators have no ability to block immediately. For at least these motivations, it would have been obvious that automatic updates could be sent not just to ChoiceNet server 18, but also to communications server 14.

**D. Comments on the Patent Owner's Argument Regarding "Elements or Conditions"**

Patent Owner argues that examples of "elements or conditions" that can be specified in a rule set include "time," "a location which may or may not be accessed," and "when and how to modify the rule set during a session." (Resp. at 9.) These ideas, Patent Owner argues, correspond to the limitation of allowing "automated modification of at least a portion of the rule set as a function of some combination of time, data transmitted to or from the user, or location the user accesses" in claims 16-18, 23-24, 26-43, 68-71 and 76-90. (*Id.*) For this reason, the Patent Owner argues that the rejections should be withdrawn.

The Examiner correctly rejected this argument. (*See* ACP at 12-14.) Patent Owner's argument continues to fail because it does not identify any deficiency in the prior art. The Examiner's rejections expressly show how various prior art references teach modifying a rule set based on time, data transmitted to or from a user, and a location accessed. (*See, e.g.*, Ex. AA at 21-23.) For example, Willens teaches modifying a rule set based on time, such as "on a daily or hourly basis" (Willens, 4:40-45). Willens also teaches modifying a rule set as a function of data transmitted from the user, such as a user's ID and password provided during login. (Willens, 5:8-18.) Willens further teaches modifying a rule set as a function of a location the user accesses, such as by updating a cache with a permit/deny decision for "the site Timmy is trying to access (www.playboy.com)." (Willens, 6:2-7.) Patent Owner does not show any claim distinction over these teachings. The argument is without merit.

**VI. Comments on the Patent Owner's Response to the Rejection of Claims 2-7, 9-14, 16-24, 26-90, Based in Part on Radia**

**A. Comments on the Patent Owner's Argument Regarding "Configured to Allow Modification"**

Patent Owner argues that "the redirection server configured to allow automated modification" should be interpreted as meaning "The redirection server is programmed to perform automatic modification of the rule set when a specified element or condition in the rule set occurs." (Resp. at 12.) Here, the Patent Owner attempts to read two additional limitations into the claims, neither of which is supported. Specifically, the Patent Owner would add, through attorney argument rather than amendment, (1) that the redirection server *itself* must perform modifications to the rule set, and (2) that the rule set must specify an element or condition for *when* a modification occurs. Neither of these limitations-by-argument is appropriate under the broadest reasonable interpretation.

First, the claims do not recite that the redirection server *itself* performs the modification. Rather, the claim limitation at issue requires the redirection server be "configured to *allow* modification" of the rule set. Notably, the '118 Patent specification includes examples where the redirection server allows an outside server to modify the rule set:

Of course, the type of *modification an outside server can make to a rule set* on the redirection server is not limited to deleting a redirection rule, but can include any other type of modification to the rule set that is supported by the redirection server....

('118 Patent, 8:6-10 (emphasis added).) Although Requester highlighted the quoted language in its previous Comments, the Patent Owner provided no response. Accordingly, Patent Owner's argued claim interpretation is inconsistent with the broadest reasonable interpretation in light of the specification, as it would exclude embodiments where the rule set is modified by an outside server.

Second, contrary to the Patent Owner's assertion, the claims do not recite that a modification occurs "when the conditions of the rule set" require. (Resp. at 11.) As noted above, the claims do not recite that the rule set includes "conditions," and such an interpretation is contrary to the broadest reasonable interpretation in view of the specification. The '118 specification states that "Rule sets *may* contain data about ... under what conditions the rule set should be removed..." ('118 Patent, 4:41-49), but the Patent Owner provides no citation to the

specification in support of the assertion that such conditions are *required* under the broadest reasonable interpretation. More generally, the Patent Owner fails to explain why or how the claims require the “rule set” to include instructions for modifying itself. As such, the Examiner correctly rejected these arguments. (*See* ACP at 30-31.)

The Patent Owner also argues that automatic modification is required because “claims 27 and 40-43 (depending from claim 25), 29 and 52 recite that the ‘redirection server is configured to utilize....’” (Resp. at 12.) However, claims 27 and 40-43 contain no such language. Claims 29 and 52 recite “configured to utilize,” but the limitation does not relate to modifying a rule set, but rather switching between two distinct rule sets:

29. The system of claim 1, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

The Examiner’s rejection showed how Radia teaches using a “login filtering” profile and then, after a user logs into the system, using the “sequence of filtering profiles 400 associated with the user.” (Radia, 7:38-49; 9:46-10:14; *see also* ACP at 26-27; Ex. BB at 27.) Patent Owner presents no response to these teachings or to the Examiner’s further explanation of them in the Action Closing Prosecution. As such, the Patent Owner fails to point out any alleged distinction over the prior art.

In summary, the Patent Owner has not provided any reason for interpreting any claims as requiring either (1) modification of the rule set by the redirection server itself or (2) modification of the rule set based on conditions or elements that are part of the rule set. Thus, the Patent Owner has not provided any basis for withdrawing any of the rejections, and affirmance is appropriate.

**B. Comments on the Patent Owner’s Argument Regarding Radia’s Router and ANCS Together Acting as a Redirection Server**

Patent Owner argues that Radia teaches modifying the rule set only in response to an “event,” and not based on programming in the rule set itself. (Resp. at 12.) This argument fails because, as addressed in the previous section, the claims do not require the rule set to include instructions for its own modification. Thus, patent owner’s argument is without merit.



**C. Comments on the Patent owner's Arguments Regarding Radia and Stockwell**

Patent owner argues that the '118 Patent requires a redirection server "capable of being triggered by 'element or conditions' other than a destination IP address." (Resp. at 13.) This argument fails because the independent claims recite no such limitation requiring filtering on criteria *other than* a destination address. Furthermore, the '118 patent specification provides various examples, specifically highlighting scenarios in which traffic is filtered based on a destination address:

A user's access can be "locked" to only allow access to one location, or a set of locations, without affecting other users' access. Each time a locked user attempts to access another location, the redirection server 208 redirects the user to a default location. In such a case, the redirection server 208 acts either as proxy for the destination address, or in the case of WWW traffic the redirection server 208 replies to the user's request with a page containing a redirection command.

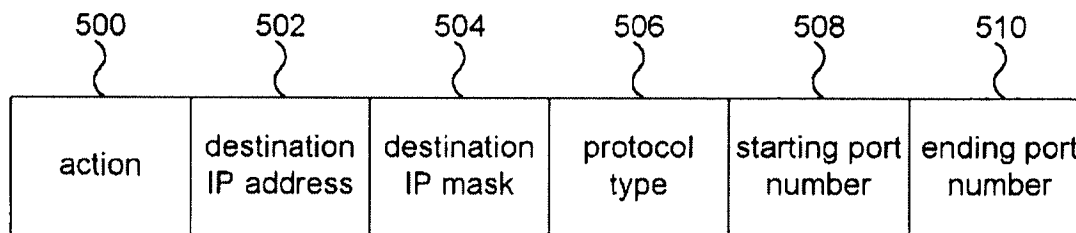
('118 Patent, 5:22-30.)

The following is an example of a typical user's rule set, attendant logic and operation:

If the rule set for a particular user (i.e., user UserID-2) was such as to only allow that user to access the web site www.us.com, and permit Telnet services, and redirect all web access from any server at xyz.com to www.us.com, then the logic would be as follows...

('118 Patent, 6:4-10.) Thus, it is within the broadest reasonable interpretation of the claims for the rule set to filter traffic based on a destination IP address.

Patent owner further argues that claims 31, 35, 54 and 66 require redirection based on a combination of two conditions, and that Radia and Stockwell fail to render this obvious. (Resp. at 13.) The Examiner's rejection, however, cited to Radia's disclosure of a filter action 500 that—as shown in Fig. 5 below—can be based on a number of criteria, including destination IP address, destination mask (both are types of destinations), and protocol type (a request type). (See Ex. BB at 28.)



Radia Fig. 5

Radia explains the use of these multiple filter-match criteria as follows:

*To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404.*

Filtering rule 404 also includes a protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet. Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. *To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404.*

(Radia'233, 6:23-35; *see also* Ex. BB at 28.) The Patent Owner's response completely ignores these teachings, and thus does not respond to the Examiner's rejection. As such, the Patent Owner has not shown how the claim language is alleged to distinguish over the prior art.

The Patent Owner argues that claim 61 requires redirection to multiple web sites and that this would not have been obvious. (Resp. at 13.) The Examiner's rejection relied on Stockwell's teaching that multiple rules could each redirect to different destinations. (See Ex. BB at 11, 38; Stockwell Fig. 5.) Stockwell further provides examples in which its multiple rules control access to multiple web servers:

The first rule allows http access from the internal security domain to *all Web servers* in the external security domain. The second rule denies access to *a specific Web server* located at 174.252.1.1.

(Stockwell, 2:19-22 (emphasis added).) Thus, Radia and Stockwell render obvious the limitation of redirecting "to multiple destinations a function of the individualized rule set" as recited in

claim 61. The Patent Owner's response completely ignores these teachings, and thus does not respond to the Examiner's rejection. As such, the Patent Owner has not shown how the claim language is alleged to distinguish over the prior art.

The Patent Owner argues that claim 67 is distinguished because it "includes redirection by a redirection server in response to a rule set correlated with the temporarily assigned network address." (Resp. at 13.) Requester notes that all of the claims require a redirection server and a rule set, and the Patent Owner's argument fails to address either the claim limitations of claim 67 or the Examiner's analysis and basis for rejection. (*See* Ex. BB at 40, 37.) Claim 67 recites in part, "replacing a first destination address in an IP (Internet protocol) packet header by a second destination address." Stockwell teaches, for example, "to redirect the destination IP address to an alternate machine." (Stockwell, 5:24-30.) The Patent Owner's response completely ignores these teachings, and thus does not respond to the Examiner's rejection. As such, the Patent Owner has not shown any alleged distinction over the prior art.

In summary, Patent Owner asserts that the claims are distinguished but fails to reference specific claim language and fails to show how the claim language distinguishes the prior art relied on in the Examiner's rejections. A rejection cannot be overcome by a generalized assertion that the claim is patentable, and as such, the Patent Owner's arguments fail. *See* 37 C.F.R. § 1.111(b).

**VII. Comments on the Patent Owner's Response to He, Zenchelsky, Fortinsky, and the Admitted Prior Art**

**A. Comments on the Patent Owner's Response Regarding Multiple Rejections Based in Part on He and Zenchelsky**

The Patent Owner argues that the multiple rejections based in part on He and Zenchelsky are "inconsistent on their face." (Resp. at 14.) Requester is unaware of any rule that would restrict the Examiner's ability to adopt rejections based on both 1) He, Zenchelsky, and the Admitted Prior Art, and 2) He, Zenchelsky, the Admitted Prior Art, and Fortinsky. To the contrary, the MPEP expressly *allows* rejections in the alternative, such as concurrent rejections for both anticipation and obviousness. *See* MPEP 2112 (III).

The Patent Owner further argues that the Admitted Prior Art does not include "redirection servers that respond or are configured in the manner recited in the claims." (Resp. at 14.) Even if correct, the Patent Owner's assertion is irrelevant, as the Examiner's rejections do

not rely solely on the Admitted Prior Art to a “redirection server.” Rather, the Examiner’s rejections rely on the Admitted Prior Art to show that *redirection* was a known technique for controlling access to resources on a public network. (*See Ex. CC at 5.*) He and Zenchelsky teach servers for controlling access to resources on a public network, and it would have been obvious to incorporate the admittedly-known “redirection” technique into the servers of He or Zenchelsky. (*See Ex. CC at 2.*) Patent Owner’s focus on the Admitted Prior Art is an improper attempt to argue the combination of references individually, and as such it is without merit. *See* MPEP 2145 (IV).

The Patent Owner further argues that the “Applicant’s supposed ‘admitted prior art’ is **not** an admission.” (Resp. at 14, 17.) However, the Patent Owner fails to cite any authority for this proposition. The “admitted prior art can be relied upon for both anticipation and obviousness determinations, regardless of whether the admitted prior art would otherwise qualify as prior art under the statutory categories of 35 U.S.C. 102.” MPEP 2141.01 (I) (citing various cases). Patent owner’s argument is incorrect and without merit.

**B. Comments on the Patent Owner’s Argument Regarding “Modifying the Rule Set During a Session”**

Patent Owner argues that claims 29, 33, 52 and 64 “recite modifying the rule set” through the limitation “to utilize the temporary rule set during an initial period of time and therefore to utilize the standard rule set.” (Resp. at 15.) Patent Owner’s argument is without merit and fails to distinguish the prior art. These claims do not require *modifying a rule set*, but rather only changing from using one portion of an individualized rule set to using another portion. Specifically, while the claims require changing from a temporary rule set to a standard rule set, both rule sets are recited as being part of the individualized rule set: “wherein the individualized rule set includes an initial temporary rule set and a standard rule set.” (Claim 29.) The Examiner’s rejections show this changing between temporary and standard rule sets, for example, through Zenchelsky’s 1) pre-rule base of general rules applied before authentication and 2) local rule base of rules that are loaded after authentication. (*See Ex. CC at 27-28; Zenchelsky 5:66-6:8; 6:35-39.*) The Patent Owner does not respond to or attempt to distinguish these prior art teachings.

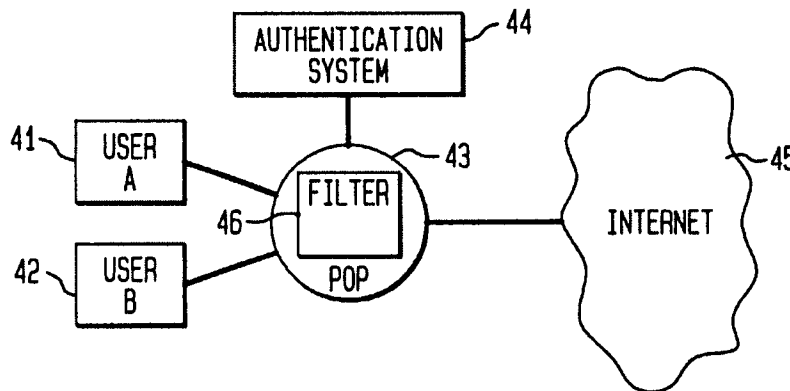
Furthermore, even if the claims were interpreted as the Patent Owner asserts, the Patent Owner provides no argument as to how that interpretation would overcome the prior art. For

example, the Examiner's rejections included analysis showing how He teaches modifying a rule set. (See Ex. CC at 17-19.) Thus, Patent Owner's argument would fail even if its proposed interpretation matched the relevant claim language.

**C. Comments on the Patent Owner's Argument Regarding Controlling Access "To the Network Itself"**

Patent Owner argues that in claim 44, "data directed toward the public network from one of the users' computers are processed by the redirection server" should be interpreted as requiring the redirection server to control access to the public network. (Resp. at 15.) Patent Owner asserts that similar arguments apply to claims 56, 64, and 66. (*Id.*)

Patent Owner fails to explain why "processing data" should be interpreted to mean "controlling access." Furthermore, even if the proposed interpretation was applied, Patent Owner fails to explain how it would distinguish the claim over the prior art. The Examiner's rejection, for example, explained how Zenchelsky teaches controlling access via a filter positioned between the user and the Internet. (See Ex. CC at 34-36.) The filter "regulate[s] the flow of information between users 51 and 53 and the hosts P, U, V, and W on the Internet." (Zenchelsky, 3:41-51.) This arrangement is shown in Fig. 4:



**Zenchelsky Fig. 4**

Patent Owner fails to explain how the proposed interpretation of "controlling access" is distinguishable from the prior art teaching to "regulate the flow of information" between users and the Internet. Thus, Patent Owner's argument regarding claims 44 and 56 is without merit.

Regarding claims 40-42, Patent Owner notes that their parent claim 25 recites that the rule set is "used to control data passing between the user and a public network." (Resp. at 16.) The Examiner's rejection showed how He taught a "credential server 204 responsible for

controlling network user credentials or privileges, which is essential for effective *network access control*.” (He, 12:66–13:1; Ex. CC at 4-5.) The rejection further explained why it would have been obvious to include redirection as a technique for controlling access to network resources. (See Ex. CC at 5-6.) Patent Owner does not address the prior art’s teachings or the Examiner’s analysis. As such, the Patent Owner fails to provide any basis on which the rejection of claims 40-42 might warrant review, and the argument is without merit.

Patent Owner notes that claim 83—similar to claim 25—recites “a plurality of functions used to control data passing between the user and a public network.” (Resp. at 16.) With respect to this language, Patent Owner argues that Zenchelsky fails to teach that the “redirection server, in response to instructions such as from the programmed rule set, modifies at least a portion of the user’s rule set.” (*Id.*) This argument fails because the purported point of distinction—modifying a user’s rule set in response to instructions *from the programmed rule set*—is not recited in claim 83. Rather, claim 83 recites a “step of *receiving instructions* by the redirection server to modify at least a portion of the user’s rule set”—but the claim is silent regarding the source of those instructions. As previously noted, the ’118 specification describes embodiments in which instructions for modifying a rule set come from an “outside server.” (See ’118 Patent, 8:2-10.) In addition, the Examiner’s rejection showed how He teaches that an administrator can modify the user’s rule set. (See Ex. CC at 45, 25.) Patent Owner does not address this teaching or explain how the recited claim language would be distinguishable. Thus, Patent Owner’s argument is without merit.

**D. Comments on the Patent Owner’s Argument Regarding Obviousness of Redirection**

Patent Owner argues that “redirection in response to something other than the destination IP address is not disclosed or suggested by APA or Stockwell.” (Resp. at 17.) This argument fails because the Patent Owner does not point to any claim language that would require redirection “in response to something other than the destination IP address.” Indeed, the Patent Owner does not even identify which claims this argument allegedly relates to.

Furthermore, the Examiner’s rejections showed how He and Zenchelsky disclose controlling access to network resources in response a variety of criteria. For example, Zenchelsky teaches implementing a configurable “security policy.” (Ex. CC at 34-35; Zenchelsky, 4:23-27.) In addition to the destination IP address, policy rules can control access

based on the source address, source port, and destination port, and version:

SOURCE Address, Port	DESTINATION Address, Port	VERSION	ACTION
A,21	G,32	4	PASS
A,22	H,19	3	DROP
G,11	A,64	4	DROP
C,9	I,23	4	PASS

(Zenchelsky, 3:5-14.) Patent Owner provides no reasoning to rebut the Examiner’s analysis that it would have been obvious to use these same criteria to redirect a user’s traffic.

Patent Owner also argues that “it is improper for this Examiner to repeat a rejection in this Reexamination Proceeding that was reversed by the Board of Appeals in the prior Reexamination Proceeding.” (Resp. at 17.) As the Examiner correctly noted in the Action Closing Prosecution, however, this proceeding is considering new analysis of the references that was not previously considered. (ACP at 33.) In other words, the prior art references are being considered in a new light. *See* MPEP 2616. For example, Requester’s analysis, adopted by the Examiner in rejecting the claims, included new analysis of Zenchelsky’s teachings, such as “providing control over a plurality of data to and from the users’ computers as a function of the individualized rule set” in claim 2. (*See* Request Ex. CC at 10-11 & Ex. DD at 17.) Zenchelsky’s teachings regarding such limitations were not considered during the previous reexamination. (*See, e.g.*, Reexamination Control No.90/009301, Final Rejection at 6 (Aug. 2, 2010).) Additionally, Patent Owner’s argument is essentially that reexamination should not have been ordered, but the decision to order reexamination is not subject to review by petition or otherwise. MPEP 2646 (II). Thus, Patent Owner’s arguments are without merit.

**E. Comments on the Examiner’s Withdrawal of Rejections of Claims 16-24, 26, 27, 36-39, 68-82, 84, and 85**

The Examiner withdrew certain rejection of claims 16-24, 26, 27, 36-39, 68-82, 84, and 85. *See* ACP at 34. Requester understands that the withdrawn rejections relate to the proposed obviousness combination of He, Zenchelsky and the Admitted Prior art. Requester respectfully disagrees.

The Examiner withdrew the rejections, stating that “He’s authentication lifetime does not teach the time condition.” (ACP at 34.) The Examiner noted that in a previous reexamination,

the Board stated that “He does not, however, draw a connection between the authentication lifetime and the administrator’s use of the database tool.” (ACP at 34-35; Control No. 90/009301, Decision on Appeal at 7 (Aug. 23, 2011).) While the Board found that He did not expressly teach the “time” limitation, “blocking a website based on these bases would have been obvious.” (Control No. 90/009301, Decision on Appeal at 10.) The Board gave the example of “blocking a site ... after discovering the user spends excessive time at a site unrelated to work.” (*Id.* n.29.) Requester expanded on this reasoning and provided further analysis showing how He would render obvious modifying a rule set as a function of time. (See Ex. CC at 18-19.) Thus, He renders obvious the claimed “time” limitation. Reconsideration is respectfully requested.

**F. Status of Rejections for Obviousness Based on He, Zenchelsky, the Admitted Prior Art, and Fortinsky**

Requester respectfully understands that a typographical oversight may have caused the rejection on page 45 of the Action Closing Prosecution to omit *Fortinsky* as a relied-upon reference in combination with He, Zenchelsky, and the Admitted Prior art. *See* ACP at 45; *compare to* Office Action mailed 10/19/2012 at 5. Requester further understands that the corresponding rejection analysis was provided in Exhibit DD, rather than Exhibit CC as indicated. *See id.* Confirmation and clarification is respectfully requested.

Assuming the foregoing is true, Requester respectfully disagrees with the decision to withdraw the rejection of claims 16-24, 26, 27, 36-39, 68-82, 84, and 85. As noted previously, He would render obvious modifying a rule set as a function of time. (See Ex. DD at 24-26.) Reconsideration is respectfully requested.

**VIII. Comments on the Patent Owner’s Response to Radia in view of Admitted Prior Art and Coss**

**A. Comments on Patent Owner’s Evidence of Reduction to Practice**

Patent Owner argues that the declarations of named inventors Ikudome and Yeung demonstrate that they reduced to practice the claimed technology prior to the Coss reference’s filing date. (Resp. at 17-18.)

These late-filed declarations should be denied entry. An affidavit or declaration filed after the issuance of an Action Closing Prosecution may be entered only “upon a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented.” 37 C.F.R. 1.116(e). Patent Owner fails to demonstrate such “good and sufficient



reasons.”

Patent Owner asserts that until the Action Closing Prosecution, “the inventors did not have a recollection of the evidence establishing an earlier reduction to practice.” (Resp. at 18.) A review of the record, however, suggests that the Patent Owner apparently knew of the alleged evidence and deliberately chose not to provide it earlier. The file history of Ex Parte Reexamination No. 90/012342 (prior to its merger with this proceeding) indicates that Patent Owner knew of the alleged evidence but deliberately chose not to submit it after the first Office Action:

If necessary, Patent Owner is prepared to file Affidavits under 37 CFR § 131 in support of prior conception and reduction to practice before the filing date of Coss.

(Control No. 90/012342, Response at 10 n. 14. (Feb. 7, 2013).) Since Patent Owner was “**prepared to file Affidavits**” after the first Office Action but chose not to, the declarations submitted following the Action Closing Prosecution *could have been* provided earlier. Patent Owner does not explain why it chose to withhold the declarations until now. Since it consciously pursued a strategy of delaying the presentation of its allegedly antedating evidence, Patent Owner does not have “good and sufficient reasons why the affidavit or other evidence ... was not earlier presented.” The evidence should be refused entry.

Furthermore, all of the evidence and information presented was accessible to the Patent Owner at the time of the previous Office Action. The declaration of Ikudome does not state where he found the submitted receipts from various computer-related purchases (“Appendix A”) or why they would have been inaccessible to him until now. The other allegedly antedating exhibit (“Appendix B”) is a “Technical Innovation Report” that he previously discussed at his 2010 deposition in related litigation. (Ikudome Decl., ¶ 4.) Thus, the Patent Owner had access to all of the information that it now, belatedly, submits in an attempt to antedate Coss. The Examiner should deny entry of the Patent Owner’s untimely affidavit and evidence.

Even if admitted, Patent Owner has not shown how the evidence is necessary or would establish conception and reduction to practice prior to Coss’ priority date. Establishing an actual reduction to practice “requires a showing of the invention in a physical or tangible form *that shows every element* of the [claim]” and that “*will work* for its intended purpose.” MPEP 2138.05 (emphasis added). Patent Owner’s evidence fails to make such a showing.

First, the collection of receipts for various hardware and software purchases is not correlated with any of the claim limitations. Does a “Cyclom-16YeP/DB25” correspond to any limitation recited in the claims? Neither the Patent Owner nor either declarant attempt to provide any answer.

Second, the Technical Innovation Report is not shown to support every element of the rejected claims. Indeed, Patent Owner does not provide any analysis whatsoever of the claim language relative to the Technical Innovation Report. “Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice ‘amounts essentially to mere pleading, unsupported by proof or a showing of facts’ and, thus, does not satisfy the requirements of 37 CFR 1.131(b).” MPEP 715.07 (I).

Even a cursory review of the Technical Innovation Report shows that it lacks various limitations. For example, claim 1 recites that the “authentication accounting server accesses the database and communicates the individualized rule set ... to the redirection server.”<sup>1</sup> While the Report describes both an “Authentication and Accounting server” and a “Main redirection server,” they do not function as claimed. Instead of receiving an individualized rule set from the authentication and accounting server, the Report states that the redirection server “Consults database (or a flat file) to see if the user in a new session needs to be redirected.” (Ikudome Decl., Appendix B at 7.) Thus, the system described in the Report was structured entirely differently than the claims under reexamination.

The submitted evidence is similarly deficient with respect to limitations in the dependent claims. For example, Claim 2 recites providing “control over a *plurality of data* to and from the users’ computers.” The Report, however, states that “Immediately following the first redirection, the server removes the information associated with his session from its registry. The user can then connect to any sites *without being redirected again.*” (Ikudome Decl., Appendix B at 6 (emphasis added).) As further examples, Claims 3 and 4 recite limitations relating to blocking and allowing data as a function of a user’s individualized rule set. The Report, however, does not appear to address these limitations at all.

In summary, the Patent Owner’s evidence in support of the alleged prior reduction to practice is entirely insufficient. Although an exhibit need not support all claimed limitations, the

---

<sup>1</sup> Although claim 1 is cancelled, its limitations remain relevant for dependent claims 2-7.

missing limitation must be supported by the declaration itself. MPEP 715.07 (I). Neither of the Patent Owner's declarants address the significant gaps noted above. Thus, the Patent Owner fails to remove Coss as a prior art reference.

**B. Patent Owner Does Not Argue the Rejections on the Merits**

The Patent Owner did not provide any arguments on the merits for the rejection of:

- claims 2-7, 9-14, 28-35, and 44-67 as obvious over Radia in view of the Admitted Prior and further in view of Coss, or
- claims 16-24, 26, 27, 36-43, and 68-90 as obvious over Coss in view of the Admitted Prior Art.

Since the Patent Owner does not contest the merits of these rejections, the Examiner should reaffirm the rejections and make them appealable.

**IX. Conclusion**

Patent Owner's arguments are unpersuasive and without merit. Therefore, the Examiner's rejection of claims 2-7, 9-14, 16-24, and 26-90 (all of the non-cancelled claims) should be reaffirmed and made final with the issuance of a Right of Appeal Notice.

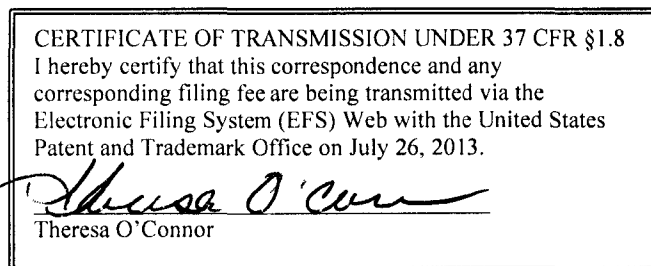
As identified in the attached Certificate of Service and in accordance with MPEP § 2666.06 and 37 CFR §§1.248 and 1.903, a copy of the present response, in its entirety, is being served to the address of the attorney/agent of record at the address provided for in 37 CFR 1.33(c). Please direct all correspondence in this matter to the undersigned.

Respectfully submitted,

/David L. McCombs/

David L. McCombs  
Registration No. 32,271

Dated: July 26, 2013  
HAYNES AND BOONE, LLP  
2323 Victory Avenue, Suite 700  
Dallas, Texas 75219  
Telephone: 214/651-5533  
Attorney Docket No.: 43614.61



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

In re patent of Ikudome et al.	§ <i>Inter Partes</i> Reexamination
	§ <b>Control No. 95/002,035</b>
U.S. Patent No. 6,779,118	§
	§ Merged with <i>Ex Parte</i> Reexamination
Issued: August 17, 2004	§ <b>Control No. 90/012342</b>
	§
Title: USER SPECIFIC AUTOMATIC	§ Group Art Unit: 3992
DATA REDIRECTION SYSTEM	§
	§ Examiner: Jalatee Worjloh
	§
	§ Confirmation No.: 1745

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The undersigned certifies that a copy of the COMMENTS BY THIRD PARTY REQUESTER PURSUANT TO 37 C.F.R. §1.947, in their entirety, were served on:

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Alexandria, VA 22314

the attorney of record for the assignee of U.S. Patent No. 6,779,118 , and

James J. Wong  
2108 Gossamer Ave.  
Redwood City, CA 94065

the attorney of record for the requester in Control. No. 90/012342, in accordance with 37 C.F.R. § 1.915 (b)(6), on July 26, 2013.

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David L. McCombs, Registration No. 32,271

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<b>EFS ID:</b>	16425127
<b>Application Number:</b>	95002035
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	1745
<b>Title of Invention:</b>	USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM
<b>First Named Inventor/Applicant Name:</b>	6779118
<b>Customer Number:</b>	40401
<b>Filer:</b>	David L. McCombs/Theresa O'Connor
<b>Filer Authorized By:</b>	David L. McCombs
<b>Attorney Docket Number:</b>	RI1341006F
<b>Receipt Date:</b>	26-JUL-2013
<b>Filing Date:</b>	12-SEP-2012
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# User Specific Automatic Web Redirection System

## *Technical Innovation Report*

**By**

*Koichiro Ikudome, president  
Moon Tai Yeung, director of technology*

**To**

*All technical staffs*

**August 14, 1997**



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## ***Abstract***

---

A system has been developed to help businesses, organizations and individuals gain exposure in the Internet community. A new methodology has been derived to accomplish this – the automatic redirection of specific users navigating the Web to any pre-configured Web sites. Specifically developed technologies are combined with existing ones to implement the system. The product is a system that is simple, compact, easy to install and maintain and, most of all, fail-safe.

The system consists of software components only; no special hardware is required. It is designed to run under an ISP (Internet Service Provider) environment. No additional component is needed on the user's side. When a user dials-up, logs-in and begins to navigate the Web through an ISP that is using this system, the system automatically directs him to the site, if any, configured for him. Currently, the system is designed to redirect the first Web connection only. This allows a user to go to other sites afterwards.

Although the primary goal of the system is to help businesses gain active exposure through the Web, end users can also benefit from it. They can obtain valuable information such as new products, sales, special offers and special events from the business sites without having to look for them explicitly. The user specific feature in the system can be used to ensure that a user is directed to sites matching his interest.

This system is further prompted by the emergence of prepaid Internet access as a promotional item. Under this scenario, a merchant can obtain Internet access accounts from an ISP that has the redirection system. The merchant can then configure these accounts to contact his Web site and distribute these accounts to their potential customers. In this way, the customers will be alerted of any offers from the merchant every time they use the accounts.



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## ***I. Background***

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As the accessibility of the Internet expands from the business community to the everyday household, the World Wide Web (WWW) system has emerged as the single most important means of information retrieval for many end users. At the same time, it has become an indispensable means of information presentation for many businesses, organizations and even private individuals. However, the World Wide Web is inherently designed as a passive system; that is, a user must supply the exact destination, a Web site, before the desired information can be retrieved. This difficulty is somewhat alleviated on the part of the users with the establishment of search engines under some well-known Web sites. These engines provide the users with a list of sites that match their search criteria, usually in the form of hyper-links that point directly to the target documents. The problem remains grossly unsolved for those who wish to present information to the public. Currently, their success in reaching any audiences depends on (1) whether their sites have intuitive names and (2) whether the popular search engines correctly register the key information from their sites. Larger companies often resort to expensive advertising campaign to solve this problem.

The system described in this report is aimed at solving this problem effectively and inexpensively. As opposed to the passive nature of the World Wide Web, the new system is *active*. It redirects Internet users navigating the Web to pre-configured sites without requiring the users to know anything about those sites at all. The system is designed to act on the majority of the end users – those who connect to the Internet through dialup service providers. It is also designed with *user specific* redirection. That is, only pre-configured users will be redirected and different users (based on their user ID's) can be directed to different sites. This is an essential feature since users should only be directed to sites matching their interest.

Another driving force for this invention is the introduction of prepaid Internet access as a promotional item. Besides being an attractive item, prepaid Internet access can bring added values to the distributors with the use of this new system – simply configure the system to direct users of the prepaid accounts to their Web sites!

## II. Description

---

### 1. Operation Requirements

Several conditions must be satisfied in order for the system to work:

1. The target user must establish a dialup networking connection through an ISP that is using the redirection system.
2. The user must be pre-configured for redirection.
3. The user must attempt to connect to a valid (*any valid*) Web site to get the redirection.

### 2. System Design

The system is designed as an add-on component that can be integrated into an ISP environment easily. It coordinates with the ISP system when setting up a redirection but performs the work independently. The following diagram shows an ISP environment without the redirection system:

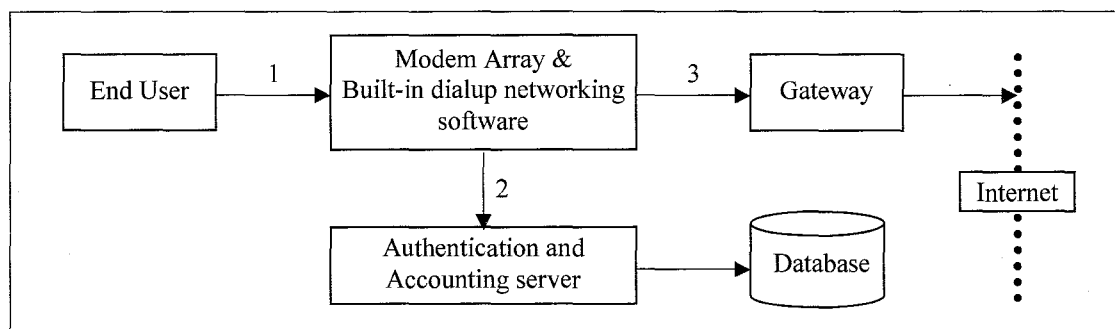


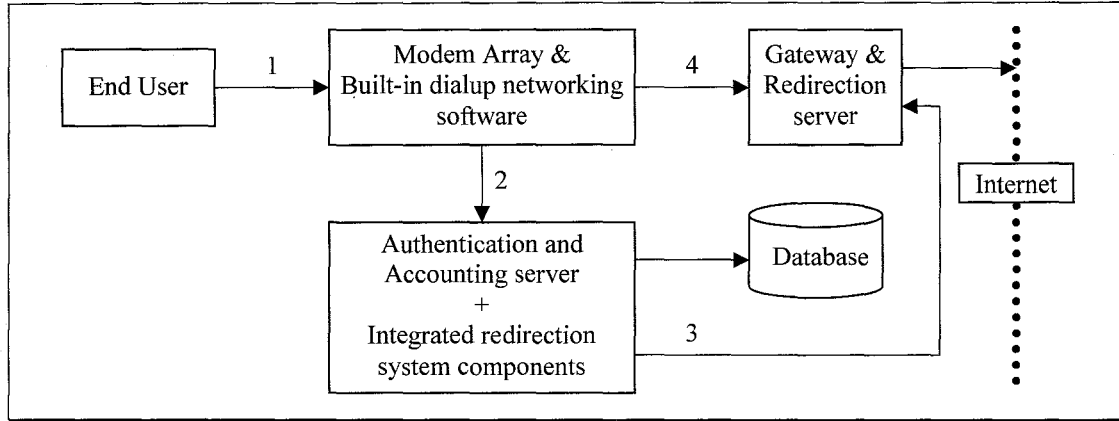
Figure 1. A typical ISP environment

The steps in a dialup session is as follows:

- Step 1:  
User dials-in and connects to the ISP modem.
- Step 1 – Step 2:  
Dialup networking software at the user and ISP ends begin negotiation.
- Step 2:  
ISP dialup networking software communicates with the authentication server to check the login information. Typically, the server looks up the information from a database.
- Step 3:  
With a successful authentication, the dialup networking software at the two ends complete their negotiation and a network connection is established for the user through the Internet

gateway at the ISP. Typically, the ISP dialup networking software also sends an accounting request to the accounting server at this point.

The following diagram shows an ISP setup with the redirection system integrated:



**Figure 2. ISP environment with integrated redirection system**

The steps in a dialup session is as follows:

- Step 1:  
User dial-ins and connects to the ISP modem.
- Step 1 – Step 2:  
Dialup networking software at the user and ISP ends begin negotiation.
- Step 2:  
ISP dialup networking software communicates with the authentication server to check the login information. Typically, the server lookups the information from a database.
- Step 3:  
With a successful authentication, the dialup networking software at the two ends complete their negotiation and a network connection is established for the user through the Internet gateway at the ISP. This gateway is a machine where the redirection system main server is running. After the accounting server received the accounting request from the ISP dialup networking software, it sends a similar request to the redirection server, notifying it of the new session and the associated information (including the login ID).
- Step 4:  
The user is now on the Internet and can perform any activities as usual. However, if he attempts to connect to a Web site within a pre-configured time, he will be redirected to the site configured for him (if any) based on his login ID. Immediately following the first redirection, the server removes the information associated with his session from its registry. The user can then connect to any sites without being redirected again.

### **3. Implementation**

The system is implemented into two main parts:

1. Main redirection server.

This server performs all the central tasks of the system, including logical decisions, checks and the physical redirection. It is a single daemon program that runs on the machine serving as the Internet gateway for the dialup users. The main functions implemented in this server are:

- Receives information regarding newly established dialup networking sessions from the ISP's accounting server.
- Consults database (or a flat file) to see if the user in a new session needs to be redirected.
- If not, nothing is done. Otherwise, it records the session information and the site to redirect to, and then proceeds with the remaining tasks.
- Installs network packet redirection filters on the gateway machine such that standard Web requests from the users to be redirected are passed to the server.
- Receives Web requests directed to the server by the packet filters. For each request, looks up the site assigned to the user originating the request and sends back a reply that instructs his browser to go to the new site; the associated packet filter is then removed immediately.
- Receives information regarding terminated dialup networking sessions from the ISP's accounting server. Removes any outstanding packet filters and information associated with these sessions.
- Checks and removes expired packet filters. All filters installed by the server have a pre-configured maximum lifetime. A user will not be redirected if he does not make a Web request within this time.

2. Software routine library.

This is a small collection of routines that can be integrated into the ISP's accounting server easily. The purposes of these routines are as follow:

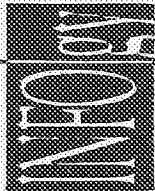
- Records information on newly established or terminated dialup networking sessions.
- Sends (or re-sends) recorded information to the main redirection server.
- Receives acknowledgements from the main server and removes the corresponding records.
- Removes records that are not acknowledged within a pre-configured time.

### ***III. Redirection System Summary***

---

A methodology has been derived to help businesses, organizations and individuals publicize their Web sites (or any parts of the sites). The result is a user specific automatic Web redirection system. This system directs users navigating the Web to sites pre-configured for them. The users do not need to remember or to know the names of those sites; everything is handled automatically by the system. The main features of the system are summarized below:

- o Automatic
  - Users do not need to know the names of the designated sites at all.
- o User specific
  - Each redirection is handled individually such that every user can have a different designated site. In this way, users can be directed to sites matching their interest.
- o Large coverage
  - The system is designed to target the majority of the World Wide Web users – those who connect to the Internet through dialup service providers.
- o Simple design
  - No extra software is needed at the user's end. Everything is handled by the system at the ISP's end.
- o Easy installation
  - The system is extremely compact and can be integrated with most ISP systems easily.
  - There are only two parts, an independent main server and a small collection of library routines that can be incorporated with the ISP's dialup user accounting system.
- o Simple configuration
  - The only step in setting up a redirection is to register the user ID and the designated Web link in a database or a plain file.
- o Fail-safe
  - Because of the simple design, the system will not cause the user or the ISP any problem even when it fails. Under the worst scenario, a user simply will not be redirected, but he can still navigate the Web or perform any activities on the Internet as usual.



Miscellaneous Expenses Claim

Date	Quantity	Item	Unit cost (\$)	Total cost (\$)
5/6/97	1	Cycloam - 16 YLP (D825 (6 part social labor force))	499 + Tax + SH	551.07
5/15/97	1	Linux (Structure)	39.95 + Tax + SH	48.25
5/8/97	1	Linux (Infomagic) resource archive	29.50 + SH	34.74
5/9/97	5	USR COURIER 33.6 Ext: V.34 modem	239.00 + SH	1218.07
5/12/97	~	Accessories (D825 cables, 3 1/2" computer fans, connectors)	59.75 + Tax + SH	46.46
5/27/97	1	Seagate 2Gb Barracuda 48 HD	557.00 + SH	639.32
"	20	CDR disk, TOK 650ms	6.03 + SH	
			TOTAL	2597.91

PAID  
10638

Project number: \_\_\_\_\_

Claimed by: Moan-Tai Young

Date: 5/30/97

Authorised by: \_\_\_\_\_

Date: \_\_\_\_\_

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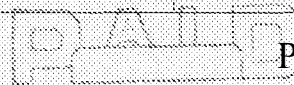
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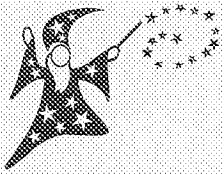
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					Shipping and Handling	5.00
					TOTAL	48.25
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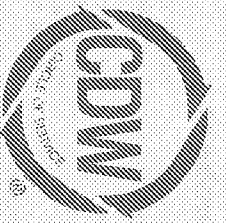
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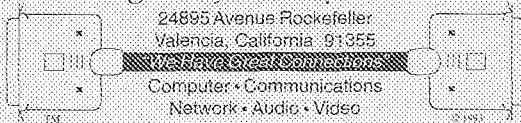
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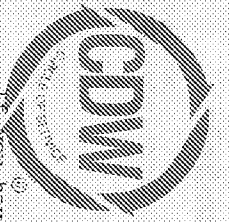
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Bin	Part#	Qty	Description	0-2	4368	Price	Total
1F-17-G1	043332	20	TDR-CD-R74 TDR 650MB OPT MEDIA REC CDR data			6.03	120.60
13-16-E1	075789	1	SEA-ST32171N SERGATE 2GB U/SCSI BMS HD	1-2	26	557.08	557.08

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: Koichiro Ikudome & Moon Tai Yeung

Art Unit: 3621

Reexamination Proceeding No.: 95/002,035 and 90/012,342  
(based on U.S. Patent No. 6,779,118)

Confirmation No.: 5786

Reexamination Filed: 06/08/2012

Examiner: Worjloh, Jalatee

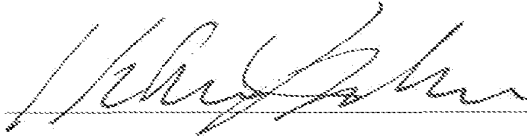
For: USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM

**DECLARATION OF KOICHIRO IKUDOME UNDER 37 C.F.R. § 1.131**

1. My name is Koichiro Ikudome, and I am a resident of Torrance, California. I received an M.S. degree in Electrical Engineering from the Tokyo Institute of Technology in 1983. I worked for Nippon Steel Corporation for 14 years and for Caltech for 2 years as a researcher in Parallel Super Computing. In November 1996, I founded AuriQ Systems for the purpose of developing new products for Internet service providers.
2. I am a co-inventor with Moong Tai Yeung (hereafter "YEUNG") of United States Patent Number 6,779,118, which is entitled "USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM," and was issued on August 17th, 2004 from United States Patent Application Number 09/295,966, which was filed on April 21, 1999.
3. United States Patent Number 6,779,118 is assigned to Linksmart Wireless Technology, LLC and will be referred to hereinafter as "the '118 patent."
4. When I learned in early May 2013 that the examiner was continuing to rely on the Coss patent I believed that our invention was earlier than the Coss September 12, 1997 filing date. I therefore began an investigation in May 2013 to see if we had any documents dated before that date that described the invention and could support an earlier conception and possibly reduction to practice date. One of the places that I looked was a backup file. That file included a number of drafts and revisions of the document we eventually used to file our provisional application. The earliest version that I found was one that bore a date of August 14, 1997. I also recalled that Appendix B was an exhibit (Exhibit 52) at my deposition on March 4, 2010 which was before I was aware of the Coss reference and before it was cited as a reference in this reexamination proceeding. I reviewed copies of my deposition transcript related to Exhibit 52 which are attached as Appendix C. Based on my examination of Appendix A-C attached, and a number of other supporting documents, and

discussions with YEUNG I reached the following conclusions about the conception and reduction to practice of the invention disclosed in the '118 patent.

5. The claimed invention of the '118 patent was conceived by YEUNG and me sometime before May 1997, while I was working for AuriQ Systems in Pasadena, California. Therefore, '118 patent was conceived prior to the September 12, 1997 filing date of Coss et al., U.S. Patent No. 6,170,012, which was cited as prior art in the Office Action in the above identified ex parte reexamination No. 90/012,342 that has been merged with inter partes reexamination No. 95/002,035.
6. After conceiving of the invention, YEUNG and I began to take steps to demonstrate and test the concept. This took the form of writing software and purchasing hardware to test the concept. Attached as Appendix A are true and correct copies of invoices and an Expense report showing the hardware that was purchased throughout the month of May, 1997. This hardware was purchased for the purpose of demonstrating the viability of the Redirection System concept in an actual demonstration project and also testing that concept.
7. YEUNG and I were able to produce a basic prototype within a couple of months of May 1997 and actually demonstrated the concept prior to mid-August 1997.
8. After demonstrating the concept, and with advice of my attorney at that time, YEUNG and I prepared a Technical Innovation Report describing the invention which was just demonstrated. A true and correct copy of that "Technical Innovation Report" dated August 14, 1997, which was distributed internally at AuriQ at that time and which is entitled "User Specific Automatic Web Redirection System" is attached as Appendix B. It was this essential document but with some revisions that was filed on May 4, 1998, as provisional application No. 60/084,014.
9. The pages of my sworn deposition testimony in March 2010 related to Appendix B and which was also marked as Exhibit 52 and which I affirm as being my true and testimony is attached as Appendix C.
10. I hereby declare that all declarations 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 are 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 statements may jeopardize the validity of my patent identified above.



Koichiro, Ikudome

June 17, 2013

Date

Appendix A: Copies of invoices and an Expense report showing that the hardware was purchased throughout the month of May, 1997.

Appendix B: "Technical Innovation Report" dated August 14, 1997, which was distributed internally at AuriQ at that time and entitled "User Specific Automatic Web Redirection System"

Appendix C: Pages 238-239 of the Deposition Transcript of Koichiro Ikudome dated March 4, 2010.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: Kirochiro Ikudome & Moon Tai Yeung

Art Unit: 3621

Reexamination Proceeding No.: 95/002,035 and 90/012,342  
(based on U.S. Patent No. 6,779,118)

Confirmation No.: 5786

Reexamination Filed: 06/08/2012

Examiner: Worjloh, Jalatee

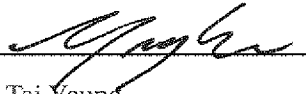
For: USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM

**DECLARATION OF MOON TAI YEUNG UNDER 37 C.F.R. § 1.131**

1. My name is Moon Tai Yeung, and I am a resident of Arcadia, California. I received an M.S. degree and an Engineering degree in Aeronautics from the California Institute of Technology. I founded and operated Avant Garde Software Technologies, a consulting firm, from 1991 to 1994. I served at Infogy, Inc. in 1994, consulting for NASA-JPL and KPMG. When AuriQ Systems was founded in 1996, I worked to develop its key technologies, such as the automatic and user-specific data re-direction technology.
2. I am a co-inventor along with Koichiro Ikudome (hereafter "IKUDOME") of United States Patent Number 6,779,118, which is entitled "USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM," and was issued on August 17th, 2004 from United States Patent Application Number 09/295,966, which was filed on April 21, 1999.
3. United States Patent Number 6,779,118 is assigned to Linksmart Wireless Technology, LLC and will be referred to hereinafter as "the '118 patent."
4. The claimed invention of the '118 patent was conceived by IKUDOME and me sometime prior to May 1997, while I was working for AuriQ Systems in Pasadena, California. Therefore, '118 patent was conceived prior to the September 12, 1997 filing date of Coss et al., U.S. Patent No. 6,170,012, which was cited as prior art in the Office Action in the above identified ex parte reexamination No. 90/012,342 that has been merged with inter partes reexamination No. 95/002,035.
5. After conceiving of the invention sometime before May 1997, IKUDOME and I began to take steps to demonstrate and test the concept. This took the form of writing software and purchasing

hardware to test the concept. Attached as Appendix A are true and correct copies of invoices and an Expense report showing the hardware that was purchased throughout the month of May, 1997. This hardware was purchased for the purpose of demonstrating the viability of the Redirection System concept in an actual demonstration project and also testing that concept.

6. IKUDOME and I were able to produce a basic prototype within a couple months of May 1997 and actually demonstrated the concept prior to mid- August 1997.
7. After demonstrating the concept, and with the advice of IKUDOME's attorney at that time, IKUDOME and I prepared a Technical Innovation Report describing the invention which was just demonstrated. A true and correct copy of that "Technical Innovation Report" dated August 14, 1997, which was distributed internally at AuriQ at that time and entitled "User Specific Automatic Web Redirection System" is attached as Appendix B. It was this essential document that was filed on May 4, 1998, as provisional application No. 60/084,014.
8. I hereby declare that all declarations 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 statements may jeopardize the validity of the above identified patent.

  
\_\_\_\_\_  
Moon Tai Yeung

June 10, 2013  
\_\_\_\_\_  
Date

Appendix A: Copies of invoices and an Expense report showing that the hardware was purchased throughout the month of May, 1997.

Appendix B: "Technical Innovation Report" dated August 14, 1997, which was distributed internally at AuriQ at that time and entitled "User Specific Automatic Web Redirection System"

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	16195872
<b>Application Number:</b>	95002035
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	1745
<b>Title of Invention:</b>	USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM
<b>First Named Inventor/Applicant Name:</b>	6779118
<b>Customer Number:</b>	40401
<b>Filer:</b>	Abraham Hershkovitz
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	RI1341006F
<b>Receipt Date:</b>	28-JUN-2013
<b>Filing Date:</b>	12-SEP-2012
<b>Time Stamp:</b>	21:57:29
<b>Application Type:</b>	inter partes reexam

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Trans Letter filing of a response in a reexam	RI1341006D-F-A05_Transmittal.pdf	159274 <small>51e27f3992216227729bffe973b000321616d96</small>	no	1

### Warnings:

### Information:

2		RI1341006D-F-A05_Amdt-and-Rsp-to-ACP.pdf	245927 edd0c2024f4e4d08ae2fec611f83e0209977d6c4	yes	19
<b>Multipart Description/PDF files in .zip description</b>					
		<b>Document Description</b>	<b>Start</b>	<b>End</b>	
		Patent Owner Comments after Action Closing Prosecution	1	18	
		Reexam Certificate of Service	19	19	
<b>Warnings:</b>					
<b>Information:</b>					
3	Affidavit-not covered under specific rule	RI1321006D-F-Appendix-B.pdf	272848 0858ff4b7fadee049f02dca41cff31d424f792a3	no	8
<b>Warnings:</b>					
<b>Information:</b>					
4	Affidavit-not covered under specific rule	RI1341006D-F_Appendix-C.pdf	356940 6173df88b7d0da3280458765bad40129244f8afe	no	10
<b>Warnings:</b>					
<b>Information:</b>					
5	Affidavit-not covered under specific rule	RI1341006D-F_Appendix-A.pdf	7336176 f892dcf87c3d1f303df7dfcadf089f149a45443	no	7
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<b>Information:</b>					
6	Affidavit-not covered under specific rule	RI1341006D-F_Ikudome-Dec.pdf	863792 c962eb281e098e23fdf1a7c7ef2d4ad60bc56158	no	3
<b>Warnings:</b>					
The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
<b>Information:</b>					
7	Affidavit-not covered under specific rule	RI1341006D-F_Yeung-Dec.pdf	94735 2b37cc28fb2e83b7866d736efe8c803900c0409f	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			9329692		

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**



# HERSHKOVITZ & ASSOCIATES, PLLC

PATENT AGENCY

2845 DUKE STREET, ALEXANDRIA, VA 22314

TEL. 703-370-4800 ~ FACSIMILE 703-370-4809

patent@hershkovitz.net ~ www.hershkovitz.net

Inventor: Koichiro Ikudome et al.

Art Unit: 3992

Reexamination Proceeding: 95/002,035  
(based on U.S. Patent No. 6,779,118)

Confirmation No.: 1745

Reexamination Filed: September 12, 2012

Examiner: Jalatee Worjloh

For: USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM

Mail Stop "inter partes Reexam"  
Attn.: Central Reexamination Unit  
Commissioner for Patents  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 23313-1450

Honorable Commissioner:

Transmitted herewith are PATENT OWNER'S AMENDMENT UNDER 37 CFR §1.951 AND RESPONSE TO ACTION CLOSING PROSECUTION IN MERGED PROCEEDINGS, DECLARATION OF KO IKUDOME, DECLARATION OF MOON TAI YEUNG, AND APPENDICES A-C, and a Certificate of Service in connection with the above-captioned Proceedings

The fee has been calculated as shown below:

Claims After Amendment	No. of Claims Previously Paid	Present Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
*Total Claims:			x 30=	\$	x 60=	\$
**Indep. Claims:			x125=	\$	x250=	\$
Extension Fee for	Months			\$		\$
Other:				\$		\$
Total:				\$	Total:	\$

\_\_\_ Fee Payment made through EFS.

\_\_\_ Payment is made herewith by Credit Card (see attached Form PTO-2038).

The Director is hereby authorized to charge all fees, including those under 37 CFR §§1.16 and 1.17, which are required for entry of the papers submitted herewith, and any fees which may be required to maintain pendency of this Proceeding, to Deposit Account No. 50-2929.

\_\_\_ The Director is hereby authorized to charge all fees under 37 CFR § 1.18 which may be required to complete issuance of this application to Deposit Account No. 50-2929.

Respectfully submitted,

Date: June 28, 2013

/Abe Hershkovitz/

Abraham Hershkovitz  
Registration No. 45,294

R1341006F.A05; AH/pjj

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

Inventor: Koichiro Ikudome et al.

Art Unit: 3992

Reexamination Proceeding 90/012,342

Confirmation No.: 5786

Reexamination Filed: June 8, 2012

Reexamination Proceeding 95/002,035

Confirmation No.: 1745

Reexamination Filed: September 12, 2012

(based on U.S. Patent No. 6,779,118)

Examiner: Jalatee Worjloh

For: USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM

**PATENT OWNER'S AMENDMENT UNDER 37 CFR §1.951 AND RESPONSE TO THE ACTION CLOSING PROSECUTION IN MERGED REEXAMINATION PROCEEDINGS**

Mail Stop "*inter partes* Reexam"

Attention: Central Reexamination Unit

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Honorable Commissioner:

Patent Owner respectfully submits the following Amendment and Response to the Action Closing Prosecution ("ACP") mailed on April 29, 2013 in the above-identified merged Proceedings based on USP 6,779,118 ("the '118 patent") , which sets a 2 month period for reply up to and including June 29, 2013. Accordingly, this Amendment and Response is being timely submitted on or before the due date.

It is believed that no fee is required for entry and consideration of this Amendment and Response. However, the Commissioner is authorized to charge any fee actually necessary to maintain this Proceeding in force to Deposit Account No. 50-2929, referencing Dkt. No. RI1341006F-D.

Evidence of service of this Amendment and Response to the proper mailing address of third party requester is shown on the last page attached hereto.

Consideration of this Amendment and Response is respectfully requested.

## IN THE CLAIMS:

*Please amend the claims as follows (all claims are presented with their appropriate status indicators)*

1. (Cancelled in the Reexamination Certificate)

2.-7. Claims are unaltered from those in the Reexamination Certificate.

8. (Cancelled in the Reexamination Certificate)

9.-14. Claims are unaltered from those in the Reexamination Certificate.

15. (Cancelled in the Reexamination Certificate.)

16.-20. Claims are unaltered from those in the Reexamination Certificate.

21. (Amended) A system comprising:

a redirection server programmed with a user's rule set correlated to a temporarily assigned network address;

wherein the rule set contains at least one of a plurality of functions used to control data passing between the user and a public network;

wherein the redirection server is configured to allow automated modification of at least a portion of the rule set correlated to the temporarily assigned network address;

wherein the redirection server is configured to allow automated modification of at least a portion of the rule set as a function of some combination of time, data transmitted to or from the user, or location the user accesses; and

wherein the redirection server is configured to allow the removal or ~~reinstatement~~ reinstatement of at least a portion of the rule set as a function of the location or locations the user accesses.

22.-24. Claims are unaltered from those indicated in the Reexamination Certificate.

25. (Cancelled in the Reexamination Certificate)



26.-43. Claims are unaltered from those indicated in the Reexamination Certificate.

44. (Amended) A system comprising:

a database with entries correlating each of a plurality of user IDs with an individualized rule set;

a dial-up network server that receives user IDs from users' computers;

a redirection server connected between the dial-up network server and a public network[.]; and

an authentication accounting server connected to the database, the dial-up network server and the redirection server;

wherein the dial-up network server communicates a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID to the authentication accounting server;

wherein the authentication accounting server accesses the database and communicates the individualized rule set that correlates with the first user ID and the temporarily assigned network address to the redirection server; and

wherein data directed toward the public network from the one of the users' computers are processed by the redirection server according to the individualized rule set.

45.-63. Claims are unaltered from those indicated in the Reexamination Certificate.

64. (Amended) The method of claim 56, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an ~~initial~~ initial period of time and to thereafter utilize the standard rule set.

65.-90. Claims are unaltered from those indicated in the Reexamination Certificate.

### Remarks

The claims are amended presently solely to correct the obvious typographical (Office) errors introduced in Reexamination Certificate No. 6,779,118 C1. No new matter is added.

Without waiving any previously-presented arguments in response to prior Office Actions, Patent Owner submits the following written comments pursuant to 37 C.F.R. §1.951(a) regarding the ACP dated April 29, 2013, it being noted that the USPTO has yet to establish a *prima facie* case of obviousness.

More specifically, the Examiner's frequent incorporation by reference of different portions of the Reexamination Request, with statements of why Patent Owner's arguments were not persuasive, makes it difficult to present a cogent traverse. This is because the ACP does not point out clearly (a) what the primary reference discloses, (b) which of the claimed limitations are not disclosed in the primary reference, (c) where in the secondary reference(s) the teaching can be found, and (d) why it would have been obvious to combine the references in the manner alleged by the Examiner so as to render the claimed invention obvious.

#### **A. ACP Pages 4-26 - Obviousness re Willens/ RFC 2138 in view of Stockwell/APA**

**ACP page 11-22 Claims 2-7, 9-14, 16-18, 23-26, 28-71, 86-90 (Willens, Stockwell)**

**ACP page 23 – 26 Claims 2-7, 9-14, 16-18, 23-24, 26, 28-71, 76-84 and 86-90 (Willens, RFC 2138, APA).**

**ACP page 43 Claims 2-7, 9-14, 16-18, 23-24, 26, 28-71, 76-84 and 86-90 (Willens, RFC 2138, Stockwell)**

**ACP page 43 - Claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84 and 86-90 (Willens, RFC 2138, APA)**

#### ACP page 20 – Withdrawal of rejection of Claim 27.

Patent Owner acknowledges withdrawal of the rejection of Claim 27 as obvious over Willens/RFC 2138 in view of Stockwell/APA – ACP page 20-23<sup>1</sup> because the references do not teach “removal or reinstatement of at least a portion of the rule set ...” ACP page 20. Patent Owner also notes that claims 19-22, 72-75 and 85, which have not been rejected

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<sup>1</sup> The Examiner also lists claim 27 as being rejected on ACP pages 11 and 23 but then indicates at pages 25 and 26 that the rejection of claim 27 as obvious over Willens, RFC 2138, Stockwell and APA is withdrawn. Since the references cited on pages 11 and 23 are identical and no reason for rejection is recited on those pages, Patent Owner assumes that the inclusion of Claim 27 as rejected at pages 11 and 23 was a typographical error, and that the rejection of claim 27 on pages 11 and 23 has also been withdrawn.

under Willens in combination with Stockwell, likewise include “removal or reinstatement of at least a portion of the rule set ....”

Patent Owner hereafter addresses the issues raised by the Examiner in the rejection of claims based on Willens/RFC 2138 and Stockwell/APA.

ACP page 9: “Claims do not expressly define the user session”

The Examiner, at ACP page 8, states that “the claims do not limit redirection to occur only during a session,” and at ACP page 9, states that “the claims do not expressly define the user session.” Patent Owner submits this is not the case. Patent Owner first notes that “session” is a term not used as a claim element, but rather, is used as a shorthand term for one of the requirements of the claims: the period during which a single temporarily assigned network address is assigned to a user computer, and the redirection server processes packets communicated between the user and the network according to the programmed rule set. An exemplary embodiment of a “session” with these claim limitations is described in the specification at ‘118 patent 5:45-6:3 and 6:24-40 (initiating a “session”) and 4:67-5:4. Patent Owner’s definition of “session” to which the Examiner has objected, namely, the “the period of time during which a single temporarily assigned network address is assigned to a user computer and the redirection server processes packet communicated between the user and the network according to the programmed rule set,” is fully supported by at least the portions of the specification identified above and the language in the claims. For example, independent claims 16-23 specify that data from a user to the internet is controlled only after the “redirection server is programmed with the user’s rule set *correlated* to a temporarily assigned network address.” All pending claims use language requiring that the rule set be “correlated” with the “temporarily assigned network address” which only occurs when the user ID and a temporary network address is assigned so the user can begin interacting with the internet through the redirection server. Therefore, the redirection server, in response to the authentication server when a user disconnects from the internet, “removes any outstanding rules sets and information [which includes temporarily assigned network address] associated with the session.” See ‘118 patent at 5:3-4. In each claim, the interaction between the user and the network only occurs when there is a temporarily assigned network address. This is the same period during which the rule set for a temporarily assigned network address is programmed in the redirection server. Therefore, a session exists only if the user has provided a user ID, a temporary network address is

assigned, and the rule set is programmed in the redirection server. Only then can the redirection server perform redirection. The claims therefore limit redirection to occurring only during a “session” – while the temporarily assigned network address is assigned to the user. The Examiner has provided no rationale as to how data redirection could occur if a temporary network address was not assigned to a user. Patent Owner therefore respectfully requests reconsideration of the Examiner’s position that the claims do not require that redirection be done only during a user “session.”

ACP page 11 and 14-17: Willens/RFC2138 combined with Stockwell/APA [Claims 2-7, 9-14, 16-18, 23, 24, 26-71 and 86-90]

The Examiner has maintained the above rejection on the grounds that Willens in combination with the redirection of Stockwell renders the identified claims obvious. Patent Owner submits that these claims are patentable because redirection can only occur when the rule set used to process data from the user to the internet is correlated with the temporarily assigned network address, and neither Willens nor Stockwell teaches or suggests a rule set “correlated to” a temporarily assigned network address as a condition of redirection.

The ordinary meaning of correlation according to Merriam Webster’s Dictionary is  
*“a relation existing between phenomena or things or between mathematical or statistical variables which tend to vary, be associated, or occur together in a way not expected on the basis of chance alone.”*

In the ‘118 patent, the rule set used in the redirection server and temporary network address assignment are associated together in the redirection server and occur together at the time of user log in. See, for example, claim 16 of the ‘118 patent, which requires that the rule set and the temporarily assigned network address be associated and occur together and programmed in the redirection server while it processes data from the user. The remaining claims all require the same correlation between the rule set and temporarily assigned network address in the redirection server when processing data from the user to the internet.

Combining Willens and Stockwell would not teach or suggest the rule set and the temporarily assigned network address (which is only assigned during a user session as above described) be associated and occur together in the redirection server while data from the user is being processed, and such a relationship would only be obvious in the

combination of Willens and Stockwell using impermissible hindsight based on the teaching of the '118 patent.

The Examiner also relies on Willens for its purported teaching of “redirection server” and Stockwell for its teaching of “redirection.” Patent Owner respectfully disagrees. Willens/RFC2138 teaches controlling user access to a public network through a packet filtering firewall. A user seeking access to the internet logs in with a password which is used to identify a particular filter to be downloaded and used in the firewall. The filter includes a list of websites the user is allowed to access. (Willens 5:9-26). The Willens' filter then *either permits or denies* access to a destination web site (Willens 6:5-7). Willens does not teach or suggest any server capable of a third option, such as redirecting the user to another site. Thus, Willens does not teach the redirection server.

Stockwell teaches a very limited version of redirection that is not consistent with the redirection of the '118 patent. Specifically, Stockwell (and APA) teach that redirection to a particular site occurs in response to a *destination IP address* in an incoming connection request. See Stockwell 5:28-30; 8:14-16; 11:30-33<sup>2</sup>. Stockwell does not teach redirection by a redirection server when the rule set specifying a redirection rule is correlated with a temporarily assigned network address and which occurs in response to a condition other than a destination address. By contrast, the redirection of the '118 patent redirects in response to a rule that is correlated to a temporarily assigned network address. Further, the '118 patent does not require that the redirection occur only in response to a destination IP address. See '118 patent 5:24-26; 30-32; 39-44; 6:1-3; 4:64-66. Redirection in response to a redirection rule correlated with a temporarily assigned network address is not disclosed by Stockwell. Likewise, Stockwell does not disclose redirection in response to a condition other than a destination IP address. Consequently, a combination of Willens and Stockwell would only result in an access control system with a “redirection” action occurring in response to an IP destination address. Since there is no disclosure in Willens or Stockwell of correlation between the rule and a temporarily assigned network address for the user or redirection in response to a condition other than a destination IP address, neither of those elements can be read into the combination without using impermissible hindsight.

The admitted prior art (APA) described at '118 patent 1:42-63 describes essentially the same redirection as taught by Stockwell and likewise does not teach a rule correlated

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<sup>2</sup> The only other reference to redirection is at Stockwell 2:28-48 which also refers to redirection in response to a destination IP address 174.252.1.1.

with a temporarily assigned network address or that can use a condition other than a destination IP address to trigger the redirection action. Therefore, for the same reasons given above, a combination of Willens and APA would not yield a system as claimed by the '118 patent without impermissible hindsight.

Patent Owner therefore respectfully requests withdrawal of the obviousness rejections of the above claims.

ACP page 10, 14 and 19-20 - Modification of a portion of the rule set programmed in the redirection server.

At ACP page 10, the Examiner maintains the rejection of claims 16-18, 23, 24, 26-27, 36, 37, 38, 39, 42, 43, 68-82, 86-90 on the ground that Willens teaches modification of the rule set during a user session. Specifically, the Examiner, citing Willens 5:9-46 and 4:40-45, argues that Willens discloses modifying filters during a user session because the server software “automatically” maintains the permit list stored in server 18 and in cache by downloading updated versions of the list, and further, that the list is updated daily or hourly. The Examiner thus concludes that Willens allows automated modification of the rules as a function of time. However, the server cited by the Examiner as being “automatically *maintained*” and updated periodically is not the client data processing software 44 of the communications server 14 where the filter is *used for controlling access*. Rather, it is the network access server 18 where filters for all users are *stored* when not in use. See *Willens 5:16-24*. As to the filter actually downloaded in the communications server 14, Willens explicitly states that the filter rule downloaded from either the cache or the filter server 18 for use to control access is “*maintained in the server 14 memory* for the rest of the user 22’s session.” Willens 5:25-26. In other words, contrary to the Examiner’s position, the filter programmed into the communications server 14 of Willens *is not modified* during a user session. Hence, Willens not only does not teach modification of the rule set programmed and in use in the redirection server, but actually teaches that there is no modification while the filter is in use.

By contrast, the “automated modification” recited in the '118 patent claims has nothing to do with updating or maintaining a list of rules “stored locally in cache” (Willens 5:19-20) or stored at a remote access server 18 “which *stores* the centralized permitted site list and the filters to be used...” (Willens 5:22-23). Rather, the '118 patent requires that the rule set to be modified be the one *actually programmed in the redirection server* (not a rule

set stored in the authentication server 204). This necessarily means that the modification occurs after the rule set is programmed into the redirection server (when the user logs in) and before the rule set program is removed (when the user logs off) – in short, during a user session. See e.g., '118 patent Claim 16, second paragraph.

The Examiner's citation of Willens 4:40-45 is inapposite. As demonstrated by Willens 6:25-37, the "central server" that is easily updated is the network access server 18 where the filters are stored, not in the software 44 of the communications server 14 where the filter is being *used to process data* from the user computer. The filter when in use in communications server 14 is not modified, as explained above. Therefore, contrary to the Examiner's analysis, Willens describes a system where the rule set downloaded – programmed – into the communications server software and used to process data from the user to the internet is static and does not change during the user's session.

Like Willens, Stockwell does not teach or suggest modification of a rule set while it is resident as a program in the redirection server. Therefore, the combination of Willens and Stockwell could not encompass the claimed rule set modification of a rule set programmed in the redirection server without using impermissible hindsight.

Accordingly, Patent Owner respectfully requests withdrawal of this rejection of claims 16-24, 26-43, 52, 64, 68-90.

#### ACP page 13-14: "Elements or conditions"

The Examiner at ACP page 13 states that "the ability to modify rule during a user session in response to those element or conditions ... are not recited in the rejected claims" 16-18, 23-24, 26-43, 68-71 and 76-90. Patent Owner disagrees. Each of these listed claims includes the following limitation:

"...the redirection server is configured to allow automated modification of at least a portion of the rule set as a function of some combination of time, data transmitted to or from the user, or location the user accesses..."

The '118 patent at 4:41-42 states that "rule sets specify elements or conditions..." where the specified "elements or conditions" can include "how long to keep the rule set active" ("time"); "a location which may or may not be accessed" ("location a user accesses"); "when and how to modify the rule set during a session" ("modification" while the redirection server is programmed with the rule set); "and the like." See '118 patent 4:42-47. But a subset of all possible "elements or conditions" of the rule set are actually listed in the claims. As above

explained, the modification occurs to the rule set (correlated with the temporarily assigned network address) programmed in the redirection server and in use processing data from a user. Therefore, contrary to the Examiner's position, "in response to those elements or conditions" is recited in the rejected claims. As above discussed, the redirection server is "programmed with a rule set" and therefore can redirect in response to the rule set only during a user session. Absent a rule set correlated with a temporarily assigned network address programmed in the redirection server, no processing of data from the user can occur.

For these reasons, the claims incorporating modification of a rule set (occurring with a temporarily assigned network address) programmed in the redirection server is not shown in either Willens or Stockwell, and a combination of the two references would not render claims with rule set modification obvious without impermissible hindsight.

For the above reasons, Patent Owner respectfully requests withdrawal of this reason for rejection of 16-24, 26-43, 52, 54, 64, 66 and 68-90 as obvious over Willens in combination with Stockwell.

#### **B. Radia/Wong '727<sup>3</sup>/Wong '178 combined with Stockwell/APA**

**ACP pages 26-32 and 43 Claims 6-7, 13-14, 16-24, 26-44, 49-56, 61-90 (Radia, Wong '727, Stockwell)**

**ACP page 32 Same reason as 26-32, Claims 2-5, 9-12, 45-48, 57-60 (Radia, Wong '727, APA, Wong '178)**

**ACP page 32 and 44 Same reason as 26-32 Claims 2-5, 9-12, 45-48, 57-60 (Radia, Wong '727, Stockwell, Wong'178)**

**ACP page 32 and 44 Same reason as 26-32, Claims 7, 14, 16-24, 50-56, 62-90 (Radia, Wong '727, APA)**

**ACP page 44 Same reason as in pages 26-32 Claims 6-7, 13-14, 16-24, 26-44, 49-56 and 61-90 (Radia, Wong '727, Stockwell, Wong'178)**

#### ACP page 26-27 – Radia prior art and "is configured to allow modification"

The Examiner states at ACP 27 that the claims recite that the "redirection server is configured to allow modification" does not require that redirection server itself do the reconfiguration, and therefore, the claims are not limited to modification done by the redirection server. Patent Owner respectfully disagrees.

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<sup>3</sup> The frequent reference in the ACP to Wong '726 instead of Wong '727 is construed to be a minor typographical error.



Patent Owner first notes that nothing in Radia teaches or discloses a system where the filter configured (programmed) in a router or modem causes the programmed filter to change. Rather, Radia only teaches modification of a filter in response to events extrinsic to the filter actually in use in the router or modem.

By contrast, the redirection being “configured to allow modification” requires the redirection server be able to do the modification when the conditions of the rule set calling for modification to occur. The Examiner apparently takes the position that “allowing” modification means that something other than the redirection server can actually perform the modification action, and that the redirection server simply does not prevent such modification. Such an interpretation is contrary to the specification and claims for several reasons.

First, the specification requires that the redirection server actually perform whatever action is prescribed by the programmed rule set. See ‘118 at 3:15-30 (“The redirection server uses the...information supplied by the authentication accounting server, for that particular IP address to...allow...block...modify the request according to the redirection information”); ‘118 at 4:52-66 (“The redirection server 208 performs all the central tasks of the system....The redirection server receives all the IP address and rule set as well as other attendant logical decision such as...dynamically changing the rule sets based on conditions.”); ‘118 at 5:31-44 (the redirection server automatic changes the rule set to sequence between one filter and another filter in response to time). Nothing in the specification supports an interpretation of the phrase “configured to allow automatic modification” where the automatic modification is done by something other than the redirection server.

Second, “allow” means that the redirection server automatically modifies the rules set only when the specified condition arises. It does not mean that something beside the redirection server does the modification. For example, automatic modification will be performed by the redirection server but is only allowed or enabled “as a function of time” (claims 16 and 19); “as a function of the data transmitted to or from the user” (claims 17 and 20); or “as a function of the location or locations the user accesses” (claims 18 and 21).

Third, the ordinary meaning of “configured” from the Merriam Webster dictionary is *“to set up for operation especially in a particular way.”*

The “redirection server *programmed* with a user’s rule set” sets the redirection server up for operation to process data from the user. This is the only “configured” taught by the ‘118 patent and is the only reasonable interpretation of “configured” as used in the claims.

Fourth, other claims also demonstrate that it is the redirection server that does the “automatic modification.” For example, claims 27 and 40-43 (depending from claim 25), 29 and 52 recite that the “redirection server is configured *to utilize...*” and claim 77 recites that “...redirection server to modify...” In each, the redirection server performs the action of modification.

Accordingly, the only reasonable interpretation of the “redirection server is configured to allow automated modification” is

*The redirection server is programmed to perform automatic modification of the rule set when a specified element or condition in the rule set occurs.*

Any other definition, including a definition that something other than the redirection server causes the modification of the rule set, would be contrary to the plain meaning of the words used, would contradict the patent specification and would be broader than would be reasonably permissible in view of the specification and claims.

In view of these remarks, Patent Owner respectfully requests withdrawal of this reason for rejecting any of the claims.

#### ACP page 29 – router and ANCS function as the redirection server

The Examiner takes the position that the ANCS and the router can be taken together to function as the redirection server, and that the ANCS utilizes the filtering profiles to reconfigure the router. Patent Owner submits that, even if this is true, the claims require that the redirection server programmed with the rule set correlated with the temporarily assigned network address to do the modification of the programmed rule set. Radia does not teach this. Rather, Radia teaches only that filtering rules be changed in response to an “event” not part of the filter itself and not part of the filter programmed in the router such as “log on,” “log out” or “connecting.”

Patent Owner respectfully requests that the Examiner withdraw this basis for rejection of the claims.

ACP page 31 – Combining Radia and Stockwell (claims 31, 35, 54, 61, 66, 67)

Patent Owner refers to and incorporates by reference the arguments against combining Stockwell and Willens above as equally applicable to the rejection of the above claims. Specifically, Stockwell teaches redirection in response to a destination IP address, whereas the '118 patent requires redirection in response to a rule programmed in a redirection server correlated with a temporarily assigned network address that is capable of being triggered by "element or conditions" other than a destination IP address. For example, claims 31, 35, 54 and 66 each cause redirection based on the *combination* of two conditions - "a request type *and* an attempted destination address" in the rule set. Neither Radia nor Stockwell teach using a combination of elements or conditions making up the rule set correlated with a temporarily assigned network address programmed in a redirection server to cause redirection. Therefore, a combination of Radia and Stockwell would only result in a system that caused redirection in response to a specific web site (destination IP address) in the rule. To incorporate redirection in response to a combination of conditions or one correlated with a temporarily assigned network address would only be obvious with impermissible hindsight.

Claim 61 requires redirection by a redirection server in response to a rule set correlated with a temporarily assigned network address to multiple web sites. This combination of elements and limitation is not disclosed by either Radia or Stockwell and would not be obvious if the two references were combined. Such a combination would not include redirection to multiple destinations in response to a rule set correlated to a temporarily assigned network address which is programmed in the redirection server, none of which would be obvious without using impermissible hindsight gained from the teaching of the '118 patent. Claim 67, which depends from claim 56, also includes redirection by a redirection server in response to a rule set correlated with the temporarily assigned network address and is likewise not disclosed by Radia or Stockwell, and any combination of the two references would therefore not incorporate these limitations without using the disclosure of the '118 patent and impermissible hindsight.

In view of the above arguments, Patent Owner respectfully requests that the rejection of claims 2-7, 9-12, 13-14, 16-24, and 26-90 as obvious in view of Radia/Wong in combination with Stockwell be withdrawn.

**C. ACP pages 33-36 - He, Zenchelsky, APA, Fortinsky, BPAI Decision**

**ACP pages 33-36 - Claims 2-7, 9-14, 16-24, 26, 2, 28-35, 36-39, 40-54, 60-66, 68-81 [82] and 83, 84, 85, 86-89 He, Zenchelsky, APA; He, Zenchelsky, APA, Fortinsky.**

**ACP pages 44-45 - Claims 2-7, 9-14, 28-35, 40-54, 56, 60-66, 83, 86-89 same as page 33-43 He, Zenchelsky, APA, with modifications - BPAI decision page 10.**

**ACP page 45 - Claims 2-7, 9-14, 28-35, 40-67, 83, 86-90 same as page 33-43 He, Zenchelsky, APA**

Patent Owner acknowledges the withdrawal of the rejection of claims 16-24, 26, 27, 36-39, 68-82, 84 and 85 as obvious over He, Zenchelsky, APA; He, Zenchelsky APA and Fortinsky at ACP pages 34-35.

Patent Owner believes that the rejection of claims 2-7, 9-14, 28-35, 40-54, 56, 60-66, 68-81, 83 and 86-89 over (a) HE combined with Zenchelsky and Applicant's supposed "admitted prior art," and also (b) HE combined with Zenchelsky, Fortinsky and Applicant's supposed "admitted prior art," are inconsistent on their face. More specifically, if combination (a) meets all the limitations of the rejected claims, why would there be a need for including a further reference to Fortinsky as a teaching reference as was done in combination (b). Similarly, reliance on Fortinsky as was done in combination (b) must be interpreted to mean that combination (a) still lacks certain limitations recited in the rejected claims.

Furthermore, Patent Owner questions the Examiner's use of Applicant's supposed "admitted" prior art. Applicant's admission that redirection servers are known is **not** an admission that redirection servers that respond or are configured in the manner recited in the claims are known.

Additionally, the Examiner rejected claims 2-7, 9-14, 28-35, 40-54, 56, 60-66, 83 and 86-89 as being unpatentable over HE, Zenchelsky and Applicant's supposed admitted prior art for the reasons expressed in Exhibit CC of the Reexamination Request, with modifications (see the bottom of page 44 of the ACP), and also simply (presumably without modifications) for the reasons expressed in Exhibit CC of the Reexamination Request (see the top of page 45 of the ACP). This makes the rejection of these claims confusing, as it is unclear what the difference is between these two rejections of the same claims.

Patent Owner's arguments as to why Applicant's supposed "admitted prior art" is **not** an admission, as misinterpreted by the Examiner, are equally applicable here.

ACP page 34 – “claims 28, 29, 31, 33, 35, 54, 64, and 66 do not recite modifying the rule set during a session”

Claims 29, 33, 52, and 64 do recite modifying the rule set contrary to the position of the Examiner. Each of these claims recites “...the redirection server is configured to utilize the temporary rule set during an initial period of time and thereafter to utilize the standard rule set.” For the reasons given above, a “session” is simply the period while the redirection server is programmed with a rule set correlated to a temporarily assigned network address. Claim 1, from which claim 29 depends, and claim 44, from which claim 52 depends, each specifies that the redirection server changes the rule set from a temporary rule to a standard rule during the time the rule set is programmed and the user is directing data to the public network.

Accordingly, Patent Owner respectfully requests withdrawal of the rejection at least as to claims 29, 33, 52, and 64 on this ground.

ACP page 34 – “redirection server to control access to the network itself and redirection server between the user and the network”

Claim 44, from which claim 54 depends, explicitly recites “a redirection server connected between the dial up network server and a public network.” This is a recitation that the redirection server is between the user and the network. Claim 44 also requires that the “data directed toward the public network from the one of the users’ computers are processed by the redirection server....” “Processing” in its broadest reasonable interpretation means “controlling” passage of the data and hence access to the public network. Claim 44 and hence claim 54 therefore recite controlling access to the public network by the redirection server.

Likewise, claims 64 and 66 depend from claim 56 which recites in the preamble “a redirection server connected between the dial-up network server and the public network.” The only reasonable interpretation of this language is that the redirection server is between the user and the network. Claim 56 also recites that the redirection server processes data directed to the public network from a user, which necessarily means that access to the network be controlled by the redirection server.

Accordingly, Patent Owner respectfully requests withdrawal of the rejection of claims 54, 64 and 66.

ACP page 35 – Claims 40-42

The Examiner has stated that the “redirection server to control access to the network itself and redirection server between the user and the network” are not recited in the claims. Patent Owner respectfully disagrees. Claims 40-42 are dependent from claim 25. Claim 25 of the '118 patent at 10:36, explicitly recites that the rule set programmed into the redirection server is “used to control data passing between the user and a public network.” Further, claim 25 of the '118 patent at 10:43-45 states that the “redirection server has a user side that is connected to a computer using the temporarily assigned network address and a network side connected to the computer network.” Clearly, claim 25 recites a redirection server to control access to the network where the redirection server is between the user and the network.

Accordingly, Patent Owner respectfully request withdrawal of this ground for rejection of claims 40-42.

ACP page 35 – Claims 83 and 86-90

The Examiner has indicated that the “redirection server to control access to the network” is not recited in claims 83 and 86-90. Patent Owner respectfully disagrees, and directs the Examiner to the *ex parte* Reexamination Certificate (US 6,779,118 C1) at 8:32-37 (claim 83), which explicitly requires “a redirection server connected between a user computer and the public network, the redirection server containing a user’s rule set...wherein the user’s rule set contains at least one of a plurality of functions *used to control data passing between the user and a public network.*” Controlling the passage of data from the user to the public network is controlling access, that is, passing, blocking or redirecting.

Patent Owner does not dispute that Zenchelsky shows a filter between a plurality of users and the internet (Figure 4). However, as with claims 84 and 85, claim 83 includes the additional limitation that the redirection server, in response to instructions such as from the programmed rule set, modifies at least a portion of the user’s rule set. This is at least one feature of the claims that is not shown or suggested in Zenchelsky.

ACP page 44 – He, Zenchelsky, and APA and BPAI Decision page 10

The Examiner, citing the BPAI Decision Re Reexamination 90/009,301 page 10, relies on the Board's statement that "since redirection would have been an obvious extension of blocking, it follows that the combination of He and Zenchelsky in view of [APA] would have made *redirection based on the same bases* obvious as well." Redirection based on the "same bases" as disclosed in Stockwell /APA is redirection in response to a destination IP address. However, as argued above, redirection in response to something other than the destination IP address is not disclosed or suggested by APA or Stockwell. The Board did not address redirection in response to some other bases as above described.

In fact, the Examiner's rejections based on HE, Zenchelsky and the supposed "admitted prior art" (that is not an admission) are entirely improper. The Examiner in the original Reexamination Proceeding went up on Appeal of the claims based on a combination of HE, Zenchelsky and the supposed "admitted prior art." The Board of Appeals reversed that Examiner's rejection of certain claims and entered its own rejection of those claims. It is respectfully submitted that it is improper for this Examiner to repeat a rejection in this Reexamination Proceeding that was reversed by the Board of Appeals in the prior Reexamination Proceeding.

Accordingly, Patent Owner respectfully requests withdrawal of the rejection based on the BPAI decision.

**D. ACP pages 36-42 Radia in view of APA and Coss**

**ACP Page 45–96 - Claims 2-7, 9-14, 28-35, 44-67 Radia in view of APA and Coss.**

**ACP Page 96 - Claims 16-24, 26, 27, 36-43 and 68-90 Coss in view of APA**

Patent Owner submits herewith the Declarations of Inventors Koichiro Ikudome and Moon Tai Yeung under 37 C.F.R. §1.131 demonstrating that the invention recited in the '118 patent was conceived and reduced to practice before August 14, 1997, which is prior to the September 12, 1997 filing date of Coss et al., U.S. Patent No. 6,170,012. Coss is therefore not prior art as to the '118 patent. As set forth in the Ikudome Declaration, when the Examiner maintained the rejection in the 4/29/2013 ACP, Inventor Ikudome undertook a detailed investigation of his records and discovered not only receipts for the purchase of equipment acquired for

the purpose of testing the invention concept, but also located a document dated August 14, 1997 which is being submitted with his 37 C.F.R. §1.131 Declaration which shows that the invention was actually reduced to practice before the Coss filing date. Patent Owner therefore respectfully requests withdrawal of all of the above rejections citing Coss. Rejections based on Radia in combination with APA without reliance on Coss have been addressed above. These Declarations should be entered because (1) they are necessary to eliminate Coss as “prior art” and (2) they could not have been presented earlier since the inventors did not have a recollection of the evidence establishing an earlier reduction to practice than Coss until after the Examiner’s mailing of the ACP.

The Office is invited to direct any questions to the undersigned at the below-listed telephone/facsimile numbers and e-mail address.

Respectfully submitted,  
Koichiro Ikudome et al.

                  /Abe Hershkovitz/  
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R1341006D.A03 AH/pjj



**CERTIFICATE OF SERVICE**

It is hereby certified that the attached Amendment in merged Reexamination Proceedings No. 95/001,431 and No. 90/012,342, and this Certificate, **are being served by first class mail on June 28, 2013** on the third party requester at the third party requester's address:

IP Section  
Haynes & Boone  
2323 Victory Avenue, Suite 700  
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/Abe Hershkovitz/  
Abraham Hershkovitz



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95/002,035	09/12/2012	6779118	RI1341006F	1745
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Herskovitz & Associates, LLC 2845 Duke Street Alexandria, VA 22314			WORJLOH, JALATEE	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Transmittal of Communication to Third Party Requester <i>Inter Partes</i> Reexamination</b>	<b>Control No.</b>	<b>Patent Under Reexamination</b>	
	95/002,035 and 90/012,342	6779118	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jalatee Worjloh	3992	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address. --

(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

David L. McCombs  
Haynes & Boone, LLP  
2323 Victory Avenue, Suite 700  
Dallas, TX 75219

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above-identified reexamination proceeding. 37 CFR 1.903.

Prior to the filing of a Notice of Appeal, each time the patent owner responds to this communication, the third party requester of the *inter partes* reexamination may once file written comments within a period of 30 days from the date of service of the patent owner's response. This 30-day time period is statutory (35 U.S.C. 314(b)(2)), and, as such, it cannot be extended. See also 37 CFR 1.947.

If an *ex parte* reexamination has been merged with the *inter partes* reexamination, no responsive submission by any *ex parte* third party requester is permitted.

**All correspondence** relating to this *inter partes* reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.

<b>Transmittal of Communication to Third Party Requester <i>Inter Partes</i> Reexamination</b>	Control No.	Patent Under Reexamination	
	95/002,035 and 90/012,342	6779118	
	Examiner	Art Unit	
	Jalatee Worjloh	3992	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address. --

(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

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Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above-identified reexamination proceeding. 37 CFR 1.903.

Prior to the filing of a Notice of Appeal, each time the patent owner responds to this communication, the third party requester of the *inter partes* reexamination may once file written comments within a period of 30 days from the date of service of the patent owner's response. This 30-day time period is statutory (35 U.S.C. 314(b)(2)), and, as such, it cannot be extended. See also 37 CFR 1.947.

If an *ex parte* reexamination has been merged with the *inter partes* reexamination, no responsive submission by any *ex parte* third party requester is permitted.

**All correspondence** relating to this *inter partes* reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.

<b>ACTION CLOSING PROSECUTION (37 CFR 1.949)</b>	Control No.	Patent Under Reexamination
	95/002,035 and 90/012,342	6779118
	Examiner	Art Unit
	Jalatee Worjloh	3992

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address. --

**Responsive to the communication(s) filed by:**

Patent Owner on 1/7/2013 and 2/2/2013

Third Party(ies) on 2/15/2013

Patent owner may once file a submission under 37 CFR 1.951(a) within 2 month(s) from the mailing date of this Office action. Where a submission is filed, third party requester may file responsive comments under 37 CFR 1.951(b) within 30-days (not extendable- 35 U.S.C. § 314(b)(2)) from the date of service of the initial submission on the requester. **Appeal cannot be taken from this action.** Appeal can only be taken from a Right of Appeal Notice under 37 CFR 1.953.

**All correspondence** relating to this inter partes reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

**PART I. THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1.  Notice of References Cited by Examiner, PTO-892
2.  Information Disclosure Citation, PTO/SB/08
3.  \_\_\_\_\_

**PART II. SUMMARY OF ACTION:**

- 1a.  Claims 2-7, 9-14, 16-24, and 26-90 are subject to reexamination.
- 1b.  Claims \_\_\_\_\_ are not subject to reexamination.
2.  Claims \_\_\_\_\_ have been canceled.
3.  Claims \_\_\_\_\_ are confirmed. [Unamended patent claims]
4.  Claims \_\_\_\_\_ are patentable. [Amended or new claims]
5.  Claims 2-7, 9-14, 16-24, and 26-90 are rejected.
6.  Claims \_\_\_\_\_ are objected to.
7.  The drawings filed on \_\_\_\_\_  are acceptable  are not acceptable.
8.  The drawing correction request filed on \_\_\_\_\_ is:  approved.  disapproved.
9.  Acknowledgment is made of the claim for priority under 35 U.S.C. 119 (a)-(d). The certified copy has:
  - been received.  not been received.  been filed in Application/Control No \_\_\_\_\_
10.  Other \_\_\_\_\_

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## **ACTION CLOSING PROSECTUION**

### ***Introduction***

This is an action closing prosecution (ACP) in the inter partes reexamination of U.S. Patent No. 6,779,118 to Ikudome, et al. ("Ikudome"), the following office action is being written for the merged proceeding of reexamination control no. 95/002,035 and 90/012,342.

### ***Status of Claims***

Claims 2-7, 9-14, 16-24, and 26-90 are rejected.

### ***References Cited in the Request***

- U.S. Patent No. 5835727 to Wong et al. ("Wong '727");
- U.S. Patent No. 6073178 to Wong et al. ("Wong ' 178");
- U.S. Patent No. 5950195 to Stockwell et al. ("Stockwell");
- U.S. Patent No. 5889958 to Willens;
- U.S. Patent No. 5848233 to Radia et al. ("Radia");
- Request for Comments 2138, Internet Engineering Task Force, April 1997 (RFC 2138);
- U.S. Patent No. 6088451 to He et al. ("He");
- U.S. Patent No. 6233686 to Zenchelsky et al. ("Zenchelsky");
- U.S. Patent No. 5815574 to Fortinsky; and
- U.S. Patent No. 6170012 to Cosset al. ("Coss").

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***Patent Owner's Statement and Requester's Comment***

Patent owner's statement was filed:

- 1/17/2013 in 95/002035
- 2/2/2013 in 90/012342

Third party requester's comment was filed:

- 2/15/2013 in 95/002035

***Summary of Rejections***

**The following rejections were given in the Non-final action dated 10/19/2012 (95/002,035):**

- Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84, and 86-90 are obvious over Willens and RFC 2138 and Stockwell;
- Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84, and 86-90 are obvious over Willens in view of RFC 2138 and Admitted Prior Art;
- Claims 6, 7, 13, 14, 16-24, 26-44, 49-56, and 61-90 are obvious over Radia in view of Wong '727 and further in view of Stockwell;
- Claims 2-5, 9-12, 45-48, and 57-60 are obvious over Radia in view of Wong '727 and Stockwell and further in view of Wong '178;
- Claims 7, 14, 16-24, 50-56, and 62-90 are obvious over Radia in view of Wong '727 and further in view of Admitted Prior Art;
- Claims 2-5, 9-12, 45-48, and 57-60 are obvious over Radia in view of Wong '727 and Admitted Prior Art and further in view of Wong '178;

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- Claims 2-7, 9-14, 16-24, 26-54, 56, 60-66, 68-81, and 83-89 are obvious over He, Zenchelsky, and the Admitted Prior Art; and
- Claims 2-7, 9-14, 16-24, and 26-90 are obvious over He in view of Zenchelsky, Fortinsky, and the Admitted Prior Art.

**The following rejections were given in the Non-final action dated 12/07/2012**

**(90/012342):**

- Claims 2-7, 9-14, 28-35, and 44-67 are obvious over Radia in view of Admitted Prior Art and in further in view of Coss; and
- Claims 16-24, 26, 27, 36-43, and 68-90 are obvious over Coss in view of Admitted Prior Art.

***Response to Arguments***

**Motivation to combine the references**

**PO:** Patent owner argues that the Examiner fails to articulate any rationale for combining the references cited in the Office Action or a rationale as to why the cited references, alone or in combination, disclose, suggest or provide any motivation for a redirection server programmed with a "rule set": (1) to "block" or "allow" data packets from the user computer as a function of the rule set; (2) to perform the redirection of data packets as a function of the rule set; and (3) to change the rule set during a user session as a function of "elements or conditions" that are part of the "rule set."



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**TPR:** Requester notes that a detailed explanation of the reasons to combine the prior art for each proposed rejection was provided (see e.g. Request AA at 2 & 56-57; Ex. BB at 2, 49, 55, & 104; Ex. CC at 2; Ex. DD at 2.)

**Examiner:** The Examiner agrees with the Requester. The Office action clearly provided reasons to combine the prior art references.

**Combining References**

**PO:** Patent owner argues that the technical differences between the teaching of the prior art and the '118 patent include: that the rule set incorporates "elements or conditions," not just packet filters that always "allow," "deny" or "redirect" until changed by a system administrator; that the redirection server be able to modify the rule set during a user session in response to "elements or conditions" in the rule set; and that redirection at the user side is for the purpose of controlling access to the network itself, not network elements.

**TPR:** The Requester notes that the claims do not recite any such "purpose" limitation or refer to "controlling access to the network itself." Requester submits that the '118 patent specification does not provide any basis for Patent Owner's attempted distinction between controlling access to a network itself and controlling access to its constituent network elements. According to the Requester, the '118 patent specification acknowledges that the filter will control access to a destination accessible through the network (i.e. a network element) and not the "network itself".

**Examiner:** The Examiner respectfully disagrees with Patent owner.

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During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)).

In response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e., the redirection at the user side is for the purpose of controlling to the network itself, not network elements) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**PO:** Patent owner argues that an obviousness conclusion is also precluded because of the absence of any claim construction analysis in Requester's argument adopted by the Examiner.

**TPR:** The Requester notes that claim construction analysis is not required in a request for *inter partes* reexamination. (See 37 C.F.R. 1.915 (listing required contents of request): cf. 37 C.F.R. 42.104(b) (3) (requiring claim construction for new *inter partes* review proceedings).)

**Examiner:** The Examiner respectfully disagrees with Patent owner.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). Therefore, requester is not required to provide a claim construction analysis.

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**Rule Set**

**PO:** Patent owner argues that the rule set in the '118 patent is not a static data packet filter, but is a set of rules that, when programmed into the redirection server, can change the way the redirection server processes the data packets from the user computer in response to changes in elements or conditions- in short, the '118 patent's rule set itself, when programmed into the redirection server, enables the processing of the redirection server to change from one protocol to another in response to the "elements or conditions" and to effect that change during a user session.

**TPR:** Requester submits that the pending claims must be "given their broadest reasonable interpretation consistent with the specification." (MPEP § 2111). Also, it is noted the Patent Office is not required to interpret claims in the same manner as a court would interpret claims in an infringement suite, where a different standard applies. Additionally, Requester argues that interpreting "rule set broadly enough to include packet filters is entirely consistent with the '118 specification, which repeatedly discusses filtering packets using a rule set. (See, e.g., '118 Patent, 5:62-67, 6:1-3, 6:37-39, and 7:26-28).

**Examiner:** The specification describes the rule sets at col. 4, lines 41-49 as follows:

The rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed, a location, which may or may not be accessed, how long to keep the rule set active, under what condition the rule set should be removed, when and how to modify the rule set during a session.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re

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Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). However, column four's description of rule set does not include the concept of enabling the processing of the redirection server to change from one protocol to another in response to the elements or conditions. Also, the claims do not recite such language.

**Redirection Server**

**PO:** Patent owner argues that the prior art references teach redirection as a separate function, not part of a packet filter; or teach redirection at discrete events, not as part of an integrated rule set to control access to the network itself and not just to network elements (servers), which differs from the '118 patent. That is, the queries of Stockwell do not occur during a session but only before the start of a session. However, redirection as taught by the '118 patent can occur any time during a user session in response to a change in "elements or conditions" that occur during a session.

**TPR:** Requester asserts that Stockwell is distinguishable because the queries of Stockwell do not occur during a session and the '118 patent does not rely on generating a query. Requester states that Stockwell discusses applying redirection as part of a rule set and without any reference to requiring a query (see 2:24-31).

**Examiner:** The Examiner respectfully disagrees with Patent owner. During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). In this case, the claims do not limit redirection to occur only "during a session."

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Additionally, Patent owner describes a session as "the period of time during which a single temporarily assigned network address is assigned to a user computer and the redirection server processes data packets communicated between the user and the network according to the programmed rule set." However, the claims do not expressly define the user session. It is noted that the features upon which Patent owner relies (i.e., redirection occurring during a user session) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Modification of a Portion of the Rule Set during a Session**

**PO:** Patent owner argues that the requirement of modification of the rule set during a user session is an explicit aspect of the definition of "rule set" in the '118 patent, and none of the cited references, either singly or in any possible combination, teach, suggest, or provide any motivation for modification of a rule set by a redirection server during a user session after the rule set has been programmed into the redirection server and while the temporary network address is assigned.

**TPR:** Requester asserts that various claims recite separate, express limitations relating to "modification" of the rule set. (See, e.g., claims 16-23.) Also, the '118 specification describes a "typical user's rule set" that is static. (See '118 Patent, 6:4-22.) Thus, there is no basis for interpreting "rule set" as requiring a modification to have occurred.

**Examiner:** As per claims 2-7, 9-14, and 44-67, the Examiner respectfully disagrees with the Patent owner that modifying the rule set during a session is a requirement. Patent '118 recites

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"the rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed... when and how to modify the rule set during a session and the like." See col. 4, lines 41-47. Hence, it is not always a requirement for the rule set to always contain information regarding how and when to modify the rule set during a session. Also, claims 2-7, 9-14 and 44-67 do not recite modifying the rule set during the user session. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As per claims 16-24, 26-43, and 68-90 modification of the rule set is required. The Examiner respectfully disagrees with Patentee that none of the references teach modification of the rule set during a user session. At least Willens teaches modifying the filters during a user session. In Willens, when a user logs in, the user is authenticated using his profiles. If the user's filter is not stored in cache, the client software sends a lookup request to the network access server, which stores the centralized permitted site list and filters to be used as masks for checking access classification of requires sites, to download the filter, which is maintained in the sever memory for the rest of the user's session. The server software automatically maintains the permit list by downloading updated versions of the list over the Internet and compiling the list for use by the client software. See col. 5, lines 9-46. Also, Willens teaches updating the list daily or hourly (see col. 4, lines 40-45). Thus, the filters of Willens allow automated modification of the rules as a function of time.

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**Rejection of Claims 2-7, 9-14, 16-18, 23, 24, 26-71 and 86-90 under 35 U.S.C. 103(a) over RFC 2138 (Willens) and Stockwell (Request Exhibit AA, pages 2-55)**

**Stockwell**

**PO:** Patent owner argues Stockwell does not disclose redirection at any time during a user session in response to an element or condition change. By contrast, redirection as taught by the '118 patent can occur at any time during a user session in response to a change in an element or condition that is part of the rule set. Additionally, Patentee submits that Stockwell does not suggest, disclose or provide a motivation for the modification of a rule set programmed in a redirection server in response to element or conditions, that is, while a user session is in progress.

**TPR:** Requester notes that none of the claims recites "while the redirection server processes data packets communicated between the user and the network according to programmed rule set" as asserted by Patent owner. Additionally, the Requester submits that the rejection relied on Willens' client's software on communication server as the redirection server instead of Stockwell's ACLD software.

**Examiner:** The Examiner respectfully disagrees with Patent owner. In response to Patent owner arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Notice, Willens was relayed upon to teach the redirection server and the modification limitations.

In terms of Patentee's argument that Stockwell does not disclose redirection at any time during a user session in response to an element or condition change, it is noted that all claims do

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not require modification during a user session. For instance, claims 2-7, 9-14, and 44-67 do not require any type of modification. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). As per claims 16-18, 23, 24, 26-43, 68-71 and 86-90, Willens was applied to the modification teachings.

### **Willens**

**PO:** Patentee argues that Willens' rule set defers from that of the '118 patent. That is, Patent owner states that the rule set of '118 patent is more than just a static packet filter, but includes "elements or conditions" that are programmed into the redirection server to dynamically control data packets moving from the user to a public network. However, Willens' rule does not include any elements or conditions or the ability to modify itself during a user session in response to those elements or conditions.

**TPR:** Requester states that Patent owner's assertion is inconsistent with the broadest reasonable interpretation of the claims consistent with the '118 patent Specification. The '118 patent Specification includes an example of "rule set" that is a static packet filter. (See '118 Patent, 6:4-22.). Thus, Patent owner fails to distinguish Willens' teaching of the claimed "rule set."

**Examiner:** The Specification describes the rule sets at col. 4, lines 41-49 as follows:

The rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed, a location, which may or may not be accessed, how long to keep the rule set active, under what condition the rule set should be removed, when and how to modify the rule set during a session.



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During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). However, column four's description of rule set does not limit the rule set to modification during a session. The rule set may contain information about "when and how to modify the rule set during a session," but is not limited to this function. Additionally, claims 2-7, 9-14, and 44-67 do not require any type of modification.

The Examiner respectfully disagrees with Patentee that Willens does not teach any elements or conditions or the ability to modify itself during a user session in response to those elements or conditions. Willens teaches a permitted site list, which includes information regarding which sites the user can access. The rule sets of '118 patent indicates that "rule sets may contain data about a type of service which may or may not be accessed, a location which may or may not be accessed..." which is the same as the information in Willens' permitted site list.

As per claims 16-18, 23, 24, 26-43, 68-71, and 76-90, modification of the rule set is required. Patentee argues that Willens fails to teach modification of the rule during a session in response to elements or conditions. In response to Patent owner's argument that Willens fail to show certain features of applicant's invention, it is noted that the features upon which Patentee relies (i.e., the ability to modify rule during a user session in response to those elements or conditions) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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Additionally, claims 16-18, 23, 24, 26-43, 68-71 recite " wherein the redirection server is configured to allow automated modification of at least a portion of the rule set as a function "of some combination of time, data transmitted to or from the user, or location the user accesses and wherein the redirection server is configured to allow modification of at least a portion of the rule set as a function of time," and claims 76-90 recites "modifying at least a portion of the user's rule set while the user's rule set remains correlated to the temporarily assigned network address in the redirection server," which is taught by Willens. The reference teaches "a system and process which uses dynamically down-doable user specific filters from a central server for content monitoring and user authorization in a network of networks." See col. 1, lines 9-12. In Willens, when a user logs in, the user is authenticated using his profiles. If the user's filter is not stored in cache, the client software sends a lookup request to the network access server, which stores the centralized permitted site list and filters to be used as masks for checking access classification of requires sites, to download the filter, which is maintained in the sever memory for the rest of the user's session. The server software automatically maintains the permit list by downloading updated versions of the list over the Internet and compiling the list for use by the client software. See col. 5, lines 9-46. Also, Willens teaches updating the list daily or hourly (see col. 4, lines 40-45). Thus, the filters of Willens allow automated modification of the rules as a function of time.

**Redirection – Claims 5, 6, 12, 13, 31, 25, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82, and 89-90**

**PO:** Patent owner argues that there is no disclosure in Stockwell of redirection that is part of a rule set or that the redirection can occur at any time during a user session in response to a change

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in "elements or conditions." The queries of Stockwell do not occur during a session but only before the user begins communication of data packets before the start of a session. Stockwell does not redirect the data to and from the users' computers as a function of the individualized rule set.

**TPR:** The Requester submits that Stockwell does disclose redirection as part of rule set (see 2:24-31). Stockwell also discloses that any rule can include redirection information (see 2:32-47) and illustrates a specific example of a rule set with two rules (see 12:10-35).

Regarding Patent owner's argument that Stockwell do not occur during a session, Requester notes that Patent owner does not explain how the claimed redirection could occur before the user sends the data packet that is to be redirected. If there is no data packet, then there is nothing to redirect. Second, a claim cannot be distinguished by arguing that the claim is broader than the prior art. Redirection performed before "before the user begins communication" is necessarily within the scope of redirection "at any time."

Lastly, Requester notes that "one cannot show nonobviousness by attacking references individually where the rejections are based on combination of references." MPEP 2145(IV).

**Examiner:** The Examiner respectfully disagrees with Patent owner. The Examiner notes, in response to Patent owner arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In terms of Patentee's argument that Stockwell does not disclose redirection at any time during a user session in response to a change in element or condition, it is noted that all the

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claims do not require modification during a user session. For instance, claims 5, 6, 12, 13, 31, 35, 48-50, 54, 55, 60-, 61, 66, and 67 do not require any type of modification. During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)).

As for claims 81, 82, 89-90, these claims teach a modified rule set including redirecting data. However, Patent owner is arguing against the references individually. The Office action does not rely solely on Stockwell in rejecting these claims, but in the combination of Stockwell and Willens. Further, Willens teaches controlling access by routing packets. The filters of Willens control Internet access by permitting or denying access (see col. 5, line 57 - col. 6, line 22). As for Stockwell, the reference teaches an example filtering rule that "intercepts all incoming connection that go to the external side of the local Sidewinder (192.168.1.192) and redirects them to shade.sctc.com (172.17.192.48), see 2:29-31. Therefore, as indicated in the Office action, it would have been obvious to expand Willens' filtering capabilities by incorporating redirection filter rules, like those taught by Stockwell. The redirection feature would improve a similar device (the packet filter of Willens) in the same way. The combination is also obvious because it request only applying a known technique (redirection) to a known device (the packet filter of Willens) to yield predictable results (a packet filter with the ability to redirect packets). *KSR International Co. v. Teleflex Inc.*, 550 U.S. \_\_, \_\_, 82 USPQ2d 1385, 1395-98 (2007).)

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As per Patent owner's argument that Stockwell redirection is not part of the rule set, Examiner agrees with the Requester. Stockwell teaches a rule that includes redirection (see col. 2, lines 24-47 and col. 12, lines 10-35).

**Modification of the rule set - claims 16-18, 23, 24, 25-27, 36, 37, 38, 39, 42-43, 68-82, and 86-90**

**PO:** Patent owner argues that Willens does not disclose, suggest or provide any motivation, and indeed, teaches away from, any correlation of the rule set to a temporarily assigned network address as required by the '118 patent. It is noted that Willens requires that the filter through which the user access the network is fixed and unchangeable throughout a user session.

Additionally, Patentee argues that Willens fails to teach removing or reinstating at least a portion of the rule set with respect to claim 27. Patent owner asserts that Willens does not teach or suggest provide any motivation for modification of a rule set during a user session; and does not disclose, suggest or provide any motivation for redirection during a user session.

**TPR:** The Requester submits that Willens teaches that the filter F(Timmy) includes references to filter lists, such as a "PTA List." (see Fig. 3, elements 54 & 52). Willens further teaches that the communication server 14 (the "redirection server") loads and caches the PTA List from ChoiceNet server 18 (Willens 5:64-6:7). Thus, communication server 14 does not permanently store the entire PTA List, but rather stores recently used portions of it in a temporary cache. Thus, Willens teaches that a portion of the rule set on communication server 14 –specifically, the cached portion of the PTA List - may be automatically modified. Thus, the ChoiceNet server 18

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"automatically maintains the permit list by downloading updated versions of the list over the Internet," perhaps "on a daily or hourly basis." (Willens 5:41-43, 4:43-44.).

Regarding claim 27, Requester submits that in view of Willens' teaching to automatically update a filter list on ChoiceNet server 18, it would have been obvious to update any filter lists in active use on communications server 14. For example, when an error in a school's filter list is discovered – whether it be a harmful site that is allowed or an educational site that is blocked- it would have been obvious for a teacher or school administrator to be able to correct the filter list and have the change applied to all students immediately. Without such a capability, a teacher's lesson plan might be thrown into disarray because access to needed website is being inadvertently blocked. For at least this motivation, it would have been obvious that automatic updates could be sent not just to ChoiceNet server 18, but also to communications server 14. Additionally, Requester notes that a teacher's lesson plan might require students to access a website that would ordinarily be blocked, e.g., to watch an educational video on a popular general-purpose video on a popular general-purpose video sharing site.

Regarding claims 29, 33, 41, 52, 64, and 87, Requester notes that the claims do not recite that the temporary rule set be applied during a user session and that the claims do not refer to a user session at all. Instead, the claims recite utilize the temporary rule set for an initial period of time.

As per teaching away, Requester states that there is no evidence of the supposed teaching away.

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**Examiner:*****Correlation of the rule set to a temporarily assigned network address***

The Examiner respectfully submits that even though the Patent owner suggests that the references are opposite and incompatible systems, this is not evidence that the applied reference teaches away from the invention. It has been held that prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

In this case, Patent owner argues that Willens fails to teach any correlation of the rule set to a temporarily assigned network address as required by the '118 patent and that filter is fixed throughout the user's session. However, the Examiner respectfully disagrees. The claims recite "wherein the redirection server is configured to allow automated modification of at least a portion of the rule set correlated to the temporarily assigned network address," which is taught by Willens. The reference discloses a communication server (redirection server) that stores recently used portions of a PTA list in a temporary cache (see col. 5, lines 64- col. 6, line 9); so, the rule set (PTA list) is correlated to a temporarily assigned network address (cache).

In Willens, this list is automatically maintained by the server software and updated versions are downloaded over the Internet to be used by the client software (see col. 5, lines 37-45). The client software uses this list when a user logs in to grant or deny access. As expressed by Willens, the downloaded filters are maintained in the sever memory for the rest of the user's session and the server software automatically maintains the permit list by downloading updated

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versions of the list over the Internet and compiling the list for use by the client software. See col. 5, lines 9-46. Also, Willens teaches updating the list daily or hourly (see col. 4, lines 40-45). Since the list is automatically maintained (i.e. by downloading updated versions of the list to the client software) for the rest of the user's session, this implies that such updating occurs while the user is still connected (during the user's session).

### *Claim 27*

Regarding claim 27, the Examiner agrees with Patent owner that Willens does not teach removal or reinstatement of at least a portion of the rule set as function of one or more of: time, the data transmitted to or from the user or locations the user accesses. Willens discloses modifying the list of sites a user is permitted to access. The reference states that "the subsystem 12 provides a central, sever based permit list that can be easily updated on a daily or hourly basis." Also, "Willens teaches modifying a user's filtering rules based on a user's accessing of a login location and providing login information, such as password." See page 21 of Exhibit AA.

Although Willens teaches updating the permit list, the update does not necessarily include "removal or reinstatement" of a portion of the rule set. The process of updating requires making information current; thus, the action of deleting or restoring data is not compulsory. That is, updating could include inserting new data. Willens does not expressly define updating as reinstating data or removing data. Therefore, this rejection is withdrawn.



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***Modification of a rule set during a user session***

Regarding Patentee's argument that Willens does not teach or suggest any motivation for modification of a rule set during a user session, the Examiner respectfully disagrees. '118 patent specification describes the rule set at col. 4, lines 41-49 as follows:

The rule set specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed, a location, which may or may not be accessed, how long to keep the rule set active, under what condition the rule set should be removed, when and how to modify the rule set during a session.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). However, column four's description of rule set does not limit the rule set to modification during a session. The rule set may contain information about "when and how to modify the rule set during a session," but is not limited to this function.

The Examiner notes that Willens teaches a rule set including elements or conditions or the ability to modify itself during a user session in response to those elements or conditions. Willens teaches a permitted site list, which includes information regarding which sites the user can access. The rule sets of '118 patent indicates that "rule sets may contain data about a type of service which may or may not be accessed, a location which may or may not be accessed...," which is the same as the information in Willens' permitted site list.

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***Redirection during a user session***

Claims 16-18, 23, 24, 26 and 28-43, 68-71 recite " wherein the redirection server is configured to allow automated modification of at least a portion of the rule set as a function "of some combination of time, data transmitted to or from the user, or location the user accesses and wherein the redirection server is configured to allow modification of at least a portion of the rule set as a function of time," and claims 76-90 recites "modifying at least a portion of the user's rule set while the user's rule set remains correlated to the temporarily assigned network address in the redirection server," which is taught by Willens. The reference teaches "a system and process which uses dynamically down-doable user specific filters from a central server for content monitoring and user authorization in a network of networks." See col. 1, lines 9-12. In Willens, when a user logs in, the user is authenticated using his profiles. If the user's filter is not stored in cache, the client software sends a lookup request to the network access server, which stores the centralized permitted site list and filters to be used as masks for checking access classification of requires sites, to download the filter, which is maintained in the sever memory for the rest of the user's session. The server software automatically maintains the permit list by downloading updated versions of the list over the Internet and compiling the list for use by the client software. See col. 5, lines 9-46. Also, Willens teaches updating the list daily or hourly (see col. 4, lines 40-45). Thus, the filters of Willens allow automated modification of the rules as a function of time.

As per Patent owner's argument that Willens does not teach redirection during the user session, the Examiner respectfully disagrees. The Examiner notes that the claims do not limit redirection to occur only "during a sessions." The claims do not expressly define the user

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session, and it is noted that the features upon which Patent owner relies (i.e., redirection occurring during a user session and temporary rule set is applied during a user session) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Rejection of claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 under 35 U.S.C. 103(a) over Willens in view of RFC 2138 and Admitted Prior Art**

**PO:** Patent owner argues that for the same reasons set forth in Section III (which is labeled “combining references” at pages 3 and 4 of this Action), the rejection proposed at Exhibit AA, pages 56-112, should be withdrawn, since the rejection is essentially the same, citing only the addition of the Admitted Prior Art.

Patentee states that the Admitted Prior Art teaches redirection occurring only at the destination URL after access to the network has been granted. Again, it is noted that granting access to the network before executing a redirection action specified by the rule set of ‘118 patent would effectively defeat the purpose of controlling access to the network in the first instance. Redirection at the user side is not taught by the Admitted Prior Art.

Patent owner asserts that nowhere did the Board consider that the prior art only teaches redirection at a destination address among other limitations and requirements of claims 1, 8, 15, and 25.

**TPR:** See pages 3 and 4 for Requester’s comments regarding Section III.

Requester asserts that Patent owner’s arguments fail because they are unrelated to any limitations in the claims. For example, the claims do not recite a purpose.

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Additionally, the Requester notes that claims 5, 6, 12, 13, 31, and 35 do not recite any such "between" limitation.

Requester submits that the Examiner's rejection did not rely on the Admitted Prior Art as teaching the claimed "redirection server" in its entirety. It was further known that redirection was not limited to web pages, but was "valid for all IP services." (See '118 patent 1:40-42). For the reasons explained in the Request, it would have been obvious to incorporate IP packet redirection (as taught by the Admitted Prior Art) into Willens' communications server 14. With this obvious addition of a redirection capability, the communications server is a "redirection server" located "between" the user and the network and capable of blocking, allowing, or redirecting data packets according to a user's individuated rules.

It is noted that "one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references." MPEP 2145(IV).

**Examiner:** The Examiner respectfully disagrees with Patent owner.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)).

In response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e., the redirection at the user side is for the purpose of controlling to the network itself, not network elements; and in claims 5, 6, 12, 13, 31, and 35 – redirection server is located between the user computer and the network) are not recited in the rejected claim(s). Although the claims are interpreted in light of

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the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to Patent owner arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Willens teaches a redirection server (communications server) that receives user's filter for controlling access by the user to Internet sites (5:17-18). The reference teaches permitting or denying access to network resources (6:6) and applying the user's associated filter by allowing or blocking packets (6:10-15). The Admitted Prior Art teaches controlling access to resources by redirecting traffic ('118 Patent 1:38-60). It would have been obvious to incorporate the redirection technique of the Admitted Prior Art into the system of Willens for the reasons expressed in Exhibit AA (see at least page 56).

Regarding claim 27, the Examiner agrees with Patent owner that Willens does not teach removal or reinstatement of at least a portion of the rule set as function of one or more of: time, the data transmitted to or from the user or locations the user accesses. Willens discloses modifying the list of sites a user is permitted to access. The reference states that "the subsystem 12 provides a central, sever based permit list that can be easily updated on a daily or hourly basis." Also, "Willens teaches modifying a user's filtering rules based on a user's accessing of a login location and providing login information, such as password." See page 21 of Exhibit AA.

Although Willens teaches updating the permit list, the update does not necessarily include "removal or reinstatement" of a portion of the rule set. The process of updating requires

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making information current; thus, the action of deleting or restoring data is not compulsory.

That is, updating could include inserting new data. Willens does not expressly define updating as reinstating data or removing data. Therefore, this rejection is withdrawn.

**Rejection of Claims 6, 7, 13, 14, 16-24, 26-44, 49-56, and 61-90 under 35 U.S.C. 103(a) over**

**Radia in view of Wong '726 and further in view of Stockwell**

***Radia 5,848,233; Wong 5,835,727; Wong 6,073,178***

**PO:** Patentee argues that these rejections should be withdrawn for the same reasons cited in Sections V and VI of the response.

Patent owner asserts that nothing in Radia suggests or teaches nor is there any motivation to change a configuration of a router or modem during a session. Also, the reconfiguration would have to be done by the ANCS, not the router itself as required by the '118 patent.

**TPR:** See Requesters comments regarding Sections V and VI at pages 8-23 above.

The Requester does not provide any comments regarding Patent owner's arguments that Radia does not teach or suggests nor is there any motivation to change a configuration of a router or modem during a session. Also, no comments are provided with regards to the ANCS performing reconfiguration not the router.

**Examiner:** See the Examiner's comments regarding Sections V and VI at pages 8-23 above.

The Examiner respectfully disagrees with Patent owner. As per the comment that "nothing in Radia suggest or teaches nor is there any motivation to change a configuration of a router or modem during a session," the Examiner notes that claims 16-24, 26-43, and 68-90

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recite modifying the rule set. Radia teaches changing filtering rules when a user is connected to a client system, logged into the system or logged out. See col. 3, lines 29-55. The reference states that when the user is successfully logged in, a filtering profile sequence is selected or generated then downloaded by the SMS to the ANCS. "The ANCS uses the rules included in the downloaded login filtering profile sequence to establish a new packet filter for IP packets originating from the newly logged in client system. The new packet filter is established by reconfiguring the components of the network to replace the packet filter established for the login filtering profile." Therefore, the new packet filter is created during a user session.

Patentee also argues that "the reconfiguration would have to be done by the ANCS, not the router itself as required by the '118 patent." However, '118 patent states that "the redirection server is configured to allow modification..." In response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e., the router itself is required to do the reconfiguration) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Also note that the Office action relies on the ANCS together with the router of Radia to teach the redirection server. See page 6 of Exhibit BB.

***Rule Set – Radia, Wong '727 and Wong '178***

**PO:** Patent owner argues that a rule set defined by the '118 patent includes "allow" and "deny" and "redirect" actions on the data packets from the user computer, and "element or conditions"

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that need not be related to the header data of the data packet itself but that may instead relate to factors other than the packet data.

Patent owner asserts that The Examiner has given no rationale as to how these references, alone or in any combination, would result in even an approximation of a redirection server with a programmed rule set as claimed in the '118 patent.

Lastly, Patentee notes that the absence of any interaction between the router and the ANCS while the router is processing data packets from the user and the absence of any interaction between the router and the ANCS while the packet filter is being created by the ANCS, preclude viewing the combination of the two as a redirection server.

**TPR:** The Requester argues that the '118 patent does not support Patent owner's definition of rule set.

Regarding "elements or conditions" argument, Requester states that this proposed interpretation of rule set is inconsistent with the broadest reasonable interpretation of the claims in view of the '118 specification.

As for the argument that Radia's ANCS and router cannot together constitute the claimed "redirection server", the Requester asserts that Patent owner has not provided any citation to the MPEP or any other legal authority in support of this argument. Also, the Requester states that Patent owner has taken the position in litigation that the redirection server may comprise multiple separate components. (See Request Ex. D2 at 18 ("In the alternative, the redirection server can be combination of the SSG and SESM.")).

**Examiner:** The Examiner agrees with the Requester.

The specification describes the rule sets at col. 4, lines 41-49 as follows:



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The rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed, a location, which may or may not be accessed, how long to keep the rule set active, under what condition the rule set should be removed, when and how to modify the rule set during a session.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)).

The router along with the ANCS functions as the redirection server. In Radia, the profile filtering database can be stored at ANCS. The ANCS utilizes the filtering profiles to reconfigure the router, which uses the filtering rules to selectively discard or forward IP packets received from the client systems (see at least abstract and claim 11 of Radia). Thus, the ANCS and the router together teach the redirection server.

**Modification of Rule Set by Redirection Server During Session – Rejected Claims 16-24, 26-29, 33-34, 36-43, 64, and 68-90**

**PO:** Patent owner argues that Radia does not teach, suggest or provide any motivation for modifying a rule during a user session, that is, after the rule set has been programmed into the redirection server for processing data packet from the user computer to the network. Also, Patentee asserts that Radia does not teach modifying the packet filter by the redirection server. It is noted that there is no teaching in Radia (or any of the other references) that the router or modem itself reconfigures or modifies the downloaded packet filter once that packet filter has

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been programmed into router/modem, or that a rule set include elements or conditions that enable the router to change the rule set during a session.

**TPR:** Requester submits that the claims do not require the redirection server itself to modify the rule set. Claim 16 recites the redirection server is configured to allow modification of at least a portion of a rule set. Claim 83 recites a method that includes modifying step, but does not recite who or what must perform that step.

Requester notes that Patent owner's argued claim interpretation is inconsistent with the broadest reasonable interpretation in light of the specification. Regarding Patent owner's comments that there is no teaching whatever in Radia... that the router and modem itself reconfigures or modifies the downloaded packet filter once that packet filter has been programmed into the router/modem, Requester states that the Examiner's rejection provided substantial analysis of Radia's teachings with respect to modifying a user's rule set.

**Examiner:** The specification describes the rule sets at col. 4, lines 41-49 as follows:

The rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed, a location, which may or may not be accessed, how long to keep the rule set active, under what condition the rule set should be removed, when and how to modify the rule set during a session.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)). However, column four's description of rule set does not limit the rule set to modification during a session. Instead, it is

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states that the rule set may contain information about "when and how to modify the rule set during a session, but is not limited to this function.

**Rejection – Rejected Claims 31, 35, 61, 66, and 67**

**PO:** Patent owner argues that Radia does not teach, suggest nor provide any motivation for redirection as an action in the event of a match. Also, the queries of Stockwell do not occur during a session but only at the start of the session. Finally, the rejected claims are dependent from claims previously discussed as being allowable over the cited references, alone or in any possible combination, and for the same reasons presented for those claims, the rejections of claims 31, 35, 61, 66-67 should also be withdrawn.

**TPR:** Requester notes that "One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references." Also, it is noted that proposed rejections provided reasons to combine Radia and Stockwell with particular focus on incorporating Stockwell's redirection feature into Radia's overall system.

**Examiner:** The Examiner agrees with the Requester. The Office Action provided reasons for combining Radia and Stockwell.

In response to Patent owner arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

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**Rejection of Claims 2-5, 9-12, 45-48 and 57-60 under 35 U.S.C. 103(a) over Radia in view of Wong '726 and Stockwell and further in view of Wong '178**

**PO:** Patent owner states that the rejection of the above claims should be withdrawn for the same reasons as set forth in Sections V-VII of the response.

**TPR:** Requester states that the Examiner's rejections are proper and should be made final.

**Examiner:** The Examiner respectfully disagrees with patent owner for reasons indicated above.

**Rejection of Claims 7, 14, 16-24, 50-56 and 62-90 under 35 U.S. C. 103(a) over Radia in view of Wong '726 and further in view of Admitted Prior Art**

**PO:** Patent owner states that the rejection of the above claims should be withdrawn for the same reasons as set forth in Sections V-VII of the response.

**TPR:** Requester states that the Examiner's rejections are proper and should be made final.

**Examiner:** The Examiner respectfully disagrees with patent owner for reasons indicated above.

**Rejection of Claims 2-5, 9-12, 45-48 and 57-60 under 35 U.S. C. 103(a) over Radia in view of Wong '726 and further in view of Admitted Prior Art in view of Wong '178**

**PO:** Patent owner states that the rejection of the above claims should be withdrawn for the same reasons as set forth in Sections V-VII of the response.

**TPR:** Requester states that the Examiner's rejections are proper and should be made final.

**Examiner:** The Examiner respectfully disagrees with patent owner for reasons indicated above.

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**Rejection of Claims 2-7, 9-14, 16-24, 26-54, 60-66, 68-81 and 83-89 under 35 U.S.C. 103(a)**

**over He, Zenchelsky and Admitted Prior Art**

**Rejection of Claims 2-7, 9-14, 16-24, 26-54, 60-66, 68-81 and 8-89 under 35 U.S.C. 103(a)**

**over He, Zenchelsky, Fortinsky and Admitted Prior Art**

**PO:** Patent owner argues that the no reasonable likelihood of success with respect to the above claims has been shown and the decision to even grant the present Reexamination should be withdrawn and such action is courteously requested.

**TPR:** Requester notes that new analysis was applied in rejecting the claims not previously considered by the Patent Office of Zenchelsky's teachings and Fortinsky is new prior art. Also, decision to order reexamination is not subject to review by petition or otherwise. MPEP 2646

(II).

**Examiner:** The Examiner agrees with the Requester.

**Claims 2-7, 9-14, 16-24, 26-64, 60-66, 68-81 and 83-89**

**PO:** Patent owner argues that none of the references, alone or in any possible combination, teach, suggest or provide any motivation for a redirection server to control access to the network itself. Also, Patentee submits that the references do not teach or suggest a redirection server between the user and the network that is programmed with a "rule set" that includes "elements or conditions" which can change during a user session to enable the redirection server to modify the rule set during a user session according to the programmed rule set.

**TPR:** The Requester asserts that the claims do not recite controlling access to the network itself.

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**Examiner:** Regarding claims 2-7, 9-14, 28-35, 44-54, and 60-66, the Examiner respectfully disagrees with Patent owner. These do not recite modifying the rule set during a session. Patent '118 recites "the rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed... when and how to modify the rule set during a session and the like." See col. 4, lines 41-47. Hence, it is not always a requirement for the rule set to always contain information regarding how and when to modify the rule set during a session.

Additionally, in response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e. redirection server to control access to the network itself and redirection server between the user and the network) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

However, as per claims 16-24, 26, 27, 36-39, 68-82, 84, and 85, the rejection of these claims are withdrawn for the following reasons.

Claims 16-23 recite "wherein the redirection server is configured to allow automated modification of at least a portion of the rule set as a function of some combination of time, data transmitted to or from the user, or location the user access". The rejection relied upon the Board decision which stated that "blocking a website based on these bases would have been obvious" (Board decision at 10) and also on He for teaching this feature. Upon further review, the Examiner notes that He's authentication lifetime does not teach the time condition. "He does

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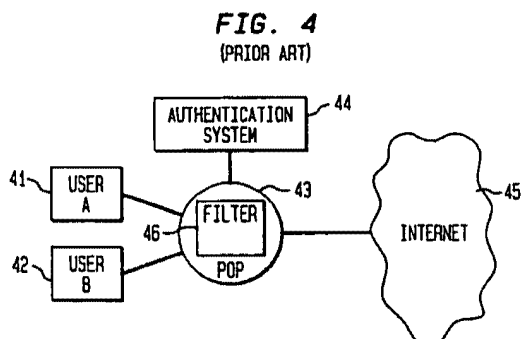
not, however, draw a connection between the authentication lifetime and the administrator's use of the database tool." (Board decision page 7).

Additionally, the statement from the Board decision that "blocking a website based on these bases would have been obvious" is referring to redirecting data and not to modifying the rule set as recited in the claims. See Board decision, pages 8 and 9.

Regarding claims 40-42, in response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e. redirection server to control access to the network itself and redirection server between the user and the network) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As per claim 83 and 86-90, in response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e. redirection server to control access to the network itself) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Also, as per the limitation, "a redirection server connected between a user computer and a public network," Zenchelsky discloses this feature at Fig. 4. Note. The filter is between the Internet and user.

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**Rule Set**

As per Patent owner's arguments regarding the rule set, during reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)).

**Radia in view of Admitted Prior Art and further in view of Coss****Redirection according to rule set programmed in the redirection server**

Patent owner argues that Radia does not mention redirection and does not suggest any reason why redirection would be beneficial in accomplishing the goal of Radia. Similarly, Coss mentions redirection but only as a means to unburden the firewall. See Coss at 2:45. The purpose of "unburdening the firewall" is wholly unrelated to and not suggestive of redirection for purposes of controlling access to a network itself.

During reexamination, claims are given the broadest reasonable interpretation consistent with the specification and limitations in the specification are not read into the claims (In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984)).



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In response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e., redirection for purposes of controlling access to a network itself) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

#### **Modification of a Portion of the Rule Set During a Session**

Patent owner argues that the requirement of modification of the rule set during a user session is an explicit aspect of the definition of "rule set" in the '118 patent, and none of the cited references, either singly or in any possible combination, teach, suggest or provide any motivation for modification of a rule set by a redirection server during a user session after the rule set has been programmed into the redirection server and while the temporary network address is assigned.

As per claims 2-7, 9-14, and 44-67, the Examiner respectfully disagrees with Patent owner that modifying the rule set during a session is a requirement of the claims. Patent '118 recites "the rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed...when and how to modify the rule set during a session and the like." See col. 4, lines 41-47. Hence, it is not always a requirement for the rule set to always contain information regarding how and when to modify the rule set during a session. Also, these claims do not recite modifying the rule set during the user session. Although the claims are interpreted in light of the specification, limitations from

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the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As per claims 16-24, 26-43, and 68-90, modification of the rule set is required, which is taught by Coss. The claims recite “wherein the redirection server is configured to allow automated modification of at least a portion of the rule set correlated to the temporarily assigned network address.” Coss teaches dynamic rules are rules which are included with the access rules as a need arises. These rules can be loaded at any time to authorize specific network sessions. The dynamic rules allow a given rule set to be modified based on events happening in the network. See col. 8, lines 24-36. Hence, the rule set, which can be used to authorized network sessions, can be modified.

### Radia

Patent owner argues that in Radia, the static filter created by the ANCS and used to configure the router is not the same as the individualized rule set with elements or conditions that can change the rule set during a user session and that the filter configuration in the router of Radia is static through a user session.

The Examiner respectfully disagrees with Patent owner. In response to Patent owner arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

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Coss

(1) Patent owner argues that Coss is not “new art” and this Reexamination based on Coss as “new art” was improvidently grant and should be withdrawn.

In response, the Examiner notes that "neither the patent owner nor the third party requester has a right to petition, or request reconsideration of, a finding that the prior art patents or printed publications raise a substantial new question." See MPEP 2646 (II)

(2) Patent owner argues that Coss does not teach, disclose or suggest an authentication server that generates a user specific individualized rule set in response to a user ID as required by all the claims of the '1118 patent.

However, the claims do not recite generating a user specific individualized rule set. Hence, in response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e., an authentication server that generates a user specific individualized rule set in response to a user ID ) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

(3) Patentee asserts that Coss does not teach, suggest or disclose a rule set consisting of elements or conditions as defined and claimed in the '118 patent.

However, the Examiner respectfully disagrees. The specification describes the rule sets at col. 4, lines 41-49 as follows:

The rule sets specify elements or conditions about the user's session. Rule sets may contain data about a type of service which may or may not be accessed, a location, which may or may not be accessed, how long to keep the rule set active, under what condition the rule set should be removed, when and how to modify the rule set during a session.

Coss teaches dynamic rules are rules which are included with the access rules as a need arises. These rules can be loaded at any time to authorize specific network sessions. See col. 8, lines 24-36. The rules of Coss authorizes specific network session, which is the same as "type of service which may or may not be accessed, a location, which may or may not be accessed."

(4) Patent owner argues that Coss does not teach, suggest or disclose a redirection server into which a different rule set is programmed for each individual user session. Also, it is asserted that the set of rules is not unique for an individual user or an individual session, nor is the rule set removed and replaced for different user and user session.

In response to Patent owner arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

The Office action states that Radia discloses filtering profiles that is associated with each user (see col. 9, lines 46-59) and Coss teaches categorizing the rule set such as "host group identifier or IP address", "destination host group identifier or IP address" (see col. 4, lines 39-43).

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In response to Patent owner argument that the references fail to show certain features of the invention, it is noted that the features upon which Patent owner relies (i.e., the rule set removed and replaced for different user and user session) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- (5) Patent owner submits that no motivation to combine the Radia and Coss was provided.

However, the Examiner respectfully disagrees. The Office action states:

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

- (6) Patentee argues that Coss does not teach or suggest a redirection server programmed with a user's rule set or one correlated with a temporarily assigned network address.

However, the Examiner respectfully disagrees. Coss teaches dynamic rules are rules which are included with the access rules as a need arises. These rules can be loaded at any time to authorize specific network sessions. See col. 8, lines 24-36. The rules of Coss authorizes

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specific network session, which is the same as "type of service which may or may not be accessed, a location, which may or may not be accessed."

As per Coss not teaching a temporarily assigned network address, the Office action states at page 340 and 341 of Request that that Coss does not teach the rule set being correlated to a temporarily assigned network address, but that this is an obvious over Admitted Prior art. Specially, pages 340 and 341 stated the following:

Cosset al. do not explicitly disclose the firewall 211 is programmed with a user's rule set correlated to a temporarily assigned network address.

"In prior art systems as shown in FIG. 1 when an Internet user establishes a connection with an Internet Service Provider (ISP), the user first makes a physical connection between their computer 100 and a dial-up networking server 102, the user provides to the dial-up networking server their user

ID and password. The dial-up networking server then passes the user ID and password, alone with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104. A detailed description of the IP communications protocol is discussed in Internetworking with TCP/IP, 3rd ed., Douglas Comer, Prentice Hall, 1995, which is fully incorporated herein by reference. The authentication and accounting server, upon verification of the user ID and password using a database 106 would send an authorization message to the dial-up networking server 102 to allow the user to use the temporary IP address assigned to that user by the dial-up networking server and then logs the connection and assigned IP address. For the duration of that session, whenever the user would make a request to the Internet 110 via a gateway 108, the end user would be identified by the temporarily assigned IP address." [" 118 patent, 1st paragraph of Background of the Invention section, emphasis added]

Firewall 211 is programmed with a user's rule set correlated to an IP address. It would have been obvious that this IP address may be temporarily assigned. A first reason is this is simply combining prior art elements (temporary IP addresses) to known methods (assigning a user with an IP address) to yield predictable results. A second reason is this would allow dial-up users to temporarily connect their computers to the user site 201, as suggested by the APA systems.

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***Claim Rejections - 35 USC § 103***

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.

**Claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84, and 86-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willens in view of RFC 2138 and Stockwell.**

The proposed rejection of claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84, and 86-90 (see Exhibit AA, pages 2-55) of the request is hereby incorporated by reference.

**Claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84 and 86-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willens in view of RFC 2138 and Admitted Prior Art.**

The proposed rejection of claims 2-7, 9-14, 16-18, 23, 24, 26, 28-71, 76-84 and 86-90 (see Exhibit AA, pages 56-112) of the request is hereby incorporated by reference.

**Claims 6, 7, 13, 14, 16-24, 26-44, 49-56, and 61-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radia in view of Wong '727 and further in view of Stockwell.**

The proposed rejection of claims 6, 7, 13, 14, 16-24, 26-44, 49-56, and 61-90 (see Exhibit BB, pages 2-47) of the request is hereby incorporated by reference.

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**Claims 2-5, 9-12, 45-48, and 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radia in of Wong '727 and Stockwell and further in view of Wong '178.**

The proposed rejection of claims 2-5, 9-12, 45-48, and 57-60 (see Exhibit BB, pages 48-53) of the request is hereby incorporated by reference.

**Claims 7, 14, 16-24, 50-56, and 62-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radia in view of Wong '727 and further in view of Admitted Prior Art,**

The proposed rejection of claims 7, 14, 16-24, 50-56, and 62-90 (see Exhibit BB, pages 55-102) of the request is hereby incorporated by reference.

**Claims 2-5, 9-12, 45-48, and 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radia in view of Wong '727 and Admitted Prior art and further in view of Wong '178.**

The proposed rejection of claims 2-5, 9-12, 45-48, and 57-60 (see Exhibit BB, pages 103-109) of the request is hereby incorporated by reference.

**Claims 2-7, 9-14, 28-35, 40-54, 56, 60-66, 83, and 86-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over He, Zenchelsky, and the Admitted Prior Art .**

The proposed rejection of claims 2-7, 9-14, 28-35, 40-54, 56, 60-66, 83, and 86-89 (see Exhibit CC) of the request is hereby incorporated by reference with modifications.



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The modification is to include an additional motivation to combine the references. The Examiner notes, as illustrated by the Board (see page 10 of previous reexamination proceeding – 90/009,301), “since redirection would have been an obvious extension of blocking, it follows that the combination of He and Zenchelsky in view of Ikudome’s admission would have made redirection based on the same bases obvious as well.”

**Claims 2-7, 9-14, 28-35, 40-67, 83, and 86-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over He, Zenchelsky, and the Admitted Prior Art .**

The proposed rejection of claims 2-7, 9-14, 28-35, 40-67, 83, and 86-90 (see Exhibit CC) of the request is hereby incorporated by reference.

**Claims 2-7, 9-14, 28-35, and 44-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radia in view of the Admitted Prior Art (APA) and in further in view of Coss.**

**2. The system of claim 1, wherein the redirection server further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further provides control over a plurality of data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose the *redirection server* further provides control over a plurality of data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.

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For instance, Coss et al. disclose:

"The latter embodiment can allow the firewall techniques of the invention to provide, for example, parental control of Internet and video access in the home." [2:57-60]

See FIG. 3, rule No. 10 controlling FTP data **to host B**, and rule No. 30 controlling Telnet data **from host B**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43] allowing the firewall 211 to control data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**3. The system of claim 1, wherein the redirection server further blocks the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further blocks data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further blocks the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further blocks the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 3, rule No. 20 blocking data **from host A**; and FIG. 4, fifth session key rule (D, A, Telnet) blocking data **to host A**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', '**drop**', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to block (i.e., drop) data to and from the users' computers as a function of the individualized rule set.

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Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**4. The system of claim 1, wherein the redirection server further allows the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further allows the data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server further allows the data to and from the users' computers as a function of the individualized rule set.*

However, Coss et al. disclose firewall 211 further allows the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 4, first session key rule (A, B, TELNET) allowing data to host B, and second session key rule (B, A, TELNET) allowing data from host B.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to allow (i.e., pass) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**5. The system of claim 1, wherein the redirection server further redirects the data to and from the users' computers as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server further redirects the data to and from the users' computers as a function of the individualized rule set.*

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However, Coss et al. disclose firewall 211 further redirects the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"For some users and proxy applications, the connection should appear at the destination to be coming from the original source rather than the remote system. This applies, e.g., to services which check the source IP address to ensure that it matches the user who signed up for the requested service. **This capability is provided by "dual reflection" (or "two-way reflection"), with the source address of the outgoing connection changed back from the remote proxy to the original user's source address. This change is effected at the firewall, as each packet is received from the proxy and sent to the destination.**" [9:6-16, emphasis added]

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**6. The system of claim 1, wherein the redirection server further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server* further redirects the data from the users' computers *to multiple destinations* as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.

For instance, Coss et al. disclose:

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy" [9:39-42]

"Proxy processes have also been developed for other special-purpose applications, e.g., to perform services such as **authentication, mail handling, and virus scanning.**" [1:45-49, emphasis added]

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Coss et al. also gives examples of redirecting data to both a Telnet proxy and an FTP proxy. For example, Figure 3, rule No. 30 redirects TELNET data to a Telnet proxy server. Coss et al. further state, "For example, an FTP proxy **application** could use a dynamic rule to authorize establishment of an FTP data channel in response to a data request." It is inherent that data was also redirected to the FTP proxy application as a function of the individualized rule set.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data from the users' computers to multiple destinations as a function of the individualized rule set.

**Additionally, Coss teaches "a computer network firewall can be instructed to redirect network session to a separate server for processing, so as to unburden the firewall application proxies. The server processes the redirected network session, and then passes the session back through the firewall to the intended original destination." See col. 2, lines 42-48.**

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**7. The system of claim 1, wherein the database entries for a plurality of the plurality of users' IDs are correlated with a common individualized rule set.**

Radia et al. disclose that the database entries for a plurality of the plurality of the users' IDs are correlated with a common individualized rule set.

For instance, "In the above description, we have set a default profile called the default login profile. The default login profile is a static profile that **applies to ALL newly connected client systems**. This way the SMS does not need to be aware as new client systems are connected.

**"One may also consider setting the default profile to a null profile and for each client system as the client system connects; for example, since a client system that connects may do a DHCP operation, this event can trigger the SMS to set the login profile for the newly connected computer." [3:23-33, emphasis added]**

**9. The method of claim 8, further including the step of controlling a plurality of data to and from the users' computers as a function of the individualized rule set.**

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Radia et al disclose that router 106 in FIG. 1 further provides control over a plurality of data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose the step of controlling a plurality of data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"The latter embodiment can allow the firewall techniques of the invention to provide, for example, parental control of Internet and video access in the home." [2:57-60]

See FIG. 3, rule No. 10 controlling FTP data to host B, and rule No. 30 controlling Telnet data from host B.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43] allowing the firewall 211 to control data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**10. The method of claim 8, further including the step of blocking the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further blocks data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further blocks the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further blocks the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

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FIG. 3, rule No. 20 blocking data from host A; and FIG. 4, fifth session key rule (D, A, Telnet) blocking data to host A.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', '**drop**', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to block (i.e., drop) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**11. The method of claim 8, further including the step of allowing the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further allows the data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further allows the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further allows the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 4, first session key rule (A, B, TELNET) allowing data to host B, and second session key rule (B, A, TELNET) allowing data from host B.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., '**pass**', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to allow (i.e., pass) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

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**12. The method of claim 8, further including the step of redirecting the data to and from the users' computers as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server further redirects the data to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further redirects the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"For some users and proxy applications, the connection should appear at the destination to be coming from the original source rather than the remote system. This applies, e.g., to services which check the source IP address to ensure that it matches the user who signed up for the requested service. **This capability is provided by "dual reflection" (or "two-way reflection"), with the source address of the outgoing connection changed back from the remote proxy to the original user's source address. This change is effected at the firewall, as each packet is received from the proxy and sent to the destination.**" [9:6-16, emphasis added]

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**13. The method of claim 8, further including the step of redirecting the data from the users' computers to multiple destinations as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server* further redirects the data from the users' computers *to multiple destinations* as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.

For instance, Coss et al. disclose:



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"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy" [9:39-42]

"Proxy processes have also been developed for other special-purpose applications, e.g., to perform services such as **authentication, mail handling, and virus scanning.**" [1:45-49, emphasis added]

Coss et al. also gives examples of redirecting data to both a Telnet proxy and an FTP proxy. For example, Figure 3, rule No. 30 redirects TELNET data to a Telnet proxy server. Coss et al. further state, "For example, an FTP proxy **application** could use a dynamic rule to authorize establishment of an FTP data channel in response to a data request." It is inherent that data was also redirected to the FTP proxy application as a function of the individualized rule set.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data from the users' computers to multiple destinations as a function of the individualized rule set.

**Additionally, Coss teaches "a computer network firewall can be instructed to redirect network session to a separate server for processing, so as to unburden the firewall application proxies. The server processes the redirected network session, and then passes the session back through the firewall to the intended original destination."** See col. 2, lines 42-48.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**14. The method of claim 8, further including the step of creating database entries for a plurality of the plurality of users' IDs are correlated with a common individualized rule set.**

Radia et al. disclose that the database entries for a plurality of the plurality of the users' IDs are correlated with a common individualized rule set.

For instance, "In the above description, we have set a default profile called the default login profile. The default login profile is a static profile that **applies to ALL newly connected client systems.** This way the SMS does not need to be aware as new client systems are connected.

**"One may also consider setting the default profile to a null profile and for each client system as the client system connects; for example, since a client system that connects may do a**

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DHCP operation, this event can trigger the SMS to **set the login profile for the newly connected computer.**" [3:23-33, emphasis added]

**28. The system of claim 1, wherein the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) service.**

Radia et al. disclose that the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) packet.

For instance, Radia et al. disclose:

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP,UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

Radia et al. also disclose that at least one rule forwards packets associated with a DNS (domain name service):

"The second of the login filtering profiles 400 forwards packets **associated with DNS (domain name service)** address resolution." [8:6-8,emphasis added]

However, Radia et al. do not explicitly disclose at least one rule as a function of *a type of IP service.*

Coss et al. disclose that the individual rule set includes at least one rule as a function of a type of IP service.

For instance, Coss et al. disclose:

"Service" column in rule table of Figure 3 providing rules as a function of types of IP services such as "FTP", "TELNET", and "MALL".

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a **designation of a special service which can be called for in a packet, and a specification of an action to be taken on a packet.** Special services can include proxy services, network address translation, and encryption, for example. In FIG. 3, the categories "Source Host," "Destination Host" and "Service" **impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet.**" [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any

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individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**29. The system of claim 1, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.**

Radia et al. disclose the individualized rule set includes a default filter sequence for a newly connected client system that allows the newly connected client system to perform login. Radia et al. also disclose that after a user of the newly connected client logs in, the filter sequence associated with the client device is changed to another sequence. For example:

"The SMS maintains a series of filtering profiles, each of which includes one or more of filtering rules. **The SMS sets a default filter sequence for the newly connected client system** by downloading the sequence by the SMS to the ANCS .... Subsequently, the packet filter uses the rules of the login filtering profile sequence to selectively forward or discard IP packets originating from the client system. **This filtering sequence will allow newly connected client systems to perform login but nothing else.**" [3:5- 22, emphasis added]

"A preferred embodiment of the present invention also generates or selects filtering profiles for users. With the login filtering profile sequence in place, a user can use the newly connected client system to login to the network. The user login is monitored by the SMS. **If the user login is successful, the SMS selects or generates a user filtering profile sequence.** The user filtering profile sequence is then downloaded by the SMS to the ANCS ....**Subsequently, the new packet filter uses the rules of the user filtering profile sequence to selectively forward or discard IP packets originating from the client system.**" [3:34-50, emphasis added]

However, Radia et al. do not explicitly disclose utilizing the login filtering *sequence for an initial period of time*. (Instead Radia et al. only disclose utilizing the login filtering sequence until the user logs in.)

Coss et al. disclose that the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the firewall 211 is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

For instance, Coss et al. discloses:

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"Exemplary dynamic rules include a 'one-time' rule which is only used for a single session, a **time-limited rule which is used only for a specified time period**, and a threshold rule which is used only when certain conditions are satisfied." [8:37-40, emphasis added]

Accordingly, Coss et al. disclose utilizing an initial rule set being a set of rules including the time-limited rule before the specified time period has expired, and utilizing a standard rule set being the set of rules not including the time-limited rule after the specified time period has expired.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**30. The system of claim 1, wherein the individualized rule set includes at least one rule allowing access based on a request type and a destination address.**

Radia et al. disclose that the individualized rule set includes at least one rule allowing access based on a type of IP (Internet Protocol) packet and destination address.

For instance, Radia et al. disclose:

"In FIG. 5, it may be seen that each filtering rule 404 includes an action 500. Action 500 specifies the disposition of IP packets that match by a particular filtering rule 404. In particular, **action 500 may indicate that a matched IP packet will be forwarded**, or that a matched IP packet will be discarded." [6:14-18]

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet**. Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

"Filtering rule 404 also includes a destination IP address 502 and a destination IP mask 504. Destination IP address 502 corresponds to the destination address included in the header of an IP packet. Destination IP mask 504 is similar to destination IP address 502 but corresponds to a range of destination addresses. To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404." [6:18-29, emphasis added]

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However, Radia et al. do not explicitly disclose the individualized rule set includes at least one rule allowing access based on a *request type* and a destination address.

Coss et al. disclose that the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

For instance, Coss et al. disclose:

Rule No. 40 in Figure 3 allowing access (i.e., action= "PASS") based on a request type of "MAIL" and a destination host of "D".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**31. The system of claim 1, wherein the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.**

Radia et al. do not explicitly disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

However, Coss et al. disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

For instance, Coss et al. disclose:

Rule No. 30 in Figure 3 redirecting data (i.e., action = "PROXY") based on a request type of "TELNET" and attempted destination host of "C".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

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Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**32. The method of claim 8, wherein the individualized rule set includes at least one rule as a function of type of IP (Internet Protocol) service.**

Radia et al. disclose that the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) packet.

For instance, Radia et al. disclose:

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP,UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

Radia et al. also disclose that at least one rule forwards packets associated with a DNS (domain name service):

"The second of the login filtering profiles 400 forwards packets **associated with DNS (domain name service)** address resolution." [8:6-8, emphasis added]

However, Radia et al. do not explicitly disclose at least one rule as a function of *a type of IP service*.

Coss et al. disclose that the individual rule set includes at least one rule as a function of a type of IP service.

For instance, Coss et al. disclose:

"Service" column in rule table of Figure 3 providing rules as a function of types of IP services such as "FTP", "TELNET", and "MALL".

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a **designation of a special service which can be called for in a packet, and a specification of an action to be taken on a packet.** Special services can include proxy services, network address translation, and encryption, for example. In FIG. 3, the categories "Source Host," "Destination Host" and

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"Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**33. The method of claim 8, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.**

Radia et al. disclose the individualized rule set includes a default filter sequence for a newly connected client system that allows the newly connected client system to perform login. Radia et al. also disclose that after a user of the newly connected client logs in, the filter sequence associated with the client device is changed to another sequence. For example:

"The SMS maintains a series of filtering profiles, each of which includes one or more of filtering rules. **The SMS sets a default filter sequence for the newly connected client system** by downloading the sequence by the SMS to the ANCS .... Subsequently, the packet filter uses the rules of the login filtering profile sequence to selectively forward or discard IP packets originating from the client system. **This filtering sequence will allow newly connected client systems to perform login but nothing else.**" [3:5- 22, emphasis added]

"A preferred embodiment of the present invention also generates or selects filtering profiles for users. With the login filtering profile sequence in place, a user can use the newly connected client system to login to the network. The user login is monitored by the SMS. **If the user login is successful, the SMS selects or generates a user filtering profile sequence.** The user filtering profile sequence is then downloaded by the SMS to the ANCS .... **Subsequently, the new packet filter uses the rules of the user filtering profile sequence to selectively forward or discard IP packets originating from the client system.**" [3:34-50, emphasis added]

However, Radia et al. do not explicitly disclose utilizing the login filtering *sequence for an initial period of time.* (Instead Radia et al. only disclose utilizing the login filtering sequence until the user logs in.)

Coss et al. disclose that the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the firewall 211 is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

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For instance, Coss et al. disclose:

"Exemplary dynamic rules include a 'one-time' rule which is only used for a single session, **a time-limited rule which is used only for a specified time period**, and a threshold rule which is used only when certain conditions are satisfied." [8:37-40, emphasis added]

Accordingly, Coss et al. disclose utilizing an initial rule set being a set of rules including the time-limited rule before the specified time period has expired, and utilizing a standard rule set being the set of rules not including the time-limited rule after the specified time period has expired.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**34. The method of claim 8, wherein the individual rule set includes at least one rule allowing access based on a request type and a destination address.**

Radia et al. disclose that the individualized rule set includes at least one rule allowing access based on a type of IP (Internet Protocol) packet and destination address.

For instance, Radia et al. disclose:

"In FIG. 5, it may be seen that each filtering rule 404 includes an action 500. Action 500 specifies the disposition of IP packets that match by a particular filtering rule 404. In particular, **action 500 may indicate that a matched IP packet will be forwarded**, or that a matched IP packet will be discarded." [6:14-18]

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet**. Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

"Filtering rule 404 also includes a destination IP address 502 and a destination IP mask 504. Destination IP address 502 corresponds to the destination address included in the header of an IP packet. Destination IP mask 504 is similar to destination IP address 502 but corresponds to a range of destination addresses. To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the



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filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404." [6:18-29, emphasis added]

However, Radia et al. do not explicitly disclose the individualized rule set includes at least one rule allowing access based on *a request type* and a destination address.

Coss et al. disclose that the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

For instance, Coss et al. disclose:

Rule No. 40 in Figure 3 allowing access (i.e., action= "PASS") based on a request type of "MAIL" and a destination host of "D".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**35. The method of claim 8, wherein the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.**

Radia et al. do not explicitly disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

However, Coss et al. disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

For instance, Coss et al. disclose:

Rule No. 30 in Figure 3 redirecting data (i.e., action = "PROXY") based on a request type of "TELNET" and attempted destination host of "C".

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"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

#### 44. A system comprising:

Radia et al. Figure 1: computer network 100 is a system

**a database with entries correlating each of a plurality of user IDs with an individualized rule set;**

Radia et al. Figure 3: filtering profiles 316 are a database with entries correlating each of a plurality of user IDs with an individualized rule set

For instance, Radia et al. disclose:

"In step 908, which follows, a sequence of **filtering profiles 400 associated with the user** are retrieved, by SMS 114, from **filtering profile database 316**. In general, it may be appreciated that various users of network 100 will have varying types of allowed access. As a result, **different network users will require different filtering profiles 400. Generally, these filtering profiles 400 are defined separately for each user** using either automatic or manual generation techniques. For the present invention, **these filtering profiles 400 are preferably maintained in filtering profile database 316 and retrieved using the identity of the particular user.**" [9:46-56, emphasis added]

**a dial-up network server that receives user IDs from users' computers;**

Radia et al. disclose in Figure 1 that modems 104 (which may be telephone - i.e., dial-up) and DHCP server 110 establish a communications link with the user's PC. A login applet on the user's computer (one of PCs 102) communicates with a login server and allows users to login to the network 100.

For instance, Radia et al. disclose:

"A **cable modem 104** is connected to each client system 102." [1:11-12, emphasis added]

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"For example, an internet service provider (ISP) may have users who connect, login, logoff and disconnect to its network over time **using telephone or cable modems.**" [2:45-48, emphasis added]

"The client systems, which are typically personal computers using cable modems, connect to the router. **As part of the connection process, each client system receives a dynamically allocated IP address**"

For a preferred embodiment of network 100, user logins are handled by downloading small, specifically tailored applications, known as "login applets," to client systems 102. The login applets are downloaded from a server system, such as server system 108, or in some cases, from SMS 114." [8:30-34, emphasis added]

"More specifically, as discussed with regard to method 700, for a preferred embodiment of network 100, **users login to network 100 using a login applet that communicates with a login server, such as SMS 114.**" [9:39-42, emphasis added]

However, Radia et al. do not explicitly disclose a *dial-up network server* that receives user IDs from users' computers.

Admitted prior art (APA) systems in Figure 1 of the '118 patent include a dial-up networking server 102 that receives user IDs from users' computers 100.

The APA systems are described as follows:

"In prior art systems as shown in FIG. 1 when an Internet user establishes a connection with an Internet Service Provider (ISP), the user first makes a physical connection between their computer 100 and a dial-up networking server 102, the user provides to the dial-up networking server their user ID and password. The dial-up networking server then passes the user ID and password, along with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104. A detailed description of the IP communications protocol is discussed in *Internetworking with TCP/IP*, 3rd ed., Douglas Comer, Prentice Hall, 1995, which is fully incorporated herein by reference. The authentication and accounting server, upon verification of the user ID and password using a database 106 would send an authorization message to the dial-up networking server 102 **to allow the user to use the temporary IP address assigned to that user by the dial-up networking server** and then logs the connection and assigned IP address." [" 118 patent, col. 1, lines 15-37, emphasis added]

It would have been obvious to substitute the DHCP server 110 and login applet disclosed by Radia et al. with the dial-up networking server 102 included in the APA systems to thereby obtain the predictable results of: 1) allowing dial-up users to login through the dial-up networking server rather than through an applet running on the user's computer, and 2) assigning a temporary IP address to the user's computer by the dial-up networking server 102 rather than by the DHCP server 110.

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**a redirection server connected between the dial-up network server and a public network, and**

Radia et al. Figure 1 : router 106 is connected between the dial-up network server (substituted for DHCP server 110 and login applet) and server systems 108 of the network 100. Router 106 is similar to a redirection server because router 106 is connected between the user's computer (PC 102) and the network's server systems 108, and control the user's access to the network's server systems 108.

Radia et al. further disclose that the network is a public network such as the Internet:

"For example, assume that a company uses a router to link its internal intranet with an external network **such as the Internet.**" [2:5-7, emphasis added]

However, Radia et al. do not explicitly disclose the router 106 controls the user's access to the public network *by utilizing redirection functionality.*

Coss et al. disclose a firewall that is connected between a user's computer and a public network that controls the user's access to the network by utilizing redirection functionality:

"FIG. 2 shows a user site 201 connected to the Internet 105 via a firewall processor 211." [3:53-54]

"This invention relates to the **prevention of unauthorized access in computer networks** and, more particularly, to firewall protection within computer networks." [1:6-8, emphasis]

"Dynamic rules are rules which are included with the access rules as a need arises, for processing along with the access rules, e.g., by a rule processing engine. Dynamic rules can include unique, current information such as, for example, specific source and destination port numbers. They **can be loaded at any time by trusted parties, e.g., a trusted application, remote proxy or firewall administrator, to authorize specific network sessions.**" [8:24-31, emphasis added]

"To unburden the firewall of application proxies, the firewall can be enabled to redirect a network session to a separate server for processing." [Abstract, emphasis added]

"Proxy reflection in accordance with the present invention involves redirecting a network session to another, "remote" proxy server for processing, and then later passing it back via the firewall to the intended destination. When a new session enters the firewall, a decision is made to determine whether service by a proxy server is required. If so, **the firewall replaces the destination address in the packet with the host address of the proxy application and, if necessary, it can also change the service port.**" [Coss et al., col. 8, lines 56-65, emphasis added]

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It would have been obvious to replace the router 106 of Radia et al. with the firewall 211 of Coss et al. to not only allow discarding and forwarding traffic as taught by Radia et al., but to also allow controlling the user's access to the network by redirecting traffic at the firewall 211 to thereby prevent the router 106 from having to utilize application proxies, as suggested by Coss et al.

Radia et al. further disclose that other networking technologies may be used instead of router 106, stating:

"The use of cable router 106 and cable modems 104 is also intended to be exemplary and it should be appreciated **that other networking technologies and topologies are equally practical.**" [1:13-16, emphasis added]

Therefore, it would have been further obvious to a person of ordinary skill in the art that the firewall 211 of Coss et al. could substitute the router 106 because the firewall 211 disclosed by Coss et al. is another type of networking technology and Radia et al. suggest other types of network technology is equally practical.

It would have been further obvious that simple substitution of the known firewall 211 for the router 106 obtains predictable results that the network 100 of Radia et al. may now benefit from the redirection functionality included in firewall 211.

**an authentication accounting server connected to the database, the dial-up network server and the redirection server;**

In Radia et al. Figure 1, access network control server ANCS 112 and services management system SMS 114 together are an authentication accounting server because ANCS 112 and SMS 114 are connected to the database (filtering profiles 316 within SMS 114 - see Figure 3), the dial-up network server (substituted for DHCP server 110 and login applet), and the redirection server (Coss' firewall 211 in the position of router 106 in Radia's FIG. 1).

Radia et al. further disclose that the ANCS 112 and SMS 114 determine whether a user ID is authorized to access the network.

For instance, Radia et al. disclose:

"FIG. 9 is a flowchart showing the steps associated with a preferred embodiment of a method for **allocation of privileges to a user in a computer network.**" [4:59-61, emphasis added]

"Method 900 includes step performed by SMS 114 **and** ANCS 112." [9:35-36, emphasis added]

"In step 908, which follows, a sequence of filtering profiles 400 associated with **the user** are retrieved by SMS 114, from filtering profile database 316. In general, it may be appreciated that

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**various users of network 100 will have varying types of allowed access.**" [9:46-50, emphasis added]

"In FIG. 1, ANCS 112 and SMS 114 are shown as separate entities. It should be appreciated, however that the present invention specifically anticipates **that ANCS 112 and SMS 114 may be implemented using a single computer system** that includes ANCS process 214, SMS process 314 and filtering profile database 316." [5:65-6:4, emphasis added]

**wherein the dial-up network server communicates a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID to the authentication accounting server;**

Radia et al. disclose a login applet on a PC 102 and the DHCP server 110 respectively communicate a first user ID (entered using the login applet) for one of the users' computers (one of PCs 102) and a temporarily assigned network address (dynamically assigned IP address) for the first user ID to the authentication accounting server (SMS 114).

For instance, Radia et al. disclose the login applet communicates from PC 102 to SMS 114:

"Method 900 begins with step 906 where SMS 114 **waits for a user login**. More specifically, as discussed with regard to method 700, for a preferred embodiment of network 100, **users login to network 100 using a login applet that communicates with a login server, such as SMS 114**" [9:37-42, emphasis added]

Radia et al. also disclose the DHCP server 110 passes the temporarily assigned network address for the first user ID to the SMS 114:

"Method 700 begins with step 706 where **SMS 114 waits for the allocation of an IP address to a client system 102**. More specifically, for a preferred embodiment of network 100, power-on or reset of a client system 102 is followed by connection of the client system 102 to router 106. As part of this connection, the connecting client system 102 requests and receives a dynamically allocated IP address from DHCP server 110. This allocation requires that a number of messages pass between DHCP server 110 and the client system 102 requesting a new IP address. The last of these messages is a DHCPACK message sent by the DHCP server 110 to the client system 102. **To monitor the allocation of IP addresses, SMS 114 monitors DHCP messages within network 100**. Step 706 corresponds, in a general sense, to the methods and procedures that are executed by SMS 114 to wait for and detect DHCPACK messages within network 100." [7:21-34, emphasis added]

With reference to FIG. 9, it is inherent that the SMS 114 also receives the IP address of the client system 102 from the dial-up network server because Radia et al. disclose "At the same time, **the IP address of the client system 102 acting as a host for the user is passed by the SMS 114 to the ANCS 112.**" [9:62-64, emphasis added]

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Radia et al. further disclose that the IP address of the client system (one of PCs 102) is temporarily assigned:

"More specifically, in systems that use the DHCP protocol for allocation of IP addresses, each IP address is allocated for a finite period of time. Systems that do not renew their IP address leases may lose their allocated IP addresses." [7:51-55, emphasis added]

However, Radia et al. do not explicitly disclose that *the dial-up network server* communicates a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID to the authentication accounting server.

In the admitted prior art (APA) system of FIG. 1, the dial-up network server 102 communicates a first user ID for one of the users' computers 100 and a temporarily assigned network address for the first user ID to the authentication accounting server 104.

For instance, the APA systems are described as follows:

"The dial-up networking server then passes the user ID and password, along with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104." [" 118 patent, Col. 1, lines 15-37, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the APA dial-up networking server 102 for the DHCP 110 and login applet in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. dial-up networking server 102) for another (DHCP server and login applet) producing a predictable result renders the claim obvious.

It would further have been obvious that the dial-up network server should continue to behave in this way because, rather than the SMS 114 receiving the user ID and IP address respectively from the login applet and DHCP server 110, the SMS 114 would receive this information from the dial-up networking server, as suggested by the APA.

**wherein the authentication accounting server accesses the database and communicates the individualized rule set that correlates with the first set that correlates with the first user ID and the temporary assigned network address to the redirection server; and**

Radia et al. disclose the ANCS 112 and SMS 114 access the database 316 and communicate the individualized rule set (sequence of filtering profiles 400) that correlates with the first user ID (identity of the user) and the temporarily assigned network address (dynamic IP address) to the router 106.

For instance, Radia et al. disclose:

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FIG. 9: step 906 "wait for user login", step 908 "retrieve user filter profile from database", step 910 "download user profile to ancs", and step 920 "reconfigure network components"

"In step 908, which follows, a sequence of filtering profiles 400 associated with the user are retrieved, by SMS 114, from filtering profile database 316".

[9:46-48, emphasis added]

"For the present invention, these filtering profiles 400 are preferably maintained in filtering profile database 316 and **retrieved using the identity of the particular user.**" [9:53 -56, emphasis added]

"Step 908 is followed by step 910 where the sequence of user filtering profiles 400 is downloaded by SMS 114 to ANCS 112. At the same time, the IP address of the client system 102 acting as a host for the user is passed by the SMS 114 to the ANCS 112." [9:60-64, emphasis added]

"In the following step, the ANCS 112 uses each of the filtering rules 404 included in the sequence of user filtering profiles 400 **to establish a packet filter for IP packets originating from the client system 102 acting as a host for the user.**" [9:64-10:1, emphasis added]

"The packet filter is established by reconfiguring one or more of the components of the network 100 that forward packets originating at the client system 102 acting as a host for the user. For example, in some cases, the packet filter may be established by reconfiguring the modem 104 connected to the client system 102. Alternatively, the packet filter may be established by reconfiguring router 106." [10:1-7, emphasis added]

It is inherent that the "packet filter for IP packets originating from the client system 102" communicated to the router 106 includes the temporarily assigned (i.e., dynamic) IP address of the client system 102 in order to identify the IP packets originating from the client system 102.

However, Radia et al. do not explicitly disclose the ANCS 112 and SMS 114 access the database 316 and communicate the individualized rule set that correlates with the first user ID and the temporarily assigned network address *to the redirection server.*

It would have been obvious to have the ANCS 112 and SMS 114 access the database 316 and communicate the individualized rule set that correlates with the first user ID and the temporarily assigned network address to the firewall 211 of Coss et al. A first reason is Radia et al. teach reconfiguring one or more network components that forward packets originating at the client system 102, and the firewall 211 of Coss et al. is a network component that forwards packets originating at a client system. As such, Radia et al. suggest reconfiguring the firewall 211.

It would have further been obvious to use a known technique (i.e., communicating an individualized rule set to thereby reconfiguring a router 106) to improve a similar device (firewall 211) in the same way.



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Additionally, Coss et al. disclose dynamic rules can be loaded into the firewall 211 at any time by trusted applications to thereby authorize specific network sessions. For instance, Coss et al. teach:

"Dynamic rules can include unique, current information such as, for example, specific source and destination port numbers. They can be loaded at any time by trusted parties, e.g., a trusted application, remote proxy or firewall administrator, to authorize specific network sessions." [8:26-31, emphasis added]

It therefore would have further been obvious to have the ANCS 112 communicate the individualized rule set to the firewall 211 of Coss et al. because the ANCS 112 is a trusted application that authorizes specific network sessions, as suggested by Coss et al.

**wherein data directed toward the public network from the one of the users' computers are processed by the redirection server according to the individualized rule set.**

Radia et al. disclose that data directed toward the public network from the one of the users' computers (one of PCs 102) are processed by the router 106 according to the individualized rule set.

For instance, Radia et al. disclose:

"Subsequently, the packet filter established by the ANCS 112 is used to filter IP packets that originate from the client system 102 acting as a host for the user, allowing the packets that are associated with the network privileges of the user." [10:11-14, emphasis added]

However, Radia et al. do not explicitly disclose that data directed toward the public network from the one of the user's computers is processed *by the redirection server* according to the individualized rule set.

Coss et al. disclose data directed toward the public network from the one of the users' computers are processed by firewall 211 according to the individualized rule set.

For instance, Coss et al. disclose:

"In accordance with a fourth aspect of the invention, a computer network firewall may make use of dynamic rules which are added to a set of access rules for processing packets." [2:29-32, emphasis added]

**"With a capability for supporting multiple security domains, a single firewall can support multiple users, each with a separate security policy."** [3:31-34, emphasis added]

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"The particular rule set that is applied for any packet can be determined based on information such as the **incoming and outgoing network interfaces** as well as the **network source and destination addresses.**" [1:67-2:4, emphasis added]

It would have been obvious that when substituting router 106 in the network of Radia et al. with the firewall 211 of Coss et al., subsequent to the firewall 211 of Coss et al. being reconfigured by the ANCS 112, data directed toward the public network from the one of the user's computers would be processed by the firewall 211 according to the individualized rule set.

A first reason is the ANCS 112 is disclosed to reconfigure the router 106 to process data in this way, and the firewall 211 is simply another type of networking component. In other words, simple substitution of the known firewall 211 for the router 106 obtains predictable results that the firewall 211 is reconfigured to process data directed toward the public network in the same way.

Another reason is it would have been obvious to use a known technique (reconfiguring a router 106 to process outgoing data according to the individualized rule set) to improve a similar device (firewall 211) in the same way.

**45. The system of claim 44, wherein the redirection server further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further provides control over a plurality of data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose the *redirection server* further provides control over a plurality of data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"The latter embodiment can allow the firewall techniques of the invention to provide, for example, parental control of Internet and video access in the home." [2:57-60]

See FIG. 3, rule No. 10 controlling FTP data **to host B**, and rule No. 30 controlling Telnet data **from host B**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'"

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[4:39-43] allowing the firewall 211 to control data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**46. The system of claim 44, wherein the redirection server further blocks the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further blocks data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further blocks the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further blocks the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 3, rule No. 20 blocking data from host A; and FIG. 4, fifth session key rule (D, A, Telnet) blocking data to host A.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to block (i.e., drop) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**47. The system of claim 44, wherein the redirection server further allows the data to and from the users' computers as a function of the individualized rule set.**

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Radia et al disclose that router 106 in FIG. 1 further allows the data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further allows the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further allows the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 4, first session key rule (A, B, TELNET) allowing data to host B, and second session key rule (B, A, TELNET) allowing data from host B.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to allow (i.e., pass) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**48. The system of claim 44, wherein the redirection server further redirects the data to and from the users' computers as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server further redirects the data to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further redirects the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"For some users and proxy applications, the connection should appear at the destination to be coming from the original source rather than the remote system. This applies, e.g., to services which check the source IP address to ensure that it matches the user who signed up for the requested service. **This capability is provided by "dual reflection" (or "two-way reflection"), with the source address of the outgoing connection changed back from the remote proxy to the original user's source address. This change is effected at the firewall,**

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**as each packet is received from the proxy and sent to the destination."** [9:6-16, emphasis added]

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or '**proxy**'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**49. The system of claim 44, wherein the redirection server further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server* further redirects the data from the users' computers *to multiple destinations* as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.

For instance, Coss et al. disclose:

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy" [9:39-42]

"Proxy processes have also been developed for other special-purpose applications, e.g., to perform services such as **authentication, mail handling, and virus scanning.**" [1:45-49, emphasis added]

Coss et al. also gives examples of redirecting data to both a Telnet proxy and an FTP proxy. For example, Figure 3, rule No. 30 redirects TELNET data to a Telnet proxy server. Coss et al. further state, "For example, an FTP proxy **application** could use a dynamic rule to authorize establishment of an FTP data channel in response to a data request." It is inherent that data was also redirected to the FTP proxy application as a function of the individualized rule set.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data from the users' computers to multiple destinations as a function of the individualized rule set.

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Additionally, Coss teaches "a computer network firewall can be instructed to redirect network session to a separate server for processing, so as to unburden the firewall application proxies. The server processes the redirected network session, and then passes the session back through the firewall to the intended original destination." See col. 2, lines 42-48.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**50. The system of claim 44, wherein the database entries for a plurality of the plurality of users' IDs are correlated with a common individualized rule set.**

Radia et al. disclose that the database entries for a plurality of the plurality of the users' IDs are correlated with a common individualized rule set.

For instance, "In the above description, we have set a default profile called the default login profile. The default login profile is a static profile that **applies to ALL newly connected client systems.** This way the SMS does not need to be aware as new client systems are connected.

**"One may also consider setting the default profile to a null profile and for each client system as the client system connects; for example, since a client system that connects may do a DHCP operation, this event can trigger the SMS to set the login profile for the newly connected computer."** [3:23-33, emphasis added]

**51. The system or claim 44, wherein the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) service.**

Radia et al. disclose that the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) packet.

For instance, Radia et al. disclose:

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP,UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

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Radia et al. also disclose that at least one rule forwards packets associated with a DNS (domain name service):

"The second of the login filtering profiles 400 forwards packets **associated with DNS (domain name service)** address resolution." [8:6-8,emphasis added]

However, Radia et al. do not explicitly disclose at least one rule as a function of *a type of IP service*.

Coss et al. disclose that the individual rule set includes at least one rule as a function of a type of IP service.

For instance, Coss et al. disclose:

"Service" column in rule table of Figure 3 providing rules as a function of types of IP services such as "FTP", "TELNET", and "MALL".

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a **designation of a special service which can be called for in a packet, and a specification of an action to be taken on a packet**. Special services can include proxy services, network address translation, and encryption, for example. In FIG. 3, the categories "Source Host," "Destination Host" and "Service" **impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet.**" [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**52. The system of claim 44, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.**

Radia et al. disclose the individualized rule set includes a default filter sequence for a newly connected client system that allows the newly connected client system to perform login. Radia et al. also disclose that after a user of the newly connected client logs in, the filter sequence associated with the client device is changed to another sequence. For example:

"The SMS maintains a series of filtering profiles, each of which includes one or more of filtering

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rules. **The SMS sets a default filter sequence for the newly connected client system** by downloading the sequence by the SMS to the ANCS .... Subsequently, the packet filter uses the rules of the login filtering profile sequence to selectively forward or discard IP packets originating from the client system. **This filtering sequence will allow newly connected client systems to perform login but nothing else.** [3:5- 22, emphasis added]

"A preferred embodiment of the present invention also generates or selects filtering profiles for users. With the login filtering profile sequence in place, a user can use the newly connected client system to login to the network. The user login is monitored by the SMS. **If the user login is successful, the SMS selects or generates a user filtering profile sequence.** The user filtering profile sequence is then downloaded by the SMS to the ANCS ....**Subsequently, the new packet filter uses the rules of the user filtering profile sequence to selectively forward or discard IP packets originating from the client system.**" [3:34-50, emphasis added]

However, Radia et al. do not explicitly disclose utilizing the login filtering *sequence for an initial period of time*. (Instead Radia et al. only disclose utilizing the login filtering sequence until the user logs in.)

Coss et al. disclose that the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the firewall 211 is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

For instance, Coss et al. disclose:

"Exemplary dynamic rules include a 'one-time' rule which is only used for a single session, a **time-limited rule which is used only for a specified time period**, and a threshold rule which is used only when certain conditions are satisfied." [8:37-40, emphasis added]

Accordingly, Coss et al. disclose utilizing an initial rule set being a set of rules including the time-limited rule before the specified time period has expired, and utilizing a standard rule set being the set of rules not including the time-limited rule after the specified time period has expired.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**53. The system of claim 1, wherein the individualized rule set includes at least one rule allowing access based on a request type and a destination address.**



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Radia et al. disclose that the individualized rule set includes at least one rule allowing access based on a type of IP (Internet Protocol) packet and destination address.

For instance, Radia et al. disclose:

"In FIG. 5, it may be seen that each filtering rule 404 includes an action 500. Action 500 specifies the disposition of IP packets that match by a particular filtering rule 404. In particular, **action 500 may indicate that a matched IP packet will be forwarded, or that a matched IP packet will be discarded.**" [6:14-18]

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet.** Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

"Filtering rule 404 also includes a destination IP address 502 and a destination IP mask 504. Destination IP address 502 corresponds to the destination address included in the header of an IP packet. Destination IP mask 504 is similar to destination IP address 502 but corresponds to a range of destination addresses. To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404." [6:18-29, emphasis added]

However, Radia et al. do not explicitly disclose the individualized rule set includes at least one rule allowing access based on a *request type* and a destination address.

Coss et al. disclose that the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

For instance, Coss et al. disclose:

Rule No. 40 in Figure 3 allowing access (i.e., action= "PASS") based on a request type of "MAIL" and a destination host of "D".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one

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known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**54. The system of claim 44, wherein the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.**

Radia et al. do not explicitly disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

However, Coss et al. disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

For instance, Coss et al. disclose:

Rule No. 30 in Figure 3 redirecting data (i.e., action = "PROXY") based on a request type of "TELNET" and attempted destination host of "C".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**55. The system of claim 44, wherein the redirection server is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.**

Radia et al. do not disclose that the redirection server is configured to redirect data from the users computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

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For instance, Coss et al. disclose:

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a designation of a special service which can be called for in a packet, **and a specification of an action to be taken on a packet.**" [4:1-6, emphasis added]

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy; if configured, the destination port can be changed as well; the original packet header data is recorded in the session cache along with any changed values;" [9:39-44, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

### **56. In a system comprising**

Radia et al. Figure 1: computer network 100 is a system

**a database with entries correlating each of a plurality of user IDs with an individualized rule set;**

Radia et al. Figure 3: filtering profiles 316 are a database with entries correlating each of a plurality of user IDs with an individualized rule set.

For instance, Radia et al. disclose:

"In step 908, which follows, **a sequence of filtering profiles 400 associated with the user** are retrieved, by SMS 114, from **filtering profile database 316**. In general, it may be appreciated that various users of network 100 will have varying types of allowed access. As a result, different **network users will** require different **filtering** profiles 400. Generally, these filtering profiles 400 are defined separately for each user using either automatic or manual generation techniques. For the present invention, these filtering profiles 400 are preferably **maintained in** filtering profile

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**database 316 and retrieved using the identity of the particular user.**" [9:46-56, emphasis added]

**a dial-up network server that receives user IDs from users' computers;**

Radia et al. disclose in Figure 1 that modems 104 (which may be telephone - i.e., dial-up) and DHCP server 110 establish a communications link with the user's PC. A login applet on the user's computer (one of PCs 102) allows users to login to the network 100.

For instance, Radia et al. disclose:

"**A cable modem 104 is connected to each client system 102.**" [1:11-12, emphasis added]

"For example, an internet service provider (ISP) may have users who connect, login, logoff and disconnect to its network over time **telephone or cable modems.**" [2:45-48, emphasis added]

"The client systems, which are typically personal computers using cable modems, connect to the router. **As part of the connection process, each client system receives a dynamically allocated IP address from the DHCP server.**" [2:67-3:4, emphasis added]

"For a preferred embodiment of network 100, user logins are handled by downloading small, specifically tailored applications, known as "login applets," to client systems 102. The login applets are downloaded from a server system, such as server system 108, or in some cases, from SMS 114." [8:30-34, emphasis added]

"More specifically, as discussed with regard to method 700, for a preferred embodiment of network 100, **users login to network 100 using a login applet that communicates with a login server, such as SMS 114.**" [9:39-42, emphasis added]

However, Radia et al. do not explicitly disclose a *dial-up network server* that receives user IDs from users' computers.

Admitted prior art (APA) systems in Figure 1 of the '118 patent include a dial-up networking server 102 that receives user IDs from users' computers 100.

The APA systems are described as follows:

"In prior art systems as shown in FIG. 1 when an Internet user establishes a connection with an Internet Service Provider (ISP), **the user first makes a physical connection between their computer 100 and a dial-up networking server 102, the user provides to the dial-up networking server their user ID and password.** The dial-up networking server then passes the user ID and password, along with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104. A detailed description of the IP

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communications protocol is discussed in Internetworking with TCP/IP, 3rd ed., Douglas Comer, Prentice Hall, 1995, which is fully incorporated herein by reference. The authentication and accounting server, upon verification of the user ID and password using a database 106 would send an authorization message to the dial-up networking server 102 **to allow the user to use the temporary IP address assigned to that user by the dial-up networking server** and then logs the connection and assigned IP address." [" 118 patent, 1<sup>st</sup> paragraph of Background of the Invention section, emphasis added]

It would have been obvious to substitute the DHCP server 110 and login applet disclosed by Radia et al with the dial-up networking server 102 included in the APA systems to thereby obtain the predictable results of: 1) allowing dial-up users to login through the dial-up networking server rather than through at applet running on the user's computer, and 2) assigning a temporary IP address to the user's computer by the dial-up networking server 102 rather than by the DHCP server 110.

**a redirection server connected between the dial-up network server and a public network, and**

Radia et al. Figure 1 : router 106 is connected to the dial-up network server (substituted for DHCP server 110 and login applet) and server systems 108 of the network 100. Router 106 is similar to a redirection server because router 106 is connected between the user's computer (PC 102) and the network's server systems 108, and controls the user's access to the network's server systems 108.

Radia et al. further disclose that the network is a public network such as the Internet:

"For example, assume that a company uses a router to link its internal intranet with an external network, **such as the Internet.**" [2:5-7, emphasis added]

However, Radia et al. do not explicitly disclose that the router 106 controls the user's access to the public network *by utilizing redirection functionality.*

Coss et al. disclose a firewall that is connected between a user's computer and a public network that controls the user's access to the network by utilizing redirection functionality.

For instance, Coss et al. disclose:

"FIG. 2 shows a user site 201 connected to the Internet 105 via a firewall processor 211 ." [3:53-54]

"This invention relates to the **prevention of unauthorized access in computer networks** and, more particularly, to firewall protection within computer networks." [1:6-8, emphasis]

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"Dynamic rules are rules which are included with the access rules as a need arises, for processing along with the access rules, e.g., by a rule processing engine. Dynamic rules can include unique, current information such as, for example, specific source and destination port numbers. They **can be loaded at any time by trusted parties, e.g., a trusted application, remote proxy or firewall administrator, to authorize specific network sessions.**" [8:24-31, emphasis added]

"To unburden the firewall of application proxies, the firewall can be enabled to redirect a network session to a separate server for processing." [Abstract, emphasis added]

"Proxy reflection in accordance with the present invention involves redirecting a network session to another, "remote" proxy server for processing, and then later passing it back via the firewall to the intended destination. When a new session enters the firewall, a decision is made to determine whether service by a proxy server is required. If so, **the firewall replaces the destination address in the packet with the host address of the proxy application and, if necessary, it can also change the service port.**" [Coss et al., col. 8, lines 56-65, emphasis added]

It would be obvious to replace the router 106 of Radia et al. with the firewall 211 of Coss et al. to not only allow discarding and forwarding traffic as taught by Radia et al., but to also allow controlling the user's access to the network by redirecting traffic at the firewall 211 to thereby prevent the router 106 from having to utilize application proxies, as suggested by Coss et al.

Radia et al. further disclose that other networking technologies may be used instead of router 106, stating:

"The use of cable router 106 and cable modems 10d is also intended to be exemplary and it should be appreciated **that other networking technologies and topologies are equally practical.**" [1:13-16, emphasis added]

Therefore, it would have been further obvious to a person of ordinary skill in the art that the firewall 211 of Coss et al. could substitute the router 106 because the firewall 211 disclosed by Coss et al. is another type of networking technology and Radia et al. suggest other types of network technology is equally practical.

It would have been further obvious that simple substitution of the known firewall 211 for the router 106 obtains predictable results that the network 100 of Radia et al. may now benefit from the redirection functionality included in firewall 211.

**an authentication accounting server connected to the database, the dial-up network server and the redirection server,**

Radia et al. Figure 1 disclose access network control server ANCS 112 and services management system SMS 114 together are an authentication accounting server because ANCS 112 and SMS 114 are connected to the database (filtering profiles 316 within SMS 114 - see Figure 3), the dial-

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up network server (substituted for DHCP server 110 and login applet), and the redirection server (Coss' firewall 211 in the position of router 106 in Radia's FIG. 1).

Radia et al. further disclose that the ANCS 112 and SMS 114 determine whether a user ID is authorized to access the network.

For instance, Radia et al. disclose:

"FIG. 9 is a flowchart showing the steps associated with a preferred embodiment of a method for **allocation of privileges to a user in a computer network.**" [4:59-61, emphasis added]

"Method 900 includes step **performed by SMS 114 and ANCS 112.**" [9:35-36, emphasis added]

"In step 908, which follows, a sequence of filtering profiles 400 **associated with the user** are retrieved, by SMS 114, from filtering profile database 316. In general, it may be appreciated that **various users of network 100 will have varying types of allowed access.**" [9:46-50, emphasis added]

"In FIG. 1, ANCS 112 and SMS 114 are shown as separate entities. It should be appreciated, however, that the present invention specifically anticipates that ANCS 112 and SMS 114 may be **implemented using a single computer system** that includes ANCS process 214, SMS process 314 and filtering profile database 316." [5:65-6:4, emphasis added]

**a method comprising the steps of:**

Method disclosed by Radia et al. in Figure 9

**communicating a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID from the dial-up network server to the authentication accounting server;**

Radia et al. disclose a login applet on a PC 102 and the DHCP server 110 respectively communicate a first user ID (entered using the login applet) for one of the users' computers (one of PCs 102) and a temporarily assigned network address (dynamically assigned IP address) for the first user ID to the authentication accounting server (SMS 114).

For instance, Radia et al. disclose the login applet communicates from PC 102 to SMS 114:

"Method 900 begins with step 906 where SMS 114 **waits for a user login.** More specifically, as discussed with regard to method 700, for a preferred embodiment of network 100, **users login to network 100 using a login applet that communicates with a login server, such as SMS 114.**" [9:37-42, emphasis added]

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Radia et al. also disclose the DHCP server 110 passes the temporarily assigned network address for the first user ID to the SMS 114:

"Method 700 begins with step 706 where **SMS 114 waits for the allocation of an IP address to a client system 102**. More specifically, for a preferred embodiment of network 100, power-on or reset of a client system 102 is followed by connection of the client system 102 to router 106. As part of this connection, the connecting client system 102 requests and receives a dynamically allocated IP address from DHCP server 110. This allocation requires that a number of messages pass between DHCP server 110 and the client system 102 requesting a new IP address. The last of these messages is a DHCPACK message sent by the DHCP server 110 to the client system 102. **To monitor the allocation of IP addresses, SMS 114 monitors DHCP messages within network 100**. Step 706 corresponds, in a general sense, to the methods and procedures that are executed by SMS 114 to wait for and detect DHCPACK messages within network 100." [7:21-34, emphasis added]

With reference to FIG. 9, it is inherent that the SMS 114 also receives the IP address of the client system 102 from the dial-up network server because Radia et al. disclose "**At the same time, the IP address of the client system 102 acting as a host for the user is passed by the SMS 114 to the ANCS 112.**" [9:62-64, emphasis added]

Radia et al. further disclose that the IP address of the client system (one of PCs 102) is temporarily assigned:

"More specifically, in systems that use the DHCP protocol for allocation of IP addresses, each IP address is allocated for a finite period of time. Systems that do not renew their IP address leases may lose their allocated IP addresses." [7:51-55, emphasis added]

However, Radia et al. do not explicitly disclose communicating a first user ID for one of the users' computers and a temporarily assigned network address for the first user ID *from the dial-up network server* to the authentication accounting server.

In the admitted prior art (APA) system of FIG. 1, the dial-up network server 102 communicates a first user ID for one of the users' computers 100 and a temporarily assigned network address for the first user ID to the authentication accounting server 104.

For instance, the APA systems are described as follows:

"The dial-up networking server then passes the user ID and password, along with a temporary Internet Protocol (IP) address for use by the user to the ISP's authentication and accounting server 104." ["118 patent, 1<sup>st</sup> paragraph of Background of the Invention section, emphasis added]

It would have been obvious to not remove these useful features of the *APA* systems when substituting the *APA* dial-up networking server 102 for the DHCP server 110 and login applet in FIG. 1 of Radia et al. This would have been obvious because simple substitution of the known



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dial-up networking server 102 for the DHCP server 110 and login applet obtains predictable results that the dial-up networking server 102 continues to include the above disclosed features.

It would further have been obvious that the dial-up network server should continue to behave in this way because, rather than the SMS 114 receiving the user ID and IP address respectively from the login applet and DHCP server 110, the SMS 114 would receive this information from the dial-up networking server, as suggested by the APA.

**communicating the individualized rule set that correlates with the first user ID and the temporarily assigned network address to the redirection server from the authentication accounting server;**

Radia et al. disclose the ANCS 112 and SMS 114 access the database 316 and communicate the (identity of the user) and the temporarily assigned network address (dynamic IP address) to the router 106.

For instance, Radia et al. disclose:

FIG. 9: step 906 "wait for user login", step 908 "retrieve user filter profile from database", step 910 "download user profile to ancs", and step 920 "reconfigure network components"

"In step 908, which follows, a sequence of filtering profiles 400 associated with the user are retrieved, by SMS 114, from filtering profile database 316". [9:46-48, emphasis added]

"For the present invention, these filtering profiles 400 are preferably maintained in filtering profile database 316 **and retrieved using the identity of the particular user.**" [9:53 -56, emphasis added]

"Step 908 is followed by step 910 where the sequence of user filtering profiles 400 is downloaded by SMS 114 to ANCS 112. At the same time, the IP address of the client system 102 acting as a host for the user is passed by the SMS 114 to the ANCS 112." [9:60-64, emphasis added]

"In the following step, the ANCS 112 uses each of the filtering rules 404 included in the sequence of user filtering profiles 400 **to establish a packet filter for IP packets originating from the client system 102 acting as a host for the user.**" [9:64-10:1, emphasis added]

"The packet filter is established by reconfiguring one or more of the components of the network 100 that forward packets originating at the client system 102 acting as a host for the user. For example, in some cases, the packet filter may be established by reconfiguring the modem 104 connected to the client system 102. Alternatively, the packet filter may be established by reconfiguring router 106." [10:1-7, emphasis added]

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It is inherent that the "packet filter for IP packets originating from the client system 102" communicated to the router 106 includes the temporarily assigned (i.e., dynamic) IP address of the client system 102 in order to identify the IP packets originating from the client system 102.

However, Radia et al. do not explicitly disclose communicating the individualized rule set that correlates with the first user ID and the temporarily assigned network address *to the redirection server* from the ANCS 112 and SMS 114.

It would have been obvious to have the ANCS 112 and SMS 114 access the database 316 and communicate the individualized rule set that correlates with the first user ID and the temporarily assigned network address to the firewall 211 of Coss et al. A first reason is Radia et al. teach reconfiguring one or more network components that forward packets originating at the client system 102, and the firewall 211 of Coss et al. is a network component that forwards packets originating at a client system. As such, Radia et al. suggest reconfiguring the firewall 211.

It would have further been obvious to use a known technique (i.e., communicating an individualized rule set to thereby reconfiguring a router 106) to improve a similar device (firewall 211) in the same way.

Additionally, Coss et al. disclose dynamic rules can be loaded into the firewall 211 at any time by trusted applications to thereby authorize specific network sessions. For instance, Coss et al. teach:

"Dynamic rules can include unique, current information such as, for example, specific source and destination port numbers. They can be loaded at any time by trusted parties, e.g., a trusted application, remote proxy or firewall administrator, to authorize specific network sessions." [8:26-31, emphasis added]

It therefore would have further been obvious to have the ANCS 112 communicate the individualized rule set to the firewall 211 of Coss et al. because the ANCS 112 is a trusted application that authorizes specific network sessions, as suggested by Coss et al.

**and processing data directed toward the public network from the one of the users' computers according to the individualized rule set.**

Radia et al. disclose processing data directed toward the public network from the one of the user computers (one of PCs 102) according to the individualized rule set.

For instance, Radia et al. disclose:

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"Subsequently, the packet filter established by the ANCS 112 is used to filter IP packets that originating from the client system 102 acting as a host for the user, allowing the packets that are associated with the network privileges of the user." [10:11-14,emphasis added]

**57. The method of claim 56, further including the step of controlling a plurality of data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further provides control over a plurality of data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose the step of computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further provides control over a plurality of data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"The latter embodiment can allow the firewall techniques of the invention to provide, for example, parental control of Internet and video access in the home." [2:57-60]

See FIG. 3, rule No. 10 controlling FTP data to host B, and rule No. 30 controlling Telnet data from host B.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule.action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43] allowing the firewall 211 to control data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**58. The method of claim 56, further including the step of blocking the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further blocks data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

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Radia et al. do not explicitly disclose *the redirection server* further blocks the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further blocks the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 3, rule No. 20 blocking data **from host A**; and FIG. 4, fifth session key rule (D, A, Telnet) blocking data **to host A**.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', '**drop**', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to block (i.e., drop) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**59. The method of claim 56, further including the step of allowing the data to and from the users' computers as a function of the individualized rule set.**

Radia et al disclose that router 106 in FIG. 1 further allows the data from the users' computers as a function of the individualized rule set (FIG. 6, step 606, "filter IP packets in accordance with filtering profile" and col. 10, lines 6-14).

Radia et al. do not explicitly disclose *the redirection server* further allows the data *to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further allows the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

FIG. 4, first session key rule (A, B, TELNET) allowing data **to host B**, and second session key rule (B, A, TELNET) allowing data **from host B**.

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Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to allow (i.e., pass) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**60. The method of claim 8, further including the step of redirecting the data to and from the users' computers as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server further redirects the data to and from* the users' computers as a function of the individualized rule set.

However, Coss et al. disclose firewall 211 further redirects the data to and from the users' computers as a function of the individualized rule set.

For instance, Coss et al. disclose:

"For some users and proxy applications, the connection should appear at the destination to be coming from the original source rather than the remote system. This applies, e.g., to services which check the source IP address to ensure that it matches the user who signed up for the requested service. **This capability is provided by "dual reflection" (or "two-way reflection"), with the source address of the outgoing connection changed back from the remote proxy to the original user's source address. This change is effected at the firewall, as each packet is received from the proxy and sent to the destination.**" [9:6-16, emphasis added]

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data to and from the users' computers as a function of the individualized rule set.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

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**61. The method of claim 56, further including the step of redirecting the data from the users' computers to multiple destinations as a function of the individualized rule set.**

Radia et al. do not explicitly disclose *the redirection server* further redirects the data from the users' computers *to multiple destinations* as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 further redirects the data from the users' computers to multiple destinations as a function of the individualized rule set.

For instance, Coss et al. disclose:

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy" [9:39-42]

"Proxy processes have also been developed for other special-purpose applications, e.g., to perform services such as **authentication, mail handling, and virus scanning.**" [1:45-49, emphasis added]

Coss et al. also gives examples of redirecting data to both a Telnet proxy and an FTP proxy. For example, Figure 3, rule No. 30 redirects TELNET data to a Telnet proxy server. Coss et al. further state, "For example, an FTP proxy **application** could use a dynamic rule to authorize establishment of an FTP data channel in response to a data request." It is inherent that data was also redirected to the FTP proxy application as a function of the individualized rule set.

Coss et al. also disclose rule set categories such as "Source host group identifier or IP address", "Destination host group identifier or IP address", and "Rule action, e.g., 'pass', 'drop', or 'proxy'" [4:39-43, emphasis added] allowing the firewall 211 to redirect (i.e., proxy) data from the users' computers to multiple destinations as a function of the individualized rule set.

**Additionally, Coss teaches "a computer network firewall can be instructed to redirect network session to a separate server for processing, so as to unburden the firewall application proxies. The server processes the redirected network session, and then passes the session back through the firewall to the intended original destination." See col. 2, lines 42-48.**

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**62. The method of claim 56, further including the step of creating database entries for a plurality of the plurality of users' IDs are correlated with a common individualized rule set.**

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Radia et al. disclose that the database entries for a plurality of the plurality of the users' IDs are correlated with a common individualized rule set.

For instance, "In the above description, we have set a default profile called the default login profile. The default login profile is a static profile that **applies to ALL newly connected client systems**. This way the SMS does not need to be aware as new client systems are connected.

**"One may also consider setting the default profile to a null profile and for each client system as the client system connects; for example, since a client system that connects may do a DHCP operation, this event can trigger the SMS to set the login profile for the newly connected computer."** [3:23-33, emphasis added]

**63. The method of claim 8, wherein the individualized rule set includes at least one rule as a function of type of IP (Internet Protocol) service.**

Radia et al. disclose that the individualized rule set includes at least one rule as a function of a type of IP (Internet Protocol) packet.

For instance, Radia et al. disclose:

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet**. Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP,UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

Radia et al. also disclose that at least one rule forwards packets associated with a DNS (domain name service):

"The second of the login filtering profiles 400 forwards packets **associated with DNS (domain name service)** address resolution." [8:6-8, emphasis added]

However, Radia et al. do not explicitly disclose at least one rule as a function of *a type of IP service*.

Coss et al. disclose that the individual rule set includes at least one rule as a function of a type of IP service.

For instance, Coss et al. disclose:

"Service" column in rule table of Figure 3 providing rules as a function of types of IP services such as "FTP", "TELNET", and "MALL".

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"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a **designation of a special service which can be called for in a packet, and a specification of an action to be taken on a packet.** Special services can include proxy services, network address translation, and encryption, for example. In FIG. 3, the categories "Source Host," "Destination Host" and "Service" **impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet.**" [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**64. The method of claim 56, wherein the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.**

Radia et al. disclose the individualized rule set includes a default filter sequence for a newly connected client system that allows the newly connected client system to perform login. Radia et al. also disclose that after a user of the newly connected client logs in, the filter sequence associated with the client device is changed to another sequence. For example:

"The SMS maintains a series of filtering profiles, each of which includes one or more of filtering rules. **The SMS sets a default filter sequence for the newly connected client system** by downloading the sequence by the SMS to the ANCS .... Subsequently, the packet filter uses the rules of the login filtering profile sequence to selectively forward or discard IP packets originating from the client system. **This filtering sequence will allow newly connected client systems to perform login but nothing else.**" [3:5- 22, emphasis added]

"A preferred embodiment of the present invention also generates or selects filtering profiles for users. With the login filtering profile sequence in place, a user can use the newly connected client system to login to the network. The user login is monitored by the SMS. **If the user login is successful, the SMS selects or generates a user filtering profile sequence.** The user filtering profile sequence is then downloaded by the SMS to the ANCS ....**Subsequently, the new packet filter uses the rules of the user filtering profile sequence to selectively forward or discard IP packets originating from the client system.**" [3:34-50, emphasis added]

However, Radia et al. do not explicitly disclose utilizing the login filtering *sequence for an initial period of time.* (Instead Radia et al. only disclose utilizing the login filtering sequence until the user logs in.)



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Coss et al. disclose that the individualized rule set includes an initial temporary rule set and a standard rule set, and wherein the firewall 211 is configured to utilize the temporary rule set for an initial period of time and to thereafter utilize the standard rule set.

For instance, Coss et al. disclose:

"Exemplary dynamic rules include a 'one-time' rule which is only used for a single session, **a time-limited rule which is used only for a specified time period**, and a threshold rule which is used only when certain conditions are satisfied." [8:37-40, emphasis added]

Accordingly, Coss et al. disclose utilizing an initial rule set being a set of rules including the time-limited rule before the specified time period has expired, and utilizing a standard rule set being the set of rules not including the time-limited rule after the specified time period has expired.

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**65. The method of claim 56, wherein the individual rule set includes at least one rule allowing access based on a request type and a destination address.**

Radia et al. disclose that the individualized rule set includes at least one rule allowing access based on a type of IP (Internet Protocol) packet and destination address.

For instance, Radia et al. disclose:

"In FIG. 5, it may be seen that each filtering rule 404 includes an action 500. Action 500 specifies the disposition of IP packets that match by a particular filtering rule 404. In particular, **action 500 may indicate that a matched IP packet will be forwarded**, or that a matched IP packet will be discarded." [6:14-18]

"Filtering rule 404 also includes a **protocol type 506. Protocol type 506 corresponds to the protocol type of an IP packet**. Thus, the protocol type 506 of each filtering rule 404 has a value that corresponds to an IP packet type, such as TCP, UDP, ICMP, etc. To match a particular filtering rule 404, an IP packet must have a protocol type that matches the protocol type 506 included in the filtering rule 404" [6:30-36, emphasis added]

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"Filtering rule 404 also includes a destination IP address 502 and a destination IP mask 504. Destination IP address 502 corresponds to the destination address included in the header of an IP packet. Destination IP mask 504 is similar to destination IP address 502 but corresponds to a range of destination addresses. To match a particular filtering rule 404, an IP packet must either have a destination address that matches the destination address 502 included in the filtering rule 404 or have a destination address that is covered by the destination address mask 504 of the filtering rule 404." [6:18-29, emphasis added]

However, Radia et al. do not explicitly disclose the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

Coss et al. disclose that the individualized rule set includes at least one rule allowing access based on a request type and a destination address.

For instance, Coss et al. disclose:

Rule No. 40 in Figure 3 allowing access (i.e., action= "PASS") based on a request type of "MAIL" and a destination host of "D".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**66. The method of claim 56, wherein the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.**

Radia et al. do not explicitly disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

However, Coss et al. disclose that the individualized rule set includes at least one rule redirecting the data to a new destination address based on a request type and an attempted destination address.

For instance, Coss et al. disclose:

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Rule No. 30 in Figure 3 redirecting data (i.e., action = "PROXY") based on a request type of "TELNET" and attempted destination host of "C".

"In FIG. 3, the categories "Source Host," "Destination Host" and "Service" impose conditions which must be satisfied by data included in a packet for the specified action to be taken on that packet." [4:2-11, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**67. The method of claim 56, wherein the redirection server is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet Protocol) packet header by a second destination address as a function of the individualized rule set.**

Radia et al. do not disclose that the redirection server is configured to redirect data from the users computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

However, Coss et al. disclose that firewall 211 is configured to redirect data from the users' computers by replacing a first destination address in an IP (Internet protocol) packet header by a second destination address as a function of the individualized rule set.

For instance, Coss et al. disclose:

"As illustrated in FIG. 3, such a table can provide for categories including rule number, designations of source and destination hosts, a designation of a special service which can be called for in a packet, **and a specification of an action to be taken on a packet.**" [4:1-6, emphasis added]

"1004: if the action indicates a remote proxy, the packet's destination address is replaced with the address of the remote proxy; if configured, the destination port can be changed as well; the original packet header data is recorded in the session cache along with any changed values;" [9:39-44, emphasis added]

Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself-that is in the substitution of the firewall 211 of Coss for the router 106 in Fig. 1 of Radia. Thus, the simple substitution of one

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known element (i.e. firewall 211 for the router 106) for another producing a predictable result renders the claim obvious.

**Claims 16-24, 26, 27, 36-43, and 68-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coss et al. in view of the APA.**

The proposed rejection for claims 16-24, 26, 27, 36-43, and 68-90 on pages 338-484 of the request is hereby incorporated by reference.

**This is an ACTION CLOSING PROSECUTION (ACP);** see MPEP § 2671.02.

(1) Pursuant to 37 CFR 1.951(a), the patent owner may once file written comments limited to the issues raised in the reexamination proceeding and/or present a proposed amendment to the claims which amendment will be subject to the criteria of 37 CFR 1.116 as to whether it shall be entered and considered. Such comments and/or proposed amendments must be filed within a time period of 30 days or one month (whichever is longer) from the mailing date of this action. Where the patent owner files such comments and/or a proposed amendment, the third party requester may once file comments under 37 CFR 1.951(b) responding to the patent owner's submission within 30 days from the date of service of the patent owner's submission on the third party requester.

(2) If the patent owner does not timely file comments and/or a proposed amendment pursuant to 37 CFR 1.951(a), then the third party requester is precluded from filing comments under 37 CFR 1.951(b).

(3) Appeal **cannot** be taken from this action, since it is not a final Office action. Extensions of time under 37 CFR 1.136(a) will not be permitted in *inter partes* reexamination proceedings because the provisions of 37 CFR 1.136 apply on to "an applicant" and not the patent owner in a reexamination proceedings. Additionally, 35 U.S.C. 314(c) requires that *inter partes* reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.937). Patent owner extensions of time in *inter partes* reexamination proceedings are provided for in 37 CFR 1.956. Extensions of time are not available for third party requester comments, because a

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comment period of 30 days from service of patent owner's response is set by statute. 35 U.S.C. 314(b)(3).

The patent owner is reminded of the continuing responsibility under 37 CFR 1.985(a), to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent 6,779,118 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §2686 and 2686.04.

Any paper filed with the USPTO, i.e., any submission made, by either the Patent Owner or the Third Party Requester must be served on every other party in the reexamination proceedings, including any other third party requester that is part of the proceeding due to merger of the proceedings. As proof of service, the party submitting the paper to the Office must attach a Certificate of Service to paper which sets forth the name and address of the party served and the method of service. Papers filed without the required Certificate of Service may be denied consideration. 37 CFR 1.903; MPEP 2666.06.

All correspondence relating to this *inter partes* reexamination proceeding should be directed as follows:

By U.S. Postal Service Mail to:  
Mail Stop *Inter Partes* Reexam  
ATTN: Central Reexamination Unit Commissioner for Patents  
P.O. Box 1450

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Alexandria, VA 22313-1450

By FAX to:  
(571) 273-9900  
Central Reexamination Unit

By Hand:  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

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<https://efs.uspto.gov/efile/myportal/efs-registered>

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Any inquiry concerning this communication should be directed to the Central Reexamination Unit at telephone number (571)272-7705.

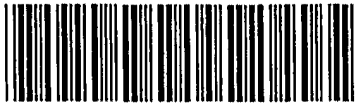
/Jalatee Worjloh/  
Primary Examiner, Art Unit 3992

Conferees:

/FOF/

**WOO H. CHOI**  
Supervisory Patent Reexamination Specialist  
CRU - Art Unit 3992



<b>Reexamination</b> 	<b>Application/Control No.</b> 95002035 & 90012342	<b>Applicant(s)/Patent Under Reexamination</b> 6779118
	<b>Certificate Date</b>	<b>Certificate Number</b>

<b>Requester Correspondence Address:</b>	<input type="checkbox"/> <b>Patent Owner</b>	<input checked="" type="checkbox"/> <b>Third Party</b>
David L. McCombs (For the Inter Partes Requester) Haynes & Boone, LLP, IP Section 2323 Victory Ave., Suite 700 Dallas, TX 75219		
James J. Wong (For the Ex Parte Requester) 2108 Gossamer Avenue Redwood City, CA 94065		

<b>LITIGATION REVIEW</b> <input checked="" type="checkbox"/>	/J.W./ (examiner initials)	04/05/2013 (date)
<b>Case Name</b>		<b>Director Initials</b>
(OPEN) 8:12cv522		
(CLOSED) 2:10cv277		
(CLOSED) 2:09cv26		
(CLOSED) 2:09cv26		
(CLOSED) 2:08cv385		
(CLOSED) 2:08cv304		
(CLOSED) 2:08cv264		

<b>COPENING OFFICE PROCEEDINGS</b>	
<b>TYPE OF PROCEEDING</b>	<b>NUMBER</b>

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# Litigation Search Report CRU 3999

Reexam Control No. 95/002,035

To: WORJLOH, Jatatee  
Location: Central Reexam Unit  
Art Unit: 3992  
Date: 4/3/13

From: Monica A. Graves  
Location: CRU 3999, MDE 5A64  
Phone: (571) 272-7253

Case Serial Number: 95/002,035

monica.graves@uspto.gov

## Search Notes

Litigation search for U.S. Patent Number – 6,779,118

### Litigation Found

Page 1 of 2

(See Attached)

- 1) I performed a KeyCite Search in Westlaw, which retrieves all history on the patent including any litigation.
- 2) I performed a search on the patent in Lexis CourtLink for any open dockets or closed cases.
- 3) I performed a search in Lexis in the Federal Courts and Administrative Materials databases for any cases found.
- 4) I performed a search in Lexis in the IP Journal and Periodicals database for any articles on the patent.
- 5) I performed a search in Lexis in the news databases for any articles about the patent or any articles about litigation on this patent.



Search Result List							
Patent	Class	Subclass	Description	Court	Docket Number	Filed	Date Retrieved
6,779,118	726	7	Linksmart Wireless Technology Llc V. T-Mobile Usa Inc Et Al	US-DIS-CACD	8:12cv522	4/5/2012	3/19/2013
<b>CLOSED:</b>	<b>No</b>				<b>STAYED: No</b>		
6,779,118	726	7	Linksmart Wireless Technology Llc Vs Tj Hospitality Ltd Et Al	US-DIS-TXED	2:10cv277	7/29/2010	7/10/2012
<b>CLOSED:</b>	<b>Yes</b>				<b>STAYED: No</b>		
6,779,118	726	7	Linksmart Wireless Technology Llc V. Six Continents Hotels Inc Et Al	US-DIS-TXED	2:09cv26	1/21/2009	7/10/2012
<b>CLOSED:</b>	<b>Yes</b>				<b>STAYED: No</b>		
6,779,118	726	7	Linksmart Wireless Technology, Llc V. Sbc Internet Services, Inc	US-DIS-TXED	2:08cv385	10/9/2008	7/10/2012
<b>CLOSED:</b>	<b>Yes</b>				<b>STAYED: No</b>		
6,779,118	726	7	Linksmart Wireless Technology, Llc V. Cisco Systems, Inc Et Al	US-DIS-TXED	2:08cv304	8/4/2008	7/10/2012
<b>CLOSED:</b>	<b>Yes</b>				<b>STAYED: No</b>		
6,779,118	726	7	Linksmart Wireless Technology, Llc V. T-Mobile Usa, Inc. Et Al	US-DIS-TXED	2:08cv264	7/1/2008	3/15/2013
<b>CLOSED:</b>	<b>Yes</b>				<b>STAYED: No</b>	<b>#587 Order Lifting Stay (2/3/12)</b>	

Total number of results: 6

**Search Title**  
**Patent Number**  
**Client Matter Code**

Patent Search 6779118 4/3/2013  
6779118  
t swann

**KEYCITE**

**H** US PAT 6779118 USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM, Assignee: Auriq Systems, Inc. (Aug 17, 2004)

**History****Direct History**

=> 1 **USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM**, US PAT 6779118, 2004 WL 1841593 (U.S. PTO Utility Aug 17, 2004)

*Construed by*

**H** 2 Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., 2010 WL 2640402, 2010 Markman 2640402 (E.D.Tex. Jun 30, 2010) (NO. 2:08-CV-264-DF-CE) (Markman Order Version)

**Related References**

**H** 3 Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., 2010 WL 3816679 (E.D.Tex. Sep 02, 2010) (NO. 208CV264)

*Report and Recommendation Adopted by*

**H** 4 Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., 2010 WL 3816677 (E.D.Tex. Sep 27, 2010) (NO. 208CV264)

**Court Documents****Trial Court Documents (U.S.A.)****E.D.Tex. Trial Pleadings**

- 5 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. 1. T-MOBILE USA, INC.; 2. Wayport, Inc.; 3. AT&T, Inc.; 4. AT&T Mobility, LLC; 5. Lodgenet Interactive Corp.; 6. Ibahn General Holdings Corp.; 7. Ethostream, LLC; 8. Hot Point Wireless, Inc.; 9. Netnearu Corp.; 10. Pronto Networks, Inc.; 11. Aptilo N, 2008 WL 3538408 (Trial Pleading) (E.D.Tex. Jul. 1, 2008) **Complaint and Demand for Jury Trial** (NO. 08CV00264)
- 6 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 4355636 (Trial Pleading) (E.D.Tex. Aug. 21, 2008) **Linksmart Wireless Technology, LLC'S Reply to Ethostream, LLC'S Counterclaim** (NO. 208CV00264)
- 7 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 4355637 (Trial Pleading) (E.D.Tex. Aug. 29, 2008) **Answer and Counterclaim** (NO. 208CV00264)
- 8 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. (1) T-MOBILE USA, INC., (2) Wayport, Inc., (3) AT&T, Inc., (4) AT&T Mobility, LLC, (5) Lodgenet Interactive Corp., (6)

- ibahn General Holdings Corp., (7) Ethostream, LLC, (8) Hot Point Wireless, Inc., (9) Netnearu Corp., (10) Pronto Networks, Inc. (11, 2008 WL 5369919 (Trial Pleading) (E.D.Tex. Sep. 12, 2008) **Defendant ibahn General Holdings Corp.'s Answer and Counterclaims to Linksmart Wireless Technology, LLC's Complaint** (NO. 208-CV-00264-TJW-CE)
- 9 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC.; Wayport, Inc.; At&t, Inc.; AT&T Mobility, LLC; Lodgenet Interactive Corporation; Ibahn General Holdings Corp.; Ethostream, LLC; Hot Point Wireless, Inc.; Netnearu Corp.; Pronto Networks, Inc.; Aptilo Networks, Inc.; Freefi Network, 2008 WL 5369920 (Trial Pleading) (E.D.Tex. Sep. 12, 2008) **Defendant Aptilo Networks, Inc.'s Answer, Affirmative Defenses and Counterclaims to Plaintiff's Complaint for Patent Infringement** (NO. 208-CV-264TJW-CE)
- 10 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. 1. T-MOBILE USA, INC.; 2. Wayport, Inc.; 3. AT&T, Inc.; Jury 4. AT&T Mobility, LLC; 5. Lodgenet Interactive Corp.; 6. Ibahn General Holdings Corp.; 7. Ethostream, LLC; 8. Hot Point Wireless, Inc.; 9. Netnearu Corp.; 10. Pronto Networks, Inc.; 11. Apt, 2008 WL 5369909 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Defendant Marriott International, Inc.'s Answer and Counterclaims to Linksmart Wireless Technology, LLC's Complaint** (NO. 208-CV-00264-TJW-CE)
- 11 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 5369910 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Wayport, Inc.'s Answer, Defenses, and Counterclaims to Complaint** (NO. 208-CV-00264-TJW-CE)
- 12 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC. et al., Defendants., 2008 WL 5369911 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Defendant Barnes & Noble Booksellers, Inc. Answer to Plaintiff's Complaint** (NO. 208-CV-00264-TJW-CE)
- 13 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 5369912 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Mcdonald's Corp.'s Answer, Defenses, and Counterclaims to Complaint** (NO. 208-CV-00264-TJW-CE)
- 14 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 5369913 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Meraki, Inc.'s Answer, Defenses, and Counterclaims to Complaint** (NO. 208-CV-00264-TJW-CE)
- 15 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 5369914 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Best Western International, Inc.'s Answer to Plaintiff's Complaint and Counterclaims** (NO. 208-CV-00264-TJW-CE)
- 16 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC.; et al., Defendants., 2008 WL 5369921 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **T-Mobile USA, Inc.'s Answer and Counterclaims** (NO. 208-CV-00264-TJW-CE)
- 17 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, Inc. et al., Defendants., 2008 WL 5369922 (Trial Pleading) (E.D.Tex. Sep. 15, 2008) **Defendant Mail Boxes Etc., Inc.'s Answer to Plaintiff's Complaint** (NO. 208-CV-00264-TJW)
- 18 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC.; Wayport, Inc.; AT&T, Inc.; AT&T Mobility, LLC; Lodgenet Interactive Corporation; Ibahn General Holdings Corp.; Ethostream, LLC; Hot Point Wireless, Inc.; Netnearu Corp.; Pronto Networks, Inc.; Aptilo Networks, Inc.; Freefi Network, 2008 WL 5369915 (Trial Pleading) (E.D.Tex. Sep. 19, 2008) **Ramada Worldwide, Inc.'s Answer to Complaint and Counterclaims** (NO.

- 208-CV-00264-TJW-CE)
- 19 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2008 WL 5369916 (Trial Pleading) (E.D.Tex. Sep. 19, 2008) **Pronto Networks, Inc.'s Answer, Defenses, and Counterclaims to the Complaint** (NO. 208-CV-00264-TJW-CE)
  - 20 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. 1. T-MOBILE USA, INC.; 2. Wayport, Inc.; 3. AT&T, Inc.; 4. AT&T Mobility, LLC; 5. Lodgenet Interactive Corp.; 6. Ibahn General Holdings Corp.; 7. Ethostream, LLC; 8. Hot Point Wireless, Inc.; 9. Netnearu Corp.; 10. Pronto Networks, Inc.; 11. Aptilo N, 2008 WL 5369917 (Trial Pleading) (E.D.Tex. Sep. 22, 2008) **Defendant Freefi Networks. Inc.'s Answer and Counterclaims to Original Complaint** (NO. 208CV00264TJW)
  - 21 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. BEST WESTERN INTERNATIONAL, INC., Third-Party Plaintiff, v. BESTCOMM NETWORKS, INC. and Nomadix, Inc., Third-Party Defendants., 2009 WL 5819738 (Trial Pleading) (E.D.Tex. Nov. 13, 2009) **Third Party Complaint of Best Western International, Inc.** (NO. 208CV00264)
  - 22 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendant., 2009 WL 5819739 (Trial Pleading) (E.D.Tex. Nov. 20, 2009) **Ramada Worldwide, Inc.'s Amended Answer to Complaint and Counterclaims** (NO. 208CV00264)
  - 23 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendant., 2009 WL 5819740 (Trial Pleading) (E.D.Tex. Nov. 20, 2009) **Ethostream, LLC's Amended Answer and Counterclaim** (NO. 208CV00264)
  - 24 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 3050903 (Trial Pleading) (E.D.Tex. May 7, 2010) **Best Western International, Inc.'s First Amended Answer, Defenses and Counterclaims** (NO. 208-CV-00264-TJW-CE)
  - 25 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. Best Western International, Inc., Third-Party Plaintiff, v. Bestcomm Networks, Inc. and Nomadix, Inc., Third-Party Defendants., 2010 WL 4953062 (Trial Pleading) (E.D.Tex. Oct. 7, 2010) **First Amended Third Party Complaint of Best Western International, Inc.** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)

#### **E.D.Tex. Expert Testimony**

- 26 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2008 WL 8039590 (Expert Report and Affidavit) (E.D.Tex. 2008) **Declaration of Tal Lavian, Ph.D. in Support of Plaintiff Linksmart Wireless Technology, LLC's Response to Defendants' Motion for Partial Summary Judgment of Invalidity for Indefiniteness Under 35 U.S.** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 27 LINKSMART WIRELESS TECHNOLOGIES, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 3711476 (Expert Report and Affidavit) (E.D.Tex. Apr. 14, 2010) **Declaration of Kevin Jeffay, Ph.D.** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)

- 28 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., Wayport, Inc., At&t, Inc., At&t Mobility, LLC, Lodgenet Interactive Corporation, Ibahn General Holdings Corp., Ethostream, LLC, Hot Point Wireless Inc., Netnearu Corp., Pronto Networks, Inc., Aptilo Networks, Inc., Freefi Networks,, 2010 WL 3842257 (Expert Deposition) (E.D.Tex. Apr. 22, 2010) (**Deposition of Kevin Jeffay, Ph.D.**) (NO. 208-CV-00264-TJW-CE)
- 29 LINKSMART WIRELESS TECHNOLOGY LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendant., 2010 WL 3711477 (Expert Report and Affidavit) (E.D.Tex. Apr. 30, 2010) **Declaration Of Tal Lavian, Ph.D. in Support of Plaintiff Linksmart Wireless Technology, LLC'S Reply Claim Construction Brief** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)

**E.D.Tex. Trial Motions, Memoranda And Affidavits**

- 30 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, Inc. et al., Defendants., 2008 WL 5369918 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Sep. 22, 2008) **Defendant At&T Mobility LLC's Motion to Dismiss** (NO. 208-CV-00264-TJW-CE)
- 31 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC.; et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. Cisco Systems, Inc.; Et Al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. SBC Internet Services, Inc. d/b/a AT&T Internet Services, Defendants;, 2009 WL 721149 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Jan. 23, 2009) **Joint Motion to Consolidate** (NO. 208-CV-00264TJW-CE, 208-CV-00304-DF-CE, 208-CV-00385-TJW, 209-CV-00026-TJW-CE)
- 32 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC.; et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. Cisco Systems, Inc.; et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. SBC Internet Services, Inc. d/b/a At&t Internet Services, Defendants;, 2009 WL 721433 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Jan. 23, 2009) **Joint Motion to Consolidate** (NO. 208-CV-00264-TJW-CE, 208-CV-00304-DF-CE, 208-CV-00385-TJW, 209-CV-00026-TJW-CE)
- 33 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2009 WL 714069 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Feb. 27, 2009) **Plaintiff Linksmart Wireless Technology, LLC's Motion for Default Judgment Against Hot Point Wireless, Inc. and Second Rule LLC** (NO. 208-CV-00264-DF-CE)
- 34 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al, Defendants. Best Western International, Inc., Third-Party Plaintiff, v. Bestcomm Networks, Inc. and Nomadix, Inc., Third-Party Defendants., 2010 WL 974673 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Feb. 25, 2010) **Third-Party Defendant Nomadix, Inc.'s Motion to Strike or Dismiss Third-Party Complaint of Best Western International, Inc.** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 35 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155255 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Mar. 19, 2010) **Plaintiff Linksmart Wireless Technology, LLC's Opening Claim Construction Brief** (NO. 208CV00264)
- 36 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. BEST WESTERN INTERNATIONAL, INC., Third-Party Plaintiff, v. BESTCOMM

- NETWORKS, INC. and Nomadix, Inc., Third-Party Defendants., 2010 WL 2155256 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Mar. 31, 2010) **Best Western International's Opposition to Nomadix's Motion to Strike or Dismiss Third Party Complaint** (NO. 208CV00264)
- 37 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. BEST WESTERN INTERNATIONAL, INC., Third-Party Plaintiff, v. BESTCOMM NETWORKS, NOMADIX, INC., Third-Party Defendants. BESTCOMM NETWORKS, INC., Third-Party Defendant, v. NOMADIX, INC., Third-Party Defendant., 2010 WL 2155257 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 16, 2010) **Nomadix, Inc.'s Motion to Dismiss Bestcomm Networks, Inc.'s Crossclaims** (NO. 208CV00264)
- 38 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155258 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 16, 2010) **Claim Construction Brief of Defendants** (NO. 208CV00264)
- 39 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155259 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 19, 2010) **Best Western's Supplemental Claim Construction Brief** (NO. 208CV00264)
- 40 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155260 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 29, 2010) **Defendants' Motion to Exclude the Expert Declaration of Dr. Tal Lavian in Support of Plaintiff's Claim Construction Reply Brief** (NO. 208CV00264)
- 41 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155261 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 30, 2010) **Plaintiff Linksmart Wireless Technology, LLC's Reply Claim Construction Brief** (NO. 208CV00264)
- 42 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2010 WL 3050762 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. May 7, 2010) **iBAHN's Claim Construction Surreply Brief** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 43 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2010 WL 3050763 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. May 11, 2010) **Claim Construction Sur-Reply Brief of Defendants** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 44 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 3050764 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. May 17, 2010) **Defendants' Motion for Partial Summary Judgment of Invalidity for Indefiniteness under 35 U.S.C. | 112, i2** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 45 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2010 WL 3050765 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. May 17, 2010) **Plaintiff Linksmart Wireless Technology, LLC's Response to Defendants' Motion to Exclude the Expert Declaration of Dr. Tal LA Vian Addressing the Declaration of Dr. Kevin Jeffay** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)

- 46 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al, Defendants. And Related Counterclaims., 2010 WL 3050766 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. May 23, 2010) **Plaintiff Linksmart Wireless Technology, LLC's Response to Defendants' Motion for Partial Summary Judgment of Invalidity for Indefiniteness under 35 U.S.C. | 112, ¶ 2** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 47 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al, Defendants., 2010 WL 3050767 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Jun. 2, 2010) **Defendants' Reply in Support of Their Motion for Partial Summary Judgment of Invalidity for Indefiniteness under 35 U.S.C. | 112, ¶ 2** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 48 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2010 WL 4927709 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Sep. 15, 2010) **Defendants' Motion for a Stay Pending the Reexamination of the Patent in Suit** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 49 LINKSMART WIRELESS TECHNOLOGY, LLC, Linksmart, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 4927710 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Oct. 7, 2010) **Defendant Choice Hotels International, Inc.'s Reply in Support of Its Motion for Summary Judgment of Non-Infringement** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)

#### **E.D.Tex. Exhibits**

- 50 LINKSMART WIRELESS TECHNOLOGY, LLC, v. T-MOBILE USA, INC. et al., 2010 WL 4024689 (Exhibit) (E.D.Tex. Mar. 31, 2010) **Direct Sales Agreement** (NO. 208CV00264)
- 51 LINKSMART WIRELESS TECHNOLOGY, LLC, v. T-MOBILE USA, INC. et al., 2010 WL 4024690 (Exhibit) (E.D.Tex. Mar. 31, 2010) **Nomadix, Inc. Reseller Agreement** (NO. 208CV00264)

#### **E.D.Tex. Expert Resumes**

- 52 Kevin Jeffay, curriculum vitae filed in Linksmart Wireless Technology, LLC V. T-Mobile USA, Inc. et al, 2010 WL 5779215 (Court-filed Expert Resume) (E.D.Tex. Jan. 18, 2010) **Expert Resume of Kevin Jeffay** (NO. 208CV00264)
- 53 Tal Lavian, Ph.D., curriculum vitae filed in Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., et al, 2010 WL 3515006 (Court-filed Expert Resume) (E.D.Tex. May 23, 2010) **Expert Resume of Tal Lavian** (NO. 208CV00264)

#### **E.D.Tex. Trial Filings**

- 54 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. Cisco Systems, Inc., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. SBC Internet Services, Inc. D/B/A AT&T Internet Services, Defendants;; 2009 WL 3147057 (Trial Filing) (E.D.Tex. Jun. 1, 2009)

- Joint Case Management Report** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 55 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. Cisco Systems, Inc., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. SBC Internet Services, Inc. D/B/A AT&T Internet Services, Defendants; 2009 WL 3147069 (Trial Filing) (E.D.Tex. Jun. 1, 2009) **Joint Case Management Report** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 56 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. Cisco Systems, Inc., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. SBC Internet Services, Inc. D/B/A AT&T Internet Services, Defendants; 2009 WL 3147139 (Trial Filing) (E.D.Tex. Jun. 1, 2009) **Joint Case Management Report** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 57 LINKSMART WIRELESS TECHNOLOGY, LLC, v. T-MOBILE USA, INC. et al., 2010 WL 1733529 (Trial Filing) (E.D.Tex. Feb. 19, 2010) **Claim Construction Chart** (NO. 208CV00264)
- 58 LINKSMART WIRELESS TECHNOLOGY, LLC, v. T-MOBILE USA, INC., et al., 2010 WL 3053062 (Trial Filing) (E.D.Tex. May 14, 2010) **Agreed Constructions** (NO. 08CV00264)

#### **E.D.Tex. Verdicts, Agreements and Settlements**

- 59 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC.; Wayport, Inc.; AT&T, Inc.; AT&T Mobility, LLC; Lodgenet Interactive Corp.; Ibahn General Holdings Corp.; Ethostream, LLC; Hot Point Wireless, Inc.; Netnearu Corp.; Pronto Networks, Inc.; Freefi Networks, Inc.; Meraki, Inc. Second, 2008 WL 5533263 (Verdict, Agreement and Settlement) (E.D.Tex. Dec. 9, 2008) **Jury** (NO. 208CV00264)
- 60 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. Cisco Systems, Inc., et al., Defendants; Linksmart Wireless Technology, LLC, Plaintiff, v. SBC Internet Services, Inc. d/b/a AT&T Internet Services, Defendants; 2009 WL 3147112 (Verdict, Agreement and Settlement) (E.D.Tex. Jun. 1, 2009) **Joint Case Management Report** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 61 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2012 WL 2091453 (Verdict, Agreement and Settlement) (E.D.Tex. Apr. 4, 2012) **Joint Motion to Dismiss All Remaining Defendants** (NO. 208CV00264JRGRSP, 2:08-CV-00304-DF-CE, 2:08-CV-00385-DF-CE, 2:09-CV-00026-DF-CE)
- 62 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. Best Western International, Inc., Third-Party Plaintiff, v. Bestcomm Networks, Inc. and Nomadix, Inc., Third-Party Defendants. Bestcomm Networks, Inc., Third-Party Defendant, v. Nomadix, Inc., Third-Party Defen, 2012 WL 2091454 (Verdict, Agreement and Settlement) (E.D.Tex. Apr. 4, 2012) **Stipulated Dismissal of Third-Party Complaint and Cross Claim Without Prejudice** (NO. 2:08-CV-00264-DF-CE, 2:08-CV-00304-DF-CE, 2:08-CV-00385-DF-CE, 2:09-CV-00026-DF-CE)



**Dockets (U.S.A.)**

**E.D.Tex.**

- 63 LINKSMART WIRELESS TECHNOLOGY, LLC v. T-MOBILE USA, INC. ET AL, NO. 2:08cv00264 (Docket) (E.D.Tex. Jul. 1, 2008)

**Expert Court Documents (U.S.A.)**

**E.D.Tex. Expert Testimony**

- 64 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants. And Related Counterclaims., 2008 WL 8039590 (Expert Report and Affidavit) (E.D.Tex. 2008) **Declaration of Tal Lavian, Ph.D. in Support of Plaintiff Linksmart Wireless Technology, LLC's Response to Defendants' Motion for Partial Summary Judgment of Invalidity for Indefiniteness Under 35 U.S.** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 65 LINKSMART WIRELESS TECHNOLOGIES, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 3711476 (Expert Report and Affidavit) (E.D.Tex. Apr. 14, 2010) **Declaration of Kevin Jeffay, Ph.D.** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)
- 66 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., Wayport, Inc., At&t, Inc., At&t Mobility, LLC, Lodgenet Interactive Corporation, Ibahn General Holdings Corp., Ethostream, LLC, Hot Point Wireless Inc., Netnearu Corp., Pronto Networks, Inc., Aptilo Networks, Inc., Freefi Networks., 2010 WL 3842257 (Expert Deposition) (E.D.Tex. Apr. 22, 2010) **(Deposition of Kevin Jeffay, Ph.D.)** (NO. 208-CV-00264-TJW-CE)
- 67 LINKSMART WIRELESS TECHNOLOGY LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendant., 2010 WL 3711477 (Expert Report and Affidavit) (E.D.Tex. Apr. 30, 2010) **Declaration Of Tal Lavian, Ph.D. in Support of Plaintiff Linksmart Wireless Technology, LLC'S Reply Claim Construction Brief** (NO. 208-CV-00264-DF-CE, 208-CV-00304-DF-CE, 208-CV-00385-DF-CE, 209-CV-00026-DF-CE)

**E.D.Tex. Trial Motions, Memoranda And Affidavits**

- 68 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155260 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 29, 2010) **Defendants' Motion to Exclude the Expert Declaration of Dr. Tal Lavian in Support of Plaintiff's Claim Construction Reply Brief** (NO. 208CV00264)
- 69 LINKSMART WIRELESS TECHNOLOGY, LLC, Plaintiff, v. T-MOBILE USA, INC., et al., Defendants., 2010 WL 2155261 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr. 30, 2010) **Plaintiff Linksmart Wireless Technology, LLC's Reply Claim Construction Brief** (NO. 208CV00264)

**E.D.Tex. Expert Resumes**

- 70 Kevin Jeffay, curriculum vitae filed in Linksmart Wireless Technology, LLC V. T-Mobile USA, Inc. et al, 2010 WL 5779215 (Court-filed Expert Resume) (E.D.Tex. Jan. 18, 2010) **Expert Resume of Kevin Jeffay** (NO. 208CV00264)
- 71 Tal Lavian, Ph.D., curriculum vitae filed in Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., et al, 2010 WL 3515006 (Court-filed Expert Resume) (E.D.Tex. May 23, 2010) **Expert Resume of Tal Lavian** (NO. 208CV00264)

**E.D.Tex.**

- 72 LINKSMART WIRELESS TECHNOLOGY, LLC v. T-MOBILE USA, INC. ET AL, NO. 2:08cv00264 (Docket) (E.D.Tex. Jul. 1, 2008)

**Patent Family**

- 73 AUTOMATIC DATA REDIRECTION SYSTEM FOR INTERNET COMMUNICATION, Derwent World Patents Legal 2000-072306+

**Assignments**

- 74 Action: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).  
Number of Pages: 012, (DATE RECORDED: Jul 02, 2008)
- 75 ACTION: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).  
NUMBER OF PAGES: 003, (DATE RECORDED: Jun 29, 1999)

**Patent Status Files**

- .. Request for Re-Examination, (OG DATE: Aug 28, 2012)
- .. Request for Re-Examination, (OG DATE: Aug 14, 2012)
- .. Request for Re-Examination, (OG DATE: Jul 24, 2012)
- .. Request for Re-Examination, (OG DATE: Apr 10, 2012)
- .. Re-Examination Certificate, (OG DATE: Mar 27, 2012)
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),
- .. Patent Suit(See LitAlert Entries),
- .. Request for Re-Examination, (OG DATE: Dec 02, 2008)
- .. Patent Suit(See LitAlert Entries),

**Docket Summaries**

- 87 LINKSMART WIRELESS TECHNOLOGY LLC v. T-MOBILE USA INC ET AL, (C.D.CAL. Apr 05, 2012) (NO. 8:12CV00522), (28 USC 1331)
- 88 LINKSMART WIRELESS TECHNOLOGY LLC v. TJ HOSPITALITY LTD ET AL, (E.D.TEX. Jul 29, 2010) (NO. 2:10CV00277), (15 USC 1126 PATENT INFRINGEMENT)

- 89 LINKSMART WIRELESS TECHNOLOGY LLC v. SIX CONTINENTS HOTELS INC ET AL, (E.D.TEX. Jan 21, 2009) (NO. 2:09CV00026), (28 USC 1338 PATENT INFRINGEMENT)
- 90 LINKSMART WIRELESS TECHNOLOGY, LLC v. SBC INTERNET SERVICES, INC., (E.D.TEX. Oct 09, 2008) (NO. 2:08CV00385), (15 USC 1126 PATENT INFRINGEMENT)
- 91 LINKSMART WIRELESS TECHNOLOGY, LLC v. CISCO SYSTEMS, INC. ET AL, (E.D.TEX. Aug 04, 2008) (NO. 2:08CV00304), (35 USC 271 PATENT INFRINGEMENT)
- 92 LINKSMART WIRELESS TECHNOLOGY, LLC v. T-MOBILE USA, INC. ET AL, (E.D.TEX. Jul 01, 2008) (NO. 2:08CV00264), (15 USC 1126 PATENT INFRINGEMENT)

**Litigation Alert**

- 93 Derwent LitAlert P2012-16-134 (Apr 05, 2012) Action Taken: CAUSE - 28 USC 1331 - COMPLAINT FOR PATENT INFRINGEMENT
- 94 Derwent LitAlert P2010-36-12 (Jul 29, 2010) Action Taken: 15 USC 1126 - COMPLAINT FOR PATENT INFRINGEMENT
- 95 Derwent LitAlert P2009-07-58 (Jan 21, 2009) Action Taken: Complaint
- 96 Derwent LitAlert P2009-06-09 (Aug 04, 2008) Action Taken: Complaint
- 97 Derwent LitAlert P2008-47-12 (Jul 01, 2008) Action Taken: Complaint

**Prior Art (Coverage Begins 1976)**

- C** 98 METHOD OF PROVIDING TEMPORARY ACCESS OF A CALLING UNIT TO AN ANONYMOUS UNIT, US PAT 6157829 Assignee: Motorola, Inc., (U.S. PTO Utility 2000)
- C** 99 SECURITY SYSTEM FOR INTERNET PROVIDER TRANSACTION, US PAT 5845070 Assignee: Auric Web Systems, Inc., (U.S. PTO Utility 1998)
- C** 100 SYSTEM AND METHOD FOR DATABASE ACCESS CONTROL, US PAT 5696898 Assignee: Lucent Technologies Inc., (U.S. PTO Utility 1997)
- C** 101 SYSTEM AND METHOD FOR PROVIDING PEER LEVEL ACCESS CONTROL ON A NETWORK, US PAT 6233686 Assignee: AT & T Corp., (U.S. PTO Utility 2001)

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**US District Court Civil Docket**

**U.S. District - California Central  
(Southern Division - Santa Ana)**

**8:12cv522**

**Linksmart Wireless Technology Llc v. T-Mobile USA Inc et al**

This case was retrieved from the court on Tuesday, March 19, 2013

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<b>Date Filed: 04/05/2012</b>	<b>Class Code: OPEN</b>
<b>Assigned To: Judge Andrew J. Guilford</b>	<b>Closed: No</b>
<b>Referred To: Magistrate Judge Arthur Nakazato</b>	<b>Statute: 28:1331</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Both</b>
<b>Cause: Fed. Question: Trademark</b>	<b>Demand Amount: \$75,000</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: None</b>	
<b>Jurisdiction: Federal Question</b>	

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Date	#	Proceeding Text	Source
04/05/2012	1	COMPLAINT against Defendants Best Western International Inc, Choice Hotels International Inc, Ethostream LLC, Ibahn General Holdings Corp, Intercontinental Hotels Group Resources Inc, Lodgenet Interactive Corp, Marriott International Inc, Ramada Worldwide Inc, Six Continents Hotels Inc and T-Mobile USA Inc. Case assigned to Judge Josephine Staton Tucker for all further proceedings. Discovery referred to Magistrate Judge Arthur Nakazato. (Filing fee \$ 350 Paid). Jury Demanded. Filed by Plaintiff Linksmart Wireless Technology LLC.(lwag) (lwag). (Entered: 04/06/2012)	
04/05/2012		21 DAY Summons Issued re Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) 1 as to Defendants Best Western International Inc, Choice Hotels International Inc, Ethostream LLC, Ibahn General Holdings Corp, Intercontinental Hotels Group Resources Inc, Lodgenet Interactive Corp, Marriott International Inc, Ramada Worldwide Inc, Six Continents Hotels Inc and T-Mobile USA Inc. (lwag) (Entered: 04/06/2012)	
04/05/2012	2	CERTIFICATION and Notice of Interested Parties filed by Plaintiff Linksmart Wireless Technology LLC. (lwag) (lwag). (Entered: 04/06/2012)	
04/05/2012	3	NOTICE of Related Case(s) filed by Plaintiff Linksmart Wireless Technology LLC. Related Case(s): 2:08-cv-00264-JRG-RSP; 2:09-cv-00026-DF-CE; 2:08-cv-00385-DF-CE and 2:08-cv-00304-DF-CE. (lwag) (lwag). (Entered: 04/06/2012)	
04/05/2012	4	REPORT ON THE FILING OF AN ACTION Regarding a Patent or a Trademark (Initial Notification) filed by Linksmart Wireless Technology LLC. (lwag) (Entered: 04/06/2012)	
04/05/2012	5	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed.(lwag) (Entered: 04/06/2012)	
04/09/2012	6	INITIAL STANDING ORDER for cases assigned to Judge Josephine Staton Tucker. (Guerrero, Terry) (Entered: 04/09/2012)	
04/17/2012	7	PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant T-Mobile USA Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)	
04/17/2012	8	PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Lodgenet Interactive Corp served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)	
04/17/2012	9	PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Ibahn General Holdings Corp served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)	
04/17/2012	10	PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Ethostream LLC served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by method of service not specified. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)	

04/17/2012)

- 04/17/2012 11 PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Ramada Worldwide Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)
- 04/17/2012 12 PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Marriott International Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)
- 04/17/2012 13 PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Six Continents Hotels Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)
- 04/17/2012 14 PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Intercontinental Hotels Group Resources Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)
- 04/17/2012 15 PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Choice Hotels International Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)
- 04/17/2012 16 PROOF OF SERVICE Executed by Plaintiff Linksmart Wireless Technology LLC, upon Defendant Best Western International Inc served on 4/10/2012, answer due 5/1/2012. Service of the Summons and Complaint were executed upon Counsel Pursuant to Stipulation Dated 4/3/2012 attached to Complaint as Exhibit B in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Weiss, Andrew) (Entered: 04/17/2012)
- 04/30/2012 17 NOTICE OF MOTION AND MOTION for Extend Time to File Answer to 6/11/2012 re Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) 1 filed by Plaintiff Linksmart Wireless Technology LLC. Motion set for hearing on 6/4/2012 at 10:00 AM before Judge Josephine Staton Tucker. (Attachments: # 1 Proposed Order)(Weiss, Andrew) (Entered: 04/30/2012)
- 05/01/2012 18 MINUTES (IN CHAMBERS): ORDER by Judge Josephine Staton Tucker: STRIKING NOTICE AND CONSENT TO EXTEND TIME 17 : (See document for details.) The Court orders the motion stricken, and orders Plaintiff's counsel to review carefully the local rules and this Court's ISO. (rla) (Entered: 05/02/2012)
- 05/08/2012 19 STIPULATION for Extension of Time to File Answer to 6/11/2012 re Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) 1 filed by Plaintiff Linksmart Wireless Technology LLC. (Attachments: # 1 Proposed Order EXHIBIT A)(Weiss, Andrew) (Entered: 05/08/2012)
- 05/08/2012 20 APPLICATION for attorney David E. Rogers to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10343977 paid.) filed by Defendant Best Western International Inc. (Attachments: # 1 Proposed Order)(Weldon, Elizabeth) (Entered: 05/08/2012)

- 05/09/2012 21 ORDER by Judge Josephine Staton Tucker: GRANTING Stipulation to Extend Time to Respond to Complaint 19 . The time for Defendants to answer to Plaintiff's Complaint for Patent Infringement Permanent Injunction and Damages shall be extended up to and including June 11, 2012. (rla) (Entered: 05/10/2012)
- 05/09/2012 23 ORDER by Judge Josephine Staton Tucker: granting 20 Application to Appear Pro Hac Vice by Attorney David E. Rogers on behalf of Defendant Best Western International, Inc., designating Elizabeth M. Weldon as local counsel. (lt) (Entered: 05/11/2012)
- 05/11/2012 22 APPLICATION for attorney Michael D. Broaddus to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10359988 paid.) filed by defendant Ibahn General Holdings Corp. (Attachments: # 1 Proposed Order)(Kinsel, Grant) (Entered: 05/11/2012)
- 05/11/2012 24 APPLICATION for attorney Sid Leach to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10363942 paid.) filed by Defendant Best Western International Inc. (Attachments: # 1 Proposed Order)(Weldon, Elizabeth) (Entered: 05/11/2012)
- 05/14/2012 25 APPLICATION for attorney Craig Lytle to Appear Pro Hac Vice. (PHV FEE PAID.) filed by defendant Marriott International Inc. Lodged order. (twdb) (Entered: 05/15/2012)
- 05/14/2012 26 APPLICATION for attorney Jeffrey Ahdoot to Appear Pro Hac Vice. (PHV FEE PAID.) filed by defendant Marriott International Inc. Lodged order. (twdb) (Entered: 05/15/2012)
- 05/14/2012 27 APPLICATION for attorney John Cuddihy to Appear Pro Hac Vice. (PHV FEE PAID.) filed by defendant Marriott International Inc. Lodged order. (twdb) (Entered: 05/15/2012)
- 05/17/2012 28 APPLICATION for attorney Kevin P. Anderson to Appear Pro Hac Vice. (PHV FEE PAID.) filed by defendant Choice Hotels International Inc. (nca) (Entered: 05/21/2012)
- 05/17/2012 29 APPLICATION for attorney Gregory R. Lyons to Appear Pro Hac Vice. (PHV FEE PAID.) filed by defendant Choice Hotels International Inc. (nca) (Entered: 05/21/2012)
- 05/24/2012 30 APPLICATION for attorney Brian M. Koide to Appear Pro Hac Vice. (PHV FEE PAID.) filed by defendant Marriott International Inc. Lodged order. (twdb) (Entered: 05/25/2012)
- 06/06/2012 31 ORDER by Judge Josephine Staton Tucker: granting 22 Application to Appear Pro Hac Vice by Attorney Michael D. Broaddus on behalf of iBAHN General Holding Corp, designating Grant E. Kinsel as local counsel. (lt) (Entered: 06/07/2012)
- 06/06/2012 32 ORDER by Judge Josephine Staton Tucker: granting 24 Application to Appear Pro Hac Vice by Attorney Sid Leach on behalf of Defendant Best Western International, Inc., designating Elizabeth M. Weldon as local counsel. (lt) (Entered: 06/07/2012)
- 06/06/2012 33 ORDER by Judge Josephine Staton Tucker: granting 25 Application to Appear Pro Hac Vice by Attorney Craig Lytle on behalf of Defendant Marriott International, Inc., designating John S. Gibson as local counsel. (lt) (Entered: 06/07/2012)
- 06/06/2012 34 ORDER by Judge Josephine Staton Tucker: granting 27 Application to Appear Pro Hac Vice by Attorney John Cuddihay on behalf of Defendant Marriott International, Inc., designating John S. Gibson as local counsel. (lt) (Entered: 06/07/2012)
- 06/06/2012 35 ORDER by Judge Josephine Staton Tucker: granting 29 Application to Appear Pro Hac Vice by Attorney Gregory R. Lyons on behalf of Defendant Choice Hotels International, Inc., designating George B. Newhouse, Jr. as local counsel. (lt) (Entered: 06/07/2012)
- 06/06/2012 36 ORDER by Judge Josephine Staton Tucker: granting 26 Application to Appear Pro Hac Vice by Attorney Jeffrey Abbot on behalf of Defendant Marriott International, Inc., designating John S. Gibson as local counsel. (lt) (Entered: 06/07/2012)

06/06/2012 37 ORDER by Judge Josephine Staton Tucker: granting 30 Application to Appear Pro Hac Vice by Attorney Brian Koide on behalf of Defendant Marriott International, Inc., designating John S. Gibson as local counsel. (It) (Entered: 06/07/2012)

06/06/2012 38 ORDER by Judge Josephine Staton Tucker: granting 28 Application to Appear Pro Hac Vice by Attorney Kevin P. Anderson on behalf of Defendant Choice Hotels International, Inc., designating George B. Newhouse, Jr. as local counsel. (It) (Entered: 06/07/2012)

06/11/2012 39 NOTICE of Manual Filing filed by Defendant Best Western International Inc of Answer, Defenses and Counterclaims. (Rogers, David) (Entered: 06/11/2012)

06/11/2012 40 NOTICE of Appearance filed by attorney David M Stein on behalf of Defendants Ethostream LLC, Ramada Worldwide Inc (Stein, David) (Entered: 06/11/2012)

06/11/2012 41 Certification and Notice of Interested Parties filed by Defendant Best Western International Inc, identifying Best Western International, Inc.. (Rogers, David) (Entered: 06/11/2012)

06/11/2012 42 ANSWER to Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) 1 filed by Defendant Ibahn General Holdings Corp.(Kinsel, Grant) (Entered: 06/11/2012)

06/11/2012 43 NOTICE of Manual Filing filed by Defendant T-Mobile USA Inc of Defendant T-Mobile USA, Inc.s Answer And Counterclaims; Defendant T-Mobile USA, Inc.s Corporate Disclosure Statement Pursuant To Federal Rules Of Civil Procedure 7.1 And Certification As To Interested Parties Pursuant To Local Rule 7.1-1; Proof Of Service. (Jay, Michael) (Entered: 06/11/2012)

06/11/2012 44 NOTICE of Manual Filing filed by Defendants Ethostream LLC, Ramada Worldwide Inc of Defendant Ramada Worldwide, Inc.'s Answer and Counterclaims; Defendant EthoStream, LLC's Answer and Counterclaims. (Stein, David) (Entered: 06/11/2012)

06/11/2012 45 ANSWER to Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) 1 with JURY DEMAND filed by Defendant Choice Hotels International Inc.(Newhouse, George) (Entered: 06/11/2012)

06/11/2012 46 CORPORATE DISCLOSURE STATEMENT filed by Defendant Choice Hotels International Inc (Newhouse, George) (Entered: 06/11/2012)

06/11/2012 47 Certificate and Notice of Interested Parties filed by Defendant Choice Hotels International Inc, (Newhouse, George) (Entered: 06/11/2012)

06/11/2012 48 NOTICE of Manual Filing filed by Defendant Marriott International Inc of Marriott International, Inc.'s Answer and Counterclaims to Linksmart Wireless Technology, LLC's Complaint. (Gibson, John) (Entered: 06/11/2012)

06/11/2012 49 NOTICE of Appearance filed by attorney John S Gibson on behalf of Defendant Marriott International Inc (Gibson, John) (Entered: 06/11/2012)

06/11/2012 50 Certification and Notice of Interested Parties filed by Defendant Marriott International Inc, identifying T.Rowe Price Associates, Inc.. (Gibson, John) (Entered: 06/11/2012)

06/11/2012 51 CORPORATE DISCLOSURE STATEMENT Pursuant to Fed. R. Civ. P. 7.1 filed by Defendant Marriott International Inc (Gibson, John) (Entered: 06/11/2012)

06/11/2012 52 Certificate of Interested Parties filed by Defendant Ibahn General Holdings Corp, (Kinsel, Grant) (Entered: 06/11/2012)

06/11/2012 53 STIPULATION Extending Time to Answer the complaint as to Lodgenet Interactive Corp answer now due 6/21/2012, filed by Plaintiff Linksmart Wireless Technology LLC. (Attachments: # 1 Proposed Order re Stipulation) (Weiss, Andrew) (Entered: 06/11/2012)

06/11/2012 54 CORPORATE DISCLOSURE STATEMENT filed by Defendant Ethostream LLC (Stein, David) (Entered: 06/11/2012)

06/11/2012 55 CORPORATE DISCLOSURE STATEMENT filed by Defendant Ramada Worldwide Inc (Stein, David) (Entered: 06/11/2012)

06/11/2012 56 Certification and Notice of Interested Parties filed by Defendant Ramada Worldwide Inc, (Stein, David) (Entered: 06/11/2012)

06/11/2012 57 Certification and Notice of Interested Parties filed by Defendant Ethostream

LLC, (Stein, David) (Entered: 06/11/2012)

06/11/2012 58 ANSWER to Complaint - (Discovery) 1 and COUNTERCLAIM against Linksmart Wireless Technology LLC filed by defendant Best Western International Inc. (twdb) (Entered: 06/12/2012)

06/11/2012 59 PROOF OF SERVICE filed by defendants Intercontinental Hotels Group Resources Inc, Six Continents Hotels Inc, served on 06/11/2012. (db) (Entered: 06/13/2012)

06/11/2012 61 RULE 7.1 DISCLOSURE STATEMENT; filed by Defendants Intercontinental Hotels Group Resources Inc, Six Continents Hotels Inc (rla) (Entered: 06/13/2012)

06/11/2012 62 ANSWER to Complaint (Discovery) 1 , AND COUNTERCLAIM against Linksmart Wireless Technology LLC; filed by defendants Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc.(rla) (Entered: 06/13/2012)

06/11/2012 63 ANSWER to Complaint - (Discovery) 1 , and COUNTERCLAIM against Linksmart Wireless Technology LLC; filed by defendant Ramada Worldwide Inc.(rla) (Entered: 06/13/2012)

06/11/2012 64 ANSWER to Complaint - (Discovery) 1 , and COUNTERCLAIM against Linksmart Wireless Technology LLC; filed by defendant Ethostream LLC.(rla) Modified on 6/13/2012 (rla). (Entered: 06/13/2012)

06/11/2012 65 ANSWER to Complaint - (Discovery) 1 , and COUNTERCLAIM against Linksmart Wireless Technology LLC; filed by defendant T-Mobile USA Inc.(rla) (Entered: 06/13/2012)

06/11/2012 66 ANSWER to Complaint - (Discovery) 1 , and COUNTERCLAIM against Linksmart Wireless Technology LLC; filed by defendant Marriott International Inc.(rla) (Entered: 06/13/2012)

06/11/2012 67 DEMAND for Jury Trial; filed by defendant Ibahn General Holdings Corp.(rla) (Entered: 06/13/2012)

06/11/2012 68 CORPORATE DISCLOSURE STATEMENT AND CERTIFICATION of Interested Parties; filed by defendant T-Mobile USA Inc, identifying Corporate Parent Deutsche Telekom AG, Corporate Parent T-Mobile Global Zwischenholding GmbH, Corporate Parent T-Mobile Global Holding GmbH, a German entity for T-Mobile USA Inc. (rla) (Entered: 06/13/2012)

06/11/2012 69 PROOF OF SERVICE of MANUALLY FILED DOCUMENTS filed by defendant/counterclaimant Marriott International Inc, ANSWER AND COUNTERCLAIMS served on 06/11/12. (rla) (Entered: 06/13/2012)

06/11/2012 70 PROOF OF SERVICE filed by defendant T-Mobile USA Inc, ANSWER AND COUNTERCLAIMS, AND CORPORATE DISCLOSURE STATEMENT AND CERTIFICATION AS TO INTERESTED PARTIES; served on 5/18/12. (rla) (Entered: 06/13/2012)

06/13/2012 60 ORDER granting Stipulation Extending Time to Respond to Complaint 53 by Judge Josephine Staton Tucker: The time for LodgeNet Interactive Corporation to answer Plaintiff's Complaint for Patent Infringement Permanent Injunction And Damages shall be extended up to and including June 21, 2012. (rla) (Entered: 06/13/2012)

06/14/2012 71 Defendant EthoStream, LLC's Demand For Trial by Jury re: Answer to Complaint (Discovery), Counterclaim 64 (Stein, David) (Entered: 06/14/2012)

06/14/2012 72 Defendant Ramada Worldwide, Inc.'s Demand For Trial by Jury re: Answer to Complaint (Discovery), Counterclaim 63 (Stein, David) (Entered: 06/14/2012)

06/21/2012 73 NOTICE of Manual Filing filed by Defendant Lodgenet Interactive Corp of Defendant Lodgenet Interactive Corp.'s Answer and Counterclaim to Complaint. (Beteta, Douglas) (Entered: 06/21/2012)

06/21/2012 74 CORPORATE DISCLOSURE STATEMENT AND NOTICE OF INTERESTED PARTIES filed by Defendant Lodgenet Interactive Corp (Beteta, Douglas) (Entered: 06/21/2012)

06/21/2012 75 NOTICE of Appearance filed by attorney Douglas J Beteta on behalf of Defendant Lodgenet Interactive Corp (Beteta, Douglas) (Entered: 06/21/2012)

06/21/2012 76 ANSWER to Complaint - (Discovery) 1 , AND COUNTERCLAIM against

Linksmart Wireless Technology LLC; filed by defendant Lodgenet Interactive Corp.(rla) (Entered: 06/25/2012)

- 06/26/2012 77 APPLICATION for attorney Brian G. Gilpin to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10581942 paid.) filed by Defendants Ethostream LLC, Ramada Worldwide Inc. (Attachments: # 1 Proposed Order On Application of Non-Resident Attorney To Appear in a Specific Case)(Stein, David) (Entered: 06/26/2012)
- 06/26/2012 78 APPLICATION for attorney James D. Peterson to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10582093 paid.) filed by Defendants Ethostream LLC, Ramada Worldwide Inc. (Attachments: # 1 Proposed Order on Application of Non-Resident Attorney to Appear in a Specific Case)(Stein, David) (Entered: 06/26/2012)
- 06/27/2012 79 NOTICE of Manual Filing filed by Counter Claimant Lodgenet Interactive Corp, Defendant Lodgenet Interactive Corp of Defendant Lodgenet Interactive Corp.'s First Amended Answer and Counterclaim to Complaint. (Beteta, Douglas) (Entered: 06/27/2012)
- 06/27/2012 80 NOTICE of Manual Filing filed by Counter Claimants Intercontinental Hotels Group Resources Inc, Six Continents Hotels Inc, Defendants Intercontinental Hotels Group Resources Inc, Six Continents Hotels Inc of Defendants Six Continents Hotels, Inc. and Intercontinental Hotels Group Resources, Inc.'s First Amended Answer and Counterclaims to Plaintiff Linksmart Wireless Technology, LLC's Complaint. (Gibson, Erin) (Entered: 06/27/2012)
- 06/27/2012 81 AMENDED ANSWER to Answer to Complaint (Discovery), and Counterclaim re 62 filed by defendants Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc. (twdb) (Entered: 06/28/2012)
- 06/27/2012 82 AMENDED ANSWER to Answer to Complaint (Discovery), and Counterclaim re 76 filed by defendant Lodgenet Interactive Corp. (twdb) (Entered: 06/28/2012)
- 06/28/2012 83 ORDER by Judge Josephine Staton Tucker: granting 77 Application to Appear Pro Hac Vice by Attorney Brian G. Gilpin on behalf of Defendants EthoStream and Ramada Worldwide, Inc., designating David Stein as local counsel. (lt) (Entered: 06/29/2012)
- 06/28/2012 84 ORDER by Judge Josephine Staton Tucker: granting 78 Application to Appear Pro Hac Vice by Attorney James D. Peterson on behalf of Defendants EthoStream and Ramada Worldwide, Inc., designating David Stein as local counsel. (lt) (Entered: 06/29/2012)
- 06/28/2012 85 ORDER by Judge Josephine Staton Tucker SETTING SCHEDULING CONFERENCE FOR OCTOBER 19, 2012 at 1:30 P.M., COURTROOM 10-A before Judge Josephine Staton Tucker. (rrp) (Entered: 06/29/2012)
- 07/02/2012 86 APPLICATION for attorney ERIN GREENFIELD MEHTA to Appear Pro Hac Vice (PHV Fee of \$325 receipt number 0973-10608353 paid.) filed by DEFENDANT T-Mobile USA Inc. (Attachments: # 1 Proposed Order ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE)(Jay, Michael) (Entered: 07/02/2012)
- 07/02/2012 87 APPLICATION for attorney SADAF R ABDULLAH to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10608562 paid.) filed by DEFENDANT T-Mobile USA Inc. (Attachments: # 1 Proposed Order ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE)(Jay, Michael) (Entered: 07/02/2012)
- 07/02/2012 88 APPLICATION for attorney DAVID B. BASSETT to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10608630 paid.) filed by DEFENDANT T-Mobile USA Inc. (Attachments: # 1 Supplement ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE)(Jay, Michael) (Entered: 07/02/2012)
- 07/02/2012 89 APPLICATION for attorney ADAM ROMERO to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10608826 paid.) filed by DEFENDANT T-Mobile USA Inc. (Attachments: # 1 Proposed Order ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE)(Jay, Michael) (Entered: 07/02/2012)
- 07/02/2012 90 APPLICATION for attorney NOAH A. LEVINE to Appear Pro Hac Vice(PHV Fee of

- \$325 receipt number 0973-10608879 paid.) filed by DEFENDANT T-Mobile USA Inc. (Attachments: # 1 Proposed Order ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE)(Jay, Michael) (Entered: 07/02/2012)
- 07/02/2012 91 APPLICATION for attorney KATE SAXTON to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-10608931 paid.) filed by DEFENDANT T-Mobile USA Inc. (Attachments: # 1 Proposed Order ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE)(Jay, Michael) (Entered: 07/02/2012)
- 07/05/2012 92 Linksmart's ANSWER to Answer to Complaint (Discovery), Counterclaim 64 filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/05/2012)
- 07/05/2012 93 Linksmart's ANSWER to Answer to Complaint (Discovery), Counterclaim 63 filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/05/2012)
- 07/05/2012 94 Linksmart's ANSWER to Answer to Complaint (Discovery), Counterclaim 58 filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/05/2012)
- 07/05/2012 95 Linksmart's ANSWER to Answer to Complaint (Discovery), Counterclaim 66 filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/05/2012)
- 07/05/2012 96 Linksmart's ANSWER to Answer to Complaint (Discovery), Counterclaim 65 filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/05/2012)
- 07/05/2012 97 ANSWER Linksmart filed by Plaintiff Linksmart Wireless Technology LLC. (Fenster, Marc) (Entered: 07/05/2012)
- 07/05/2012 98 ORDER by Judge Josephine Staton Tucker: granting 86 Application to Appear Pro Hac Vice by Attorney Erin Greenfield Mehta on behalf of Defendant T-Mobile, designating Michael D. Jay as local counsel. (It) (Entered: 07/06/2012)
- 07/05/2012 99 ORDER by Judge Josephine Staton Tucker: granting 87 Application to Appear Pro Hac Vice by Attorney Sadaf R. Abdullah on behalf of Defendant T-Mobile, designating Michael D. Jay as local counsel. (It) (Entered: 07/06/2012)
- 07/05/2012 100 ORDER by Judge Josephine Staton Tucker: granting 88 Application to Appear Pro Hac Vice by Attorney David B. Bassett on behalf of Defendant T-Mobile, designating Michael D. Jay as local counsel. (It) (Entered: 07/06/2012)
- 07/05/2012 101 ORDER by Judge Josephine Staton Tucker: granting 89 Application to Appear Pro Hac Vice by Attorney Adam Romero on behalf of Defendant T-Mobile, designating Michael D. Jay as local counsel. (It) (Entered: 07/06/2012)
- 07/05/2012 102 ORDER by Judge Josephine Staton Tucker: granting 90 Application to Appear Pro Hac Vice by Attorney Noah A. Levine on behalf of Defendant T-Mobile, designating Michael D. Jay as local counsel. (It) (Entered: 07/06/2012)
- 07/05/2012 103 ORDER by Judge Josephine Staton Tucker: granting 91 Application to Appear Pro Hac Vice by Attorney Kate Saxton on behalf of Defendant T-Mobile, designating Michael D. Jay as local counsel. (It) (Entered: 07/06/2012)
- 07/10/2012 104 NOTICE of Change of address by Noah A Levine attorney for Plaintiff Linksmart Wireless Technology LLC. Changing attorneys address to 7 World Trade Center, New York, NY 10007. Filed by Plaintiff Linksmart Wireless Technology LLC. (Levine, Noah) (Entered: 07/10/2012)
- 07/16/2012 105 ANSWER to LodgeNet Interactive Corp.'s First Amended Counterclaims filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/16/2012)
- 07/16/2012 106 ANSWER to Six Continents Hotels, Inc. and Intercontinental Hotels Group Resources, Inc.'s First Amended Counterclaims filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 07/16/2012)
- 07/26/2012 107 NOTICE of Manual Filing filed by Counter Claimant Marriott International Inc, Defendant Marriott International Inc of Marriott International, Inc.'s First Amended Answer and Counterclaims to Linksmart Wireless Technology, LLC's Complaint. (Gibson, John) (Entered: 07/26/2012)



- 07/26/2012 108 FIRST AMENDED ANSWER AND COUNTERCLAIMS to Answer to Complaint (Discovery), Counterclaim 66 ; filed by defendant Marriott International Inc. (rla) (Entered: 07/27/2012)
- 07/26/2012 109 PROOF OF SERVICE filed by defendant/counterclaimant Marriott International Inc, re First Amended Answer to Complaint 108 ; served on 7/26/2012: (rla) (Entered: 07/27/2012)
- 08/01/2012 110 NOTICE of Change of address by Adam P Romero attorney for Defendant T-Mobile USA Inc. Changing attorneys address to 7 World Trade Center, New York, NY 10007. Filed by Defendant T-Mobile USA Inc. (Romero, Adam) (Entered: 08/01/2012)
- 08/16/2012 111 ANSWER to Defendant Marriott International filed by Plaintiff Linksmart Wireless Technology LLC.(Fenster, Marc) (Entered: 08/16/2012)
- 08/17/2012 112 NOTICE of Appearance filed by attorney Michael Terrence Boardman on behalf of Plaintiff Linksmart Wireless Technology LLC (Boardman, Michael) (Entered: 08/17/2012)
- 09/12/2012 113 NOTICE of Appearance filed by attorney Larry C Russ on behalf of Plaintiff Linksmart Wireless Technology LLC (Russ, Larry) (Entered: 09/12/2012)
- 10/04/2012 114 NOTICE of Appearance filed by attorney Nandan R Padmanabhan on behalf of Counter Claimant T-Mobile USA Inc, Defendant T-Mobile USA Inc (Padmanabhan, Nandan) (Entered: 10/04/2012)
- 10/04/2012 115 NOTICE of Change of Attorney Information for attorney Nandan R Padmanabhan counsel for Counter Claimant T-Mobile USA Inc, Defendant T-Mobile USA Inc. Michael D. Jay is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-06 Notice. Filed by defendant T-Mobile USA, Inc. (Padmanabhan, Nandan) (Entered: 10/04/2012)
- 10/05/2012 116 JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 10 days, filed by Plaintiff Linksmart Wireless Technology LLC.. (Attachments: # 1 Exhibit A - Joint Schedule)(Weiss, Andrew) (Entered: 10/05/2012)
- 10/17/2012 117 MINUTE ORDER IN CHAMBERS by Judge Josephine Staton Tucker, VACATING SCHEDULING CONFERENCE AND SETTING CASE MANAGEMENT DATES: Scheduling Conference set for hearing on October 19, 2012, is VACATED and taken off calendar, and the following dates are set. Counsel's attention is directed to the Court's Order on Jury Trial filed concurrently with this minute order. Amended Pleadings due by 1/18/2013. Last date to conduct settlement conference is 4/7/2014. Final Pretrial Conference set for 5/30/2014 01:30 PM. Jury Trial set for 6/17/2014 09:00 AM. (See document for further details.) (rla) (Entered: 10/17/2012)
- 10/17/2012 118 ORDER by Judge Josephine Staton Tucker, ON JURY TRIAL: Final Pretrial Conference: May 30, 2014 at 1:30 p.m.; Exhibit Conference June 13, 2014 at 3:30 p.m.; Trial: June 17, 2014 at 9:00 a.m. (See document for further details.) (rla) (Entered: 10/17/2012)
- 10/17/2012 119 ORDER/REFERRAL to ADR Procedure No 3 by Judge Josephine Staton Tucker. Case ordered to a private mediator based upon a stipulation of the parties or by the court order. ADR Proceeding to be held no later than 4/7/14. (twdb) (Entered: 10/17/2012)
- 01/25/2013 120 NOTICE OF MOTION AND MOTION to Stay Case pending Outcome Of Inter Partes Reexamination and Ex Parte Reexamination filed by Defendant Best Western International Inc. Motion set for hearing on 3/15/2013 at 02:30 PM before Judge Josephine Staton Tucker. (Attachments: # 1 Declaration David E. Rogers, # 2 Proposed Order)(Rogers, David) (Entered: 01/25/2013)
- 01/28/2013 121 STIPULATION for Order to Set Briefing Dates re Motion to Stay Litigation Pending Outcome of Inter Partes Reexamination and Ex Parte Reexamination filed by Defendant Best Western International Inc. (Attachments: # 1 Proposed Order)(Rogers, David) (Entered: 01/28/2013)
- 02/05/2013 122 ORDER TO REASSIGN CASE due to self-recusal pursuant to General Order 08-05 by Judge Josephine Staton Tucker. Case transferred from Judge Josephine Staton Tucker to the calendar of Judge Andrew J. Guilford for all further proceedings. Case number now reads as SACV12-522 AG(ANx). (twdb) (Entered: 02/05/2013)

- 02/11/2013 123 NOTICE OF MOTION re MOTION to Stay Case pending Outcome Of Inter Partes Reexamination and Ex Parte Reexamination 120 [Amended Notice of Hearing] filed by Defendant Best Western International Inc. Motion set for hearing on 3/11/2013 at 10:00 AM before Judge Andrew J. Guilford. (Weldon, Elizabeth) (Entered: 02/11/2013)
- 02/11/2013 124 Plaintiff Linksmart Wireless Technology, LLC's Opposition re: MOTION to Stay Case pending Outcome Of Inter Partes Reexamination and Ex Parte Reexamination 120 filed by Plaintiff Linksmart Wireless Technology LLC. (Attachments: # 1 Declaration of Andrew D. Weiss in support of Opposition to Motion to Stay Case Litigation, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Proposed Order Denying Motion to Stay Case Litigation)(Weiss, Andrew) (Entered: 02/11/2013)
- 02/12/2013 125 ORDER by Judge Andrew J. Guilford, re Stipulation for Order 121 . ORDERS as follows: 1. Plaintiff shall file and serve any opposition to the Motion on or before February 11, 2013. 2. Defendants shall file and serve any reply relating to the Motion on or before February 22, 2013. (twdb) (Entered: 02/12/2013)
- 02/15/2013 126 NOTICE filed by Defendant-Counterclaimant Lodgenet Interactive Corp. of Stay Under 11 U.S.C. Section 362 (Beteta, Douglas) (Entered: 02/15/2013)
- 02/15/2013 127 STATEMENT Joint Claim Construction and Prehearing filed by Defendant T-Mobile USA Inc (Attachments: # 1 Exhibit Ex. A to Joint Claim Construction and Prehearing Statement)(Padmanabhan, Nandan) (Entered: 02/15/2013)
- 02/22/2013 128 REPLY in support of MOTION to Stay Case pending Outcome Of Inter Partes Reexamination and Ex Parte Reexamination 120 filed by Defendant Best Western International Inc. (Attachments: # 1 Exhibit 2 - Declaration of David E. Rogers [Exs. 2A-2F])(Rogers, David) (Entered: 02/22/2013)
- 03/11/2013 129 MINUTES OF Motion Hearing held before Judge Andrew J. Guilford: DEFENDANTS' MOTION TO STAY LITIGATION PENDING OUTCOME OF INTER PARTES REEXAMINATION AND EX PARTE REEXAMINATION [DKT #120, 123]: Cause is called for hearing and counsel make their appearances. Matter is argued and taken under submission. Court Reporter: Denise Paddock. (rla) (Entered: 03/11/2013)
- 03/14/2013 130 MINUTES (IN CHAMBERS): ORDER by Judge Andrew J. Guilford: DENYING MOTION TO STAY LITIGATION PENDING OUTCOME OF EX PARTE AND INTER PARTES REEXAMINATIONS: (See document for details.) (rla) (Entered: 03/15/2013)
- 03/18/2013 131 TRANSCRIPT ORDER as to Defendant and Counterclaimant T-Mobile USA Inc Court Reporter. Court will contact Adam Romero at adam.romero@wilmerhale.com with any questions regarding this order. Transcript portion requested: Other: 3/11/2013 Hearing on Motion to Stay Litigation. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Romero, Adam) (Entered: 03/18/2013)
- 04/01/2013 132 STIPULATION for Extension of Time to File Responsive Claim Construction Brief and Plaintiff's Reply Claim Construction Brief and to Conduct the Depositions of Dr. Kevin Jeffay and Dr. Tal Lavian filed by Plaintiff Linksmart Wireless Technology LLC. (Attachments: # 1 Proposed Order)(Weiss, Andrew) (Entered: 04/01/2013) Events  
<br>since&nbsplast  
<br>full&nbsupdate
- 04/01/2013 133 Plaintiff Linksmart Wireless Technology, LLC's Opening Claim Construction Brief BRIEF filed by Plaintiff Linksmart Wireless Technology LLC. (Weiss, Andrew) (Entered: 04/01/2013) Events  
<br>since&nbsplast  
<br>full&nbsupdate
- 04/01/2013 134 DECLARATION of Andrew D. Weiss re Brief (non-motion non-appeal) 133 filed by Plaintiff Linksmart Wireless Technology LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Weiss, Andrew) (Entered: 04/01/2013) Events  
<br>since&nbsplast  
<br>full&nbsupdate

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**US District Court Civil Docket**

**U.S. District - Texas Eastern  
(Marshall)**

**2:10cv277**

**Linksmart Wireless Technology Llc VS TJ Hospitality Ltd et al**

This case was retrieved from the court on Tuesday, July 10, 2012

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<b>Date Filed: 07/29/2010</b>	<b>Class Code: CLOSED</b>
<b>Assigned To: Judge T John Ward</b>	<b>Closed: Yes</b>
<b>Referred To:</b>	<b>Statute: 15:1126</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Plaintiff</b>
<b>Cause: Patent Infringement</b>	<b>Demand Amount: \$0</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: None</b>	
<b>Jurisdiction: Federal Question</b>	

**Litigants**

**Attorneys**

Linksmart Wireless Technology, Llc  
Plaintiff

Marc A Fenster  
[COR LD NTC]  
Russ August & Kabat  
12424 Wilshire Boulevard  
12TH Floor  
Los Angeles , CA 90025  
USA  
310/ 826-7474  
Fax: 310/ 826-6991  
Email: Mfenster@raklaw.com

Tj Hospitality Ltd  
[Term: 11/30/2010]  
Defendant

Mmd Hotel Kilgore LP  
[Term: 11/30/2010]  
Defendant

Heritage Inn Number Xiv  
[Term: 11/30/2010]  
Defendant

Eight Pack Tyler LP  
[Term: 11/30/2010]  
Defendant

Heritage Inn Number X  
[Term: 11/30/2010]  
Defendant

B D & Sons Ltd  
[Term: 11/30/2010]

Defendant

Heritage Inn Number Xii  
[Term: 11/30/2010]  
Defendant

Carlex Hospitality Llc  
[Term: 11/30/2010]  
Defendant

Prus, Llc  
[Term: 11/30/2010]  
Defendant

Meritax, Llc  
[Term: 11/30/2010]  
Defendant

281 Lodging Partnership, Ltd  
Defendant

Longview Hotel Partners Inc  
[Term: 11/30/2010]  
Defendant

Hwy 259 Lodging Llc.  
[Term: 11/30/2010]  
Defendant

Nyr Property Corp  
[Term: 11/30/2010]  
Defendant

I-30 Hospitality Llc  
[Term: 11/30/2010]  
Defendant

Amit C Patel  
[Term: 11/30/2010]  
Defendant

Jyotika A Patel  
[Term: 11/30/2010]  
Defendant

Krishan Inc  
[Term: 11/30/2010]  
Defendant

Date	#	Proceeding Text	Source
07/29/2010	1	COMPLAINT against 281 Lodging Partnership, Ltd., B D & Sons Ltd., Carlex Hospitality LLC, Eight Pack Tyler LP, Heritage Inn Number X, Heritage Inn Number XII, Heritage Inn Number XIV, Hwy 259 Lodging LLC, I-30 Hospitality LLC, Krishan Inc., Longview Hotel Partners Inc., MMD Hotel Kilgore LP, Meritax, LLC, NYR Property Corp., Amit C. Patel, Jyotika A. Patel, Prus, LLC, TJ Hospitality Ltd. ( Filing fee \$ 350 receipt number 0540-2597118.), filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit A, # 2 Civil Cover Sheet)(Fenster, Marc) (Additional attachment(s) added on 7/30/2010: # 3 Revised Civil Cover Sheet) (ehs, ). (Entered: 07/29/2010)	
07/29/2010	2	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Fenster, Marc) (Entered: 07/29/2010)	
07/29/2010	3	CORPORATE DISCLOSURE STATEMENT filed by Linksmart Wireless Technology, LLC (Fenster, Marc) (Entered: 07/29/2010)	
07/29/2010	4	NOTICE by Linksmart Wireless Technology, LLC of Related Cases (Fenster, Marc) (Entered: 07/29/2010)	
07/30/2010	--	Judge T. John Ward added. (ehs, ) (Entered: 07/30/2010)	

07/30/2010 -- In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form Consent to Proceed Before Magistrate Judge is available here by clicking on the hyperlink and is also on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event Notice of Consent to Proceed Before Magistrate Judge . (ehs, ) (Entered: 07/30/2010)

07/30/2010 5 E-GOV SEALED SUMMONS Issued as to 281 Lodging Partnership, Ltd., B D & Sons Ltd., Carlex Hospitality LLC, Eight Pack Tyler LP, Heritage Inn Number X, Heritage Inn Number XII, Heritage Inn Number XIV, Hwy 259 Lodging LLC, I-30 Hospitality LLC, Amit C. Patel. (Attachments: # 1 281 Lodging, # 2 Amit, # 3 BD & Sons, # 4 Carlex, # 5 Eight Pack, # 6 Hwy 259, # 7 Heritage Inn No X, # 8 Heritage Inn No XIV)(ehs, ) (Entered: 07/30/2010)

07/30/2010 6 E-GOV SEALED SUMMONS Issued as to Krishan Inc., Longview Hotel Partners Inc., MMD Hotel Kilgore LP, Meritax, LLC, NYR Property Corp., Jyotika A. Patel, Prus, LLC, TJ Hospitality Ltd.. (Attachments: # 1 Krishan, # 2 Longview Hotel, # 3 MMD Hotel Kilgore, # 4 Meritax, # 5 NYR Property, # 6 Prus, # 7 TJ Hospitality)(ehs, ) (Entered: 07/30/2010)

11/29/2010 7 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 8 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 9 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 10 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 11 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 12 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 13 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 14 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 15 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 16 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 17 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 18 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 19 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 20 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 21 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 22 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 23 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/29/2010 24 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 11/29/2010)

11/30/2010 25 ORDER - granting 19 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Longview Hotel Partners Inc. are hereby dismissed without prejudice.

Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)

- 11/30/2010 26 ORDER - granting 16 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant I-30 Hospitality LLC are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 27 ORDER - granting 17 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Jyotika A. Patel are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 28 ORDER - granting 20 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Meritax, LLC are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 29 ORDER - granting 14 Notice of Dismissal. All claims asserted by Plaintiff against Defendant Heritage Inn Number XIV are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 30 ORDER - granting 12 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Heritage Inn Number X are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 31 ORDER - granting 13 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Heritage Inn Number XII are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 32 ORDER - granting 15 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Hwy 259 Lodging LLC are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 33 ORDER - granting 10 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Carlex Hospitality LLC are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 34 ORDER - granting 11 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Eight Pack Tyler LP are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 35 ORDER - granting 21 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant MMD Hotel Kilgore LP are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 36 ORDER - granting 18 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Krishan Inc. are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Magistrate Judge Charles Everingham on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 37 ORDER - granting 22 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant NYR Property Corp. are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 38 ORDER - granting 23 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant Prus, LLC are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 39 ORDER - granting 24 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant TJ Hospitality Ltd. are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)
- 11/30/2010 40 ORDER - granting - 8 Notice of Voluntary Dismissal. All claims asserted by Plaintiff

against Defendant Amit C. Patel are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)

11/30/2010 41 ORDER - granting 9 Notice of Voluntary Dismissal. All claims asserted by Plaintiff against Defendant B D & Sons Ltd. are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)

11/30/2010 42 ORDER - granting 7 Notice of Dismissal. All claims asserted by Plaintiff against Defendant 281 Lodging Hotel Partners Inc. are hereby dismissed without prejudice. Each party will bear its own costs and attorneys fees. Signed by Judge T. John Ward on 11/30/2010. (ch, ) (Entered: 11/30/2010)

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**US District Court Civil Docket**

**U.S. District - Texas Eastern  
(Marshall)**

**2:09cv26**

**Linksmart Wireless Technology Llc v. Six Continents Hotels Inc et al**

This case was retrieved from the court on Tuesday, July 10, 2012

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<b>Date Filed: 01/21/2009</b>	<b>Class Code: CLOSED</b>
<b>Assigned To: Judge David Folsom</b>	<b>Closed: Yes</b>
<b>Referred To: Magistrate Judge Caroline Craven</b>	<b>Statute: 28:1338</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Defendant</b>
<b>Cause: Patent Infringement</b>	<b>Demand Amount: \$0</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: 2:08-cv-00385-DF</b>	
<b>Jurisdiction: Federal Question</b>	

**Litigants**

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Date	#	Proceeding Text	Source
01/21/2009	1	COMPLAINT against Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc ( Filing fee \$ 350 receipt number 0540000000001843024.), filed by Linksmart Wireless Technology LLC. (Attachments: # 1 Exhibit A, # 2 Civil Cover Sheet)(Fenster, Marc) (Entered: 01/21/2009)	
01/21/2009	2	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Fenster, Marc) (Entered: 01/21/2009)	
01/21/2009	3	CORPORATE DISCLOSURE STATEMENT filed by Linksmart Wireless Technology LLC (Fenster, Marc) (Entered: 01/21/2009)	
01/21/2009	4	NOTICE by Linksmart Wireless Technology LLC of Related Cases (Fenster, Marc) (Entered: 01/21/2009)	
01/21/2009	5	E-GOV SEALED SUMMONS Issued as to Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc. (Attachments: # 1 summons InterContinental Hotels)(ehs, ) (Entered: 01/21/2009)	
01/21/2009	6	ORDER REFERRING CASE for Pretrial proceedings to Magistrate Judge Charles Everingham. Signed by Judge T. John Ward on 1/21/09. (ehs, ) (Entered: 01/21/2009)	
01/21/2009	7	Magistrate Consent Form Mailed to Linksmart Wireless Technology LLC (ehs, ) (Entered: 01/21/2009)	
01/22/2009	8	NOTICE of Attorney Appearance by Andrew D Weiss on behalf of Linksmart Wireless Technology LLC (Weiss, Andrew) (Entered: 01/22/2009)	
01/22/2009	9	NOTICE of Attorney Appearance by Andrew Wesley Spangler on behalf of Linksmart Wireless Technology LLC (Spangler, Andrew) (Entered: 01/22/2009)	
01/23/2009	10	Joint MOTION to Consolidate Cases by Linksmart Wireless Technology LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 01/23/2009)	
02/03/2009	11	ORDER REASSIGNING CASE. Case reassigned to Judge David Folsom for all further proceedings. Judge T. John Ward no longer assigned to case. Signed by Judge T. John Ward on 2/2/09. (ch, ) (Entered: 02/03/2009)	
02/06/2009	12	E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology LLC. Intercontinental Hotels Group Resources Inc served on 1/21/2009 to John Guaragna DLA Piper by CM RRR, answer due 2/10/2009. (ehs, ) (Entered: 02/06/2009)	
02/06/2009	13	E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology LLC. Six Continents Hotels Inc served on 1/21/2009 to John Guaragna, DLA Piper by CM RRR, answer due 2/10/2009. (ehs, ) (Entered: 02/06/2009)	
02/10/2009	14	ANSWER to 1 Complaint,, COUNTERCLAIM against Linksmart Wireless Technology LLC by Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc.(Guaragna, John) (Entered: 02/10/2009)	
02/10/2009	15	CORPORATE DISCLOSURE STATEMENT filed by Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc identifying Corporate Parent InterContinental Hotels Group PLC for Intercontinental Hotels Group Resources Inc, Six Continents Hotels Inc. (Guaragna, John) (Entered: 02/10/2009)	
02/27/2009	16	ANSWER to 14 Answer to Complaint, Counterclaim by Linksmart Wireless Technology LLC.(Weiss, Andrew) (Entered: 02/27/2009)	

- 04/22/2009 17 NOTICE of Change of Address by John M Guaragna (Guaragna, John) (Entered: 04/22/2009)
- 05/01/2009 18 ORDER granting 10 Motion to Consolidate Cases. ORDERED that the above- captioned actions are consolidated for all purposes pursuant to Federal Rule of Civil Procedure 42 (a) and Local Rule CV-42(b) and (c).. Signed by Magistrate Judge Charles Everingham on 5/1/09. (ch, ) (Entered: 05/01/2009)
- 05/01/2009 -- NOTICE OF FILING DOCUMENTS IN CONSOLIDATED CASES re 18 Order on Motion to Consolidate Cases. ALL FUTURE FILINGS TO BE FILED IN LEAD CASE 2:08cv264 ONLY (ehs, ) (Entered: 09/03/2009)
- 05/04/2009 19 NOTICE of Hearing: Scheduling Conference set for 6/3/2009 10:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Charles Everingham. (jml, ) (Entered: 05/04/2009)
- 05/06/2009 20 Notice of Scheduling Conference, Proposed Deadlines for Docket Control Order and Discovery Order. Scheduling Conference set for 6/3/2009 10:00 AM before Magistrate Judge Charles Everingham. The parties are directed to meet and confer in accordance with Fed. R. Civ. P. 26(f) no later than 5/27/09. Signed by Magistrate Judge Charles Everingham on 5/5/09. (ch, ) (Entered: 05/06/2009)
- 06/01/2009 21 REPORT of Rule 26(f) Planning Meeting. (Attachments: # 1 Exhibit A - Proposed Docket Control Order)(Weiss, Andrew) (Additional attachment(s) added on 6/1/2009: # 2 Revised Scheduling Order) (sm, ). (Entered: 06/01/2009)
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- 07/06/2010 23 NOTICE OF FILING OF OFFICIAL TRANSCRIPT of CLAIM CONSTRUCTION HEARING held on 5/25/10 before Judge Chad Everingham. Court Reporter/Transcriber: Shelly Holmes, CSR, Telephone number: (903) 663-5083. (116 Pages) NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/30/2010. Redacted Transcript Deadline set for 8/9/2010. Release of Transcript Restriction set for 10/7/2010. (tja, ) (Entered: 07/06/2010)
- 07/19/2011 24 ORDER ADMINISTRATIVELY CLOSED. Signed by Judge David Folsom on 7/19/11. (mrm, ) (Entered: 07/19/2011)
- 02/06/2012 25 ORDER REFERRING CASE for pretrial purposes to Magistrate Judge Caroline Craven. Signed by Judge David Folsom on 2/6/12. (ehs, ) (Entered: 02/06/2012)

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**US District Court Civil Docket**

**U.S. District - Texas Eastern  
(Marshall)**

**2:09cv26**

**Linksmart Wireless Technology Llc v. Six Continents Hotels Inc et al**

This case was retrieved from the court on Tuesday, July 10, 2012

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<b>Date Filed: 01/21/2009</b>	<b>Class Code: CLOSED</b>
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**Litigants**

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- 02/06/2012 25 ORDER REFERRING CASE for pretrial purposes to Magistrate Judge Caroline Craven. Signed by Judge David Folsom on 2/6/12. (ehs, ) (Entered: 02/06/2012)

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**US District Court Civil Docket**

**U.S. District - Texas Eastern  
(Marshall)**

**2:08cv385**

**Linksmart Wireless Technology, Llc v. Sbc Internet Services, Inc**

This case was retrieved from the court on Tuesday, July 10, 2012

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<b>Date Filed: 10/09/2008</b>	<b>Class Code: CLOSED</b>
<b>Assigned To: Judge David Folsom</b>	<b>Closed: Yes</b>
<b>Referred To: Magistrate Judge Caroline Craven</b>	<b>Statute: 15:1126</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Both</b>
<b>Cause: Patent Infringement</b>	<b>Demand Amount: \$0</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: 2:09-cv-00026-DF</b>	
<b>Jurisdiction: Federal Question</b>	

**Litigants**

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Plaintiff

**Attorneys**

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Date	#	Proceeding Text	Source
10/10/2008	1	COMPLAINT AND DEMAND FOR JURY TRIAL against SBC Internet Services, Inc. (Filing fee \$ 350 receipt number 0540000000001724676), filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Civil Cover Sheet)(ch, ) (Entered: 10/10/2008)	
10/10/2008	--	Case Assigned to Judge T. John Ward. (ch, ) (Entered: 10/10/2008)	
10/10/2008	2	Magistrate Consent Form Mailed to Linksmart Wireless Technology, LLC (ch, ) (Entered: 10/10/2008)	
10/10/2008	3	E-GOV SEALED SUMMONS Issued as to SBC Internet Services, Inc.. (ch, ) (Entered: 10/10/2008)	
10/10/2008	4	CORPORATE DISCLOSURE STATEMENT filed by Linksmart Wireless Technology, LLC (Fenster, Marc) (Entered: 10/10/2008)	
10/10/2008	5	NOTICE by Linksmart Wireless Technology, LLC of Related Cases (Fenster, Marc) (Entered: 10/10/2008)	
10/10/2008	6	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Fenster, Marc) (Entered: 10/10/2008)	
10/23/2008	7	E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. SBC Internet Services, Inc. served on 10/14/2008, answer due 11/3/2008. (ehs, ) (Entered: 10/23/2008)	
11/03/2008	8	ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by SBC Internet Services, Inc..(Sayles, Richard) (Entered: 11/03/2008)	
11/03/2008	9	CORPORATE DISCLOSURE STATEMENT filed by SBC Internet Services, Inc. identifying Corporate Parent AT&T Inc., Other Affiliate AT&T Mobility LLC, Other Affiliate AT&T Mobility Corporation, Other Affiliate SBC Long Distance, LLC, Other Affiliate SBC Alloy Holdings, Inc., Other Affiliate BLS Cingular Holdings, LLC, Other Affiliate BellSouth Mobile Data, Inc. for SBC Internet Services, Inc.. (Sayles, Richard) (Entered: 11/03/2008)	
11/03/2008	10	NOTICE of Attorney Appearance by Eve L Henson on behalf of SBC Internet Services, Inc. (Henson, Eve) (Entered: 11/03/2008)	
11/17/2008	11	APPLICATION to Appear Pro Hac Vice by Attorney Rachel D Sher for SBC Internet Services, Inc. (APPROVED) (FEE PAID) 2-1-4232. (ch, ) (Entered: 11/19/2008)	
11/17/2008	12	APPLICATION to Appear Pro Hac Vice by Attorney David T Pritikin for SBC Internet Services, Inc. (APPROVED)(FEE PAID) 2-1-4232. (ch, ) (Entered: 11/19/2008)	
11/17/2008	13	APPLICATION to Appear Pro Hac Vice by Attorney Richard T McCaulley, Jr for SBC Internet Services, Inc. (APPROVED)(FEE PAID) 2-1-4232. (ch, ) (Entered: 11/19/2008)	
01/14/2009	14	NOTICE of Attorney Appearance by Andrew Wesley Spangler on behalf of Linksmart Wireless Technology, LLC (Spangler, Andrew) (Entered: 01/14/2009)	
01/14/2009	15	NOTICE of Attorney Appearance by Andrew D Weiss on behalf of Linksmart Wireless Technology, LLC (Weiss, Andrew) (Entered: 01/14/2009)	
01/20/2009	16	Unopposed MOTION for Extension of Time to File Response/Reply to SBC's Counterclaims by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order) (Weiss, Andrew) (Entered: 01/20/2009)	
01/21/2009	17	ORDER granting 16 Motion for Extension of Time to File Response/Reply Responses due by 1/23/2009. Signed by Judge T. John Ward on 1/21/09. (ch, ) (Entered: 01/21/2009)	
01/21/2009	18	ANSWER to 8 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC. (Weiss, Andrew) (Entered: 01/21/2009)	
01/23/2009	19	Joint MOTION to Consolidate Cases by SBC Internet Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Sayles, Richard) (Entered: 01/23/2009)	
02/03/2009	20	ORDER REASSIGNING CASE. Case reassigned to Judge David Folsom for all further proceedings. Judge T. John Ward no longer assigned to case. Signed by Judge T. John	

- Ward on 2/2/09. (ch, ) (Entered: 02/03/2009)
- 02/10/2009 21 ORDER REFERRING CASE to Magistrate Judge Charles Everingham for case management. Signed by Judge David Folsom on 2/10/09. (mrm, ) (Entered: 02/10/2009)
- 05/01/2009 22 ORDER granting 19 Motion to Consolidate Cases. ORDERED that the above- captioned actions are consolidated for all purposes pursuant to Federal Rule of Civil Procedure 42 (a) and Local Rule CV-42(b) and (c).. Signed by Magistrate Judge Charles Everingham on 5/1/09. (ch, ) (Entered: 05/01/2009)
- 05/01/2009 -- NOTICE OF FILING DOCUMENTS IN CONSOLIDATED CASES re 22 Order on Motion to Consolidate Cases. ALL FUTURE FILINGS TO BE FILED IN LEAD CASE 2:08cv264 ONLY (ehs, ) (Entered: 09/03/2009)
- 05/04/2009 23 NOTICE of Hearing: Scheduling Conference set for 6/3/2009 10:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Charles Everingham. (jml) (Entered: 05/04/2009)
- 05/06/2009 24 Notice of Scheduling Conference, Proposed Deadlines Scheduling Conference set for 6/3/2009 10:00 AM before Magistrate Judge Charles Everingham. The parties are directed to meet and confer in accordance with Fed. R. Civ. P. 26(f) no later than 5/27/09. Signed by Magistrate Judge Charles Everingham on 5/5/09. (ch, ) (Entered: 05/06/2009)
- 05/06/2009 25 NOTICE of Attorney Appearance by Mark Daniel Strachan on behalf of SBC Internet Services, Inc. (Strachan, Mark) (Entered: 05/06/2009)
- 06/01/2009 26 REPORT of Rule 26(f) Planning Meeting. (Attachments: # 1 Exhibit A - Proposed Docket Control Order)(Weiss, Andrew) (Additional attachment(s) added on 6/1/2009: # 2 Revised Docket Control Order) (sm, ). (Entered: 06/01/2009)
- 06/03/2009 27 Minute Entry for proceedings held before Magistrate Judge Charles Everingham: Scheduling Conference held on 6/3/2009. (Court Reporter Susan Simmons, CSR.) (jml) (Entered: 06/04/2009)
- 08/14/2009 28 APPLICATION to Appear Pro Hac Vice by Attorney Hugh A Abrams for SBC Internet Services, Inc. (APPROVED FEE PAID) 2-1-4865. (ch, ) (Entered: 08/14/2009)
- 07/06/2010 29 NOTICE OF FILING OF OFFICIAL TRANSCRIPT of CLAIM CONSTRUCTION HEARING held on 5/25/10 before Judge Chad Everingham. Court Reporter/Transcriber: Shelly Holmes, CSR, Telephone number: (903) 663-5082. (116 Pages) NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/30/2010. Redacted Transcript Deadline set for 8/9/2010. Release of Transcript Restriction set for 10/7/2010. (tja, ) (Entered: 07/06/2010)
- 07/19/2011 30 ORDER ADMINISTRATIVELY CLOSED. Signed by Judge David Folsom on 7/19/11. (mrm, ) (Entered: 07/19/2011)
- 02/06/2012 31 ORDER REFERRING CASE for pretrial purposes to Magistrate Judge Caroline Craven. Signed by Judge David Folsom on 2/6/12. (ehs, ) (Entered: 02/06/2012)

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**US District Court Civil Docket**

**U.S. District - Texas Eastern  
(Marshall)**

**2:08cv304**

**Linksmart Wireless Technology, Llc v. Cisco Systems, Inc et al**

This case was retrieved from the court on Tuesday, July 10, 2012

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<b>Date Filed: 08/04/2008</b>	<b>Class Code: CLOSED</b>
<b>Assigned To: Judge David Folsom</b>	<b>Closed: Yes</b>
<b>Referred To: Magistrate Judge Caroline Craven</b>	<b>Statute: 35:271</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Plaintiff</b>
<b>Cause: Patent Infringement</b>	<b>Demand Amount: \$0</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: None</b>	
<b>Jurisdiction: Federal Question</b>	

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Email: Mrichardson@brsfirm.com

<b>Date</b>	<b>#</b>	<b>Proceeding Text</b>	<b>Source</b>
08/04/2008	1	COMPLAINT and Demand for Jury Trial against Cisco Systems, Inc., Juniper Networks, Inc., Aruba Networks, Inc. ( Filing fee \$ 350 receipt number 0540000000001643001.), filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit A to Complaint, # 2 Civil Cover Sheet)(Fenster, Marc) (Entered: 08/04/2008)	
08/04/2008	2	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Fenster, Marc) (Entered: 08/04/2008)	
08/04/2008	3	CORPORATE DISCLOSURE STATEMENT filed by Linksmart Wireless Technology, LLC (Fenster, Marc) (Entered: 08/04/2008)	
08/04/2008	4	NOTICE by Linksmart Wireless Technology, LLC of Related Case (Fenster, Marc) (Entered: 08/04/2008)	
08/04/2008	--	Case Assigned to Judge David Folsom. (ch, ) (Entered: 08/05/2008)	
08/05/2008	5	STANDING ORDER REFERRING CASE - to Magistrate Judge Charles Everingham. Signed by Judge David Folsom on 8/5/08. (ch, ) (Entered: 08/05/2008)	
08/05/2008	6	Magistrate Consent Form Mailed to Linksmart Wireless Technology, LLC (ch, ) (Entered: 08/05/2008)	
08/05/2008	--	E-GOV SEALED SUMMONS Issued as to Cisco Systems, Inc., Juniper Networks, Inc., Aruba Networks, Inc.. (ch, ) (Entered: 08/05/2008)	
08/07/2008	--	E-GOV SEALED SUMMONS REISSUED as to Cisco Systems, Inc., Juniper Networks, Inc., Aruba Networks, Inc., attorney didn't receive the ones issued on 8/5/08. (ch, ) (Entered: 08/07/2008)	
09/02/2008	7	NOTICE by Linksmart Wireless Technology, LLC of Dismissal Without Prejudice as to Defs Juniper Networks, Inc. and Aruba Networks, Inc. ONLY (Fenster, Marc) (Additional attachment(s) added on 9/3/2008: # 1 Text of Proposed Order) (sm, ). (Entered: 09/02/2008)	
09/03/2008	8	ORDER GRANTING PLAINTIFFS REQUEST FOR DISMISSAL WITHOUT PREJUDICE; re 7 Notice (Other) filed by Linksmart Wireless Technology, LLC, Motions terminated:, Aruba Networks, Inc. and Juniper Networks, Inc. terminated.. Signed by Judge David Folsom on 9/3/08. (mrm, ) (Entered: 09/03/2008)	
10/30/2008	9	E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Cisco Systems, Inc. served on 10/22/2008, answer due 11/12/2008. (ch, ) (Entered: 10/30/2008)	
11/06/2008	10	Cisco Systems, Inc.'s Answer and Counterclaims ANSWER to 1 Complaint,, COUNTERCLAIM against Linksmart Wireless Technology, LLC, Cisco Systems, Inc. by Cisco Systems, Inc..(Beck, David) (Entered: 11/06/2008)	
11/06/2008	11	CORPORATE DISCLOSURE STATEMENT filed by Cisco Systems, Inc. (Beck, David) (Entered: 11/06/2008)	
11/17/2008	12	APPLICATION to Appear Pro Hac Vice by Attorney William F Lee for Cisco Systems, Inc. (APPROVED)(FEE PAID) 2-1-4231. (ch, ) (Entered: 11/19/2008)	
11/17/2008	13	APPLICATION to Appear Pro Hac Vice by Attorney James P Barabas for Cisco Systems, Inc. (APPROVED)(FEE PAID) 2-1-4244. (ch, ) (Entered: 11/19/2008)	
11/17/2008	14	APPLICATION to Appear Pro Hac Vice by Attorney Noah A Levine for Cisco Systems, Inc. (APPROVED)(FEE PAID) 2-1-4244. (ch, ) (Entered: 11/20/2008)	
11/26/2008	16	APPLICATION to Appear Pro Hac Vice by Attorney David B Bassett for Cisco Systems, Inc. (APPROVED)(FEE PAID) 2-1-4277. (ch, ) (Entered: 12/02/2008)	
12/01/2008	15	Linksmart's ANSWER to 10 Answer to Complaint, Counterclaim of Cisco Systems, Inc. by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 12/01/2008)	
01/13/2009	17	NOTICE of Attorney Appearance by Andrew Wesley Spangler on behalf of Linksmart Wireless Technology, LLC (Spangler, Andrew) (Entered: 01/13/2009)	

01/14/2009 18 NOTICE of Attorney Appearance by Andrew D Weiss on behalf of Linksmart Wireless Technology, LLC (Weiss, Andrew) (Entered: 01/14/2009)

01/21/2009 19 NOTICE of Hearing: Scheduling Conference set for 2/17/2009 02:30 PM in Mag Ctrm (Marshall) before Magistrate Judge Charles Everingham. (jml, ) (Entered: 01/21/2009)

01/23/2009 20 Joint MOTION to Consolidate Cases by Cisco Systems, Inc.. (Attachments: # 1 Text of Proposed Order)(Beck, David) (Entered: 01/23/2009)

01/26/2009 21 Notice of Scheduling Conference, Proposed Deadlines for Docket Control Order and Discovery Order. Scheduling Conference set for 2/17/2009 02:30 PM before Magistrate Judge Charles Everingham.. Signed by Magistrate Judge Charles Everingham on 1/26/09. (ch, ) (Entered: 01/26/2009)

01/29/2009 22 NOTICE of Attorney Appearance by Michael Ernest Richardson on behalf of Cisco Systems, Inc. (Richardson, Michael) (Entered: 01/29/2009)

02/10/2009 23 NOTICE of Hearing: Scheduling Conference set for 2/17/2009, 02:30 PM, in Mag Ctrm (Marshall) before Magistrate Judge Charles Everingham is CANCELLED.(delat) (Entered: 02/10/2009)

02/13/2009 24 APPLICATION to Appear Pro Hac Vice by Attorney Peter M Dichiaro for Cisco Systems, Inc. (APPROVED FEE PAID) 2-1-4494. (ch, ) (Entered: 02/13/2009)

05/01/2009 25 ORDER granting 20 Motion to Consolidate Cases. ORDERED that the above- captioned actions are consolidated for all purposes pursuant to Federal Rule of Civil Procedure 42 (a) and Local Rule CV-42(b) and (c).. Signed by Magistrate Judge Charles Everingham on 5/1/09. (ch, ) (Entered: 05/01/2009)

05/01/2009 -- NOTICE OF FILING DOCUMENTS IN CONSOLIDATED CASES re 25 Order GRANTING Motion to Consolidate Cases. ALL FUTURE FILING ARE TO BE FILED IN THE LEAD CASE ONLY 2:08cv264 (ehs, ) (Entered: 09/02/2009)

05/04/2009 26 NOTICE of Hearing: Scheduling Conference set for 6/3/2009 10:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Charles Everingham. (jml) (Entered: 05/04/2009)

05/06/2009 27 Notice of Scheduling Conference, Proposed Deadlines for Docket Control Order, and Discovery Order. Scheduling Conference set for 6/3/2009 10:00 AM before Magistrate Judge Charles Everingham. The parties are directed to meet and confer in accordance with the Fed. R. Civ. P. 26(f) no later than 5/27/09. Signed by Magistrate Judge Charles Everingham on 5/5/09. (ch, ) (Entered: 05/06/2009)

06/01/2009 28 REPORT of Rule 26(f) Planning Meeting. (Attachments: # 1 Exhibit A - Proposed Docket Control Order)(Weiss, Andrew) (Additional attachment(s) added on 6/1/2009: # 2 Revised Scheduling Order) (sm, ). (Entered: 06/01/2009)

06/03/2009 29 Minute Entry for proceedings held before Magistrate Judge Charles Everingham: Scheduling Conference held on 6/3/2009. (Court Reporter Susan Simmons, CSR.) (jml) (Entered: 06/04/2009)

07/10/2009 30 APPLICATION to Appear Pro Hac Vice by Attorney Joyce Chen for Cisco Systems, Inc. (APPROVED FEE PAID) 2-1-4798. (ch, ) (Entered: 07/10/2009)

08/19/2009 31 NOTICE of Attorney Appearance by Robert David Daniel on behalf of Cisco Systems, Inc. (Daniel, Robert) (Entered: 08/19/2009)

07/06/2010 32 NOTICE OF FILING OF OFFICIAL TRANSCRIPT of CLAIM CONSTRUCTION HEARING held on 5/25/10 before Judge Chad Everingham. Court Reporter/Transcriber: Shelly Holmes, CSR, Telephone number: (903) 663-5082. (116 Pages) NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/30/2010. Redacted Transcript Deadline set for 8/9/2010. Release of Transcript Restriction set for 10/7/2010. (tja, ) (Entered: 07/06/2010)

07/19/2011 33 ORDER ADMINISTRATIVELY CLOSED. Signed by Judge David Folsom on 7/19/11. (mrm, ) (Entered: 07/19/2011)

02/06/2012 34 ORDER REFERRING CASE for pretrial purposes to Magistrate Judge Caroline Craven. Signed by Judge David Folsom on 2/6/12. (ehs, ) (Entered: 02/06/2012)



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**US District Court Civil Docket**

**U.S. District - Texas Eastern  
(Marshall)**

**2:08cv264**

**Linksmart Wireless Technology, Llc v. T-Mobile USA, Inc. et al**

This case was retrieved from the court on Friday, March 15, 2013

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<b>Date Filed: 07/01/2008</b>	<b>Class Code: CLOSED</b>
<b>Assigned To: Judge Rodney Gilstrap</b>	<b>Closed: Yes</b>
<b>Referred To: Magistrate Judge Roy S. Payne</b>	<b>Statute: 15:1126</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Both</b>
<b>Cause: Patent Infringement</b>	<b>Demand Amount: \$0</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: None</b>	
<b>Jurisdiction: Federal Question</b>	

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Bestcomm Networks, Inc.  
[Term: 04/04/2012]  
Thirdparty Defendant

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LEAD ATTORNEY; ATTORNEY TO BE NOTICED  
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Nomadix, Inc.  
[Term: 04/04/2012]  
Thirdparty Defendant

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Date	#	Proceeding Text	Source
07/01/2008	1	COMPLAINT against all defendants ( Filing fee \$ 350 receipt number 0540000000001601022.), filed by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Additional attachment(s) added on 7/2/2008: # 1 Civil Cover Sheet) (mpv, ). (Entered: 07/01/2008)	
07/01/2008	2	***FILED IN ERROR; PLEASE IGNORE***NOTICE of Disclosure by Linksmart Wireless Technology, LLC (Fenster, Marc) Modified on 7/2/2008 (mpv, ). (Entered: 07/01/2008)	
07/01/2008	3	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Fenster, Marc) (Entered: 07/01/2008)	
07/01/2008	4	***FILED IN ERROR; PLEASE IGNORE***Additional Attachments to Main Document: 1 Complaint.. (Fenster, Marc) Modified on 7/2/2008 (mpv, ). (Entered: 07/01/2008)	
07/02/2008		E-GOV SEALED SUMMONS Issued as to NetNearU Corp., Pronto Networks, Inc., Aptilo Networks, Inc., FreeFi Networks, Inc., Meraki, Inc., Second Rule LLC, Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Ramada Worldwide, Inc., Marriott International, Inc., InterContinental Hotels Group PLC, Choice Hotels International Inc., Best Western International, Inc., T-Mobile USA, Inc., Wayport, Inc., AT&T, Inc., AT&T Mobility, LLC, LodgeNet Interactive Corporation, iBAHN General Holdings Corp., EthoStream, LLC, Hot Point Wireless, Inc.. (ch, ) (Entered: 07/02/2008)	
07/02/2008		***FILED IN ERROR. Document # 4, Additional attachments to main document. PLEASE IGNORE. Civil Cover Sheet now attached as an attachment to #1 Complaint by clerk*** (mpv, ) (Entered: 07/02/2008)	
07/02/2008		NOTICE of Deficiency regarding #2 the NOTICE of Disclosure submitted Docketed incorrectly, attorney to refile as Corporate Disclosure Statement. Correction should be made by one business day (mpv, ) (Entered: 07/02/2008)	
07/02/2008		Case Assigned to Judge T. John Ward. (ch, ) (Entered: 07/02/2008)	
07/02/2008	5	ORDER REFERRING CASE to Magistrate Judge Charles Everingham. Signed by Judge T. John Ward on 7/2/08. (ch, ) (Entered: 07/02/2008)	



07/02/2008 6 Magistrate Consent Form Mailed to Linksmart Wireless Technology, LLC (ch, ) (Entered: 07/02/2008)

07/02/2008 7 CORPORATE DISCLOSURE STATEMENT filed by Linksmart Wireless Technology, LLC (Fenster, Marc) (Entered: 07/02/2008)

07/09/2008 8 APPLICATION to Appear Pro Hac Vice by Attorney Larry C Russ for Linksmart Wireless Technology, LLC. (FEE PAID) 2-1-3936 (ehs, ) (Entered: 07/09/2008)

07/09/2008 9 APPLICATION to Appear Pro Hac Vice by Attorney Stanley H Thompson, Jr for Linksmart Wireless Technology, LLC. (FEE PAID) 2-1-3936 (ehs, ) (Entered: 07/09/2008)

07/09/2008 10 APPLICATION to Appear Pro Hac Vice by Attorney Stephen M Lobbin for Linksmart Wireless Technology, LLC. (FEE PAID) 2-1-3936 (ehs, ) (Entered: 07/09/2008)

07/18/2008 11 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Ramada Worldwide, Inc. served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 12 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. AT&T Mobility, LLC served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 13 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Barnes & Noble Booksellers, Inc. served on 7/11/2008, answer due 7/31/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 14 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Best Western International, Inc. served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 15 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Choice Hotels International Inc. served on 7/14/2008, answer due 8/4/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 16 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. EthoStream, LLC served on 7/14/2008, answer due 8/4/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 17 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. iBAHN General Holdings Corp. served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 18 NOTICE of Attorney Appearance by David M Stein on behalf of Ramada Worldwide, Inc. (Stein, David) (Entered: 07/18/2008)

07/18/2008 19 NOTICE of Attorney Appearance by Fay E Morisseau on behalf of Ramada Worldwide, Inc. (Morisseau, Fay) (Entered: 07/18/2008)

07/18/2008 20 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. InterContinental Hotels Group PLC served on 7/11/2008, answer due 7/31/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 21 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. LodgeNet Interactive Corporation served on 7/11/2008, answer due 7/31/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 22 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. McDonalds Corp. served on 7/11/2008, answer due 7/31/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 23 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Mail Boxes Etc., Inc. served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 24 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Marriott International, Inc. served on 7/11/2008, answer due 7/31/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 25 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Second Rule LLC served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 26 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. T-Mobile USA, Inc. served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/18/2008 27 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Wayport, Inc. served on 7/10/2008, answer due 7/30/2008. (ehs, ) (Entered: 07/18/2008)

07/22/2008 28 NOTICE of Attorney Appearance by J Thad Heartfield on behalf of Ramada Worldwide, Inc. (Heartfield, J) (Entered: 07/22/2008)

07/24/2008 29 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Ramada Worldwide, Inc..( Heartfield, J) (Entered: 07/24/2008)

07/24/2008 30 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Pronto Networks, Inc. served on 7/11/2008, answer due 7/31/2008. (ch, ) (Entered: 07/24/2008)

07/24/2008 31 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Aptilo Networks, Inc. served on 7/15/2008, answer due 8/4/2008. (ch, ) (Entered: 07/24/2008)

07/24/2008 32 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. AT&T, Inc. served on 7/14/2008, answer due 8/4/2008. (ch, ) (Entered: 07/24/2008)

07/24/2008 33 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Meraki, Inc. served on 7/16/2008, answer due 8/5/2008. (ch, ) (Entered: 07/24/2008)

07/24/2008 34 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. NetNearU Corp. served on 7/14/2008, answer due 8/4/2008. (ch, ) (Entered: 07/24/2008)

07/24/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Ramada Worldwide, Inc. to 8/29/2008. 30 Days Granted for Deadline Extension.( ljj, ) (Entered: 07/24/2008)

07/24/2008 35 Defendant T-MOBILE USA, INC.'s Unopposed First Application for Extension of Time to Answer Complaint (Fenster, Marc, counsel for Plaintiff Linksmart Wireless Technology, LLC) (Entered: 07/24/2008)

07/24/2008 36 Defendant LodgeNet Interactive Corp.'s Unopposed First Application for Extension of Time to Answer Complaint(Fenster, Marc) (Entered: 07/24/2008)

07/24/2008 37 Defendant NetNearU Corp.'s Unopposed First Application for Extension of Time to Answer Complaint (Fenster, Marc) (Entered: 07/24/2008)

07/24/2008 38 Defendant Best Western International, Inc.'s Unopposed First Application for Extension of Time to Answer Complaint (Fenster, Marc) (Entered: 07/24/2008)

07/24/2008 39 Defendant InterContinental Hotels Groups PLC's Unopposed First Application for Extension of Time to Answer Complaint (Fenster, Marc) (Entered: 07/24/2008)

07/25/2008 40 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re iBAHN General Holdings Corp..( Jones, Michael) (Entered: 07/25/2008)

07/25/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for NetNearU Corp. to 8/29/2008; InterContinental Hotels Group PLC to 8/29/2008; Best Western International, Inc. to 8/29/2008; T-Mobile USA, Inc. to 8/29/2008; LodgeNet Interactive Corporation to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/25/2008)

07/25/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for iBAHN General Holdings Corp. to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/25/2008)

07/25/2008 41 NOTICE of Attorney Appearance by Richard Alan Sayles on behalf of AT&T, Inc., AT&T Mobility, LLC (Sayles, Richard) (Entered: 07/25/2008)

07/25/2008 42 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re AT&T, Inc., AT&T Mobility, LLC.( Sayles, Richard) (Entered: 07/25/2008)

07/25/2008 43 Defendant Barnes & Noble Booksellers, Inc.'s Unopposed First Application for Extension of Time to Answer Complaint (Fenster, Marc) (Entered: 07/25/2008)

07/28/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for AT&T, Inc. to 8/29/2008; AT&T Mobility, LLC to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/28/2008)

07/28/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is

GRANTED pursuant to Local Rule CV-12 for Barnes & Noble Booksellers, Inc. to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/28/2008)

07/28/2008 44 APPLICATION to Appear Pro Hac Vice by Attorney Jennifer L Yokoyama for Ramada Worldwide, Inc. (APPROVED)(FEE PAID)2-1-3983. (ch, ) (Entered: 07/28/2008)

07/29/2008 45 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Wayport, Inc..( Tyler, Marvin) (Entered: 07/29/2008)

07/29/2008 46 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Meraki, Inc..( Tyler, Marvin) (Entered: 07/29/2008)

07/30/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Wayport, Inc. to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/30/2008)

07/30/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Meraki, Inc. to 9/4/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/30/2008)

07/30/2008 47 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re McDonalds Corp..( Tyler, Marvin) (Entered: 07/30/2008)

07/30/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for McDonalds Corp. to 8/29/2008. 29 Days Granted for Deadline Extension.( ch, ) (Entered: 07/30/2008)

07/30/2008 48 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Marriott International, Inc..( Guaragna, John) (Entered: 07/30/2008)

07/30/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Marriott International, Inc. to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/30/2008)

07/30/2008 49 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Mail Boxes Etc., Inc.(Smith, Michael) (Entered: 07/30/2008)

07/30/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Mail Boxes Etc., Inc. to 8/29/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 07/30/2008)

07/31/2008 50 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Pronto Networks, Inc..( Lobbin, Stephen) (Entered: 07/31/2008)

07/31/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Pronto Networks, Inc. to 8/29/2008. 29 Days Granted for Deadline Extension.( ch, ) (Entered: 07/31/2008)

08/01/2008 51 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Hot Point Wireless, Inc. served on 7/17/2008, answer due 8/6/2008. (ehs, ) (Entered: 08/01/2008)

08/01/2008 52 ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by EthoStream, LLC.(Hunt, Dean) (Entered: 08/01/2008)

08/01/2008 53 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Choice Hotels International Inc..( Lobbin, Stephen) (Entered: 08/01/2008)

08/01/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Choice Hotels International Inc. to 9/2/2008. 30 Days Granted for Deadline Extension.( ch, ) (Entered: 08/01/2008)

08/01/2008 54 NOTICE of Attorney Appearance by Clyde Moody Siebman on behalf of Aptilo Networks, Inc. (Siebman, Clyde) (Entered: 08/01/2008)

08/01/2008 55 NOTICE of Attorney Appearance by Lawrence Augustine Phillips on behalf of Aptilo Networks, Inc. (Phillips, Lawrence) (Entered: 08/01/2008)

08/01/2008 56 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Aptilo Networks, Inc..( Phillips, Lawrence) (Entered: 08/01/2008)

08/04/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Aptilo Networks, Inc. to 9/3/2008. 30 Days Granted for Deadline Extension.( sm, ) (Entered: 08/04/2008)

08/04/2008 57 APPLICATION to Appear Pro Hac Vice by Attorney Michael T Herbst for Aptilo Networks, Inc. (APPROVED)(FEE PAID) 4-2-2335. (ch, ) (Additional attachment(s) added on

8/5/2008: # 1 Confidential Information) (ch, ). (Entered: 08/05/2008)

08/04/2008 58 APPLICATION to Appear Pro Hac Vice by Attorney Steven L Wiser for Aptilo Networks, Inc. (APPROVED)(FEE PAID) 4-2-2335. (ch, ) (Entered: 08/05/2008)

08/06/2008 59 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re FreeFi Networks, Inc..( Lobbin, Stephen) (Entered: 08/06/2008)

08/06/2008 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for FreeFi Networks, Inc. to 8/29/2008. 29 Days Granted for Deadline Extension.( mpv, ) (Entered: 08/06/2008)

08/06/2008 60 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. FreeFi Networks, Inc. served on 8/1/2008, answer due 8/29/2008. (ehs, ) (Entered: 08/06/2008)

08/06/2008 62 APPLICATION to Appear Pro Hac Vice by Attorney Steven T Snyder for Mail Boxes Etc., Inc. (APPROVED)(FEE PAID) 2-1-4001. (ch, ) (Entered: 08/07/2008)

08/07/2008 61 APPLICATION to Appear Pro Hac Vice by Attorney Holmes J Hawkins, III for Mail Boxes Etc., Inc. (APPROVED)(FEE PAID) 2-1-4001. (ch, ) (Entered: 08/07/2008)

08/15/2008 63 NOTICE of Attorney Appearance by Michael Edwin Jones on behalf of AT&T, Inc., AT&T Mobility, LLC (Jones, Michael) (Entered: 08/15/2008)

08/21/2008 64 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re T-Mobile USA, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 65 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Wayport, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 66 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re AT&T, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 67 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re AT&T Mobility, LLC.( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 68 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re LodgeNet Interactive Corporation.( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 69 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re iBAHN General Holdings Corp..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 70 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re NetNearU Corp..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 71 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Pronto Networks, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 72 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Aptilo Networks, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 73 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re FreeFi Networks, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 74 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Meraki, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 75 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Mail Boxes Etc., Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 76 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re McDonalds Corp..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 77 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Barnes & Noble Booksellers, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 78 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Ramada Worldwide, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 79 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Marriott International, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 80 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re InterContinental Hotels Group PLC.( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 81 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Choice Hotels International Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 82 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Best Western International, Inc..( Heartfield, J) (Entered: 08/21/2008)

08/21/2008 83 Linksmart REPLY to EthoStream's COUNTERCLAIM ANSWER to 52 Answer to Complaint, Counterclaim, filed by Ethostream (Fenster, Marc) Modified on 8/22/2008 (sm, ). (Entered: 08/21/2008)

08/22/2008 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for NetNearU Corp. to 9/15/2008; Pronto Networks, Inc. to 9/15/2008; Aptilo Networks, Inc. to 9/15/2008; FreeFi Networks, Inc. to 9/15/2008; T-Mobile USA, Inc. to 9/15/2008; Wayport, Inc. to 9/15/2008; AT&T, Inc. to 9/15/2008; AT&T Mobility, LLC to 9/15/2008; LodgeNet Interactive Corporation to 9/15/2008; iBAHN General Holdings Corp. to 9/15/2008. 15 Days Granted for Deadline Extension.( sm, ) (Entered: 08/22/2008)

08/22/2008 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Meraki, Inc. to 9/15/2008; Mail Boxes Etc., Inc. to 9/15/2008; McDonalds Corp. to 9/15/2008; Barnes & Noble Booksellers, Inc. to 9/15/2008; Ramada Worldwide, Inc. to 9/15/2008; Marriott International, Inc. to 9/15/2008; InterContinental Hotels Group PLC to 9/15/2008; Choice Hotels International Inc. to 9/15/2008; Best Western International, Inc. to 9/15/2008. 15 Days Granted for Deadline Extension.( sm, ) (Entered: 08/22/2008)

08/29/2008 84 ANSWER to 1 Complaint and, COUNTERCLAIM against Linksmart Wireless Technology, LLC by LodgeNet Interactive Corporation.(Socks, Harold) (Entered: 08/29/2008)

09/02/2008 85 ANSWER to 1 Complaint by Choice Hotels International Inc..(Smith, Michael) (Entered: 09/02/2008)

09/11/2008 86 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint re AT&T, Inc..( Sayles, Richard) (Entered: 09/11/2008)

09/11/2008 87 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint re AT&T Mobility, LLC.( Sayles, Richard) (Entered: 09/11/2008)

09/12/2008 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for AT&T, Inc. to 9/22/2008; AT&T Mobility, LLC to 9/22/2008. 7 Days Granted for Deadline Extension.( sm, ) (Entered: 09/12/2008)

09/12/2008 88 ANSWER to 1 Complaint and, COUNTERCLAIM against Linksmart Wireless Technology, LLC by iBAHN General Holdings Corp..(Jones, Michael) (Entered: 09/12/2008)

09/12/2008 89 CORPORATE DISCLOSURE STATEMENT filed by iBAHN General Holdings Corp. identifying Corporate Parent None for iBAHN General Holdings Corp.. (Jones, Michael) (Entered: 09/12/2008)

09/12/2008 90 Defendant Aptilo Networks, Inc.'s ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Aptilo Networks, Inc..(Siebman, Clyde) (Entered: 09/12/2008)

09/15/2008 91 ANSWER to 1 Complaint : T-Mobile USA, Inc.'s Answer and, COUNTERCLAIM against Linksmart Wireless Technology, LLC by T-Mobile USA, Inc..(Richardson, Michael) (Entered: 09/15/2008)

09/15/2008 92 NOTICE of Attorney Appearance by Roy William Hardin on behalf of FreeFi Networks, Inc. (Hardin, Roy) (Entered: 09/15/2008)

09/15/2008 93 NOTICE of Attorney Appearance by John W MacPete on behalf of FreeFi Networks, Inc. (MacPete, John) (Entered: 09/15/2008)

09/15/2008 94 NOTICE of Attorney Appearance by Michael Scott Fuller on behalf of FreeFi Networks, Inc. (Fuller, Michael) (Entered: 09/15/2008)

09/15/2008 95 Defendant FreeFi Networks, Inc.'s Second Unopposed Application for Extension of Time to Answer Complaint.( Fuller, Michael) (Entered: 09/15/2008)

09/15/2008 96 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint re Ramada Worldwide, Inc.( Stein, David) (Entered: 09/15/2008)

09/15/2008 97 ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Mail Boxes Etc., Inc..(Sayles, Richard) (Entered: 09/15/2008)

09/15/2008 98 NOTICE of Attorney Appearance by Cynthia Lopez Beverage on behalf of LodgeNet Interactive Corporation (Beverage, Cynthia) (Entered: 09/15/2008)

09/15/2008 99 CORPORATE DISCLOSURE STATEMENT filed by Mail Boxes Etc., Inc. identifying Corporate

Parent United Parcel Service of America, Inc. for Mail Boxes Etc., Inc.. (Sayles, Richard) (Entered: 09/15/2008)

09/15/2008 100 NOTICE of Attorney Appearance by Eve L Henson on behalf of Mail Boxes Etc., Inc. (Henson, Eve) (Entered: 09/15/2008)

09/15/2008 101 ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Marriott International, Inc..(Guaragna, John) (Entered: 09/15/2008)

09/15/2008 Defendant's Unopposed Second Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for FreeFi Networks, Inc. to 9/22/2008. 7 Days Granted for Deadline Extension.( sm, ) (Entered: 09/15/2008)

09/15/2008 102 CORPORATE DISCLOSURE STATEMENT filed by Marriott International, Inc. (Guaragna, John) (Entered: 09/15/2008)

09/15/2008 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Ramada Worldwide, Inc. to 9/19/2008. 4 Days Granted for Deadline Extension.( sm, ) (Entered: 09/15/2008)

09/15/2008 103 ANSWER to 1 Complaint by InterContinental Hotels' Group PLC.(Guaragna, John) (Entered: 09/15/2008)

09/15/2008 104 Wayport, Inc.'s ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Wayport, Inc..(Villarreal, Jose) (Entered: 09/15/2008)

09/15/2008 105 CORPORATE DISCLOSURE STATEMENT filed by InterContinental Hotels Group PLC (Guaragna, John) (Entered: 09/15/2008)

09/15/2008 106 ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Barnes & Noble Booksellers, Inc..(Sayles, Richard) (Entered: 09/15/2008)

09/15/2008 107 CORPORATE DISCLOSURE STATEMENT filed by Barnes & Noble Booksellers, Inc. identifying Corporate Parent Barnes & Noble, Inc. for Barnes & Noble Booksellers, Inc.. (Sayles, Richard) (Entered: 09/15/2008)

09/15/2008 108 McDonald's Corp.'s ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by McDonalds Corp..(Villarreal, Jose) (Entered: 09/15/2008)

09/15/2008 109 NOTICE of Attorney Appearance by Eve L Henson on behalf of Barnes & Noble Booksellers, Inc. (Henson, Eve) (Entered: 09/15/2008)

09/15/2008 110 Meraki, Inc.'s ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Meraki, Inc..(Villarreal, Jose) (Entered: 09/15/2008)

09/15/2008 111 Best Western International, Inc.'s Answer to Plaintiff's Complaint and Counterclaims - ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Best Western International, Inc..(Joe, Christopher) (Entered: 09/15/2008)

09/15/2008 112 CORPORATE DISCLOSURE STATEMENT filed by Best Western International, Inc. (Joe, Christopher) (Entered: 09/15/2008)

09/15/2008 113 CORPORATE DISCLOSURE STATEMENT filed by McDonalds Corp. (Villarreal, Jose) (Entered: 09/15/2008)

09/15/2008 114 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint re Pronto Networks, Inc..( Villarreal, Jose) (Entered: 09/15/2008)

09/16/2008 Defendant's Unopposed Third Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Pronto Networks, Inc. to 9/19/2008. 4 Days Granted for Deadline Extension.( sm, ) (Entered: 09/16/2008)

09/16/2008 115 CORPORATE DISCLOSURE STATEMENT filed by Aptilo Networks, Inc. identifying Corporate Parent Aptilo Networks AB for Aptilo Networks, Inc.. (Siebman, Clyde) (Entered: 09/16/2008)

09/16/2008 116 CORPORATE DISCLOSURE STATEMENT filed by Meraki, Inc. (Tyler, Marvin) (Entered: 09/16/2008)

09/17/2008 117 CORPORATE DISCLOSURE STATEMENT (Deutsche Telecom AG is parent corporation) filed by T-Mobile USA, Inc. (Beck, David) Modified on 9/19/2008 (sm, ). (Entered: 09/17/2008)

09/17/2008 118 CORPORATE DISCLOSURE STATEMENT filed by Wayport, Inc. (Villarreal, Jose) (Entered: 09/17/2008)

09/17/2008 134 APPLICATION to Appear Pro Hac Vice by Attorney Mark E Ungerman for LodgeNet Interactive Corporation. (APPROVED)(FEE PAID) 2-1-4088 (ch, ) (Entered: 09/24/2008)

- 09/18/2008 119 Linksmart's REPLY to LodgeNet's COUNTERCLAIM ANSWER to 84 Answer to Complaint, Counterclaim of LodgeNet Interactive Corp. by Linksmart Wireless Technology, LLC. (Fenster, Marc) (Entered: 09/18/2008)
- 09/18/2008 127 APPLICATION to Appear Pro Hac Vice by Attorney Michael D Broaddus for iBAHN General Holdings Corp., David J Burman for iBAHN General Holdings Corp., Kameron Parvin for iBAHN General Holdings Corp. RECEIPT 6-1-15221. (Attachments: # 1 PHV David Burman, # 2 PHV Kameron Parvin)(rml, ) (Entered: 09/22/2008)
- 09/19/2008 120 Ramada Worldwide, Inc.'s ANSWER to 1 Complaint filed by Linksmart Wireless Technology, LLC, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Ramada Worldwide, Inc..(Hunt, Dean) (Entered: 09/19/2008)
- 09/19/2008 121 CORPORATE DISCLOSURE STATEMENT filed by Ramada Worldwide, Inc. (Hunt, Dean) (Entered: 09/19/2008)
- 09/19/2008 122 Pronto Networks, Inc.'s ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Pronto Networks, Inc..(Villarreal, Jose) (Entered: 09/19/2008)
- 09/22/2008 123 ANSWER to 1 Complaint, COUNTERCLAIM against all plaintiffs by FreeFi Networks, Inc.. (Fuller, Michael) (Entered: 09/22/2008)
- 09/22/2008 124 MOTION to Dismiss by AT&T Mobility, LLC. (Attachments: # 1 Text of Proposed Order)(Sayles, Richard) Modified on 9/25/2008 (rml, ). (Entered: 09/22/2008)
- 09/22/2008 125 CORPORATE DISCLOSURE STATEMENT filed by AT&T Mobility, LLC identifying Corporate Parent AT&T Inc. for AT&T Mobility, LLC. (Sayles, Richard) (Entered: 09/22/2008)
- 09/22/2008 126 NOTICE of Attorney Appearance by Eve L Henson on behalf of AT&T Mobility, LLC (Henson, Eve) (Entered: 09/22/2008)
- 09/22/2008 128 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Attachments: # 1 Text of Proposed Order)(Fenster, Marc) (Entered: 09/22/2008)
- 09/23/2008 129 CORPORATE DISCLOSURE STATEMENT filed by AT&T Mobility, LLC identifying Other Affiliate AT&T Mobility Corporation, Other Affiliate SBC Long Distance, LLC, Other Affiliate SBC Alloy Holdings, Inc., Other Affiliate BLS Cingular Holdings, LLC, Other Affiliate BellSouth Mobile Data, Inc. for AT&T Mobility, LLC. (Sayles, Richard) (Entered: 09/23/2008)
- 09/23/2008 130 CORPORATE DISCLOSURE STATEMENT filed by Pronto Networks, Inc. (Tyler, Marvin) (Entered: 09/23/2008)
- 09/23/2008 132 APPLICATION to Appear Pro Hac Vice by Attorney John D Kinton for Marriott International, Inc. and InterContinental Hotels Group PLC. (APPROVED)(FEE PAID) 2-1-4098 (ch, ) (Entered: 09/24/2008)
- 09/23/2008 133 APPLICATION to Appear Pro Hac Vice by Attorney Erin Penning for Marriott International, Inc. and InterContinental Hotels Group PLC. (APPROVED)(FEE PAID) 2-1-4098 (ch, ) (Entered: 09/24/2008)
- 09/24/2008 131 ORDER granting 128 Dismissal of Claims against AT&T, Mobility Inc. are hereby DISMISSED WITHOUT PREJUDICE. Signed by Judge T. John Ward on 9/24/08. (ch, ) Modified on 9/25/2008 (rml, ). (Entered: 09/24/2008)
- 09/24/2008 135 APPLICATION to Appear Pro Hac Vice by Attorney David T Pritikin for Mail Boxes Etc., Inc. and Barnes & Noble Booksellers, Inc. (APPROVED)(FEE PAID) 2-1-4107. (ch, ) (Entered: 09/24/2008)
- 09/24/2008 136 APPLICATION to Appear Pro Hac Vice by Attorney Rachel D Sher for Mail Boxes Etc., Inc. and Barnes & Noble Booksellers, Inc. (APPROVED)(FEE PAID) 2-1-4107. (ch, ) (Entered: 09/24/2008)
- 09/25/2008 \*\*\*Document # 131, Order Dismissing AT&T Inc. was linked to Doc 124 MOTION to Dismiss by AT&T Mobility, LLC. rather than doc 128, dismissal of AT&T Inc; AT&T Inc has now been dismissed; AT&T Mobility LLC remains pending.\*\*\* (rml, ) (Entered: 09/25/2008)
- 10/02/2008 137 Linksmart's REPLY to iBahn's Counterclaim ANSWER to 88 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/02/2008)
- 10/02/2008 138 Linksmart's REPLY to Aptilo's Counterclaim ANSWER to 90 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/02/2008)

10/02/2008)

10/03/2008 139 CORPORATE DISCLOSURE STATEMENT filed by LodgeNet Interactive Corporation (Beverage, Cynthia) (Entered: 10/03/2008)

10/06/2008 140 Linksmart REPLY to T-Mobile Counterclaim ANSWER to 91 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 141 Linksmart REPLY to Wayport Counterclaim ANSWER to 104 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 142 Linksmart REPLY to Meraki Counterclaim ANSWER to 110 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 143 Linksmart REPLY to Mail Boxes Etc Counterclaim ANSWER to 97 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 144 Linksmart REPLY to McDonalds Counterclaim ANSWER to 108 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 145 Linksmart REPLY to BarnesNoble Counterclaim ANSWER to 106 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 146 Linksmart REPLY to Best Westrn Counterclaim ANSWER to 111 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/06/2008 147 Linksmart REPLY to Marriott International Counterclaim ANSWER to 101 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/06/2008)

10/07/2008 148 Joint MOTION to Dismiss AT&T Mobility, LLC Without Prejudice by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order re Joint Motion for Voluntary Dismissal of AT&T Mobility, LLC Without Prejudice)(Fenster, Marc) (Entered: 10/07/2008)

10/08/2008 149 ORDER granting 148 Motion to Dismiss. AT&T Mobility LLC is DISMISSED WITHOUT PREJUDICE. And the Motion to Dismiss filed on 9/22/08 124 is taken off calendar. Signed by Judge T. John Ward on 10/8/08. (ch, ) Modified on 10/8/2008 to correct text to read dismissed without prejudice (ehs, ). (Entered: 10/08/2008)

10/09/2008 150 Linksmart's REPLY to Ramada's Counterclaim ANSWER to 120 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/09/2008)

10/09/2008 151 Linksmart's REPLY to Pronto's Counterclaim ANSWER to 122 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/09/2008)

10/14/2008 152 Linksmart's REPLY to Freefi Networks' Counterclaim ANSWER to 123 Answer to Complaint, Counterclaim by Linksmart Wireless Technology, LLC.(Fenster, Marc) (Entered: 10/14/2008)

10/16/2008 153 E-GOV SEALED SUMMONS Returned Executed by Linksmart Wireless Technology, LLC. Second Rule LLC served on 10/8/2008, answer due 10/28/2008. (ehs, ) (Entered: 10/16/2008)

10/30/2008 154 APPLICATION to Appear Pro Hac Vice by Attorney Noah A Levine for T-Mobile USA, Inc. (APPROVED)(FEE PAID) 2-1-4198. (ch, ) (Entered: 10/30/2008)

10/30/2008 155 APPLICATION to Appear Pro Hac Vice by Attorney David B Bassett for T-Mobile USA, Inc. (APPROVED)(FEE PAID) 2-1-4197. (ch, ) (Entered: 10/30/2008)

10/30/2008 156 APPLICATION to Appear Pro Hac Vice by Attorney James P Barabas for T-Mobile USA, Inc. (APPROVED)(FEE PAID) 2-1-4196. (ch, ) (Entered: 10/30/2008)

11/03/2008 157 APPLICATION to Appear Pro Hac Vice by Attorney William F Lee for T-Mobile USA, Inc. APPROVED (Rec# 2-1-4208 (poa, ) (Entered: 11/05/2008)

11/17/2008 158 APPLICATION to Appear Pro Hac Vice by Attorney Christina J Moser for EthoStream, LLC, Ramada Worldwide, Inc. and EthoStream, LLC. (APPROVED FEE PAID 2-1-4227) (ehs, )



(Entered: 11/17/2008)

- 11/21/2008 159 APPLICATION to Appear Pro Hac Vice by Attorney Kirk R Ruthenberg for T-Mobile USA, Inc. (APPROVED)(FEE PAID) 2-1-4252. (ch, ) (Entered: 11/21/2008)
- 11/21/2008 160 APPLICATION to Appear Pro Hac Vice by Attorney Kirk R Ruthenberg for T-Mobile USA, Inc.. (APPROVED FEE PAID 2-1-4252) (ehs, ) (Entered: 11/21/2008)
- 12/09/2008 161 STIPULATION of Dismissal of Intercontinental Hotels Group PLC by Linksmart Wireless Technology, LLC, InterContinental Hotels Group PLC. (Attachments: # 1 Text of Proposed Order)(Guaragna, John) (Entered: 12/09/2008)
- 12/12/2008 162 ORDER - granting 161 Stipulation of Dismissal. Intercontinental Hotels Group PLC is dismissed without prejudice. Signed by Judge T. John Ward on 12/12/08. (ch, ) (Entered: 12/12/2008)
- 12/22/2008 163 NOTICE of Attorney Appearance by Andrew Wesley Spangler on behalf of Linksmart Wireless Technology, LLC (Spangler, Andrew) (Entered: 12/22/2008)
- 01/14/2009 164 NOTICE of Attorney Appearance by Andrew D Weiss on behalf of Linksmart Wireless Technology, LLC (Weiss, Andrew) (Entered: 01/14/2009)
- 01/23/2009 165 Joint MOTION to Consolidate Cases by T-Mobile USA, Inc.. (Attachments: # 1 Text of Proposed Order)(Beck, David) (Entered: 01/23/2009)
- 01/23/2009 166 NOTICE of Attorney Appearance by Rachel D Sher on behalf of Wayport, Inc. (Sher, Rachel) (Entered: 01/23/2009)
- 01/26/2009 167 NOTICE of Attorney Appearance by Richard T McCaulley, Jr on behalf of Wayport, Inc. (McCaulley, Richard) (Entered: 01/26/2009)
- 01/27/2009 168 NOTICE of Attorney Appearance by David T Pritikin on behalf of Wayport, Inc. (Pritikin, David) (Entered: 01/27/2009)
- 01/27/2009 169 Unopposed MOTION to Withdraw as Attorney by Wayport, Inc.. (Attachments: # 1, Text of Proposed Order Proposed Order)(Tyler, Marvin) (Entered: 01/27/2009)
- 01/28/2009 170 ORDER granting 169 Motion to Withdraw as Attorney. Attorney Marvin Craig Tyler and Jose Carlos Villarreal terminated as counsel for deft Wayport Inc. Signed by Magistrate Judge Charles Everingham on 1/28/09. (ehs, ) (Entered: 01/28/2009)
- 01/29/2009 171 NOTICE of Attorney Appearance by Michael Ernest Richardson on behalf of T-Mobile USA, Inc. (Richardson, Michael) (Entered: 01/29/2009)
- 01/29/2009 172 NOTICE of Attorney Appearance by Richard Alan Sayles on behalf of Wayport, Inc. (Sayles, Richard) (Entered: 01/29/2009)
- 01/29/2009 173 NOTICE of Attorney Appearance by Eve L Henson on behalf of Wayport, Inc. (Henson, Eve) (Entered: 01/29/2009)
- 01/30/2009 175 APPLICATION to Appear Pro Hac Vice by Attorney Brian C Bianco for Mail Boxes Etc., Inc., Barnes & Noble Booksellers, Inc., Mail Boxes Etc., Inc., Wayport, Inc. and Barnes & Noble Booksellers, Inc.. (APPROVED FEE PAID) 2-1-4459 (ch, ) (Entered: 02/05/2009)
- 02/03/2009 174 ORDER REASSIGNING CASE. Case reassigned to Judge David Folsom for all further proceedings. Judge T. John Ward no longer assigned to case. Signed by Judge T. John Ward on 2/2/09. (ch, ) (Entered: 02/03/2009)
- 02/09/2009 176 Unopposed MOTION to Withdraw as Attorney by Mail Boxes Etc., Inc.. (Attachments: # 1 Text of Proposed Order)(Smith, Michael) (Entered: 02/09/2009)
- 02/11/2009 177 ORDER granting 176 Motion to Withdraw as Attorney. Attorney Michael Charles Smith terminated as counsel for Mail Boxes, Etc. Signed by Magistrate Judge Charles Everingham on 2/11/09. (ch, ) (Entered: 02/11/2009)
- 02/13/2009 178 APPLICATION to Appear Pro Hac Vice by Attorney Peter M Dichiara for T-Mobile USA, Inc. (APPROVED FEE PAID) 2-1-4493. (ch, ) (Entered: 02/13/2009)
- 02/18/2009 179 Request by Linksmart Wireless Technology, LLC for Clerk's Entry of Default against Second Rule LLC, Hot Point Wireless, Inc.. (Weiss, Andrew) (Additional attachment(s) added on 2/19/2009: # 1 Clerks Entry of Default) (sm, ). (Entered: 02/18/2009)
- 02/18/2009 180 Additional Attachments to Main Document: 179 Request for Entry of Default by Clerk.. (Attachments: # 1 Exhibit A)(Weiss, Andrew) (Entered: 02/18/2009)
- 02/19/2009 181 NOTICE of Voluntary Dismissal by Linksmart Wireless Technology, LLC (Weiss, Andrew) (Additional attachment(s) added on 2/19/2009: # 1 Text of Proposed Order) (sm, ).

(Entered: 02/19/2009)

- 02/23/2009 182 \*\*\*FILED IN ERROR. CASE IS NO LONGER JUDGE WARD'S PER ORDER #174 REASSIGNING CASE TO JUDGE FOLSOM\*\*\* Order - granting 181 Notice of Voluntary Notice of Dismissal. All claims asserted between Linksmart and NetNearU Corp are hereby DISMISSED WITHOUT PREJUDICE. All attorney's fees and costs are to be borne by the party that incurred them. Signed by Judge T. John Ward on 2/23/09. (ch, ) Modified on 2/24/2009 (ch, ). (Entered: 02/23/2009)
- 02/23/2009 183 Clerk's ENTRY OF DEFAULT as to Hot Point Wireless, Inc. (ehs, ) (Entered: 02/23/2009)
- 02/24/2009 184 ORDER OF DISMISSAL WITHOUT PREJUDICE re 181 Notice of Voluntary Dismissal filed by Linksmart Wireless Technology, LLC, ORDERED, ADJUDGED and DECREED that all claims asserted in this suit between Linksmart and Netnearu are hereby dismissed without prejudice.. Signed by Judge David Folsom on 2/23/09. (mrm, ) (Entered: 02/24/2009)
- 02/27/2009 185 MOTION for Default Judgment as to Hot Point Wireless, Inc. and Second Rule, LLC by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 02/27/2009)
- 04/10/2009 186 NOTICE of Attorney Appearance by David T Pritikin on behalf of McDonalds Corp. (Pritikin, David) (Entered: 04/10/2009)
- 04/10/2009 187 NOTICE of Attorney Appearance by Richard T McCaulley, Jr on behalf of McDonalds Corp. (McCaulley, Richard) (Entered: 04/10/2009)
- 04/10/2009 188 NOTICE of Attorney Appearance by Rachel D Sher on behalf of McDonalds Corp. (Sher, Rachel) (Entered: 04/10/2009)
- 04/10/2009 189 NOTICE of Attorney Appearance by Brian C Bianco on behalf of McDonalds Corp. (Bianco, Brian) (Entered: 04/10/2009)
- 04/22/2009 190 NOTICE of Change of Address by John M Guaragna (Guaragna, John) (Entered: 04/22/2009)
- 04/23/2009 191 Unopposed MOTION to Withdraw as Attorney by McDonalds Corp.. (Attachments: # 1 Text of Proposed Order Proposed Order)(Tyler, Marvin) (Entered: 04/23/2009)
- 04/24/2009 192 ORDER granting 191 Motion to Withdraw as Attorney. Attorney Marvin Craig Tyler and Jose Carlos Villarreal terminated as counsel for McDonald's Corp. Signed by Magistrate Judge Charles Everingham on 4/24/09. (ehs, ) (Entered: 04/24/2009)
- 05/01/2009 193 ORDER granting 165 Motion to Consolidate Cases. ORDERED that the above- captioned actions are consolidated for all purposes pursuant to Federal Rule of Civil Procedure 42 (a) and Local Rule CV-42(b) and (c).. Signed by Magistrate Judge Charles Everingham on 5/1/09. (ch, ) (Entered: 05/01/2009)
- 05/04/2009 194 NOTICE of Hearing: Scheduling Conference set for 6/3/2009 10:00 AM in Mag Ctrm (Marshall) before Magistrate Judge Charles Everingham. (jml, ) (Entered: 05/04/2009)
- 05/06/2009 195 Notice of Scheduling Conference, Proposed Deadlines for Docket Control Order, and Discovery Order. Scheduling Conference set for 6/3/2009 10:00 AM before Magistrate Judge Charles Everingham. The parties are directed to meet and confer in accordance with Fed. R. Civ. P. 26(f) no later than May 27, 2009. Signed by Magistrate Judge Charles Everingham on 5/5/09. (ch, ) (Entered: 05/06/2009)
- 05/06/2009 196 NOTICE of Attorney Appearance by Richard Alan Sayles on behalf of McDonalds Corp. (Sayles, Richard) (Entered: 05/06/2009)
- 05/06/2009 197 NOTICE of Attorney Appearance by Eve L Henson on behalf of McDonalds Corp. (Henson, Eve) (Entered: 05/06/2009)
- 05/06/2009 198 NOTICE of Attorney Appearance by Mark Daniel Strachan on behalf of McDonalds Corp. (Strachan, Mark) (Entered: 05/06/2009)
- 05/06/2009 199 NOTICE of Attorney Appearance by Mark Daniel Strachan on behalf of Mail Boxes Etc., Inc. (Strachan, Mark) (Entered: 05/06/2009)
- 05/06/2009 200 NOTICE of Attorney Appearance by Mark Daniel Strachan on behalf of Barnes & Noble Booksellers, Inc. (Strachan, Mark) (Entered: 05/06/2009)
- 05/06/2009 201 NOTICE of Attorney Appearance by Mark Daniel Strachan on behalf of Wayport, Inc. (Strachan, Mark) (Entered: 05/06/2009)
- 05/29/2009 202 NOTICE of Attorney Appearance by Jennifer Parker Ainsworth on behalf of LodgeNet Interactive Corporation (Ainsworth, Jennifer) (Entered: 05/29/2009)

05/29/2009 203 Unopposed MOTION to Withdraw as Attorney by Locke Lord Bissell & Liddell LLP by FreeFi Networks, Inc.. (Attachments: # 1 Exhibit Proposed Order)(Fuller, Michael) (Entered: 05/29/2009)

06/01/2009 204 REPORT of Rule 26(f) Planning Meeting. (Attachments: # 1 Exhibit A - Proposed Docket Control Order)(Weiss, Andrew) (Additional attachment(s) added on 6/1/2009: # 2 Revised Scheduling Order) (sm, ). (Entered: 06/01/2009)

06/03/2009 205 Minute Entry for proceedings held before Magistrate Judge Charles Everingham: Scheduling Conference held on 6/3/2009. (Court Reporter Susan Simmons, CSR.) (jml, ) (Entered: 06/04/2009)

06/05/2009 206 APPLICATION to Appear Pro Hac Vice by Attorney Gregory Lyons for Choice Hotels International Inc. (APPROVED FEE PAID) 2-1-4733. (ch, ) (Entered: 06/05/2009)

06/05/2009 207 APPLICATION to Appear Pro Hac Vice by Attorney Kevin P Anderson for Choice Hotels International Inc. (APPROVED FEE PAID) 2-1-4733. (ch, ) (Entered: 06/05/2009)

06/08/2009 208 ORDER granting 203 Motion to Withdraw as Attorney. Attorney John W MacPete; Michael Scott Fuller and Roy William Hardin terminated as counsel for FreeFi. Accordingly, the court, sua sponte, provides FreeFi thirty days in which to retain counsel in the above matter. Should FreeFi not retain counsel by that date, the plaintiff is ordered to notify the court. Signed by Magistrate Judge Charles Everingham on 6/8/09. (ch, ) (Entered: 06/08/2009)

06/17/2009 209 MOTION for Extension of Time to File Joint Motion to Extend Deadline for Submission of Proposed Protective Order by T-Mobile USA, Inc., Cisco Systems, Inc.. (Attachments: # 1 Text of Proposed Order)(Richardson, Michael) (Entered: 06/17/2009)

06/24/2009 210 ORDER granting 209 Motion for Extension of Time for Submission of Proposed Protective Order. Deadline extended to 6/24/09. Signed by Magistrate Judge Charles Everingham on 6/24/09. (ehs, ) (Entered: 06/24/2009)

06/24/2009 211 Joint MOTION for Extension of Time to File Joint Motion to Extend Deadline for Submission of Proposed Protective Order by T-Mobile USA, Inc., Cisco Systems, Inc.. (Attachments: # 1 Text of Proposed Order)(Richardson, Michael) (Entered: 06/24/2009)

06/26/2009 212 JOINT GENERAL DISCOVERY ORDER. Signed by Magistrate Judge Charles Everingham on 6/26/09. (ehs, ) (Entered: 06/26/2009)

06/26/2009 213 DOCKET CONTROL ORDER - Joinder of Parties due by 11/13/2009., Markman Hearing set for 5/25/2010 09:00 AM before Magistrate Judge Charles Everingham., Motions due by 11/19/2010., Pretrial Order due by 2/18/2011., Scheduling Conference set for 6/3/2009 10:00 AM before Judge David Folsom. Signed by Magistrate Judge Charles Everingham on 6/26/09. (ehs, ) (Entered: 06/26/2009)

06/26/2009 214 ORDER granting 211 Motion for Extension of Time to File. Deadline for submission of a proposed protective order is extended until July 1,2009. Signed by Magistrate Judge Charles Everingham on 6/26/09. (ehs, ) (Entered: 06/26/2009)

07/01/2009 215 Joint MOTION for Extension of Time to File and to Extend Deadline for Submission of the Name of an Agreed Mediator by T-Mobile USA, Inc.. (Attachments: # 1 Text of Proposed Order Order Granting Joint Motion to Extend Deadline for Submission of the Name of an Agreed Mediator)(Richardson, Michael) Modified on 7/1/2009 (sm, ). (Entered: 07/01/2009)

07/01/2009 216 \*\*\*FILED IN ERROR. ORDERS ARE NOT FILED SEPARATELY. PLEASE IGNORE.\*\*\*Submission of Proposed Agreed Protective order by Linksmart Wireless Technology, LLC. (Weiss, Andrew) Modified on 7/2/2009 (ch, ). (Entered: 07/01/2009)

07/02/2009 217 ORDER granting 215 Motion for Extension of Time to File. Deadline for submission of the name of an agreed mediator is extended until July 27,2009. Signed by Magistrate Judge Charles Everingham on 7/2/09. (ch, ) (Entered: 07/02/2009)

07/02/2009 NOTICE of Deficiency regarding the 216 submitted by Linksmart Wireless Technology, LLC. Order not filed as separate document. Correction should be made by one business day (ch, ) (Entered: 07/02/2009)

07/02/2009 218 NOTICE of Disclosure by Linksmart Wireless Technology, LLC of Compliance re PR 3-1 and 3-2 Disclosures (Weiss, Andrew) (Entered: 07/02/2009)

07/02/2009 219 \*\*\*DEFICIENT DOCUMENT. USED WRONG EVENT. PLEASE IGNORE. Submission of Proposed Agreed Protective order by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) Modified on 7/6/2009 (ch, ). (Entered: 07/02/2009)

07/06/2009 NOTICE of Deficiency regarding the 219 submitted by Linksmart Wireless Technology, LLC. Joint Motion filed under wrong event.. Correction should be made by one business day (ch, ) (Entered: 07/06/2009)

07/06/2009 220 \*\*\*REPLACES # 219 \*\*\*Agreed MOTION for Protective Order for Entry of Protective Order by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order [Proposed] Agreed Protective Order)(Weiss, Andrew) Modified on 7/6/2009 (ch, ). (Entered: 07/06/2009)

07/08/2009 221 Unopposed MOTION for Extension of Time to File - Extending Time Allowed for Freefi to Retain Counsel by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 07/08/2009)

07/13/2009 222 AGREED PROTECTIVE ORDER 220 Motion for Protective Order. Signed by Magistrate Judge Charles Everingham on July 13, 2009. (jml) (Entered: 07/13/2009)

07/13/2009 223 ORDER granting 221 Motion for Extension of Time to File. Signed by Magistrate Judge Charles Everingham on July 13, 2009. (jml) (Entered: 07/13/2009)

07/21/2009 224 APPLICATION to Appear Pro Hac Vice by Attorney Joyce Chen for T-Mobile USA, Inc. and Cisco Systems, Inc.. (APPROVED, FEE PAID 2-1-4827) (ehs, ) (Entered: 07/21/2009)

07/27/2009 225 Joint MOTION Appointment of Mediator by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 07/27/2009)

07/27/2009 226 NOTICE of Attorney Appearance by Aden Martin Allen on behalf of Pronto Networks, Inc., Meraki, Inc. (Allen, Aden) (Entered: 07/27/2009)

07/28/2009 227 ORDER REFERRING CASE to Mediator. James W Knowles added as Mediator. Signed by Magistrate Judge Charles Everingham on July 28, 2009. (jml) (Entered: 07/28/2009)

08/06/2009 228 Unopposed MOTION to Withdraw as Attorney by McDonalds Corp., Wayport, Inc., SBC Internet Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Henson, Eve) (Entered: 08/06/2009)

08/06/2009 229 Unopposed MOTION for Extension of Time to File Allowed for Freefi to Retain Counsel by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 08/06/2009)

08/07/2009 230 ORDER granting 229 Motion for Extension of Time Allowed for Freefi to Retain Counsel. Signed by Magistrate Judge Charles Everingham on August 7, 2009. (jml) (Entered: 08/07/2009)

08/07/2009 231 \*\*\*DEFICIENT DOCUMENT. NOT IN PDF SEARCHABLE FORMAT. PLEASE IGNORE.\*\*\*Unopposed MOTION to Withdraw as Attorney by LodgeNet Interactive Corporation. (Socks, Harold) Modified on 8/7/2009 (ch, ). (Entered: 08/07/2009)

08/07/2009 NOTICE of Deficiency regarding the 231 submitted by LodgeNet Interactive Corporation. NOT IN PDF SEARCHABLE FORMAT. Correction should be made by 8/7/09 (ch, ) (Entered: 08/07/2009)

08/07/2009 232 \*\*\*REPLACES # 231 \*\*\*Unopposed MOTION to Withdraw as Attorney by LodgeNet Interactive Corporation. (Attachments: # 1 Text of Proposed Order Order Granting Unopposed Motion for Withdrawal)(Socks, Harold) Modified on 8/11/2009 (ch, ). (Entered: 08/07/2009)

08/10/2009 233 ORDER granting 228 Motion to Withdraw as Attorney. Attorney Richard T McCaulley, Jr terminated as counsel for Dft's SBC Internet Services, Inc., McDonalds Corp., and Wayport, Inc. Signed by Magistrate Judge Charles Everingham on 8/7/09. (ch, ) (Entered: 08/10/2009)

08/14/2009 234 APPLICATION to Appear Pro Hac Vice by Attorney Lisa A Schneider for Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc. and SBC Internet Services, Inc. (APPROVED FEE PAID) 2-1-4865. (ch, ) (Entered: 08/14/2009)

08/18/2009 235 APPLICATION to Appear Pro Hac Vice by Attorney Robin Lynn Brewer for Meraki, Inc. (APPROVED FEE PAID) 2-1-4871. (ch, ) (Entered: 08/19/2009)

08/19/2009 236 NOTICE of Attorney Appearance by Robert David Daniel on behalf of T-Mobile USA, Inc. (Daniel, Robert) (Entered: 08/19/2009)

08/28/2009 237 NOTICE of Disclosure by Pronto Networks, Inc. (Allen, Aden) (Entered: 08/28/2009)

08/28/2009 238 NOTICE of Disclosure by Choice Hotels International Inc. of Rule 26 Initial Disclosures (Smith, Michael) (Entered: 08/28/2009)

08/28/2009 239 Unopposed MOTION for Extension of Time to Complete Discovery , to Serve Initial

Disclosures by Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc., SBC Internet Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Sayles, Richard) (Entered: 08/28/2009)

- 08/28/2009 240 NOTICE of Disclosure by EthoStream, LLC (Hunt, Dean) (Entered: 08/28/2009)
- 08/28/2009 241 NOTICE of Disclosure by Ramada Worldwide, Inc. (Hunt, Dean) (Entered: 08/28/2009)
- 08/28/2009 242 NOTICE of Disclosure by LodgeNet Interactive Corporation (Beverage, Cynthia) (Entered: 08/28/2009)
- 08/28/2009 243 NOTICE of Disclosure by iBAHN General Holdings Corp. regarding Initial Disclosures (Jones, Michael) (Entered: 08/28/2009)
- 08/28/2009 244 NOTICE of Disclosure by Meraki, Inc. (Brewer, Robin) (Entered: 08/28/2009)
- 08/28/2009 245 NOTICE by Marriott International, Inc. of Compliance re Initial Disclosures (Guaragna, John) (Entered: 08/28/2009)
- 08/28/2009 246 NOTICE by Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc of Compliance re Initial Disclosures (Guaragna, John) (Entered: 08/28/2009)
- 08/28/2009 247 NOTICE of Disclosure by Linksmart Wireless Technology, LLC of Rule 26 Initial Disclosure (Weiss, Andrew) (Entered: 08/28/2009)
- 08/28/2009 248 Consent MOTION for Extension of Time to File Initial Disclosures by Aptilo Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Siebman, Clyde) (Entered: 08/28/2009)
- 08/31/2009 249 NOTICE of Disclosure by T-Mobile USA, Inc., Cisco Systems, Inc. (Notice of Filing Rule 26 Initial Disclosures) (Daniel, Robert) (Entered: 08/31/2009)
- 08/31/2009 250 ORDER granting 239 Motion for Extension of Time to Complete Discovery. Defendants serve their Initial Disclosures on or before September 11, 2009.. Signed by Magistrate Judge Charles Everingham on 8/31/09. (ehs, ) (Entered: 08/31/2009)
- 08/31/2009 251 ORDER granting 248 Motion for Extension of Time to File Defendants Initial Disclosures on or before September 11, 2009.. Signed by Magistrate Judge Charles Everingham on 8/31/09. (ehs, ) (Entered: 08/31/2009)
- 09/01/2009 252 NOTICE of Disclosure by Best Western International, Inc. Notice of Compliance With Rule 26 by Best Western International, Inc. (Joe, Christopher) (Entered: 09/01/2009)
- 09/04/2009 253 MOTION to Dismiss Defendant Freefi Networks, Inc. by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 09/04/2009)
- 09/09/2009 254 ORDER granting 253 Motion to Dismiss Dft Freefi Networks, Inc.. Signed by Judge David Folsom on 9/9/2009. (sm, ) (Entered: 09/09/2009)
- 09/09/2009 255 REPORT AND RECOMMENDATIONS recommending 185 MOTION for Default Judgment as to Hot Point Wireless, Inc. and Second Rule, LLC filed by Linksmart Wireless Technology, LLC be granted. Signed by Magistrate Judge Charles Everingham on 9/9/09. (ehs, ) (Entered: 09/09/2009)
- 09/09/2009 256 ORDER granting 185 Motion for Default Judgment. Because the sum of damages is not certain, Linksmart is entitled to take discovery from Hot Point Wireless, Inc. (Hot Point) and Second Rule LLC (Second Rule) to determine the appropriate amount of compensatory damages as a result of their infringement of the 118 patent. The Court will determine a schedule to allow Linksmart to conduct such discovery. The Court will then hold a hearing to determine the exact amount of damages, pre- and post-judgment interest, attorneys fees and costs, and expenses to which Linksmart is entitled as a result of Hot Points and Second Rules infringement of the 118 patent. Signed by Magistrate Judge Charles Everingham on 9/9/09. (ehs, ) (Entered: 09/09/2009)
- 09/11/2009 257 NOTICE by Wayport, Inc., SBC Internet Services, Inc. of Filing Rule 26 Initial Disclosures (Bianco, Brian) (Entered: 09/11/2009)
- 09/11/2009 258 NOTICE by Barnes & Noble Booksellers, Inc. of Filing Rule 26 Initial Disclosures (Bianco, Brian) (Entered: 09/11/2009)
- 09/11/2009 259 NOTICE by Mail Boxes Etc., Inc. of Filing Rule 26 Initial Disclosures (Bianco, Brian) (Entered: 09/11/2009)
- 09/11/2009 260 NOTICE by McDonalds Corp. of Filing Rule 26 Initial Disclosures (Bianco, Brian) (Entered: 09/11/2009)
- 09/14/2009 261 NOTICE of Disclosure by Aptilo Networks, Inc. (Initial Disclosures) (Siebman, Clyde) (Entered: 09/14/2009)

- 09/18/2009 262 Unopposed MOTION for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production by Marriott International, Inc., Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc. (Attachments: # 1 Text of Proposed Order)(Guaragna, John) (Entered: 09/18/2009)
- 09/21/2009 263 Unopposed MOTION for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production by Choice Hotels International Inc.. (Attachments: # 1 Text of Proposed Order)(Smith, Michael) (Entered: 09/21/2009)
- 09/22/2009 264 ORDER granting 262 Motion Unopposed Motion for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production. Deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/22/09. (ch, ) (Entered: 09/22/2009)
- 09/22/2009 265 Unopposed MOTION for Extension of Time to File Best Western International, Inc.'s Unopposed Motion for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order)(Joe, Christopher) (Entered: 09/22/2009)
- 09/22/2009 266 Unopposed MOTION Extension of Time to Serve Invalidation Contentions and Accompanying Document Production by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 09/22/2009)
- 09/22/2009 267 \*\*\*FILED IN ERROR. NOT IN PDF SEARCHABLE FORMAT AND NO ORDER ATTACHED. PLEASE IGNORE.\*\*\* MOTION for Extension of Time to Complete Discovery Unopposed Motion for Extension of Time to Serve Invalidation Contentions by iBAHN General Holdings Corp.. (Broaddus, Michael) Modified on 9/23/2009 (ch, ). (Entered: 09/22/2009)
- 09/22/2009 268 Unopposed MOTION for Extension of Time to File Invalidation Contentions and Accompanying Document Production by Ramada Worldwide, Inc.. (Attachments: # 1 Text of Proposed Order)(Hunt, Dean) (Additional attachment(s) added on 9/23/2009: # 2 REVISED ORDER) (ch, ). (Entered: 09/22/2009)
- 09/22/2009 269 Unopposed MOTION for Extension of Time to File Invalidation Contentions and Accompanying Document Production by EthoStream, LLC. (Attachments: # 1 Text of Proposed Order)(Hunt, Dean) (Additional attachment(s) added on 9/23/2009: # 2 REVISED ORDER) (ch, ). (Entered: 09/22/2009)
- 09/22/2009 270 Unopposed MOTION Motion for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production by Meraki, Inc.. (Attachments: # 1 Text of Proposed Order)(Brewer, Robin) (Entered: 09/22/2009)
- 09/23/2009 \*\*\*FILED IN ERROR. NOT IN PDF SEARCHABLE FORMAT AND NO ORDER ATTACHED Document # 267, Motion for Extension of Time. PLEASE IGNORE.\*\*\* (ch, ) (Entered: 09/23/2009)
- 09/23/2009 271 Unopposed MOTION For Extension of Time to Serve Invalidation Contentions and Accompanying Document Production by Aptilo Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Siebman, Clyde) (Entered: 09/23/2009)
- 09/23/2009 272 Unopposed MOTION for Extension of Time to File /Serve Invalidation Contentions and Accompanying Document Production by T-Mobile USA, Inc., LodgeNet Interactive Corporation; Cisco Systems, Inc.. (Attachments: # 1 Text of Proposed Order)(Daniel, Robert) (Entered: 09/23/2009)
- 09/23/2009 273 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Invalidation Contentions and Accompanying Document Production by Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc., SBC Internet Services, Inc.. (Attachments: # 1 Text of Proposed Order)(Sayles, Richard) (Entered: 09/23/2009)
- 09/23/2009 274 \*\*\*REPLACES # 267 \*\*\*Unopposed MOTION for Extension of Time to Complete Discovery with regarding to Invalidation Contentions by iBAHN General Holdings Corp.. (Attachments: # 1 Text of Proposed Order)(Jones, Michael) Modified on 9/24/2009 (ch, ). (Entered: 09/23/2009)
- 09/24/2009 275 ORDER granting 266 Unopposed Motion for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production. Deadline is extended to 10/15/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)
- 09/24/2009 276 ORDER granting 265 Motion for Extension of Time to Serve Invalidation Contentions and Accompanying Document Production. Best Western International Inc deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 277 ORDER granting 263 Unopposed Motion for extension of time to Serve Invalidity Contentions and Accompanying Document Production. Choice Hotels International Inc. deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 278 ORDER granting 232 Motion to Withdraw as Attorney. Attorney Harold L Socks terminated as counsel for LodgeNet Interactive Corp.. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 279 ORDER granting 274 Motion for Extension of Time to Complete Discovery. Deadline is 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 280 ORDER granting 273 Motion for Extension of Time to Complete Discovery. Deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 281 ORDER granting 272 Motion for Extension of Time to Serve Invalidity Contentions. Deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 282 ORDER granting 271 Unopposed Motion for Extension of Time to Serve Invalidity Contentions and Accompanying Document Production. Deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 283 ORDER granting 270 Motion Unopposed Motion for Extension of Time to Serve Invalidity Contentions and Accompanying Document Production. Deadline extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 284 ORDER granting 269 Motion for Extension of Time to Serve Invalidity Contentions and Accompanying Document Production. Deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

09/24/2009 285 ORDER granting 268 Motion for Extension of Time to Serve Invalidity Contentions and Accompanying Document Production. Deadline is extended to 10/8/09. Signed by Magistrate Judge Charles Everingham on 9/24/09. (ch, ) (Entered: 09/24/2009)

10/06/2009 286 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Invalidity Contentions and Accompanying Document Production by Meraki, Inc.. (Attachments: # 1 Text of Proposed Order)(Brewer, Robin) (Entered: 10/06/2009)

10/08/2009 287 ORDER granting 286 Motion for Extension of Time to Complete Discovery. Meraki, Inc. will have through 10/22/09, to serve its invalidity contentions and accompanying document production in accordance with Patent Rules 3-3 and 3-4. Signed by Magistrate Judge Charles Everingham on 10/8/09. (ch, ) (Entered: 10/08/2009)

10/08/2009 288 NOTICE of Disclosure by Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc., SBC Internet Services, Inc. of Invalidity Contentions (Sayles, Richard) (Entered: 10/08/2009)

10/08/2009 289 NOTICE by Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc of Compliance (Invalidity Contentions and Accompanying Document Production) (Guaragna, John) (Entered: 10/08/2009)

10/08/2009 290 NOTICE by Marriott International, Inc. of Compliance (Invalidity Contentions and Accompanying Document Production) (Guaragna, John) (Entered: 10/08/2009)

10/08/2009 291 NOTICE by EthoStream, LLC of Disclosure of Invalidity Contentions (Hunt, Dean) (Entered: 10/08/2009)

10/08/2009 292 NOTICE by Ramada Worldwide, Inc. of Disclosure of Invalidity Contentions (Hunt, Dean) (Entered: 10/08/2009)

10/09/2009 293 NOTICE by T-Mobile USA, Inc., Cisco Systems, Inc. (of Service of Patent Rules 3-3 and 3-4 Disclosures) (Daniel, Robert) (Entered: 10/09/2009)

10/09/2009 294 NOTICE of Disclosure by iBAHN General Holdings Corp. regarding PR 3-3 and 3-4 (Jones, Michael) (Entered: 10/09/2009)

10/09/2009 295 NOTICE of Disclosure by LodgeNet Interactive Corporation under Patent Rules 3-3 and 3-4 (Ungerman, Mark) (Entered: 10/09/2009)

10/12/2009 296 NOTICE of Disclosure by Pronto Networks, Inc. (Allen, Aden) (Entered: 10/12/2009)

10/12/2009 297 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying

Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 10/12/2009)

10/12/2009 298 NOTICE of Disclosure by Best Western International, Inc. Defendant Best Western International, Inc.'s Notice of Compliance Regarding P.R. 3-3 and 3-4 Disclosures (Carpenter, Brian) (Entered: 10/12/2009)

10/12/2009 299 NOTICE by Aptilo Networks, Inc. NOTICE OF COMPLIANCE REGARDING P.R. 3-3 AND 3-4 DISCLOSURES (Siebman, Clyde) (Entered: 10/12/2009)

10/13/2009 300 NOTICE of Disclosure by Choice Hotels International Inc. Pursuant to PR 3-3 and 3-4 (Smith, Michael) (Entered: 10/13/2009)

10/13/2009 301 APPLICATION to Appear Pro Hac Vice by Attorney Elizabeth L Maxeiner for Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc. and SBC Internet Services, Inc. (APPROVED FEE PAID) 2-1-4961. (ch, ) (Entered: 10/14/2009)

10/14/2009 302 ORDER granting 297 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through October 21, 2009 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 10/14/09. (ehs, ) (Entered: 10/14/2009)

10/20/2009 303 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 10/20/2009)

10/21/2009 304 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Invalidity Contentions and Accompanying Document Production by Meraki, Inc.. (Attachments: # 1 Text of Proposed Order)(Brewer, Robin) (Entered: 10/21/2009)

10/21/2009 305 AMENDED CORPORATE DISCLOSURE STATEMENT filed by T-Mobile USA, Inc. (Richardson, Michael) Modified on 10/21/2009 (sm, ). (Entered: 10/21/2009)

10/21/2009 306 ORDER granting 303 Motion for Extension of Time to Complete Discovery. Deadline extended to 10/30/09. Signed by Magistrate Judge Charles Everingham on 10/21/09. (ehs, ) (Entered: 10/21/2009)

10/23/2009 307 ORDER granting 304 Motion for Extension of Time to Complete Discovery. Meraki, Inc. deadline is 11/5/09 to serve its invalidity contentions and accompanying document production in accordance with Patent Rules 3-3 and 3-4. Signed by Magistrate Judge Charles Everingham on 10/23/09. (ch, ) (Entered: 10/23/2009)

10/30/2009 308 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 10/30/2009)

11/03/2009 309 NOTICE of Disclosure by Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc., SBC Internet Services, Inc. (Sayles, Richard) (Entered: 11/03/2009)

11/04/2009 310 ORDER granting 308 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through November 20, 2009 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 11/4/09. (ehs, ) (Entered: 11/04/2009)

11/04/2009 311 Joint MOTION to Dismiss Meraki, Inc. with Prejudice by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 11/04/2009)

11/05/2009 312 ORDER granting 311 Motion to Dismiss Defendant Meraki of all claims and counterclaims between plaintiff and Meraki. Signed by Judge David Folsom on 11/5/2009. (sm, ) (Entered: 11/05/2009)

11/13/2009 313 THIRD PARTY COMPLAINT against BestComm Networks, Inc., Nomadix, Inc., filed by Best Western International, Inc.. (Attachments: # 1 Civil Cover Sheet)(Joe, Christopher) (Entered: 11/13/2009)

11/16/2009 314 E-GOV SEALED SUMMONS Issued as to BestComm Networks, Inc., (Attachments: # 1 Nomadix Inc.)(ch, ) (Entered: 11/16/2009)

11/17/2009 315 E-GOV SEALED SUMMONS REISSUED as to BestComm Networks, Inc., (Attachments: # 1 Nomadix Inc.)(ch, ) (Entered: 11/17/2009)

11/19/2009 316 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1



Text of Proposed Order)(Allen, Aden) (Entered: 11/19/2009)

- 11/20/2009 317 AMENDED ANSWER to 1 Complaint and, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Ramada Worldwide, Inc.. (Hunt, Dean) (Entered: 11/20/2009)
- 11/20/2009 318 AMENDED ANSWER to 1 Complaint and, COUNTERCLAIM against Linksmart Wireless Technology, LLC by EthoStream, LLC. (Hunt, Dean) (Entered: 11/20/2009)
- 11/24/2009 319 ORDER granting 316 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through December 11, 2009 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 11/24/09. (ehs, ) (Entered: 11/24/2009)
- 11/24/2009 320 NOTICE of Attorney Appearance by Brian Andrew Carpenter on behalf of Best Western International, Inc. (Carpenter, Brian) (Entered: 11/24/2009)
- 11/25/2009 321 NOTICE of Disclosure by Linksmart Wireless Technology, LLC re Local Rule 4.1 (Weiss, Andrew) (Entered: 11/25/2009)
- 11/30/2009 322 NOTICE of Disclosure by T-Mobile USA, Inc., Cisco Systems, Inc. (Daniel, Robert) (Entered: 11/30/2009)
- 11/30/2009 323 NOTICE by Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc of Compliance with Local Patent Rule 4-1 (Guaragna, John) (Entered: 11/30/2009)
- 11/30/2009 324 NOTICE by Marriott International, Inc. of Compliance with Local Patent Rule 4-1 (Guaragna, John) (Entered: 11/30/2009)
- 11/30/2009 325 NOTICE of Disclosure by Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc., SBC Internet Services, Inc. re: Compliance with Patent Rule 4-1 (Sayles, Richard) (Entered: 11/30/2009)
- 11/30/2009 326 NOTICE by Pronto Networks, Inc. of Compliance with Local Patent Rule 4-1 (Allen, Aden) (Entered: 11/30/2009)
- 11/30/2009 327 NOTICE of Disclosure by Choice Hotels International Inc. Pursuant to PR 4-1 (Smith, Michael) (Entered: 11/30/2009)
- 12/01/2009 328 NOTICE of Disclosure by iBANH General Holdings Corp. regarding PR 4-1 Compliance (Jones, Michael) (Entered: 12/01/2009)
- 12/01/2009 329 E-GOV SEALED SUMMONS Returned Executed by Best Western International, Inc.. Nomadix, Inc. served on 11/18/2009, answer due 12/9/2009. (ehs, ) (Entered: 12/01/2009)
- 12/01/2009 330 E-GOV SEALED SUMMONS Returned Executed by Best Western International, Inc.. BestComm Networks, Inc. served on 11/18/2009, answer due 12/9/2009. (ehs, ) (Entered: 12/01/2009)
- 12/01/2009 331 NOTICE by Ramada Worldwide, Inc. of Compliance Regarding Local Patent Rule 4-1 (Hunt, Dean) (Entered: 12/01/2009)
- 12/01/2009 332 NOTICE of Disclosure by EthoStream, LLC of Invalidity Contentions (Hunt, Dean) (Entered: 12/01/2009)
- 12/01/2009 333 Unopposed MOTION to Withdraw as Attorney (Withdrawal of Attorney Michael Herbst) by Aptilo Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Phillips, Lawrence) (Entered: 12/01/2009)
- 12/01/2009 334 NOTICE by Best Western International, Inc. of Compliance Regarding Local Patent Rule 4-1 (Carpenter, Brian) (Entered: 12/01/2009)
- 12/01/2009 335 NOTICE of Disclosure by Aptilo Networks, Inc. (Phillips, Lawrence) (Entered: 12/01/2009)
- 12/01/2009 336 NOTICE by LodgeNet Interactive Corporation of Compliance with Local Patent Rule 4-1 (Ungerman, Mark) (Entered: 12/01/2009)
- 12/03/2009 337 ORDER granting 333 Motion to Withdraw as Attorney. Attorney Michael T Herbst terminated as counsel for Dft Aptilo Networks, Inc. Signed by Magistrate Judge Charles Everingham on 12/3/09. (ch, ) (Entered: 12/03/2009)
- 12/04/2009 338 APPLICATION to Appear Pro Hac Vice by Attorney Theodore J Koerth for Aptilo Networks, Inc. (APPROVED FEE PAID) 2-1-5066. (ch, ) (Entered: 12/04/2009)
- 12/10/2009 339 ANSWER to 317 Amended Answer to Complaint, Counterclaim of Ramada Worldwide, Inc. by Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 12/10/2009)

12/10/2009 340 ANSWER to 318 Amended Answer to Complaint, Counterclaim of Ethnostream, LLC by Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 12/10/2009)

12/10/2009 341 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 12/10/2009)

12/11/2009 342 ORDER granting 341 Motion for Extension of Time to Complete Discovery Pronto Networks, Inc. will have through 12/31/09 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 12/11/09. (ch, ) (Entered: 12/11/2009)

12/11/2009 343 NOTICE of Attorney Appearance by Elizabeth L DeRieux on behalf of Nomadix, Inc. (DeRieux, Elizabeth) (Entered: 12/11/2009)

12/11/2009 344 Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Nomadix, Inc..( DeRieux, Elizabeth) (Entered: 12/11/2009)

12/11/2009 Defendant's Unopposed First Application for Extension of Time to Answer Complaint is GRANTED pursuant to Local Rule CV-12 for Nomadix, Inc. to 1/25/2010. 45 Days Granted for Deadline Extension.( ch, ) (Entered: 12/11/2009)

12/11/2009 345 NOTICE by Linksmart Wireless Technology, LLC of Ten Asserted Claims (Weiss, Andrew) (Entered: 12/11/2009)

12/17/2009 346 Defendant's Unopposed first Application for Extension of Time to Answer Complaint re BestComm Networks, Inc..( Carrington, Morris) (Entered: 12/17/2009)

12/17/2009 Defendant's Unopposed First Application for Extension of Time to Answer TP Complaint is GRANTED pursuant to Local Rule CV-12 for BestComm Networks, Inc. to 1/22/2010. 45 Days Granted for Deadline Extension.( sm, ) (Entered: 12/17/2009)

12/18/2009 347 NOTICE of Attorney Appearance by Sidney Calvin Capshaw, III on behalf of Nomadix, Inc. (Capshaw, Sidney) (Entered: 12/18/2009)

12/18/2009 348 Unopposed MOTION to Continue Extend Docket Control Order by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 12/18/2009)

12/21/2009 349 NOTICE of Attorney Appearance by Alexander Chester Giza on behalf of Linksmart Wireless Technology, LLC (Giza, Alexander) (Entered: 12/21/2009)

12/22/2009 350 ORDER granting 348 Motion To Extend Docket Control Order. The deadline for early mediation at Parties' request is changed to February 26, 2010. Signed by Magistrate Judge Charles Everingham on 12/22/09. (ehs, ) (Entered: 12/22/2009)

12/31/2009 351 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 12/31/2009)

01/05/2010 352 ORDER granting 351 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through January 15, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 1/5/10. (ehs, ) (Entered: 01/05/2010)

01/08/2010 353 APPLICATION to Appear Pro Hac Vice by Attorney David J Leonard for BestComm Networks, Inc. (APPROVED FEE PAID) 2-1-5124. (ch, ) (Entered: 01/08/2010)

01/13/2010 354 APPLICATION to Appear Pro Hac Vice by Attorney Alexandra B McTague for T-Mobile USA, Inc. and Cisco Systems, Inc. (APPROVED FEE PAID) 2-1-5131. (ch, ) (Entered: 01/13/2010)

01/13/2010 355 APPLICATION to Appear Pro Hac Vice by Attorney Jonathan Andron for T-Mobile USA, Inc.. (APPROVED, FEE PAID 2-1-5131) (ehs, ) (Additional attachment(s) added on 1/27/2010: # 1 Confidential Information) (ch, ). (Entered: 01/13/2010)

01/15/2010 356 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 01/15/2010)

01/21/2010 357 ORDER granting 356 Motion for Extension of Time to Complete Discovery. Defendant Pronto Networks, Inc.s Seventh Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 is GRANTED. Pronto Networks, Inc. will have through January 29, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 1/21/10. (ehs, ) (Entered: 01/21/2010)

01/22/2010 358 NOTICE by EthoStream, LLC of Joinder and Notice of Compliance Regarding Local Patent Rule 4-2 (Hunt, Dean) (Entered: 01/22/2010)

01/22/2010 359 NOTICE by Ramada Worldwide, Inc. of Joinder and Notice of Compliance With Local Patent Rule 4-2 (Hunt, Dean) (Entered: 01/22/2010)

01/22/2010 360 \*\*\*FILED IN ERROR, PLEASE IGNORE.\*\*\*NOTICE by Ramada Worldwide, Inc., EthoStream, LLC of Appearance (Hunt, Dean) Modified on 1/25/2010 (sm, ). (Entered: 01/22/2010)

01/22/2010 361 NOTICE by Pronto Networks, Inc. of Compliance with Local Patent Rule 4-2 (Allen, Aden) (Entered: 01/22/2010)

01/22/2010 362 NOTICE by T-Mobile USA, Inc., Cisco Systems, Inc. (of Service of Patent Rule 4-2 Disclosure) (Daniel, Robert) (Entered: 01/22/2010)

01/22/2010 363 NOTICE of Disclosure by Linksmart Wireless Technology, LLC of Preliminary Claim Constructions and Extrinsic Evidence Under P.R. 4-2 (Weiss, Andrew) (Entered: 01/22/2010)

01/25/2010 364 NOTICE of Disclosure by Mail Boxes Etc., Inc., McDonalds Corp., Barnes & Noble Booksellers, Inc., Wayport, Inc., SBC Internet Services, Inc. re: P.R. 4-2 (Sayles, Richard) (Entered: 01/25/2010)

01/25/2010 365 NOTICE of Disclosure by Best Western International, Inc. Notice of Compliance Regarding P.R. 4-2 Disclosures (Joe, Christopher) (Entered: 01/25/2010)

01/25/2010 366 NOTICE of Disclosure by IBAHN General Holdings Corp. regarding Compliance of PR 4-2 Disclosures (Jones, Michael) (Entered: 01/25/2010)

01/25/2010 367 NOTICE by Marriott International, Inc., Six Continents Hotels Inc, Intercontinental Hotels Group Resources Inc of Compliance with Local Patent Rule 4-2 (Guaragna, John) (Entered: 01/25/2010)

01/25/2010 \*\*\*FILED IN ERROR, WRONG EVENT USED AND ATTY WANTING TO APPEAR MUST LOGIN AND FILE. Document # 360, Notice. PLEASE IGNORE.\*\*\* (sm, ) (Entered: 01/25/2010)

01/25/2010 368 NOTICE of Disclosure by Choice Hotels International Inc. Regarding PR 4-2 Disclosures (Smith, Michael) (Entered: 01/25/2010)

01/25/2010 369 NOTICE by LodgeNet Interactive Corporation of Compliance Regarding P.R. 4-2 (Ungerman, Mark) (Entered: 01/25/2010)

01/25/2010 370 Unopposed MOTION for Extension of Time to File Answer re 313 Third Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 01/25/2010)

01/25/2010 371 Unopposed MOTION for Extension of Time to File Answer re 313 Third Party Complaint of Best Western International Inc. by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order Proposed Order)(Carrington, Morris) (Entered: 01/25/2010)

01/26/2010 372 ORDER granting 371 Motion for Extension of Time to Answer. BestComm Networks, Inc. deadline is extended to 2/27/2010. Signed by Magistrate Judge Charles Everingham on 1/26/2010. (ch, ) (Entered: 01/26/2010)

01/26/2010 Answer Due Deadline Updated for BestComm Networks, Inc. to 2/27/2010. (ch, ) (Entered: 01/26/2010)

01/26/2010 373 ORDER granting 370 Motion for Extension of Time to Answer. Nomadix Inc deadline is extended to 2/25/2010. Signed by Magistrate Judge Charles Everingham on 1/26/2010. (ch, ) (Entered: 01/26/2010)

01/26/2010 Answer Due Deadline Updated for Nomadix, Inc. to 2/25/2010. (ch, ) (Entered: 01/26/2010)

01/28/2010 374 Unopposed MOTION for Extension of Time to Complete Discovery Eighth Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 01/28/2010)

01/29/2010 375 ORDER granting 374 Motion for Extension of Time to Complete Discovery. Defendant Pronto Networks, Inc.s Eighth Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 is GRANTED. Pronto Networks, Inc. will have through February 19, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 1/29/10. (ehs, ) (Entered: 01/29/2010)

01/29/2010 376 ORDER that the parties, including BestComm and Nomadix, are ordered to meet and confer on an amended docket control order that allows the third party defendants to meet their obligations. The parties shall jointly file the amended docket control order within 7 days after BestComm and Nomadix answer the third-party complaint. Signed by Magistrate Judge Charles Everingham on 1/29/10. (ehs, ) (Entered: 01/29/2010)

02/17/2010 377 BestComm Networks, Inc.'s ANSWER to 313 Third Party Complaint of Best Western International; Inc., CROSSCLAIM against Nomadix, Inc. by BestComm Networks, Inc.. (Carrington, Morris) (Entered: 02/17/2010)

02/18/2010 378 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 02/18/2010)

02/18/2010 379 NOTICE of Change of Address by Christopher Michael Joe (Joe, Christopher) (Entered: 02/18/2010)

02/19/2010 380 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit A)(Weiss, Andrew) (Entered: 02/19/2010)

02/22/2010 381 ORDER granting 378 Motion for Extension of Time to Complete Discovery. ORDERED that Defendant Pronto Networks, Inc.'s Ninth Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 is GRANTED. Pronto Networks, Inc. will have through 3/5/2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 2/22/2010. (ch, ) (Entered: 02/22/2010)

02/25/2010 382 MOTION to Strike 313 Third Party Complaint or Dismiss by Nomadix, Inc.. (Attachments: # 1 Affidavit Muehlhauser Declaration, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Text of Proposed Order)(Capshaw, Sidney) (Entered: 02/25/2010)

03/04/2010 383 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 03/04/2010)

03/04/2010 384 Unopposed MOTION for Extension of Time to File Response/Reply as to 382 MOTION to Strike 313 Third Party Complaint or Dismiss Best Western International, Inc.'s Unopposed Motion For Extension of Time to Respond to Third-Party Defendant Nomadix, Inc.'s Motion to Strike or Dismiss by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order)(Joe, Christopher) (Entered: 03/04/2010)

03/04/2010 385 APPLICATION to Appear Pro Hac Vice by Attorney Donald A Wall for Best Western International, Inc. (APPROVED FEE PAID) 2-1-5235. (ch, ) (Entered: 03/05/2010)

03/04/2010 386 APPLICATION to Appear Pro Hac Vice by Attorney David E Rogers for Best Western International, Inc. (APPROVED FEE PAID) 2-1-5235. (ch, ) (Entered: 03/05/2010)

03/04/2010 387 APPLICATION to Appear Pro Hac Vice by Attorney Andrea L Marconi for Best Western International, Inc. (APPROVED FEE PAID) 2-1-5235. (ch, ) (Entered: 03/05/2010)

03/05/2010 388 ORDER granting 383 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through 3/19/2010, to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 3/5/2010. (ch, ) (Entered: 03/05/2010)

03/05/2010 389 ORDER granting 384 Motion for Extension of Time to File Response/Reply re 382 MOTION to Strike 313 Third Party Complaint or Dismiss Responses due by 3/24/2010. Signed by Magistrate Judge Charles Everingham on 3/5/2010. (ch, ) (Entered: 03/05/2010)

03/12/2010 390 Unopposed MOTION for Extension of Time to File Response/Reply as to 377 Answer to Third Party Complaint, Crossclaim by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 03/12/2010)

03/15/2010 391 NOTICE of Attorney Appearance by Christopher Michael Joe on behalf of Best Western International, Inc. (Joe, Christopher) (Entered: 03/15/2010)

03/16/2010 392 ORDER granting 390 Motion for Extension of Time to File Response/Reply. Nomadix Inc deadline to respond to the Cross-Claim of BestComm Networks Inc Responses due by 4/2/2010. Signed by Magistrate Judge Charles Everingham on 3/16/2010. (ch, ) (Entered: 03/16/2010)

03/18/2010 393 NOTICE of Attorney Appearance by Allen Franklin Gardner on behalf of iBAHN General Holdings Corp. (Gardner, Allen) (Entered: 03/18/2010)

03/19/2010 394 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1

Text of Proposed Order)(Allen, Aden) (Entered: 03/19/2010)

03/19/2010 395 CLAIM CONSTRUCTION BRIEF (Supplemental Claim Construction and Prehearing Statement) filed by Best Western International, Inc.. (Attachments: # 1 Exhibit A to Best Western's Supplemental Claim Construction and Prehearing Statement)(Rogers, David) Modified on 3/22/2010 (sm, ). (Entered: 03/19/2010)

03/19/2010 396 CLAIM CONSTRUCTION BRIEF filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Affidavit Declaration of Andrew Weiss, # 2 Exhibit Exhibit A, # 3 Exhibit Exhibit B, # 4 Exhibit Exhibit C, # 5 Exhibit Exhibit D, # 6 Exhibit Exhibit E, # 7 Exhibit Exhibit F, # 8 Exhibit Exhibit G, # 9 Exhibit Exhibit H, # 10 Exhibit Exhibit I, # 11 Exhibit Exhibit J, # 12 Exhibit Exhibit K, # 13 Exhibit Exhibit L, # 14 Exhibit Exhibit M) (Weiss, Andrew) (Entered: 03/19/2010)

03/22/2010 NOTICE FROM CLERK re 395 Claim Construction Brief. Clerk has modified to show that it is a supplemental claim construction and prehearing statement. (sm, ) (Entered: 03/22/2010)

03/22/2010 397 ORDER granting 394 Motion for Extension of Time to Complete Discovery. Defendant Pronto Networks, Inc.'s Eleventh Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 is GRANTED. Pronto Networks, Inc. will have through April 2, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 3/22/10. (ehs, ) (Entered: 03/22/2010)

03/23/2010 398 Second MOTION for Extension of Time to File Response/Reply as to 382 MOTION to Strike 313 Third Party Complaint or Dismiss Best Western's Unopposed Second Motion For Extension of Time to Respond to Third-Party Defendant Nomadix, Inc.'s Motion to Strike or Dismiss by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order)(Joe, Christopher) (Entered: 03/23/2010)

03/24/2010 399 ORDER granting 398 Motion for Extension of Time to File Response/Reply re 382 MOTION to Strike 313 Third Party Complaint or Dismiss Responses due by 3/31/2010. Signed by Magistrate Judge Charles Everingham on 3/24/2010. (ch, ) (Entered: 03/24/2010)

03/30/2010 400 Unopposed SEALED PATENT MOTION for Leave to Amend Invalidity Contentions by Barnes & Noble Booksellers, Inc., Mail Boxes Etc., Inc., McDonalds Corp., SBC Internet Services, Inc., Wayport, Inc.. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(Sayles, Richard) (Entered: 03/30/2010)

03/31/2010 401 ORDER granting 400 AT&T/Wayports Unopposed Sealed Patent Motion for Leave to Amend Invalidity Contentions. Signed by Magistrate Judge Charles Everingham on 3/31/2010. (ch, ) (Entered: 03/31/2010)

03/31/2010 402 RESPONSE in Opposition re 382 MOTION to Strike 313 Third Party Complaint or Dismiss filed by Best Western International, Inc.. (Attachments: # 1 Affidavit Declaration of Sara V. Ransom in Support of Third Party Plaintiff Best Western International, Inc.'s Opposition to Motion to Strike or Dismiss Third-Party Complaint, # 2 Exhibit A, February 26, 2004 Direct Sales Contract, # 3 Exhibit B, March 15, 2002 Reseller Agreement, # 4 Exhibit C, July 20, 2004 Nomadix press release, # 5 Exhibit D, Purchase Order, # 6 Text of Proposed Order [Proposed] Order on Third-Party Defendant Nomadix, Inc.'s Motion to Strike or Dismiss Third-Party Complaint of Best Western International, Inc.)(Rogers, David) (Entered: 03/31/2010)

04/02/2010 403 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 04/02/2010)

04/02/2010 404 Unopposed MOTION for Extension of Time to File Response/Reply as to 377 Answer to Third Party Complaint, Crossclaim by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 04/02/2010)

04/05/2010 405 ORDER granting 403 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through 4/16/2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 4/5/2010. (ch, ) (Entered: 04/05/2010)

04/05/2010 406 ORDER granting 404 Motion for Extension of Time to File Response/Reply Nomadix, Inc. be given to and including 4/16/2010 to respond to the Cross-Claim of BestComm Networks, Inc. Responses due by 4/16/2010. Signed by Magistrate Judge Charles Everingham on 4/5/2010. (ch, ) (Entered: 04/05/2010)

04/07/2010 407 APPLICATION to Appear Pro Hac Vice by Attorney Douglas G Muehlhauser for Nomadix, Inc., Douglas G Muehlhauser for Nomadix, Inc.(RECEIPT 2-1-5289). (rml, ) (Entered: 04/07/2010)

04/07/2010)

- 04/12/2010 408 Unopposed MOTION for Extension of Time to File Response/Reply as to 382 MOTION to Strike 313 Third Party Complaint or Dismiss by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 04/12/2010)
- 04/13/2010 409 ORDER granting 408 Motion for Extension of Time to File Response/Reply re 382 MOTION to Strike 313 Third Party Complaint or Dismiss Responses due by 4/26/2010. Signed by Magistrate Judge Charles Everingham on 4/13/2010. (ch, ) (Entered: 04/13/2010)
- 04/13/2010 410 NOTICE of Designation of Attorney in Charge to Andrew Wesley Spangler on behalf of Linksmart Wireless Technology, LLC (Spangler, Andrew) (Entered: 04/13/2010)
- 04/15/2010 411 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 04/15/2010)
- 04/16/2010 412 ORDER granting 411 Motion for Extension of Time to Complete Discovery. Pronto Networks, Inc. will have through April 30, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 4/16/10. (ehs, ) (Entered: 04/16/2010)
- 04/16/2010 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by Nomadix, Inc.. (Attachments: # 1 Affidavit Muehlhauser Declaration, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Text of Proposed Order)(Capshaw, Sidney) (Entered: 04/16/2010)
- 04/16/2010 414 CLAIM CONSTRUCTION BRIEF filed by Cisco Systems, Inc., T-Mobile USA, Inc., SBC Internet Svcs, Wayport, Inc, LodgeNet Interactive Corp, EthoStream LLC, Pronto Networks, Aptilo Networks, Mail Boxes Etc, McDonalds Corp, Barnes and Nobles Booksellers, Ramada WORldwide, Mariott Intl, Choice Hotels Intl, Best Western Intl, Six Continents Hotels, Intercontinental Hotels Group (Attachments: # 1 Affidavit Declaration of Noah Levine in Support of Claim Construction Brief of Defendants with exhibits 1 to 5, # 2 Exhibit Exhibits 6 to 9 of Declaration of Noah Levine in Support of Claim Construction Brief of Defendants, # 3 Affidavit Declaration of Kevin Jaffay, Ph.D. with exhibits a through c)(Daniel, Robert) Modified on 4/19/2010 (sm, ). (Entered: 04/16/2010)
- 04/16/2010 415 \*\*\*FILED IN ERROR, PLEASE IGNORE.\*\*\*RESPONSE in Support re 411 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 filed by Best Western International, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Rogers, David) Modified on 4/19/2010 (sm, ). (Entered: 04/16/2010)
- 04/16/2010 416 \*\*\*FILED IN ERROR, PLEASE IGNORE.\*\*\*NOTICE by Best Western International, Inc. Claim Construction Brief (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Rogers, David) Modified on 4/19/2010 (sm, ). (Entered: 04/16/2010)
- 04/16/2010 417 \*\*\*DEFICIENT DOCUMENT, PELASE IGNORE.\*\*\*MOTION for Leave to File motion for partial summary judgment of invalidity for indefiniteness by Cisco Systems, Inc., T-Mobile USA, Inc.. (Levine, Noah) Modified on 4/19/2010 (sm, ). (Entered: 04/16/2010)
- 04/19/2010 \*\*\*FILED IN ERROR, WRONG EVENT USED, ATTY MUST REFILE USING CORRECT EVENT. Document # 415 and #416, Response in Support and Notice. PLEASE IGNORE.\*\*\* (sm, ) (Entered: 04/19/2010)
- 04/19/2010 NOTICE of DEFICIENCY regarding the #417 Motion for leave submitted by Cisco Systems, Inc., T-Mobile USA, Inc.. Not in proper pleading format which includes certificate of conference etc.. Correction should be made by 1 business day and refiled in proper motion format or as a notice, attaching the letter. (sm, ) (Entered: 04/19/2010)
- 04/19/2010 418 SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF filed by Best Western International, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Rogers, David) (Entered: 04/19/2010)
- 04/19/2010 419 NOTICE by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Pronto Networks, Inc., Ramada Worldwide, Inc., SBC Internet Services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc. of Letter Requesting Leave to File Summary Judgment Motion (Attachments: # 1 Exhibit A)(Daniel, Robert) (Entered: 04/19/2010)
- 04/19/2010 420 Additional Attachments to Main Document (Certificate of Service): 414 Claim Construction Brief,.. (Daniel, Robert) Modified on 4/19/2010 (sm, ). (Entered: 04/19/2010)
- 04/19/2010 NOTICE FROM CLERK re 414 Claim Construction Brief. Clerk modified entry to all all the

defendant files that were previously not entered when filed. (sm, ) (Entered: 04/19/2010)

- 04/22/2010 421 Unopposed MOTION for Leave to File Amended First Answers and Counterclaims by Barnes & Noble Booksellers, Inc., Mail Boxes Etc., Inc., McDonalds Corp., SBC Internet Services, Inc., Wayport, Inc.. (Attachments: # 1 Text of Proposed Order) (Sayles, Richard) (Entered: 04/22/2010)
- 04/22/2010 422 First Amended ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by SBC Internet Services, Inc..(Sayles, Richard) (Entered: 04/22/2010)
- 04/22/2010 423 First Amended ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Wayport, Inc..(Sayles, Richard) (Entered: 04/22/2010)
- 04/22/2010 424 First Amended ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by McDonalds Corp..(Sayles, Richard) (Entered: 04/22/2010)
- 04/22/2010 425 First Amended ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Barnes & Noble Booksellers, Inc..(Sayles, Richard) (Entered: 04/22/2010)
- 04/22/2010 426 First Amended ANSWER to 1 Complaint, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Mail Boxes Etc., Inc..(Sayles, Richard) (Entered: 04/22/2010)
- 04/22/2010 427 NOTICE of Attorney Appearance by Adam S Hoffman on behalf of Linksmart Wireless Technology, LLC (Hoffman, Adam) (Entered: 04/22/2010)
- 04/23/2010 428 ORDER granting 421 Motion for Leave to Amend Their Respective First Answers And Counterclaims. Signed by Magistrate Judge Charles Everingham on 4/23/10. (ehs, ) (Entered: 04/23/2010)
- 04/23/2010 429 MOTION for Extension of Time to File Response/Reply as to 402 Response in Opposition to Motion,, 382 MOTION to Strike 313 Third Party Complaint or Dismiss by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 04/23/2010)
- 04/27/2010 430 ORDER granting 429 Motion for Extension of Time to File Response/Reply. Nomadix shall have to 5/10/2010 to reply to the Opposition of Best Western International Inc Responses due by 5/10/2010. Signed by Magistrate Judge Charles Everingham on 4/27/2010. (ch, ) (Entered: 04/27/2010)
- 04/29/2010 431 ORDER - granting 419 Dfts notice to request permission to file for partial summary judgment of invalidity. Signed by Magistrate Judge Charles Everingham on 4/29/2010. (ch, ) (Entered: 04/29/2010)
- 04/29/2010 432 MOTION to Strike 396 Claim Construction Brief, Defendants' Motion to Exclude the Expert Declaration of Dr. Tal Lavian in Support of Plaintiff's Claim Construction Reply Brief by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., McDonalds Corp., Ramada Worldwide, Inc., SBC Internet Services, Inc., T-Mobile USA, Inc.. (Attachments: # 1 Affidavit Declaration of Alexandra McTague, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Text of Proposed Order)(Richardson, Michael) (Entered: 04/29/2010)
- 04/29/2010 433 Unopposed MOTION for Leave to File Excess Pages by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 04/29/2010)
- 04/30/2010 434 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 04/30/2010)
- 04/30/2010 435 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 04/30/2010)
- 04/30/2010 436 REPLY to 418 Claim Construction Brief, 414 Claim Construction Brief,, filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Affidavit of Andrew D. Weiss, # 2 Exhibit A to Weiss Decl., # 3 Affidavit of Tal Lavian, PH.D)(Weiss, Andrew) (Entered: 04/30/2010)
- 05/03/2010 439 ORDER granting 435 Unopposed Motion for Extension of Time to File Response to Nomadix Inc Mo to Dismiss BestComm Networks Crossclaims and BestComm is hereby given an extension of time up to and including Monday, May 24, 2010 to respond to Nomadix Inc's Motion to Dismiss BestComm Networks Crossclaims. Signed by Magistrate Judge Charles Everingham on 5/3/10. (poa, ) (Entered: 05/04/2010)

- 05/04/2010 437 ORDER granting 433 Unopposed Motion for Leave to File Excess Pages. Order that the Plaintiff is granted leave to exceed the page limits for its Reply Brief required by P.R.4-5 (c) by 5 pages. Signed by Magistrate Judge Charles Everingham on 5/3/10. (poa, ) (Entered: 05/04/2010)
- 05/04/2010 438 ORDER granting 434 Fourteenth Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to PR 3-4. Pronto Networks Inc will have through May 14, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 5/3/10. (poa, ) (Entered: 05/04/2010)
- 05/05/2010 440 NOTICE of Attorney Appearance by Todd Y Brandt on behalf of Linksmart Wireless Technology, LLC (Brandt, Todd) (Entered: 05/05/2010)
- 05/07/2010 441 Unopposed MOTION for Extension of Time to File Response/Reply to the Opposition of Best Western International, Inc. to Nomadix, Inc.'s Motion to Dismiss by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 05/07/2010)
- 05/07/2010 442 Unopposed MOTION for Leave to File Claim Construction Sur-Reply by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, InterContinental Hotels Group PLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Pronto Networks, Inc., Ramada Worldwide, Inc., SBC Internet Services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc., iBAHN General Holdings Corp.. (Attachments: # 1 Text of Proposed Order granting defendants' unopposed motion for leave to file sur-reply, # 2 Exhibit Defendants' claim construction sur-reply, # 3 Affidavit of Noah Levine in support of defendants' claim construction sur-reply)(Levine, Noah) (Entered: 05/07/2010)
- 05/07/2010 443 Unopposed MOTION for Leave to File Claim Construction Surreply Brief by Aptilo Networks, Inc., iBAHN General Holdings Corp.. (Attachments: # 1 Text of Proposed Order)(Gardner, Allen) (Entered: 05/07/2010)
- 05/07/2010 444 CLAIM CONSTRUCTION SUR-REPLY BRIEF filed by Aptilo Networks, Inc., iBAHN General Holdings Corp.. (Gardner, Allen) (Entered: 05/07/2010)
- 05/07/2010 445 Unopposed MOTION for Leave to File Best Western's International, Inc.'s Unopposed Motion For Leave to Amend Its Answer and Counterclaims by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order)(Joe, Christopher) (Entered: 05/07/2010)
- 05/07/2010 446 First Amended ANSWER to 1 Complaint Best Western International, Inc.'s First Amended Answer, Defenses and Counterclaims, COUNTERCLAIM against Linksmart Wireless Technology, LLC by Best Western International, Inc..(Joe, Christopher) (Entered: 05/07/2010)
- 05/07/2010 447 Unopposed MOTION for Leave to File Claim Construction Sur-Reply by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order, # 2 Claim Construction Brief, # 3 Exhibit Exhibit 3, # 4 Exhibit Exhibit 4)(Rogers, David) (Entered: 05/07/2010)
- 05/10/2010 448 Linksmart Wireless Technology, LLC's Reply ANSWER to 423 Answer to Complaint, Counterclaim Wayport's Amended Counterclaim by Linksmart Wireless Technology, LLC. (Weiss, Andrew) (Entered: 05/10/2010)
- 05/10/2010 449 Linksmart Wireless Technology LLC's Reply ANSWER to 422 Answer to Complaint, Counterclaim SBC Internet Services dba ATT Internet Services Amended Counterclaim by Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 05/10/2010)
- 05/10/2010 450 Linksmart Wireless Technology LLC's Reply ANSWER to 424 Answer to Complaint, Counterclaim McDonald's Amended Counterclaims by Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 05/10/2010)
- 05/10/2010 451 Linksmart Wireless Technology LLC's Reply ANSWER to 426 Answer to Complaint, Counterclaim Mail Boxes Etc. Amended Counterclaims by Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 05/10/2010)
- 05/10/2010 452 Linksmart Wireless Technology LLC's Reply ANSWER to 446 Answer to Complaint, Counterclaim,, Best Western Internatiional, Inc's Amended Counterclaims by Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 05/10/2010)
- 05/10/2010 453 Linksmart Wireless Technology LLC's Reply ANSWER to 425 Answer to Complaint, Counterclaim Barnes & Noble Booksellers Inc.'s Amended Counterclaims by



Linksmart Wireless Technology, LLC.(Weiss, Andrew) (Entered: 05/10/2010)

05/11/2010 454 ORDER granting 441 Motion for Extension of Time to File Response/Reply to the Opposition of Best Western International Inc Responses due by 6/1/2010. Signed by Magistrate Judge Charles Everingham on 5/11/2010. (ch, ) (Entered: 05/11/2010)

05/11/2010 455 ORDER granting 442 Motion for Leave to File Claim Construction SurReply. Signed by Magistrate Judge Charles Everingham on 5/11/2010. (ch, ) (Entered: 05/11/2010)

05/11/2010 456 ORDER granting 443 Motion for Leave to File a Claim Construction Sur-reply Brief. Defendant iBAHN General Holdings Corp., joined by Aptilo Networks, Inc., may file its Claim Construction Sur-reply Brief. Signed by Magistrate Judge Charles Everingham on 5/11/10. (ehs, ) (Entered: 05/11/2010)

05/11/2010 457 ORDER granting 445 Motion for Leave to File Amend Answer and Counteclaims. Signed by Magistrate Judge Charles Everingham on 5/11/2010. (ch, ) (Entered: 05/11/2010)

05/11/2010 458 ORDER granting 447 Motion for Leave to File Claim Construction Sur-Reply. Signed by Magistrate Judge Charles Everingham on 5/11/10. (ehs, ) (Entered: 05/11/2010)

05/11/2010 459 RESPONSE to 436 Reply to Claim Construction Brief, Claim Construction Sur-Reply Brief of Defendants by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, InterContinental Hotels Group PLC, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Pronto Networks, Inc., Ramada Worldwide, Inc., SBC Internet Services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc. (Attachments: # 1 Affidavit Declaration of Noah A. Levine, # 2 Exhibit 1)(Richardson, Michael) (Entered: 05/11/2010)

05/12/2010 460 Unopposed MOTION for Leave to File Amended Answer by Choice Hotels International Inc.. (Attachments: # 1 Text of Proposed Order)(Smith, Michael) (Entered: 05/12/2010)

05/12/2010 461 First Amended ANSWER to 1 Complaint by Choice Hotels International Inc..(Smith, Michael) (Entered: 05/12/2010)

05/13/2010 462 NOTICE of Disclosure by SBC Internet Services, Inc., Wayport, Inc. of Second Supplemental Rule 26(a) Disclosures (Sayles, Richard) (Entered: 05/13/2010)

05/14/2010 463 ORDER granting 460 Motion for Leave to File amended it answer. Signed by Magistrate Judge Charles Everingham on 5/14/10. (ehs, ) (Entered: 05/14/2010)

05/14/2010 464 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying Document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 05/14/2010)

05/14/2010 465 CLAIM CONSTRUCTION CHART filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit Exhibit A)(Weiss, Andrew) (Entered: 05/14/2010)

05/14/2010 466 NOTICE by Linksmart Wireless Technology, LLC Notice of Submission of Tutorial (Attachments: # 1 Exhibit Ex. A - Tutorial)(Giza, Alexander) (Entered: 05/14/2010)

05/14/2010 469 APPLICATION to Appear Pro Hac Vice by Attorney Erin P Gibson,John D Kinton for Intercontinental Hotels Group Resources Inc,Erin P Gibson,John D Kinton for Intercontinental Hotels Group Resources Inc,Erin P Gibson,John D Kinton for Six Continents Hotels Inc,Erin P Gibson,John D Kinton for Six Continents Hotels Inc. (Attachments: # 1 PHV Kinton RECEIPT 2-1-5362)(rml, ) (Entered: 05/17/2010)

05/17/2010 467 Unopposed SEALED PATENT MOTION for Leave to File First Supplemental Invalidation Contentions by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Pronto Networks, Inc., Ramada Worldwide, Inc., SBC Internet Services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc.. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(Richardson, Michael) (Entered: 05/17/2010)

05/17/2010 468 MOTION for Summary Judgment of Invalidation for Indefiniteness Under 35 U.S.C. Section 112, 2 by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, InterContinental Hotels Group PLC, LodgeNet Interactive Corporation, Marriott International, Inc., McDonalds Corp., Pronto Networks, Inc., Ramada Worldwide, Inc., SBC Internet Services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc.. (Attachments: # 1 Affidavit (Part 1 of 2) Declaration of Noah A. Levine, # 2 Affidavit (Part 2 of 2) Delcaration of Noah A. Levine, # 3 Text of Proposed Order)(Richardson, Michael) (Entered: 05/17/2010)

- 05/17/2010 470 RESPONSE in Opposition re 432 MOTION to Strike 396 Claim Construction Brief, Defendants' Motion to Exclude the Expert Declaration of Dr. Tal Lavian in Support of Plaintiff's Claim Construction Reply Brief MOTION to Strike 396 Claim Construction Brief, Defendants' Motion to Exclude the Expert Declaration of Dr. Tal Lavian in Support of Plaintiff's Claim Construction Reply Brief MOTION to Strike 396 Claim Construction Brief, Defendants' Motion to Exclude the Expert Declaration of Dr. Tal Lavian in Support of Plaintiff's Claim Construction Reply Brief filed by Linksmart Wireless Technology, LLC. (Weiss, Andrew) (Entered: 05/17/2010)
- 05/18/2010 471 ORDER granting 464 Motion for Extension of Time to Complete Discovery. ORDERED that Defendant Pronto Networks, Inc.s Fifteenth Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 is GRANTED. Pronto Networks, Inc. will have through 5/28/2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4. Signed by Magistrate Judge Charles Everingham on 5/18/2010. (ch, ) (Entered: 05/18/2010)
- 05/18/2010 472 ORDER granting 467 Sealed Patent Motion for leave to file First Supplemental Invalidity Contentions. Signed by Magistrate Judge Charles Everingham on 5/18/2010. (ch, ) (Entered: 05/18/2010)
- 05/20/2010 473 APPLICATION to Appear Pro Hac Vice by Attorney Richard A Cederoth for Barnes & Noble Booksellers, Inc., Richard A Cederoth for Mail Boxes Etc., Inc., Richard A Cederoth for McDonalds Corp., Richard A Cederoth for SBC Internet Services, Inc., Richard A Cederoth for SBC Internet Services, Inc., Richard A Cederoth for SBC Internet Services, Inc., Richard A Cederoth for Wayport, Inc. (APPROVED FEE PAID) 2-1-5371. (ch, ) (Entered: 05/20/2010)
- 05/21/2010 474 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 05/21/2010)
- 05/23/2010 475 RESPONSE in Opposition re 468 MOTION for Summary Judgment of Invalidity for Indefiniteness Under 35 U.S.C. Section 112, 2 filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Affidavit of Tal Lavian, Ph.D.)(Weiss, Andrew) (Entered: 05/23/2010)
- 05/25/2010 476 ORDER granting 474 Motion for Extension of Time to File Response to Nomadix, Inc.s Motion to Dismiss BestComm Networks, Inc.s Crossclaims. Responses due by 6/14/2010. Signed by Magistrate Judge Charles Everingham on 5/25/10. (ehs, ) (Entered: 05/25/2010)
- 05/25/2010 477 Minute Entry for proceedings held before Magistrate Judge Charles Everingham: Markman Hearing held on 5/25/2010. (Court Reporter Shelly Holmes, CSR.) (Attachments: # 1 Attorney sign-in sheet) (jml) (Entered: 05/25/2010)
- 05/28/2010 478 Unopposed MOTION for Extension of Time to Complete Discovery to Serve Accompanying document Production Pursuant to P.R. 3-4 by Pronto Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Allen, Aden) (Entered: 05/28/2010)
- 06/01/2010 479 ORDER granting 478 Motion for Extension of Time to to Serve Accompanying Document Production Pursuant to P.R. 3-4. Defendant Pronto Networks, Inc.s Sixteenth Unopposed Motion for Extension of Time to Serve Accompanying Document Production Pursuant to P.R. 3-4 is GRANTED. Pronto Networks, Inc. will have through June 11, 2010 to serve its accompanying document production to the invalidity contentions in accordance with Patent Rule 3-4.. Signed by Magistrate Judge Charles Everingham on 6/1/10. (ehs, ) (Entered: 06/01/2010)
- 06/01/2010 480 Unopposed MOTION for Extension of Time to File Response/Reply to 402 Opposition of Best Western International, Inc. to Nomadix, Inc.'s Motion to Dismiss by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 06/01/2010)
- 06/02/2010 481 ORDER granting 480 Motion for Extension of Time to File Response/Reply - reply to the Opposition of Best Western International Inc Responses due by 6/22/2010. Signed by Magistrate Judge Charles Everingham on 6/2/2010. (ch, ) (Entered: 06/02/2010)
- 06/02/2010 482 REPLY TO RESPONSE in Support re 468 MOTION for Summary Judgment of Invalidity for Indefiniteness Under 35 U.S.C. Section 112, 2 Defendants' Reply in Support of Their Motion for Partial Summary Judgment of Invalidity for Indefiniteness Under 35 U.S.C. 112.2 filed by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Ramada Worldwide, Inc.,

SBC Internet Services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc., iBAHN General Holdings Corp.. (Richardson, Michael) Modified on 6/2/2010 (sm, ) (Entered: 06/02/2010)

- 06/02/2010 NOTICE FROM CLERK re 482 Response in Support of Motion. Entry was modified by clerk to show that it is a reply to response. (sm, ) (Entered: 06/02/2010)
- 06/03/2010 483 Unopposed MOTION to Withdraw as Attorney by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Brandt, Todd) (Entered: 06/03/2010)
- 06/04/2010 484 ORDER granting 483 Motion to Withdraw as Attorney. Attorney Todd Y Brandt terminated Linksmart Wireless Technology LLC. Signed by Magistrate Judge Charles Everingham on 6/4/2010. (ch, ) (Entered: 06/04/2010)
- 06/07/2010 485 Joint MOTION to Dismiss Pronto Networks, Inc. with Prejudice by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order Proposed Order)(Weiss, Andrew) (Entered: 06/07/2010)
- 06/09/2010 486 ORDER, granting 485 Joint MOTION to Dismiss Pronto Networks, Inc. with Prejudice filed by Linksmart Wireless Technology, LLC., Pronto Networks, Inc. terminated.. Signed by Judge David Folsom on 6/9/10. (mrm, ) (Entered: 06/09/2010)
- 06/11/2010 487 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 06/11/2010)
- 06/15/2010 488 ORDER granting 487 Motion for Extension of Time to File Response/Reply re 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims Responses due by 7/6/2010. Signed by Magistrate Judge Charles Everingham on 6/15/2010. (ch, ) (Entered: 06/15/2010)
- 06/18/2010 489 APPLICATION to Appear Pro Hac Vice by Attorney Eric Charles Flagel for Linksmart Wireless Technology, LLC. (APPROVED, FEE PAID 2-1-5415) (ehs, ) (Entered: 06/18/2010)
- 06/22/2010 490 Unopposed MOTION for Extension of Time to File Response/Reply to 402 Opposition of Best Western International, Inc. to Nomadix, Inc.'s Motion to Strike or Dismiss Third-Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order) (Muehlhauser, Douglas) (Entered: 06/22/2010)
- 06/23/2010 491 ORDER granting 490 Motion for Extension of Time to File Response/Reply re: to Best Western International Inc Opposition to Nomadix's Motion to Strike or Dismiss Third-Party complaint Responses due by 7/6/2010. Signed by Magistrate Judge Charles Everingham on 6/23/2010. (ch, ) (Entered: 06/23/2010)
- 06/30/2010 492 MEMORANDUM OPINION AND ORDER - the court issues the following order concerning the claim construction issues. Signed by Magistrate Judge Charles Everingham on 6/30/2010. (ch, ) (Entered: 06/30/2010)
- 06/30/2010 493 NOTICE of Attorney Appearance by Irene Y Lee on behalf of Linksmart Wireless Technology, LLC (Lee, Irene) (Entered: 06/30/2010)
- 07/01/2010 494 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 07/01/2010)
- 07/01/2010 495 REPORT AND RECOMMENDATIONS re 468 MOTION for Summary Judgment of Invalidity for Indefiniteness Under 35 U.S.C. Section 112, recommending granting in part deft's motion. Signed by Magistrate Judge Charles Everingham on 7/1/10. (ehs, ) (Entered: 07/01/2010)
- 07/01/2010 496 Unopposed MOTION to Withdraw as Attorney by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order)(Rogers, David) (Entered: 07/01/2010)
- 07/02/2010 497 ORDER granting 494 Motion for Extension of Time to File Response to Nomadix, Inc.s Motion to Dismiss BestComm Networks, Inc.s Crossclaims. Responses due by 8/20/2010. Signed by Magistrate Judge Charles Everingham on 7/2/10. (ehs, ) (Entered: 07/02/2010)
- 07/02/2010 498 ORDER granting 496 Motion to Withdraw as Attorney. Attorney Andrea L Marconi terminated. Signed by Magistrate Judge Charles Everingham on 7/2/10. (ehs, ) (Entered: 07/02/2010)
- 07/06/2010 499 NOTICE OF FILING OF OFFICIAL TRANSCRIPT of CLAIM CONSTRUCTION HEARING held on 5/25/10 before Judge Chad Everingham. Court Reporter/Transcriber: Shelly Holmes, CSR, Telephone number: (903) 663-5082. (116 Pages) NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) business days to file with the Court a Notice

of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at [www.txed.uscourts.gov](http://www.txed.uscourts.gov) Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/30/2010. Redacted Transcript Deadline set for 8/9/2010. Release of Transcript Restriction set for 10/7/2010. (tja, ) (Entered: 07/06/2010)

- 07/06/2010 500 MOTION for Extension of Time to File Response/Reply to 402 Opposition of Best Western International, Inc. to 382 Nomadix, Inc.'s Motion to Strike or Dismiss Third-Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 07/06/2010)
- 07/07/2010 501 ORDER granting 500 Motion for Extension of Time to File Response/Reply re: 402 Opposition of Best Western International Inc. Signed by Magistrate Judge Charles Everingham on 7/7/2010. (ch, ) (Entered: 07/07/2010)
- 07/14/2010 502 RESPONSE to 492 Memorandum & Opinion by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, Mail Boxes Etc., Inc., McDonalds Corp., Ramada Worldwide, Inc., SBC Internet Services, Inc., T-Mobile USA, Inc., Wayport, Inc., iBAHN General Holdings Corp.. (Attachments: # 1 Text of Proposed Order)(Richardson, Michael) (Entered: 07/14/2010)
- 07/14/2010 503 RESPONSE OBJECTIONS to 492 Memorandum Opinion and Order by Linksmart Wireless Technology, LLC. (Weiss, Andrew) Modified on 7/28/2010 (sm, ). (Entered: 07/14/2010)
- 07/15/2010 504 OBJECTION to 495 Report and Recommendations by Linksmart Wireless Technology, LLC. (Weiss, Andrew) (Entered: 07/15/2010)
- 07/15/2010 505 Response to 492 Order filed by Best Western International, Inc.. (Attachments: # 1 Text of Proposed Order Order)(Rogers, David) Modified on 7/16/2010 (sm, ). (Entered: 07/15/2010)
- 07/16/2010 NOTICE FROM CLERK re 505 . Clerk has modified this entry, per atty, to add the link and entry to show it is a response to #492 Memorandum Order. (sm, ) (Entered: 07/16/2010)
- 07/22/2010 506 NOTICE of Attorney Appearance by Robert F Gookin on behalf of Linksmart Wireless Technology, LLC (Gookin, Robert) (Entered: 07/22/2010)
- 07/26/2010 507 Unopposed MOTION for Extension of Time to File Response/Reply to 402 Opposition of Best Western International, Inc. to 382 Nomadix, Inc.'s Motion to Dismiss Third-Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 07/26/2010)
- 07/27/2010 508 ORDER granting 507 Motion for Extension of Time to File Reply to Best Western International, Inc.s Opposition to Normadixs Motion to Strike or Dismiss Third-Party Complaint. Responses due by 8/10/2010. Signed by Magistrate Judge Charles Everingham on 7/27/10. (ehs, ) (Entered: 07/27/2010)
- 07/28/2010 509 RESPONSE to 492 Memorandum & Opinion Defendants' Opposition to Plaintiff's Objections to June 30, 2010 Memorandum and Order Regarding Claim Construction by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Ramada Worldwide, Inc., SBC Internet Services, Inc., T-Mobile USA, Inc., Wayport, Inc., iBAHN General Holdings Corp.. (Richardson, Michael) (Entered: 07/28/2010)
- 07/28/2010 510 RESPONSE to 504 Pla objections to Report and Recommendation by Aptilo Networks, Inc., Barnes & Noble Booksellers, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Mail Boxes Etc., Inc., Marriott International, Inc., McDonalds Corp., Ramada Worldwide, Inc., SBC Internet S services, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., Wayport, Inc., iBAHN General Holdings Corp.. (Richardson, Michael) (Richardson, Michael) Modified on 7/28/2010 (sm, ). (Entered: 07/28/2010)
- 07/28/2010 NOTICE FROM CLERK of modifications to entries 503 Objection to Report and Recommendations - Changed the event to response to non-motion, 510 Response to Non-Motion - Changed link from 492 to 504. (sm, ) (Entered: 07/28/2010)

08/10/2010 511 Unopposed MOTION for Extension of Time to File Response/Reply to 402 Opposition of Best Western International, Inc. to 382 Nomadix, Inc.'s Motion to Dismiss Third-Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 08/10/2010)

08/11/2010 512 ORDER granting 511 Motion for Extension of Time to File Reply to Best Western International, Inc.s Opposition to Nomadix Motion to Strike or Dismiss Third-Party Complaint. Nomadix Responses due by 8/24/2010. Signed by Magistrate Judge Charles Everingham on 8/11/10. (ehs, ) (Entered: 08/11/2010)

08/12/2010 513 NOTICE by Choice Hotels International Inc. of Letter Brief Requesting Permission to file Motion for Summary Judgment (Attachments: # 1 Exhibit 1 - Letter Brief)(Smith, Michael) (Entered: 08/12/2010)

08/13/2010 514 \*\*\*FILED IN ERROR. PER ATTORNEY. PLEASE IGNORE.\*\*\*NOTICE by LodgeNet Interactive Corporation of Unenforceability Contentions (Beverage, Cynthia) Modified on 8/16/2010 (ch, ). (Entered: 08/13/2010)

08/16/2010 \*\*\*FILED IN ERROR. PER ATTORNEY Document # 514, Notice. PLEASE IGNORE.\*\*\* (ch, ) (Entered: 08/16/2010)

08/16/2010 515 NOTICE by LodgeNet Interactive Corporation of Compliance Regarding Preliminary Unenforceability Contentions (Beverage, Cynthia) (Entered: 08/16/2010)

08/17/2010 516 ORDER grants 513 Notice for leave to file motion for summary judgment filed by Choice Hotels International Inc.. Signed by Magistrate Judge Charles Everingham on 8/17/10. (ehs, ) (Entered: 08/17/2010)

08/19/2010 517 SEALED MOTION Unopposed Motion for Leave to Serve First Supplemental Invalidity Contentions by Aptilo Networks, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, InterContinental Hotels Group PLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Marriott International, Inc., Ramada Worldwide, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., iBAHN General Holdings Corp.. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(Richardson, Michael) (Entered: 08/19/2010)

08/20/2010 518 NOTICE of Disclosure by Barnes & Noble Booksellers, Inc., Mail Boxes Etc., Inc., McDonalds Corp., SBC Internet Services, Inc., Wayport, Inc. of Amended Invalidity Contentions (Sayles, Richard) (Entered: 08/20/2010)

08/20/2010 519 NOTICE of Disclosure by Intercontinental Hotels Group Resources Inc, Marriott International, Inc., Six Continents Hotels Inc of Amended Invalidity Contentions (Guaragna, John) (Entered: 08/20/2010)

08/20/2010 520 ORDER granting 517 Sealed Motion to Serve First Supplemental Invalidity Contentions. Signed by Magistrate Judge Charles Everingham on 8/20/2010. (ch, ) (Entered: 08/20/2010)

08/20/2010 521 NOTICE of Disclosure by iBAHN General Holdings Corp. regarding Amended Invalidity Contentions (Jones, Michael) (Entered: 08/20/2010)

08/20/2010 522 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 08/20/2010)

08/23/2010 523 ORDER granting 522 Motion for Extension of Time to File Response to Nomadix, Inc.s Motion to Dismiss BestComm Networks, Inc.s Crossclaims. Responses due by 9/3/2010. Signed by Magistrate Judge Charles Everingham on 8/23/10. (ehs, ) (Entered: 08/23/2010)

08/24/2010 524 Unopposed MOTION for Extension of Time to File Response/Reply to 402 Opposition of Best Western International, Inc. to 382 Nomadix, Inc.'s Motion to Dismiss Third-Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 08/24/2010)

08/25/2010 525 ORDER granting 524 Motion for Extension of Time to File Reply to Best Western International, Inc.s Opposition to Nomadix Motion to Strike or Dismiss Third-Party Complaint. Nomadix shall file Response by 9/7/2010. Signed by Magistrate Judge Charles Everingham on 8/25/10. (ehs, ) (Entered: 08/25/2010)

08/25/2010 526 NOTICE of Disclosure by Choice Hotels International Inc. (Notice of Joinder Regarding Disclosure of Amended and Supplemental Invalidity Contentions) (Smith, Michael) (Entered: 08/25/2010)

08/27/2010 527 Joint MOTION to Stay Pending Finalization of Settlement by Barnes & Noble

- Booksellers, Inc., Linksmart Wireless Technology, LLC, Mail Boxes Etc., Inc., McDonalds Corp., SBC Internet Services, Inc., Wayport, Inc.. (Attachments: # 1 Text of Proposed Order)(Sayles, Richard) (Entered: 08/27/2010)
- 08/27/2010 528 NOTICE by Best Western International, Inc. of Letter Brief Requesting Permission to file Motion for Summary Judgment (Attachments: # 1 Exhibit Letter Brief)(Rogers, David) (Entered: 08/27/2010)
- 08/27/2010 529 Joint MOTION to Stay Deadlines Pending Finalization of Aptilo Settlement Agreement by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 08/27/2010)
- 08/27/2010 530 MOTION for Summary Judgment of Non-Infringement by Choice Hotels International Inc.. (Attachments: # 1 Affidavit Declaration of G. Lyons, # 2 Exhibit 2, # 3 Exhibit 4, # 4 Exhibit 5, # 5 Exhibit 6, # 6 Text of Proposed Order)(Smith, Michael) (Entered: 08/27/2010)
- 08/27/2010 531 SEALED ADDITIONAL ATTACHMENTS to Main Document: 530 MOTION for Summary Judgment of Non-Infringement. (Attachments: # 1 Exhibit 1, # 2 Exhibit 3, # 3 Exhibit 7, # 4 Exhibit 8, # 5 Exhibit 9, # 6 Exhibit 10, # 7 Exhibit 11)(Smith, Michael) (Entered: 08/27/2010)
- 08/27/2010 532 APPLICATION to Appear Pro Hac Vice by Attorney Brian F McMahon for LodgeNet Interactive Corporation. (APPROVED FEE PAID)2-1-5593(ch, ) (Entered: 08/27/2010)
- 08/30/2010 533 NOTICE by LodgeNet Interactive Corporation of Compliance Regarding Amended Invalidty Contentions (Beverage, Cynthia) (Entered: 08/30/2010)
- 08/30/2010 542 APPLICATION to Appear Pro Hac Vice by Attorney Paul W Kletzly for LodgeNet Interactive Corporation. (APPROVED FEE PAID) 2-1-5597 (ch, ) (Entered: 09/01/2010)
- 08/31/2010 534 ORDER granting 528 request ti file a motion for summary judgment filed by Best Western International, Inc.. Signed by Magistrate Judge Charles Everingham on 8/1/10. (ehs, ) (Entered: 08/31/2010)
- 08/31/2010 535 ORDER granting 527 Motion to Stay. all proceedings in the above-captioned consolidated matter between plaintiff Linksmart Wireless LLC and defendants SBC Internet Services, Inc., d/b/a AT&T Internet Services, McDonald's Corp., Barnes & Noble Booksellers, Inc., Mail Boxes Etc., Inc., and Wayport, Inc. ("the AT&T/Wayport defendants") are stayed for sixty (60) days. All currently pending deadlines, as they apply to proceedings brought against the AT&T/Wayport defendants, are vacated.. Signed by Magistrate Judge Charles Everingham on 8/31/10. (ehs, ) (Entered: 08/31/2010)
- 08/31/2010 536 ORDER granting 529 Motion to Stay. All deadlines in the present case with respect to Aptilo and all deadlines of Linksmart with respect to Aptilo are stayed for 45 days, pending a motion to dismiss. All attorneys fees, costs of court and expenses shall be borne by each party incurring the same. Signed by Magistrate Judge Charles Everingham on 8/31/10. (ehs, ) (Entered: 08/31/2010)
- 08/31/2010 537 Unopposed MOTION to Amend/Correct Docket Control Order for a Temporary Extension to Facilitate Settlement Completion and Negotiations by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Weiss, Andrew) (Entered: 08/31/2010)
- 08/31/2010 538 REPORT of Mediation by James W Knowles. Mediation result: Partial Settlement(Knowles, James) (Entered: 08/31/2010)
- 09/01/2010 539 ORDER granting 537 Motion to Amend docket control order. All deadlines in the Docket Control Order are continued by 60 days.. Signed by Magistrate Judge Charles Everingham on 9/1/10. (ehs, ) (Entered: 09/01/2010)
- 09/01/2010 540 \*PLEASE IGNORE. DUPLICATE ORDER\* ORDER STAYING CASE. Signed by Judge David Folsom on 9/1/10. (mrm, ) Modified on 9/1/2010 (mrm, ). (Entered: 09/01/2010)
- 09/01/2010 \*\*\*DUPLICATE ORDER. Document # 540, Order. PLEASE IGNORE.\*\*\* (mrm, ) (Entered: 09/01/2010)
- 09/01/2010 541 APPLICATION to Appear Pro Hac Vice by Attorney Paul E Veith for Barnes & Noble Booksellers, Inc.,Paul E Veith for Mail Boxes Etc., Inc.,Paul E Veith for McDonalds Corp.,Paul E Veith for SBC Internet Services, Inc.,Paul E Veith for SBC Internet Services, Inc.,Paul E Veith for SBC Internet Services, Inc.,Paul E Veith for Wayport, Inc.. (APPROVED, FEE PAID 2-1-5600) (ehs, ) (Entered: 09/01/2010)
- 09/02/2010 543 REPORT AND RECOMMENDATIONS re 382 MOTION to Strike 313 Third Party Complaint or Dismiss filed by Nomadix, Inc. For the reasons stated herein, the undersigned

recommends DENYING the motion to strike and GRANTING in part and DENYING in part the motion to dismiss. A party has 14 days to file written objections after being served a copy of this order. Signed by Magistrate Judge Charles Everingham on 9/1/2010. (ch, ) (Entered: 09/02/2010)

- 09/10/2010 544 Unopposed MOTION for Extension of Time to File Response/Reply as to 530 MOTION for Summary Judgment of Non-Infringement by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 09/10/2010)
- 09/13/2010 545 ORDER granting 544 Motion for Extension of Time to File Response to Choice Hotels International, Inc.s Motion for Summary Judgment of Non-Infringement. Responses due by 9/20/2010. The deadline for Choice Hotels International, Inc. to file its reply to Choice Hotels International, Inc.s Motion for Summary Judgment of Non-Infringement [Dkt. No. 530]. Replies due by 10/7/2010.. Signed by Magistrate Judge Charles Everingham on 9/13/10. (ehs, ) (Entered: 09/13/2010)
- 09/15/2010 546 MOTION to Stay Pending the Reexamination of the Patent in Suit by Aptilo Networks, Inc., Best Western International, Inc., Choice Hotels International Inc., Cisco Systems, Inc., EthoStream, LLC, InterContinental Hotels Group PLC, Intercontinental Hotels Group Resources Inc, LodgeNet Interactive Corporation, Marriott International, Inc., Ramada Worldwide, Inc., Six Continents Hotels Inc, T-Mobile USA, Inc., iBAHN General Holdings Corp.. (Attachments: # 1 Affidavit Declaration of Noah Levine, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Text of Proposed Order)(Beck, David) (Entered: 09/15/2010)
- 09/16/2010 547 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 09/16/2010)
- 09/16/2010 548 Unopposed MOTION to Withdraw as Attorney by Cisco Systems, Inc., T-Mobile USA, Inc.. (Attachments: # 1 Text of Proposed Order)(Chen, Joyce) (Additional attachment(s) added on 9/20/2010: # 2 REVISED ORDER) (sm, ). (Entered: 09/16/2010)
- 09/20/2010 549 ORDER granting 547 Motion for Extension of Time to File Response to Nomadix, Inc.s Motion to Dismiss BestComm Networks, Inc.s Crossclaims. Responses due by 9/29/2010. Signed by Magistrate Judge Charles Everingham on 9/20/10. (ehs, ) (Entered: 09/20/2010)
- 09/20/2010 550 ORDER, granting 548 Unopposed MOTION to Withdraw as Attorney filed by Cisco Systems, Inc., T-Mobile USA, Inc., Attorney Joyce Chen terminated. Signed by Judge David Folsom on 9/20/10. (mrm, ) (Entered: 09/20/2010)
- 09/20/2010 551 SEALED RESPONSE to Motion re 530 MOTION for Summary Judgment of Non-Infringement filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Affidavit Declaration of Robert Gookin in Support of Linksmart Wireless Technology, LLC's Response to Defendant Choice Hotels International, Inc.'s Motion for Summary Judgment of Non-Infringement, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K (part 1), # 13 Exhibit K (part 2), # 14 Exhibit K (part 3), # 15 Exhibit L, # 16 Exhibit M, # 17 Exhibit N, # 18 Exhibit O, # 19 Exhibit P, # 20 Exhibit Q, # 21 Exhibit R, # 22 Exhibit S, # 23 Exhibit T, # 24 Exhibit U, # 25 Exhibit V, # 26 Exhibit W, # 27 Exhibit X, # 28 Exhibit Y)(Gookin, Robert) (Entered: 09/20/2010)
- 09/21/2010 552 Additional Attachments to Main Document (Amended Cert of Service): 551 Sealed Response to Motion,,,,. (Gookin, Robert) Modified on 9/21/2010 (sm, ). (Entered: 09/21/2010)
- 09/24/2010 553 CORPORATE DISCLOSURE STATEMENT filed by Choice Hotels International Inc. identifying Corporate Parent None for Choice Hotels International Inc.. (Smith, Michael) (Entered: 09/24/2010)
- 09/27/2010 554 ORDER adopting 543 Report and Recommendations, granting in part and denying in part 382 MOTION to Strike 313 Third Party Complaint or Dismiss filed by Nomadix, Inc. Signed by Judge David Folsom on 9/27/10. (mrm, ) (Entered: 09/27/2010)
- 09/29/2010 555 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 09/29/2010)
- 09/30/2010 556 ORDER granting 555 Motion for Extension of Time to File Response to Nomadix, Inc.s Motion to Dismiss BestComm Networks, Inc.s Crossclaims. Responses due by 10/29/2010. Signed by Magistrate Judge Charles Everingham on 9/30/10. (ehs, )

(Entered: 09/30/2010)

- 10/04/2010 557 Unopposed MOTION for Extension of Time to File Response/Reply as to 546 MOTION to Stay Pending the Reexamination of the Patent in Suit by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order GRANTING UNOPPOSED MOTION FOR EXTENSION FOR PLAINTIFF LINKSMART WIRELESS TECHNOLOGY, LLC TO RESPOND TO DEFENDANTS' MOTION FOR A STAY PENDING THE REEXAMINATION OF THE PATENT IN SUIT)(Weiss, Andrew) (Entered: 10/04/2010)
- 10/05/2010 558 ORDER granting 557 Motion for Extension of Time to File Response to Defendants' Motion for a Stay Pending the Reexamination of the Patent in Suit (Motion). Responses due by 10/8/2010. Signed by Magistrate Judge Charles Everingham on 10/5/10. (ehs, ) (Entered: 10/05/2010)
- 10/05/2010 559 NOTICE of Attorney Appearance by Bruce D. Kuyper on behalf of Linksmart Wireless Technology, LLC (Kuyper, Bruce) (Entered: 10/05/2010)
- 10/07/2010 560 REPLY to Response to Motion re 530 MOTION for Summary Judgment of Non-Infringement filed by Choice Hotels International Inc.. (Attachments: # 1 Exhibit Declaration of G. Lyons)(Smith, Michael) (Entered: 10/07/2010)
- 10/07/2010 561 SEALED ADDITIONAL ATTACHMENTS to Main Document: 560 Choice Hotels International, Inc.'s Reply to Response to Motion for Summary Judgement of Noninfringement. (Attachments: # 1 Exhibit 12, # 2 Exhibit 13, # 3 Exhibit 14, # 4 Exhibit 15)(Smith, Michael) (Entered: 10/07/2010)
- 10/07/2010 562 Amended THIRD PARTY COMPLAINT of Best Western International, Inc. against BestComm Networks, Inc., Nomadix, Inc., filed by Best Western International, Inc.. (Rogers, David) (Entered: 10/07/2010)
- 10/08/2010 563 Joint MOTION Entry of Amended Protective Order by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Weiss, Andrew) (Additional attachment(s) added on 10/8/2010: # 3 REVISED ORDER) (sm, ). (Entered: 10/08/2010)
- 10/08/2010 564 RESPONSE to Motion re 546 MOTION to Stay Pending the Reexamination of the Patent in Suit NOTICE OF NON-OPPOSITION filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order Granting Defendants' Motion for Stay Pending the Reexamination of the Patent In Suit)(Weiss, Andrew) (Entered: 10/08/2010)
- 10/11/2010 565 Unopposed MOTION to Withdraw as Attorney Alexandra McTague by Cisco Systems, Inc., T-Mobile USA, Inc.. (Attachments: # 1 Text of Proposed Order)(Richardson, Michael) (Entered: 10/11/2010)
- 10/12/2010 566 ORDER granting 565 Motion to Withdraw as Attorney. Attorney Alexandra B McTague terminated for Defendants Cisco Systems, Inc. and T-Mobile USA. Signed by Magistrate Judge Charles Everingham on 10/12/10. (ehs, ) (Entered: 10/12/2010)
- 10/12/2010 567 NOTICE by T-Mobile USA, Inc. of Firm Name Change (Ruthenberg, Kirk) (Entered: 10/12/2010)
- 10/12/2010 568 AMENDED AGREED PROTECTIVE ORDER. Signed by Magistrate Judge Charles Everingham on 10/12/10. (ehs, ) (Entered: 10/12/2010)
- 10/13/2010 569 REPORT of Mediation by James W Knowles. Mediation result: Suspended(Knowles, James) (Entered: 10/13/2010)
- 10/13/2010 570 Unopposed MOTION in Response to First Amended Third Party Complaint of Best Western International, Inc. re 562 Third Party Complaint by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Additional attachment(s) added on 10/22/2010: # 2 REVISED ORDER) (sm, ). (Entered: 10/13/2010)
- 10/14/2010 571 Unopposed MOTION for Extension of Time to File Answer re 562 Third Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Muehlhauser, Douglas) (Entered: 10/14/2010)
- 10/15/2010 572 ORDER granting 571 Motion for Extension of Time to Answer. Third-Party Dft Nomadix Inc deadline to respond to Best Western International Ins First Amended Third - Party Complaint is extended to 11/12/2010. Signed by Magistrate Judge Charles Everingham on 10/15/2010. (ch, ) (Entered: 10/15/2010)
- 10/18/2010 573 SEALED LINKSMART WIRELESS TECHNOLOGY, LLCS SURREPLY TO DEFENDANT CHOICE HOTELS INTERNATIONAL, INC.S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT 530 MOTION for Summary Judgment of Non-Infringement filed by Linksmart Wireless Technology, LLC. (Attachments: # 1 SECOND DECLARATION OF ROBERT GOOKIN IN SUPPORT OF LINKSMART WIRELESS TECHNOLOGY, LLC'S SURREPLY



TO DEFENDANT CHOICE HOTELS INTERNATIONAL, INC.'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT, # 2 Exhibit A)(Gookin, Robert) (Entered: 10/18/2010)

- 10/19/2010 574 SEALED ADDITIONAL ATTACHMENTS to Main Document: 573 Attachment to Exhibit A. (Attachments: # 1 Exhibit A)(Gookin, Robert) (Entered: 10/19/2010)
- 10/26/2010 575 Unopposed MOTION for Extension of Time to File Response/Reply as to 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims by BestComm Networks, Inc.. (Attachments: # 1 Text of Proposed Order)(Carrington, Morris) (Entered: 10/26/2010)
- 10/27/2010 576 ORDER granting 546 Motion to Stay Pending the Reexamination of the Patent-In-Suit (D.I. 546) and Linksmart's Notice of Non-Opposition, including the conditions set forth in Linksmart's Notice, findings set forth herein. This stay will not affect the briefing schedule for Choice's currently pending motion for summary judgment. Signed by Magistrate Judge Charles Everingham on 10/26/10. (ehs, ) (Entered: 10/27/2010)
- 10/27/2010 577 ORDER granting 575 Motion for Extension of Time to File Response/Reply re 413 MOTION to Dismiss BestComm Networks, Inc.'s Crossclaims Responses due by 11/29/2010. Signed by Magistrate Judge Charles Everingham on 10/27/2010. (ch, ) (Entered: 10/27/2010)
- 10/29/2010 578 ORDER granting 570 Motion Response to First Amended Third Party Complaint of Best Western International, Inc. The parties have agreed that BestComm hereby reserves the right to file a motion under Rule 12(b) of the Federal Rules of Civil Procedure and/or an amended answer to plead further and assert additional defenses in response to the First Amended Third Party Complaint of Best Western International, Inc.. Signed by Magistrate Judge Charles Everingham on 10/29/10. (ehs, ) (Entered: 10/29/2010)
- 11/10/2010 579 Joint MOTION to Dismiss SBC Internet Services, Inc. d/b/a AT&T Internet Services, Wayport, Inc., McDonald's Corp., Barnes & Noble Booksellers, Inc., and Mail Boxes Etc. With Prejudice by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order Order Dismissing SBC Internet Services, Inc. d/b/a AT&T Internet Services, Wayport, Inc., McDonald's Corp., Barnes & Noble Booksellers, Inc., and Mail Boxes Etc. With Prejudice)(Weiss, Andrew) (Entered: 11/10/2010)
- 11/12/2010 580 ORDER, granting 579 Joint MOTION to Dismiss SBC Internet Services, Inc. d/b/a AT&T Internet Services, Wayport, Inc., McDonald's Corp., Barnes & Noble Booksellers, Inc., and Mail Boxes Etc. With Prejudice filed by Linksmart Wireless Technology, LLC., Mail Boxes Etc., Inc., McDonalds Corp., SBC Internet Services, Inc., Wayport, Inc., and Barnes & Noble Booksellers, Inc. terminated. Signed by Judge David Folsom on 11/12/10. (mrm, ) (Entered: 11/12/2010)
- 11/19/2010 581 Joint MOTION to Dismiss Aptilo Networks, Inc. With Prejudice by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order Dismissal With Prejudice) (Weiss, Andrew) (Entered: 11/19/2010)
- 11/24/2010 582 ORDER OF DISMISSAL WITH PREJUDICE, granting 581 Joint MOTION to Dismiss Aptilo Networks, Inc. With Prejudice filed by Linksmart Wireless Technology, LLC., Aptilo Networks, Inc. terminated. Signed by Judge David Folsom on 11/24/10. (mrm, ) (Entered: 11/24/2010)
- 01/12/2011 583 NOTICE by Best Western International, Inc. Notice of Change of Address for David E. Rogers, Counsel for Best Western International, Inc. (Joe, Christopher) (Entered: 01/12/2011)
- 04/25/2011 584 \*\*\*DEFICIENT DOCUMENT, PLEASE IGNORE.\*\*\*NOTICE by LodgeNet Interactive Corporation of Withdrawal of attorney Cynthia Lopez Beverage (Ungerman, Mark) Modified on 4/25/2011 (sm, ). (Entered: 04/25/2011)
- 04/25/2011 NOTICE of DEFICIENCY regarding the #584 Notice of withdrawal submitted by LodgeNet Interactive Corporation. No certificate of service was included and a motion is required to withdraw atty of record. Correction should be made by 1 business day and refiled as a motion. (sm, ) (Entered: 04/25/2011)
- 10/19/2011 585 NOTICE by Ramada Worldwide, Inc. Notice of Compliance (Stein, David) (Entered: 10/19/2011)
- 02/01/2012 586 Unopposed MOTION to Lift Stay by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(Weiss, Andrew) Modified on 2/2/2012 (sm, ). (Entered: 02/01/2012)
- 02/02/2012 NOTICE FROM CLERK re 586 Unopposed MOTION to Stay and Unopposed MOTION to Lift Stay. Clerk is going to terminate the motion to stay and modify entry to reflect that it is

only 1 motion which to lift stay. (sm, ) (Entered: 02/02/2012)

02/03/2012 587 ORDER LIFTING STAY, granting 586 Unopposed MOTION to Lift Stay filed by Linksmart Wireless Technology, LLC. Signed by Judge David Folsom on 2/3/12. (mrm, ) (Entered: 02/03/2012)

02/06/2012 588 ORDER denying without prejudice 413 Motion to Dismiss; denying without prejudice 432 Motion to Strike ; denying without prejudice 468 Motion for Summary Judgment; denying without prejudice 530 Motion for Summary Judgment. Signed by Judge David Folsom on 2/6/12. (mrm, ) (Entered: 02/06/2012)

02/06/2012 589 ORDER REFERRING CASE to Magistrate Judge Magistrate Judge Caroline Craven for all pretrial purposes. Signed by Judge David Folsom on 2/6/12. (mrm, ) (Entered: 02/06/2012)

02/07/2012 590 ORDER SCHEDULING STATUS CONFERENCE, ( Status Conference set for 3/13/2012 11:00 AM in Ctrm 403 (Texarkana) before Magistrate Judge Caroline Craven.). Signed by Magistrate Judge Caroline Craven on 2/7/2012. (sm, ) (Entered: 02/07/2012)

02/28/2012 591 APPLICATION to Appear Pro Hac Vice by Attorney John W Holcomb for Nomadix, Inc. (APPROVED FEE PAID) 6-7416. (ch, ) (Entered: 02/28/2012)

02/29/2012 592 NOTICE of Attorney Appearance by Sid Leach on behalf of Best Western International, Inc. (Leach, Sid) (Entered: 02/29/2012)

03/01/2012 593 NOTICE of Attorney Appearance by M. Dru Montgomery on behalf of Ramada Worldwide, Inc. (Montgomery, M.) (Entered: 03/01/2012)

03/01/2012 594 NOTICE of Attorney Appearance by Brian G Gilpin on behalf of EthoStream, LLC, Ramada Worldwide, Inc. (Gilpin, Brian) (Entered: 03/01/2012)

03/01/2012 595 NOTICE by Linksmart Wireless Technology, LLC of Change of Firm Name (Spangler, Andrew) (Entered: 03/01/2012)

03/01/2012 596 NOTICE of Attorney Appearance by James A Fussell, III on behalf of Linksmart Wireless Technology, LLC (Fussell, James) (Entered: 03/01/2012)

03/06/2012 597 Unopposed MOTION for Extension of Time to File Answer re 562 Third Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Holcomb, John) (Entered: 03/06/2012)

03/06/2012 598 Unopposed MOTION for Extension of Time to File Answer re 377 Answer to Third Party Complaint, Crossclaim by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order) (Holcomb, John) (Entered: 03/06/2012)

03/07/2012 599 ORDER granting 598 Motion for Extension of Time to Respond to the Cross Claim of BestComm Networks, Inc. Nomadix shall have up to and including April 3, 2012 to respond to the Cross-Claim of BestComm Networks, Inc.. Signed by Magistrate Judge Caroline Craven on 3/7/12. (ehs, ) (Entered: 03/07/2012)

03/07/2012 600 ORDER granting 597 Motion for Extension of Time to Respond to Best Western International, Inc.s First Amended Third-Party Complaint. Nomadix deadline extended to April 3, 2012 to respond to Best WesternInternational, Inc.s First Amended Third-Party Complaint.. Signed by Magistrate Judge Caroline Craven on 3/7/12. (ehs, ) (Entered: 03/07/2012)

03/08/2012 601 NOTICE of Attorney Appearance by James Donald Peterson on behalf of EthoStream, LLC, Ramada Worldwide, Inc. (Peterson, James) (Entered: 03/08/2012)

03/12/2012 NOTICE of RESETTING OF LIVE STATUS CONFERENCE previously set for 03/13/12 at 11:00 to 03/29/12 AT 1:30 P.M. before U. S. Magistrate Judge Caroline M. Craven in Texarkana. (ifs, ) (Entered: 03/12/2012)

03/16/2012 602 MISC 12-1 ORDER REASSIGNING CASE. Case reassigned to Judge Rodney Gilstrap for all further proceedings. Judge David Folsom & Magistrate Craven no longer assigned to case. Signed by Judge Leonard Davis on 3/16/2012. (rml, ) (rml, ). (Entered: 03/19/2012)

03/20/2012 MISC 12-1 ORDER Magistrate Judge Roy S Payne added to case. (rml, ) (Entered: 03/20/2012)

03/28/2012 603 Unopposed MOTION to Reschedule the Status Conference by Linksmart Wireless Technology, LLC. (Attachments: # 1 Text of Proposed Order)(Spangler, Andrew) (Entered: 03/28/2012)

03/28/2012 ORDER granting 603 . The hearing is continued without date. Signed by Magistrate Judge Roy S Payne on March 28, 2012. (Payne, Roy) (Entered: 03/28/2012)

- 04/03/2012 604 Unopposed MOTION for Extension of Time to File Answer re 377 Answer to Third Party Complaint, Crossclaim by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order) (Capshaw, Sidney) (Entered: 04/03/2012)
- 04/03/2012 605 Unopposed MOTION for Extension of Time to File Answer re 562 Third Party Complaint by Nomadix, Inc.. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 04/03/2012)
- 04/04/2012 606 ORDER granting 605 Motion for Extension of Time to Answer. Nomadix shall have up to and including 4/17/2012 to respond to Best Western International, Inc.s First Amended Third-Party Complaint. Signed by Magistrate Judge Roy S Payne on 4/4/2012. (ch, ) (Entered: 04/04/2012)
- 04/04/2012 607 ORDER granting 604 Motion for Extension of Time to Answer. Nomadix, Inc. be given to and including April 17, 2012 to respond to the Cross-Claim of BestComm Networks, Inc. Signed by Magistrate Judge Roy S Payne on 4/4/12. (ehs, ) (Entered: 04/04/2012)
- 04/04/2012 608 Joint MOTION to Dismiss All Remaining Defendants by Linksmart Wireless Technology, LLC. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(Weiss, Andrew) (Entered: 04/04/2012)
- 04/04/2012 609 STIPULATION Dismissal of Third-Party Complaint and Cross Claim Without Prejudice by Best Western International, Inc.. (Rogers, David) (Entered: 04/04/2012)
- 04/05/2012 NOTICE of TELEPHONE Status Conference set for 4/25/2012 09:30 AM in Mag Ctrm (Marshall) before Magistrate Judge Roy S Payne. \*\*\*The parties are to contact the Court AFTER all parties have joined the call.\*\*\* The Court's telephone number is 903-935-2730. (jml) (Entered: 04/05/2012)
- 04/05/2012 NOTICE: THE TELEPHONE STATUS CONFERENCE SET ON 4/25/12 AT 9:30 A.M. is cancelled. (jml) (Entered: 04/05/2012)
- 04/05/2012 610 ORDER granting 608 Motion to Dismiss. ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted in this suit between plaintiff, Linksmart Wireless Technology, LLC, and all remaining defendants are hereby dismissed without prejudice, with each party to bear its own costs, expenses and attorneys fees. Signed by Magistrate Judge Roy S Payne on 4/5/2012. (ch, ) (Entered: 04/05/2012)
- 04/13/2012 611 NOTICE of Change of Address by Christopher Michael Joe (Joe, Christopher) (Entered: 04/13/2012)

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\*\*\* THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY \*\*\*

1. 6,779,118, REEXAMINATION CERTIFICATE C1 (8926th), Mar. 27, 2012, User Specific Automatic Data Redirection System, Ikudome, Koichiro, Arcadia, California, United States Yeung, Moon Tai, Alhambra, California, United States, Linksmart Wireless Technology, LLC, Pasadena, California, United States
2. 6779118, August 17, 2004, User specific automatic data redirection system, Ikudome, Koichiro, Arcadia, CALIFORNIA ; Yeung, Moon Tai, Alhambra, CALIFORNIA ; 295966, June 29, 1999, ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., AURIC WEB SYSTEMS 3452 EAST FOOTHILL BOULEVARD, SUITE 300PASADENA, CALIFORNIA, 91107, reel-frame:010062/0040, Auriq Systems, Inc., Pasadena, CALIFORNIA , United States company or corporation

**CORE TERMS:** user, server, redirection, network, authentication, packet, accounting, www, database, dial-up, filter, com, session, send, web, password, filtering, redirect, traffic, assigned, http, computer, protocol, proxy, site, redirected, destination, connect, remote, firewall

**6779118**

Source: [Legal > Area of Law - By Topic > Patent Law > Find Patents > Utility, Design and Plant Patents](#) [i](#)


Terms: **PATNO=6779118** (Suggest Terms for My Search)

View: Cite

Date/Time: Wednesday, April 3, 2013 - 8:03 PM EDT


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-  1. *Nomadix, Inc. v. Hewlett-Packard Co.*, Case No. CV 09-08441 DDP (VBKx), UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, 2012 U.S. Dist. LEXIS 40154, March 22, 2012, Decided, March 22, 2012, Filed, Motion denied by *Nomadix, Inc. v. Hewlett-Packard Co.*, 2012 U.S. Dist. LEXIS 64101 (C.D. Cal., May 7, 2012)

**CORE TERMS:** invalidity, prior art, patent, discovery, good cause, supplemental, deposition, diligence, invalid, deposed ...

... U.S. Patent No. 6,636,894 ("894 Patent") is invalid in light of U.S. Patent No. **6,779,118** ("118 Patent"); and 2) U.S. Patent No. 7,689,716 ("716 Patent") ...

-  2. *Linksmart Wireless Tech., LLC v. T-Mobile USA, Inc.*, CASE NO. 2:08-CV-264-DF-CE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, MARSHALL DIVISION, 2010 U.S. Dist. LEXIS 65424, June 30, 2010, Decided, June 30, 2010, Filed, Magistrate's recommendation at *Linksmart Wireless Tech., LLC v. T-Mobile USA, Inc.*, 2010 U.S. Dist. LEXIS 101444 (E.D. Tex., Sept. 1, 2010)


**CORE TERMS:** user, server, network, redirection, specification, assigned, session, database, individualized, invention ...

... Networks, Inc. infringe various claims of United States Patent No. **6,779,118** ("the '118 patent"). This memorandum addresses the parties' various claim ...

3. *Ex parte LINKSMART WIRELESS TECHNOLOGY, LLC* (U.S. Patent 6,779,118), Appeal 2011-009566 Reexamination 90/009,301 Technology Center 3900, Board of Patent Appeals and Interferences, 2011 Pat. App. LEXIS 21572, August 23, 2011, Decided

**CORE TERMS:** server, redirection, user, network, examiner, authentication, individualized, credential, database, teach ...

... K. Ikudome & M.T. Yeung, User specific automatic data redirection system, US **6,779,118** B1 (granted 17 August 2004). OPINION INTRODUCTION Rejections ...







Source: **Combined Source Set 3**  - **Intellectual Property Cases, Administrative Decisions & Regulations**

Terms: **6779118 or 6,779,118** (Suggest Terms for My Search)

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Date/Time: Wednesday, April 3, 2013 - 8:08 PM EDT

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-  - Warning: Negative treatment is indicated
-  - Questioned: Validity questioned by citing refs
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-  - Positive treatment is indicated
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\* Click on any *Shepard's* signal to *Shepardize*® that case.

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1. Retail Patient Litigation Blog, July 30, 2012 Monday 11:08 AM EST, , 857 words, April 2012 Retail Patent Litigation Report

... Linksmart Wireless Technology, LLC Pl. Counsel: Russ August & Kabat Patent: **6,779,118** (User specific automatic data redirection system). Ameranth, Inc. v. Agilysys, ...

2. Patent Law Practice Center, July 3, 2012 Tuesday 6:06 PM EST, , 684 words, Google Request for Reexamination of Walker Digital Patent, among those Filed Week of June 25, 2012

... HyTest Oy. (3) 90/012,378 (electronically filed) U.S. Patent No. **6,779,118** entitled USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM and owned by Linksmart ...

3. Patent Law Practice Center, June 12, 2012 Tuesday 5:52 AM EST, , 676 words, Troll Busters® Attack on Nucleic Acid Patent One of the Reexamination Requests Filed the Week of June 4, 2012

... Troll Busters. (7) 90/012,342 (electronically filed) U.S. Patent No. **6,779,118** entitled USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM and owned by Linksmart ...

Source: **Combined Source Set 3**  - News, Most Recent Two Years (English, Full Text)

Terms: **6779118** or **6,779,118** (Suggest Terms for My Search)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
95/002,035 95012342	09/12/2012	INV001 6779118	R11341006F	1745
40401	7590	03/20/2013	EXAMINER WORLOH, JALATEE	
Herskovitz & Associates, LLC 2845 Duke Street Alexandria, VA 22314			ART UNIT	PAPER NUMBER
			3992	
			MAIL DATE	DELIVERY MODE
			03/20/2013	PAPER

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

The time period for reply, if any, is set in the attached communication.



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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

David L. McCombs  
HAYNES & BOONE, LLP, IP Section  
2323 Victory Ave., Suite 700  
Dallas, TX 75219

Date:

**MAILED**

**MAR 20 2013**

**CENTRAL REEXAMINATION UNIT**

**Transmittal of Communication to Third Party Requester  
Inter Partes Reexamination**

REEXAMINATION CONTROL NO. : 95002035 + 90012342  
PATENT NO. : 6779118  
ART UNIT : 3993

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above-identified reexamination proceeding. 37 CFR 1.903.

Prior to the filing of a Notice of Appeal, each time the patent owner responds to this communication, the third party requester of the inter partes reexamination may once file written comments within a period of 30 days from the date of service of the patent owner's response. This 30-day time period is statutory (35 U.S.C. 314(b)(2)), and, as such, it cannot be extended. See also 37 CFR 1.947.

If an ex parte reexamination has been merged with the inter partes reexamination, no responsive submission by any ex parte third party requester is permitted.

All correspondence relating to this inter partes reexamination proceeding should be directed to the Central Reexamination Unit at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.





Herskoviz & Associates, LLC  
2845 Duke Street  
Alexandria, Virginia 22314

(For Patent Owner)

**MAILED**

**MAR 20 2013**

**CENTRAL REEXAMINATION UNIT**

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(For the *Inter Partes* Requester)

James J. Wong  
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(For the *Ex Parte* Requester)

*In re* Ikudome, *et al.*  
*Inter partes* Reexamination Proceeding  
Control No. 90/012,342  
Filed: June 08, 2012  
For: U.S. Patent No. 6,779,118 C1

*In re* Ikudome, *et al.*  
*Ex Parte* Reexamination Proceeding  
Control No. 95/002,035  
Filed: September 12, 2012  
For: U.S. Patent No. 6,779,118 C1

**DECISION  
SUA SPONTE  
MERGING  
REEXAMINATION  
PROCEEDINGS**

The above-captioned reexamination proceedings are before the Office of Patent Legal Administration for *sua sponte* consideration of whether the proceedings should be merged at this time.

*Ex Parte* Reexamination proceeding control number 90/012,342 and *Inter parte* Reexamination proceeding control number 95/002,035 **are merged** into a single proceeding.

### BACKGROUND

1. On August 17, 2004, U.S. Patent No. 6,779,118 (the '118 patent) was issued to Ikudome, *et al.* with claims 1-27.

2. On October 10, 2008, an *ex parte* reexamination proceeding was filed for the '118 patent and was assigned control number 90/009,301 (the '9301 proceeding).
3. On March 27, 2012, the '9301 proceeding resulted in an *Ex parte* Reexamination Certificate (8926<sup>th</sup>) cancelling claims 1,8, 15 and 25, confirming claims 2-7 and 9-14, confirming as amended 16-23 and 26-27 and determining newly added claims 28-90 as patentable. As a result of the certificate, the '118 patent contains claims 2-7, 9-14, 16-24, and 26-90.
4. On June 08, 2012, a request for *ex parte* reexamination of claims 2-7, 9-14, 16-24, and 26-90 of the '118 patent was filed by a third party requester, which was assigned control number 90/012,342 (the '2342 proceeding).<sup>1</sup>
5. On July 25, 2013, the Office issued an order for *ex parte* reexamination of claims 2-7, 9-14, 16-24, and 26-90 of the '118 patent in the '2342 proceeding.
6. On September 12, 2012, a request for *inter partes* reexamination of claims 2-7, 9-14, 16-24, and 26-90 of the '118 patent was filed, which was assigned control number 95/002,035 (the '2035 proceeding).<sup>2</sup> The request identified Cisco Systems Inc., (the '2035 requester) as the real party-in-interest.
7. On October 19, 2012, the Office issued an order for *inter partes* reexamination of claims 2-7, 9-14, 16-24, and 26-90 of the '118 patent in the '2035 proceeding. A non-final Office Action was concurrently issued, rejecting claims 2-7, 9-14, 16-24, and 26-90.
8. On December 7, 2012, the Office issued a non-final Office action in the '2342 *ex parte* proceeding rejecting claims 2-7, 9, 14, 16, 24, and 26-90.
9. On January 17, 2013, patent owner timely filed a response to the October 19, 2012 non-final Office Action in the '2035 proceeding without amendment to the claims.<sup>3</sup>
10. On February 7, 2013, patent owner timely filed a response to the December 7, 2012 non-final Office Action in the '2342 proceeding.

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<sup>1</sup> The request relates to the '118 patent as amended by *Ex parte* Reexamination Certificate 8926.

<sup>2</sup> On July 12, 2012, the third party requester deposited a request for *inter partes* reexamination of claims 2-7, 9-14, 16-24, and 26-90 of the '118 patent. On September 06, 2012, the Office issued a Notice of Incomplete *inter parte* Reexamination Request for failing to comply with 37 CFR 1.915(b)(3). The third party requester resubmitted the corrected request for *inter parte* reexamination on September 12, 2012.

<sup>3</sup> Patent owner submitted a copy of an amendment and response from the previous '9301 reexamination proceeding for purposes of supporting patent owner arguments in the '2035 proceeding. The '9301 amendment and response were not submitted in accordance with information disclosure statement procedure (e.g. listing on a PTOL-SB08), thus making the record unclear. The '9301 amendment and response have been marked as an affidavit/declaration to restore clarity to the record.

11. On February 15, 2013, third party requester timely filed responsive comments in the '2035 proceeding.

## DECISION

### I. MERGER OF PROCEEDINGS

Reexamination has been ordered in two proceedings for the same claims (claims 2-7, 9-14, 16-24, and 26-90) of the same patent, '118. One of the proceedings (the '2342 proceeding) is an *ex parte* proceeding. The other proceeding (the '2035 proceeding) is an *inter partes* proceeding. Both proceedings are still pending, and have not been terminated. Therefore, consideration of merger is ripe at this point in time.

The general policy of the Office is that two reexamination proceedings will not be conducted separately, and at the same time, as to a particular patent. The rationale for this policy is (1) to prevent inconsistent, and possibly conflicting, amendments from being introduced into the two proceedings on behalf of the patent owner, (2) to provide a comprehensive examination of the patent based on the issues raised in both of the proceedings, and (3) to expedite the prosecution of both proceedings. In the present instance, merger of the *ex parte* '2342 proceeding and the *inter partes* '2035 proceeding would address these considerations. Thus, the 90/012,342 and 95/002,035 proceedings are merged. The merged proceeding will be conducted in accordance with the guidelines and requirements that follow.

### II. THE SAME CLAIMS MUST BE MAINTAINED IN ALL PROCEEDINGS

Presently, the claims (and the specification) are identical in both files. Patent owner is required to continue to maintain the same claims (and specification) in both files *throughout the merged proceeding*.

### III. CONDUCT OF MERGED PROCEEDINGS

#### A. Governing regulations for the merged proceedings:

The present decision merges an *ex parte* reexamination proceeding with an *inter partes* reexamination proceeding. Pursuant to 37 CFR 1.989(b), the merged proceeding is governed by 37 CFR 1.902 through 1.997, except that the rights of the third party requester of the *ex parte* reexamination are governed by 37 CFR 1.510 through 1.560.<sup>4</sup>

#### B. *Inter partes* Third Party Requester Participation

Upon merger of proceedings all *inter partes* requesters can comment pursuant to 35 U.S.C.

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<sup>4</sup> Active participation of the *ex parte* requester ends with the reply pursuant to 37 CFR 1.535 or the expiration of the time period for such reply. As such period has expired, further submissions on behalf of the *ex parte* requester will not be acknowledged or considered. See 37 CFR 1.550(g).

314(b)(2).<sup>5</sup> First, an *inter partes* requester's right to comment is contingent upon the patent owner responding to, or commenting on, an Office action. Second, an *inter partes* requester's right to comment is limited to issues raised in either the Office action or the patent owner's response to the action. Finally, the *inter partes* requester's comments must be submitted within 30 days from the date of service of the patent owner's response. No *inter partes* requester has a right to comment on any issue raised outside the confines of the statute, e.g. issues raised in a previous Office action (but not raised in the most recent Office action or response) or the request and comments from another requester. Requester comments must be submitted within the statutory time period of 30 days from date of service of patent owner's response.

#### Appeal Rights:

The *inter partes* reexamination procedures for taking appeal, and for participating in the patent owner's appeal, are explained in MPEP 2674 through 2675.02 and 2678 through 2683. As pointed out in MPEP 2674:

A notice of appeal by a third party requester must identify each rejection *that was previously proposed by that third party requester* which the third party requester intends to contest. It is not sufficient to merely appeal from the allowance of a claim (i.e., the examiner's finding of a claim patentable); the third party requester must identify each previously proposed rejection to be contested.

Thus, the *inter partes* reexamination requester's appeal must **only** be taken from the finding(s) of patentability of claims in the RAN as to the rejections the third party requester proposed in the *inter partes* reexamination request (not as to the rejections proposed in the *ex parte* reexamination request), and any that the *inter partes* third party requester properly added during the examination stage of the merged proceeding. Also, as provided by 37 CFR 41.67(c)(1)(vi):

No new ground of rejection can be proposed by a third party requester appellant, unless such ground was withdrawn by the examiner during the prosecution of the proceeding, and the third party requester has not yet had an opportunity to propose it as a third party requester proposed ground of rejection.

Thus, an appellant's brief shall present a concise statement of each issue. And, no new ground of rejection (i.e., a ground that the requester did not propose in the *inter partes* reexamination request, or during the merged proceeding) can be proposed by the *inter partes* third party requester appellant, unless that ground was withdrawn by the examiner during the prosecution of the proceeding, and the *inter partes* third party requester did not yet have an opportunity to propose it as a third party requester proposed ground of rejection.

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<sup>5</sup> Each time that the patent owner files a response to an action on the merits from the Patent and Trademark Office, the third-party requester shall have one opportunity to file written comments addressing issues raised by the action of the Office or the patent owner's response thereto, if those written comments are received by the Office within 30 days after the date of service of the patent owner's response.

## C. Papers mailed/filed:

All papers mailed by the Office throughout the merged proceeding will take the form of a single action which applies to both proceedings. All papers issued by the Office, or filed by the patent owner and the third party requesters, will contain the identifying data for both files and will be physically entered in each reexamination file. All papers filed by the patent owner and the third party requesters must consist of a single paper, **filed in duplicate**, each bearing a signature and identifying data for both files, for entry into each file.

All papers filed by the patent owner and the third party requesters should be directed:

by Mail to:                   Attn: Mail Stop "*Inter Partes* Reexam"  
                                  Central Reexamination Unit  
                                  Commissioner for Patents  
                                  P.O. Box 1450  
                                  Alexandria, VA 22313-1450

by FAX to:                   (571) 273-9900  
                                  Central Reexamination Unit

by Hand to:                 Customer Service Window  
                                  Attn: Central Reexamination Unit  
                                  Randolph Building, Lobby Level  
                                  401 Dulany Street  
                                  Alexandria, VA 22314

by EFS:                     Registered users may submit papers via the  
                                  electronic filing system EFS-Web, at:

<https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>

Patent owner and requesters are reminded that every paper filed (including papers filed *via* facsimile transmission) in the merged proceeding subsequent to this decision must be served on the other parties, and every paper filed must reflect that such paper was served on the other parties, pursuant to 37 CFR 1.903. All papers are to be addressed to the Central Reexamination Unit as provided above.

## D. Amendments:

The filing of any amendments to the drawings, specification or claims must comply with 37 CFR 1.943, which incorporates the provisions of 37 CFR 1.530, and the guidelines of MPEP § 2666.01, which in turn references the guidelines of MPEP § 2250.

37 CFR 1.121 does not apply to amendments in reexamination. Accordingly, clean copies of the amended claims are not required and are not to be submitted; rather amendments are to be presented via markings pursuant to paragraph 37 CFR 1.530(f), except that a claim should be canceled by a statement canceling the claim, without presentation of the text of the claim.

Pursuant to 37 CFR 1.530(i), all amendments must be made relative to the patent specification, including the claims, and drawings, which are in effect as of the date of filing the request for reexamination. *Amendments are not to be made relative to previous amendments.* Thus, for all amendments, all words not appearing in the patent are always underlined, and only words being deleted from the patent appear in brackets.

#### E. Fees:

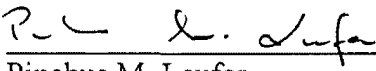
Where a paper is filed that requires payment of a fee (*e.g.*, petition fee, excess claims fee, extension of time fee, appeal fee, brief fee, oral hearing fee), only a single fee need be paid. For example, only one fee need be paid for any patent owner's appellant brief (or that of the *inter partes* reexamination requester) which may be filed, even though the brief relates to merged multiple proceedings, and copies must be filed (as pointed out above) for each file in the merged proceeding.

#### F. Citation of Patents and Printed Publications:

Upon return of the present merged proceeding to the examiner, the examiner will review the files to ensure that each file contains identical citations of prior patents and printed publications, and will cite such documents as are necessary as part of the next action in order to place the files in that condition.

### CONCLUSION

1. *Ex parte* Reexamination Control No. 90/012,342 and *inter partes* Reexamination Control No. 95/002,035 are **merged into a single proceeding**, to be conducted in accordance with the procedure set forth above in Part III of this decision.
2. Any questions concerning this communication should be directed to Joseph F. Weiss, Jr., Legal Advisor, at 571-272-7759.

  
\_\_\_\_\_  
Pinchus M. Laufer  
Senior Legal Advisor  
Office of Patent Legal Administration

March 20, 2013

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

In re patent of Ikudome et al.	§	<i>Inter Partes</i> Reexamination
	§	Control No. 95/002,035
U.S. Patent No. 6,779,118	§	
	§	Group Art Unit: 3992
Issued: August 17, 2004	§	
	§	Examiner: Jalatee Worjloh
Title: USER SPECIFIC AUTOMATIC	§	
DATA REDIRECTION SYSTEM	§	Confirmation No.: 1745
	§	
	§	

**COMMENTS BY THIRD PARTY REQUESTER**

**PURSUANT TO 37 C.F.R. § 1.947**

Mail Stop *Inter Partes* Reexam  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On January 17, 2013, the Patent Owner filed a Response regarding the Office Action of October 19, 2012. Cisco Systems submits the following Comments. It is respectfully requested, for the reasons identified below, that the Examiner:

- (i) maintain the rejection of, and issue an action closing prosecution for, claims 2-7, 9-14, 16-24, and 26-90 (all the claims in reexamination), and
- (ii) deem the arguments advanced by the Patent Owner in the Response to be erroneous, improper, and/or unpersuasive.

In the context of this *inter partes* reexamination, the standard provided in MPEP § 2111 for claim interpretation during patent examination may be applied whereas a different standard may be used by a court in litigation. The Patent Office is not required to interpret claims in the same manner as a court would interpret claims in an infringement suit.

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**LIST OF EXHIBITS**

**Exhibit N<sup>1</sup>** Linksmart Infringement Contentions against T-Mobile.

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<sup>1</sup> Requester's Exhibits A-M were included with the Requester for Reexamination.

## COMMENTS

Requester's Comments are based on an interpretation of the claims appropriate to this proceeding. In the context of this *inter partes* reexamination, the standard provided in MPEP § 2111 for claim interpretation during patent examination may be applied whereas a different standard may be used by a court in litigation. The Patent Office is not required to interpret claims in the same manner as a court would interpret claims in an infringement suit.

With these Comments, Requester files Exhibit N as evidence of the Patent Owner's interpretation of the claim language. Because the document is not being cited or used as prior art, Requester submits that the provisions of 37 CFR 1.948 (regarding the submission of prior art by the third party requester after the order for *inter partes* reexamination) do not apply.

### **I. Summary of Argument**

Patent Owner's Response consists mostly of generalized arguments for patentability without reference to specific claim language. Patent Owner does discuss the claim terms "redirection server" and "rule set," but the Patent Owner merely argues for interpretations that are inconsistent with the broadest reasonable interpretation in view of the specification—the standard of claim interpretation that applies in this proceeding.

Patent Owner fails to show any error in the Examiner's rejections and presents no reason why the rejections should be reconsidered or withdrawn. Accordingly, the Examiner's rejections should be reaffirmed and made final in an Action Closing Prosecution.

### **II. The Examiner Properly Cited and Explained Reasons to Combine the Prior Art, as Required by *Graham* and *KSR***

Patent Owner argues that the "Examiner failed to disclose what rationale, if any, there was for combining the prior art." (Resp. at 3.) This argument is without basis.

Requester provided detailed explanations of the reasons to combine the prior art for each proposed rejection. (*See, e.g.*, Request Ex. AA at 2 & 56-57; Ex. BB at 2, 49, 55, & 104; Ex. CC at 2; Ex. DD at 2.) The Examiner properly relied on these explanations and incorporated them by reference for each adopted rejection. (*See, e.g.*, Office Action at 2.) Patent Owner does not contest, challenge, or even acknowledge the detailed explanations adopted by the Examiner. Accordingly, Patent Owner has not shown any deficiency in the Examiner's obviousness combinations, which should be affirmed and made final.

### III. The Combined References Render the Claims Obvious

Patent Owner makes a variety of generalized arguments, such as listing various purported “technical differences between the teaching of the prior art and the ’118 patent.” (Resp. at 4.) But none of these alleged differences are shown to relate in any way to language in the claims under reexamination. For example, Patent Owner asserts that the claimed redirection is “for the purpose of controlling access to the network itself, not network elements.” (*Id.*) The claims, however, do not recite any such “purpose” limitation or refer to “controlling access to the network itself.”

Requester respectfully submits that the ’118 patent specification does not provide any basis for Patent Owner’s attempted distinction between controlling access to a *network itself* and controlling access to its constituent *network elements*. Rather, the ’118 patent describes applying IP traffic filters based in part on the destination address (that is, the address of a network element). Even when discussing a configuration applicable to any request to access a website, the specification clarifies that the redirection server would check for “attempts to connect to port 80 on any machine.” (’118 Patent, 7:40-41 (emphasis added).) Thus, the specification’s acknowledges that the filter will control access to a destination accessible through the network (i.e., a network element) and not the “network itself” as the Patent Owner argues.

Patent Owner also argues that the rejections are improper because of the “absence of any claim construction analysis.” (Resp. at 4.) But a claim construction analysis is not required in a request for *inter partes* reexamination. (*See* 37 C.F.R. 1.915 (listing required contents of request); *cf.* 37 C.F.R. 42.104(b)(3) (requiring claim construction for new *inter partes* review proceedings).) Similarly, there is no requirement for an Examiner to set forth an express claim construction analysis. To the contrary, “Under a broadest reasonable interpretation, words of the claim must be given their plain meaning, unless such meaning is inconsistent with the specification.” (MPEP 2111.01 (I).) Thus, Patent Owner’s argument about the “absence of any claim construction analysis” is without any legal basis.

Patent Owner further argues that the adopted rejections would require modifications that “render the prior art unsatisfactory for its intended purpose.” (Resp. at 5.) Patent Owner states that in the prior art systems, the “specific identity of the user and the user’s ‘credentials’ are essential,” but in the claims under reexamination “the actual identity of a particular user is not important.” (*Id.*) But even if this is true—a point that Requester does not concede—Patent

Owner fails to explain how it renders the prior art unsatisfactory. What about the prior art systems' ability to identify a user is "unsatisfactory" for controlling access to a network for business purposes? Patent Owner provides an example of a system for "billing for temporary internet access"—once again, a limitation not found in the claims—but such a system must identify users at least to the extent of determining which have paid and which have not. Patent Owner fails to explain any impediment to using the prior art's techniques for identifying users and providing individualized services to them. Requester submits that the prior art's techniques would be satisfactory for distinguishing between users who had paid and users who had not.

Furthermore, even accepting *arguendo* Patent Owner's argument that users need not be identified, Patent Owner's argument is essentially that the prior art teaches additional useful features that are not recited in the claims. The prior art cannot be faulted for providing an *overly* descriptive and complete disclosure. The argument is without merit.

#### **IV. Comments on the Patent Owner's Analysis of '118 Patent Claims**

##### **A. Comments on the Patent Owner's Proposed Claim Construction for "Rule Set"**

Patent Owner asserts that the "'118 patent defines 'rule set' as '...rule sets specify *elements or conditions* about the user's session.'" (Resp. at 5, quoting '118 Patent, 4:41-42 (emphasis by Patent Owner).) Patent Owner further notes that in litigation, a district court adopted a substantially similar interpretation. (Resp. at 6.)

First, Requester notes that the standard provided in MPEP § 2111 for claim interpretation applies in this reexamination proceeding. Specifically, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." (MPEP § 2111.) The Patent Office is not required to interpret claims in the same manner as a court would interpret claims in an infringement suit, where a different standard applies. Accordingly, Requester's comments in this paper have no bearing on the proper interpretation in the context of litigation. For the purposes of this proceeding, Requester respectfully submits that "rule set" should be interpreted according to the broadest reasonable interpretation in light of the '118 patent specification.

Second, as the Patent Owner acknowledged in its response, "rule set" is at least as broad as the elements or conditions about user's session, which includes packet filters. (Resp. at 5, n.3.) Indeed, interpreting "rule set" broadly enough to include packet filters is entirely consistent

with the '118 specification, which repeatedly discusses filtering packets using a rule set. (*See, e.g., '118 Patent, 5:62-67, 6:1-3, 6:37-39, and 7:26-28.*)

Thus, Patent Owner's arguments regarding the meaning of "rule set" do not distinguish the prior art's packet filters.

Patent Owner asserts, however, that a "rule set is not a static data packet filter but is a set of rules that, when programmed into the redirection server, can change the way the redirection server processes the data packets from the user computer in response to changes in the elements or conditions." (Resp. at 6.) Patent Owner also asserts that a rule set "enables the processing of the redirection server to change from one protocol to another" (*id.*) and "provide[s] directions whereby the redirection server modifies its own program – rule set." (*Id. n. 7.*) In other words, Patent Owner asserts that a "rule set" must be non-static, protocol-changing, and capable of self-modification.

Notably absent from Patent Owner's assertions is any reference or citation to the '118 patent specification. Requester cannot find any corresponding description of, for example, "chang[ing] from one protocol to another." And contrary to the Patent Owner's argument, the '118 patent specification describes a "typical user's rule set" that is static:

The following is an example of a typical user's rule set, attendant logic and operation:

If the rule set for a particular user (i.e., user UserID-2) was such as to only allow that user to access the web site www.us.com, and permit Telnet services, and redirect all web access from any server at xyz.com to www.us.com, then the logic would be as follows:

The database 206 would contain the following record for user UserID-2:

---

ID	UserID-2	
Password:	secret	
#####		
### Rule Sets ###		
#####		
#service	rule	expire
http	www.us.com	0
http	*.xyz.com=>www.us.com	0

---

('118 Patent, 6:4-22.) The specification never describes this "typical user's rule set" as being modified, let alone that the rule set modifies itself.

Even where the '118 patent discusses modifying a rule set, it does not require *self-modification*. Requester notes that various claims recite separate, express limitations in which the “redirection server is configured to allow automated modification” of the rule set. (*See, e.g.*, claims 16-23.) Since some claims require rule set modification by the redirection server, it follows that the rule set is not required to be capable of self-modification as argued by the Patent Owner. In addition, the '118 patent specification discusses examples where an *outside server* makes the modification:

Of course, the type of *modification an outside server can make to a rule set on the redirection server* is not limited to deleting a redirection rule, but can include any other type of modification to the rule set that is supported by the redirection server....

('118 Patent, 8:6-10 (emphasis added).)

Patent Owner's response failed to mention or address these examples of an unchanging “rule set” and a rule set modified by an outside server. Accordingly, Patent Owner has failed to explain why, under the broadest reasonable interpretation, the term “rule set” should be understood as being non-static, protocol-changing, and capable of self-modification. The Examiner correctly concluded that “rule set” is broad enough to include a set of rules for filtering packets.

**B. Comments on the Patent Owner's Proposed Claim Construction for “Redirection”**

Patent Owner argues that the claims should be interpreted as including “the incorporation of redirection as part of the ‘rule set.’” (Resp. at 7.) Patent Owner acknowledges that “the cited references teach redirection,” but argues that they are distinguishable because they teach redirection “at the destination,” “as a separate function,” or “at discrete events.” (*Id.*)

Patent Owner's argument is unpersuasive. Once again, Patent Owner does not cite to anything in the claim language or in the '118 specification to support its argument that the claimed “redirection” is distinct from the kinds of redirection taught in the cited references.

Patent Owner further argues that Stockwell is distinguishable because “the queries of Stockwell do not occur during a session” and “the '118 patent does not rely on generating a query.” But Stockwell discusses applying redirection as part of a rule set, and without any reference to requiring a “query”:



```
allowed_flow( source_addr(net_addr(*.*.* 0 external))
               dest_addr(net_addr(192.168.1.192 0 external))
               service(nntp tcp)
               172.17.192.48 0)
```

---

This rule intercepts all incoming connections that go the external side of the local Sidewinder (192.168.1.192) and redirects them to shade.sctc.com (172.17.192.48).

(Stockwell, 2:24-31.)

And the '118 patent specification similarly discusses the use of queries, for example, to verify a user and password: "The authentication accounting server 204 *queries database 206* and performs validation check of user ID and password." ('118 Patent, 5:54-56.) The '118 patent also states that the authentication accounting server "sends ... the user's rule set (contained in database 206) ... to the redirection server 208." ('118 Patent, 5:63-66.) It is unclear how the authentication accounting server could obtain the rule set from database 206 without submitting a query. Thus, Patent Owner's argument that the claim language somehow forbids the use of a "query" is not consistent with the broadest reasonable interpretation of the claims. Thus, there is no merit in the Patent Owner's assertion that the term "redirection" requires redirecting a user without ever performing a query.

**C. Comments on the Patent Owner's Further Claim Construction for "Rule Set"**

Patent Owner argues that a further limitation of a "rule set" is "the requirement of modification of the rule set during a user session." (Resp. at 8.)

Patent Owner's argument is unpersuasive. Patent Owner does not cite to anything in the claim language or in the '118 specification to support this argument. Requester notes that various claims recite separate, express limitations relating to "modification" of the rule set. (*See, e.g.*, claims 16-23.) And as noted above, the '118 specification describes a "typical user's rule set" that is static. (*See* '118 Patent, 6:4-22.) Thus, there is no basis for interpreting "rule set" as requiring a modification to have occurred.

**V. Comments on the Patent Owner's Response to the Rejection of Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 as Obvious over Willens in view of RFC 2138 and Stockwell**

The Examiner properly rejected claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 as obvious over Willens (US5889958) in view of RFC 2138 and Stockwell (US5950195). As

analyzed more fully in the Request for Reexamination:

- Willens teaches that each user can have an individualized set of rules that are enforced by a communication server, which blocks or allows data packets sent between the user's computer and the network. (*See, e.g.*, Willens, 5:60–6:9.)
- Stockwell teaches a similar system for controlling users' access to a network, with a further teaching that rules controlling a user's access to the network can not only block or allow data packets, but also redirect data packets to an alternate destination. (*See, e.g.*, Stockwell 2:29-31.)

Thus, Willens, RFC 2138 and Stockwell render obvious the claimed systems and methods including the "redirection server" that processes users data "according to the individualized rule set."

**A. Stockwell**

Patent Owner makes a variety of generalized statements regarding the disclosure of Stockwell (*see* Resp. at 8-11), but none of these arguments show a distinction between the claims in reexamination and the prior art as applied in the Examiner's rejections.

For example, Patent Owner acknowledges Stockwell's teaching of redirection in response to a query, but states that the queries (and thus redirection) do not occur "*while the redirection server processes data packets communicated between the user and the network according to the programmed rule set.*" (Resp. at 9 (emphasis in original).) No claim recites such a "while" limitation, and the Patent Owner does not identify any allegedly corresponding claim language. Thus, the argument fails to "point[] out the specific distinctions believed to render the claims ... patentable over any applied references." (*See* 37 CFR 1.111(b).)

As another example, Patent Owner argues that Stockwell's "ACLD cannot be the 'redirection server,' as suggested." (Resp. at 10.) The Examiner's rejection, however, did not assert that Stockwell's ACLD software was the claimed redirection server. Rather, the rejection proposed that Willens' "client software 44 on communication server 14 is a redirection server." (Request for Reexamination, Ex. AA at 7.) To the extent that Willens' client software lacked the ability to perform redirection *per se*, the rejection relied on Stockwell's disclosure of controlling access not just by allowing or denying requests, but also by *redirecting* a request to an alternate destination. (*Id.* at 7-8.) Thus, the Patent Owner's response regarding Stockwell's ACLD is not directed to the adopted rejection.

Patent Owner also argues that Stockwell is distinguishable because it teaches a software architecture that includes “agents” and the ACLD. Stockwell’s ACLD manages the “list of rules that regulate the flow of Internet connections through a firewall.” (*See* Stockwell, 5:17-37.) The “agents” are applications on the firewall that process connections and provide services. (*See* Stockwell, 5:53–6:8.) Patent Owner argues that the agents “are not programmed with a rule set” and the “ACLD never processes data from a user.” (Resp. at 11.) In other words, Patent Owner asserts that Stockwell divides the claimed “redirection server” functionality into two components: one component to determine the proper treatment for a data packet (the ACLD) and another component to implement that decision (the agent). Patent Owner’s argument fails to consider, however, that Stockwell teaches that both the ACLD and the agents are software components executing on a single firewall computer. (*See* Stockwell, 6:9-13.) Furthermore, Patent Owner asserts in litigation that a various combinations of hardware and software—including multiple distinct servers—are within the scope of the term “redirection server.” (*See* Request for Reexamination, Ex. D2 at 18.) Thus, Patent Owner’s argument not only fails to distinguish Stockwell, it contradicts the broad claim interpretation asserted by the Patent Owner in litigation. *See* 37 C.F.R. § 1.104(c)(3) (The Examiner may rely on the admissions of a Patent Owner “as to any matter affecting patentability”).

**B. Willens**

Patent Owner makes a variety of statements regarding the disclosure of Willens and RFC 2138. (*See* Resp. at 11-12.) In short, Patent Owner reiterates its position on claim interpretation that “rule sets” are “dynamic data processing protocols” that include ““elements or conditions” such as the duration time defining how long a particular rule set is to be used, conditions for removing (discontinuing processing), and elements and conditions for modifying the rule set during a session.” (Resp. at 11.)

As noted previously, Patent Owner’s assertion is inconsistent with the broadest reasonable interpretation of the claims consistent with the ’118 specification. The ’118 specification includes an example of “rule set” that is a static packet filter. (*See* ’118 Patent, 6:4-22.) Thus, Patent Owner fails to distinguish Willens’ teaching of the claimed “rule set.”

**C. Comments on the Patent Owner’s Response on “Rule Set” in Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84, and 86-90**

Patent Owner argues that claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84, and 86-90 are

distinguishable based on a proposed interpretation of the term “individualized rule set.” (Resp. at 12.) As noted previously, Patent Owner’s assertion is inconsistent with the broadest reasonable interpretation of the claims consistent with the ’118 specification. The ’118 specification includes an example of “rule set” that is a static packet filter. (*See* ’118 Patent, 6:4-22.) In addition, various claims recite limitations requiring modification of the rule set. (*See, e.g.*, claims 16-22.) Thus, it would be improper to interpret “rule set” as implicitly requiring “the rule set itself to change during a session” as the Patent Owner argues. (*See* Resp. at 12.)

**D. Comments on the Patent Owner’s Response on “Redirection” in Claims 5, 6, 12, 13, 31, 35, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82, and 89-90**

Patent Owner argues that claims 5, 6, 12, 13, 31, 35, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82, and 89-90 are distinguishable based a proposed interpretation of the term “redirection server.” (Resp. at 12-13.) The Examiner properly rejected the claims based on the prior art teachings, including:

- Willens teaches a server that controls access to computers on a network, such as the Internet, by intercepting packets transmitted between users’ computers and the network and allowing or denying the packets to pass. (*See, e.g.*, Willens, 5:60–6:9.)
- Stockwell teaches that a firewall used for controlling access to a network could, in addition to allowing or denying packets, also redirect packets to an alternate destination. (Stockwell, 2:29-31.)

For the reasons explained more fully in the Request, it would have been obvious to incorporate Stockwell’s “redirect” capability into Willens’ server. The references’ combined teachings render obvious the claimed “redirection server.”

Patent Owner argues that Stockwell performs redirection only “in response to queries from the user computer” and “at predefined discrete times.” (Resp. at 13.)

As noted previously, Patent Owner’s assertions regarding the term “redirection” are inconsistent with the broadest reasonable interpretation of the claims consistent with the ’118 specification. Patent Owner provides no citation to the ’118 specification where “redirection” was explicitly or implicitly defined to exclude the redirection of network traffic from one host to another host, as taught by Stockwell. Thus, Patent Owner’s generalized assertion that “redirection” in Stockwell is different than “redirection” in the ’118 Patent is without merit.

Patent Owner further states that Stockwell has “no disclosure of redirection that is part of a rule set.” (Resp. at 13.) Contrary to Patent Owner’s statement, Stockwell *does* disclose redirection as part of a rule set. First, Stockwell provides a specific example of a rule that performs redirection:

```
allowed_flow( source_addr(net_addr(*.*.* 0 external))
               dest_addr(net_addr(192.168.1.192 0 external))
               service(nntp tcp)
               172.17.192.48 0)
```

This rule intercepts all incoming connections that go the external side of the local Sidewinder (192.168.1.192) and redirects them to shade.sctc.com (172.17.192.48).

(Stockwell, 2:24-31.)

Stockwell also discloses that any rule can include redirection information:

In general, ACL rules used in Sidewinder, Version 2.0, have the following matching criteria:

The source IP address. This can be expressed as a subnet by indicating the number of significant bits in the address.

The source security domain. This is always either “internal” or “external”.

The destination IP address.

The destination security domain, again either “internal” or “external”.

The service name. The names and protocols of the services are obtained from the file `/etc/services`, and they have the following two side effects:



Redirect the IP address to a different machine.

Redirect the port number to a different port.

(Stockwell, 2:32-47 (annotated).)

And Stockwell illustrates a specific example of a “ruleset with two rules” in which each rule has space for including redirection information:

Here is a ruleset with two rules:

<hr/>		
Name:	ftp_out	ftp-in
Position:	1	2
Action:	allow	allow
ignore:	no	no
Source:	*	*
Dest:	*	local
source Sec		
Domain:	internal	external
Dest Sec		
Domain:	external	external
Agents:	[proxy]	[server]
Services: [ftp]	[ftp]	
Protocol:	tcp	tcp
usergroup:	*	Anonymous
Time		
Intervals:	[]	["Sat-sun", "Mon mid-8am", "Mon-Fri 5pm-mid"]
Redir Host:		
Redir Port:		
Auth Needed:	no	yes
Min Encrypt:	none	none
Alert:	none	none
Allowed Auth		
Methods:	[]	[pas]
Service		
Parameters:	{}	{ftp:[get]}
Comments:		'anonymous FTP is allowed outside of business hours'
<hr/>		



(Stockwell, 12:10-35 (annotated).)

Patent Owner asserts that Stockwell is distinguishable because redirection in Stockwell occurs “before the user begins communication of data packets,” whereas “redirection as taught by the ‘118 patent can occur at any time....” (Resp. at 13.) This argument lacks any citation to supporting disclosure in either Stockwell or the ‘118 Patent, and Requester can find none. In addition, the argument is nonsensical in two ways. First, Patent Owner does not explain how the claimed redirection could occur *before* the user sends the data packet that is to be redirected. If there is no data packet, then there is nothing to redirect. Second, a claim cannot be distinguished by arguing that the claim is *broader* than the prior art. Redirection performed “before the user begins communication” is necessarily within the scope of redirection “at any time.” Even under Patent Owner’s illogical interpretation, Stockwell teaches the claim limitation.

Patent Owner argues that Stockwell does not teach “redirection in a rule set programmed into an ‘agent’ (redirection server).” (Resp. at 13.) As noted above, Stockwell teaches that the agents performing redirection and the software deciding that redirection should be performed are *both* running on the same firewall computer. (*See* Stockwell, 6:9-13.) And the Examiner’s

rejection relied on both Willens and Stockwell as rendering obvious the “redirection server.” (See Request Ex. AA at 6-8.) “One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.” (MPEP 2145 (IV).)

**E. Comments on the Patent Owner’s Response on “Modification of the Rule Set” in Claims 16-18, 23-27, 36-39, 42-43, 68-84, and 89-90**

Patent Owner asserts that claims 16-18, 23-27, 36-39, 42-43, 68-84, and 89-90 are distinguishable based on a requirement to “allow modification of at least a portion of the rule set.”<sup>2</sup> (Resp. at 13.) Patent Owner states that “Willens affirmatively requires that the filter through which the user accesses the network is fixed and unchangeable throughout a user session.” (Resp. at 14.) Patent Owner cites to Willens’ teaching “to download the filter ‘F(Timmy)’, which is maintained in server 14 memory for the rest of the user 22’s session.” (Willens, 5:25-26.) This argument fails because it is based on a misunderstanding of Willens.

Willens teaches that the filter F(Timmy) includes references to filter lists, such as a “PTA List.” (See Fig. 3, elements 54 & 52.) Willens further teaches that the communication server 14 (the “redirection server”) loads and caches the PTA List from ChoiceNet server 18:

The server 14 looks at each filter rule found in "F(Timmy)" starting from the top. When it reaches the rule permit "PTA List", **the server 14 looks into its local cache** 50 to see if www.playboy.com is on the PTA List. If not, the server 14 sends a filter look-up request to the server 18. This look-up contains the list name "PTA List" and the site Timmy is trying to access (www.playboy.com). The server 18 searches list 52 and sends back the result. Based on the result, the server 14 either permits or denies access **and updates it's local cache** 50.

(Willens, 5:64–6:7.) Thus, communication server 14 does not permanently store the entire PTA List as the Patent Owner argues, but rather stores recently used portions of it in a temporary cache. As is common with memory caching, over time some entries in the cache must be discarded to make room for newer entries. When a discarded entry is needed again, it is understood that communications server 14 will again contact the ChoiceNet server 18. Thus, Willens teaches that a portion of the rule set on communication server 14—specifically, the cached portion of the PTA List—may be automatically modified.

Furthermore, as noted in the Request, the ChoiceNet server 18 “automatically maintains

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<sup>2</sup> Requester notes that claim 25 has been cancelled, and therefore understands Patent Owner’s reference to claims 23-27 as implicitly excluding claim 25.

the permit list by downloading updated versions of the list over the Internet,” perhaps “on a daily or hourly basis.” (Willens 5:41-43, 4:43-44.) Thus, the PTA List—part of the F(Timmy) rule set—may be automatically modified. For example, during the course of a student’s day at school, additional websites may be discovered that should be allowed or blocked, so they could be added to the PTA List. Within an hour, the update would reach the ChoiceNet server 18 and, as needed, be obtained and applied by the communication server 14 to the student’s communications. Thus, Willens teaches that a portion of the rule set on communication server 14 may be automatically modified.

Regarding the communication server 14’s caching of access determinations, it would further have been obvious that these cache entries should include an expiration time after which they would be discarded (if they have not already been discarded for lack of recent use.) For example, Stockwell teaches that cache entries should only be relied on before their expiration, thus avoiding the use of stale data:

The reply can *include an expiration date* for the result of this query. This is *used internally for caching*. If a duplicate query is made by the same agent before the time expires, the cached reply is returned.

(Stockwell, 8:30-33, emphasis added.) It would have been obvious to apply a similar expiration timer to the cache entries in Willens’ communications server 14, thus ensuring that automatic updates received by ChoiceNet server 18 will propagate down to the communications server 14 in a timely fashion.

More generally, Requester submits that in view of Willens’ teaching to automatically update a filter list on ChoiceNet server 18, it would have been obvious to update any filter lists in active use on communications server 14. For example, when an error in a school’s filter list is discovered—whether it be a harmful site that is allowed or an educational site that is blocked—it would have been obvious for a teacher or school administrator to be able to correct the filter list and have the change applied to all students immediately. Without such a capability, a teacher’s lesson plan might be thrown into disarray because access to a needed website is being inadvertently blocked. For at least this motivation, it would have been obvious that automatic updates could be sent not just to ChoiceNet server 18, but also to communications server 14.

For similar reasons, it would have been obvious to allowing removing and reinstating a



portion of the rule set, as recited in part in claim 27. For example, a teacher’s lesson plan might require students to access a website that would ordinarily be blocked, e.g., to watch an educational video on a popular general-purpose video sharing site.

Regarding claims 29, 33, 41, 52, 64, and 87, Patent Owner argues that Willens’ “initial filter” and subsequently applied “user filter” are different from the claimed “temporary rule set” and “standard rule set.” (Resp. at 15.) Specifically, Patent Owner argues that Willens is distinguishable because in Willens, applying the initial filter for “the initial rejection of data packets ... will always occur *before a user session starts.*” (Resp. at 15 (emphasis by Patent Owner).) This argument fails because the claims do not recite any limitation that the “temporary rule set” be applied during a “user session.” Indeed, the claims do not refer to a “user session” *at all*. Instead, they recite “utilize[ing] the temporary rule set for an initial period of time.” (*See, e.g.*, claim 29.) Willens teaches this. Accordingly, the Patent Owner has not shown any distinction between the prior art and the claim language.

Finally, Patent Owner states—without explanation—that Willens “*teaches away from*[] any correlation of the rule set to a temporarily assigned network address.” (Resp. at 15.) This argument fails utterly, as the Patent Owner points to nothing in Willens that would “criticize, discredit, or otherwise discourage the solution claimed.” (MPEP 2145 (X.D.1) (quoting *In re Fulton*, 391 F.3d 1195, 1201 (Fed. Cir. 2004).) Thus, there is no evidence of the supposed “teaching away.”

Examiner’s rejections are supported by the references, and Patent Owner’s arguments fail to specifically point out any supposed error in the Examiner’s action. Accordingly, the rejections should be reaffirmed and made final.

**VI. Comments on the Patent Owner’s Response to the Rejection of Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 as Obvious over Willens in view of RFC 2138 and Admitted Prior Art**

The Examiner properly rejected claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 as obvious over Willens (US5889958) in view of RFC 2138 and the Admitted Prior Art. As analyzed more fully in the Request for Reexamination:

- Willens teaches that each user can have an individualized set of rules that are enforced by a communication server, which blocks or allows data packets sent between the user’s computer and the network. (*See, e.g.*, Willens, 5:60–6:9.)

- The Admitted Prior Art teaches that it was known to redirect a user's request to an alternate destination. (*See, e.g.*, '118 Patent 1:38-67.)

Thus, Willens, RFC 2138 and the Admitted Prior Art render obvious the claimed systems and methods including the "redirection server" that processes users data "according to the individualized rule set."

Patent Owner argues that claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 are distinguished from the prior art because the Admitted Prior Art teaches "only that redirection occurs at the destination URL *after access to the network has been granted.*" (Resp. at 16.) Patent Owner states that redirection as taught by the Admitted Prior Art would "defeat[] the network access control purpose of the '118 patent." (*Id.*) These arguments fail because they are unrelated to any limitation in the claims. For example, the claims do not recite a purpose.

Additionally, the arguments are inconsistent with other Patent Owner statements. Patent Owner argues elsewhere in the Response that the claimed redirection "can occur at any time during a user session" and "at any time while the user is sending and receiving data packets." (*See, e.g.*, Resp. at 13.) Thus, it is Patent Owner's position that redirection "after access to the network has been granted" is within the scope of the claims. (*See* 37 C.F.R. § 1.104(c)(3) (The Examiner may rely on the admissions of a Patent Owner "as to any matter affecting patentability."))

Regarding claims 5, 6, 12, 13, 31, 35, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82 and 89-90, Patent Owner further argues that each of these claims "requires that the redirection server be located between the user computer and the network." (Resp. at 16.) This is not correct. Claims 5, 6, 12, 13, 31, and 35 do not recite any such "between" limitation. Indeed, adding such a "between" limitation was the reason the Patent Owner added claims 44-90 at the end of the previous ex parte reexamination. (*See* File History of 90/009301 (Request Ex. B), Notice of Intent to Issue Reexamination Certificate at 4 (Jan. 6, 2012).)

Regardless, the Examiner's rejection did not rely on the Admitted Prior Art as teaching the claimed "redirection server" in its entirety. Willens teaches a communications server 14 that controls access to destinations on a network by blocking or allowing data packets according to a user's individualized rules. The Admitted Prior Art teaches that it was known to use redirection to automatically direct a user from one web page to an alternate web page. (*See* '118 Patent, 1:38-67.) It was further known that redirection was not limited to web pages, but was "valid for

all IP services.” (*Id.* 1:40-42.) For the reasons explained in the Request—which the Patent Owner does not contest—it would have been obvious to incorporate IP packet redirection (as taught by the Admitted Prior Art) into Willens’ communications server 14. With this obvious addition of a redirection capability, the communications server 14 is a “redirection server” located “between” the user and the network and capable of blocking, allowing, or redirecting data packets according to a user’s individualized rules.

To the extent that the Patent Owner argues that the Admitted Prior Art fails to teach a complete “redirection server,” the Patent Owner is improperly attacking the references individually. “One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.” (MPEP 2145 (IV).)

Accordingly, the Examiner’s rejections based in part on the Admitted Prior Art are well-supported and well-reasoned. The rejections should be reaffirmed and made final.

**VII. Comments on the Patent Owner’s Response to the Rejection of Claims 6, 7, 13, 14, 16-24, 26-44, 48-56, and 61-90 as Obvious over Radia in view of Wong’727 and further in view of Stockwell**

The Examiner properly rejected claims based on Radia (US5848233) in view of Wong’727 (US5835727) and Stockwell (US5950195). As analyzed more fully in the Request for Reexamination:

- Radia teaches a system in which each user’s access to a network is controlled by an individualized set of rules programmed into a router, which then blocks or allows data packets sent between the user’s computer and the network. (*See, e.g.*, Radia, 6:66–7:2 & 3:18-20.)
- Stockwell teaches that a firewall used for controlling access to a network could, in addition to allowing or denying packets, also redirect packets to an alternate destination. (Stockwell, 2:29-31.)

Thus, Radia, Wong’727, and Stockwell render obvious the claimed systems and methods including the “redirection server” that processes users’ data “according to the individualized rule set.”

**A. Radia, Wong ’727 and Wong ’178**

Patent Owner summarizes its understanding of the functionality of the Radia/Wong system on pages 17-18. As the summary is not tied to any particular claim, claim limitation, or

argument, Requester has no comment on the summary.

**B. Comments on the Patent Owner's Interpretation of "Rule Set"**

Responding to the Radia rejections, Patent Owner proposes yet another definition for "rule set" as requiring "'allow' and 'deny' and 'redirect' actions on the data packets from the user computer, and 'element or conditions' that need not be related to the header data of the data packet itself but that may instead relate to factors other than the packet data." (Resp. at 18.) Once again, Patent Owner provides no citation to the '118 Patent specification in support of this argument. Notably, Patent Owner's previously-proposed definition made no mention of "allow," "deny," or "redirect" actions (*see* Resp. at 5), and elsewhere Patent Owner argues that "blocking and allowing were additional but not necessary functions of the redirection server." (Resp. at 16.) Patent Owner's discussion of "elements or conditions" asserts that at least one "element or condition" must apply independent of a packet's data. In other words, Patent Owner argues that a rule set requires one "element or condition" would apply to all packets unconditionally and regardless of content or destination. Requester cannot find any indication of support in the '118 specification for this concept. In summary, Patent Owner's proposed definition is unsupported by the specification and inconsistent with Patent Owner's other statements.

Patent Owner argues that Radia "does not include any 'elements or conditions' as taught by the '118 patent," such as "'elements or conditions' that would enable Radia's router itself to modify the packet filter during a user session." (Resp. at 18-19.) These arguments depend on Patent Owner's argument that a "rule set" must include a capability for automatic self-modification. As refuted more fully above, this proposed interpretation of "rule set" is inconsistent with the broadest reasonable interpretation of the claims in view of the '118 specification. Requester notes again that various claims recite separate, express limitations relating to "modification" of the rule set. (*See, e.g.*, claims 16-23.) Accordingly, the argument is without merit.

Patent Owner argues that Radia's ANCS and router cannot together constitute the claimed "redirection server" because of an "absence of any interaction between the router and the ANCS while the router is processing data packets... and the absence of any interaction between the router and the ANCS while the packet filter is being created by the ANCS." (Resp. at 19.) Patent Owner provides no citation to the MPEP or any other legal authority in support of this argument, and Requester respectfully submits that there is none. Furthermore, Patent Owner

has taken the position in litigation that the “redirection server” may comprise multiple separate components. (*See* Request Ex. D2 at 18 (“In the alternative, the redirection server can be a combination of the SSG and SESM.”).) Accordingly, the Examiner can rely on the Patent Owner’s admission that the claimed “redirection server” may comprise multiple separate components. *See* 37 C.F.R. § 1.104(c)(3) (The Examiner may rely on the admissions of a Patent Owner “as to any matter affecting patentability”).

Alternatively, Radia teaches that the ANCS may be consolidated with SMS 114, thus making ANCS part of the claimed “authentication accounting server.” (*See* Radia, 5:65–6:4.) Router 116, alone, would constitute the claimed “redirection server.” In this view, the “sole function of the [router 116] is to apply a rule set that is downloaded into the [router 116] from the authentication server.” (*See* Response at 19.)

In summary, Patent Owner fails to identify any substantive differences between the teachings of the prior art and the claims. The Examiner’s rejections should be reaffirmed and made final.

**C. Comments on the Patent Owner’s Arguments Regarding Modification of a Rule Set by the Redirection Server During a Session**

Regarding claims 16-24, 26-29, 33-34, 36-43, 64, and 68-90, Patent Owner argues that Radia fails to teach “modifying a packet filter *after* it is downloaded [to the router] or modifying the packet filter *by the redirection server*,” e.g., the router. (Resp. at 20.) This argument fails because the claims do not require the redirection server *itself* to modify the rule set.

For example, claim 16 recites that the “redirection server is configured *to allow modification* of at least a portion of the rule set.” Claim 83 recites a method that includes “modifying” step, but does not recite who or what must perform that step. Notably, the ’118 Patent specification includes examples where the redirection server allows an outside server to modify the rule set:

Of course, the type of modification an outside server can make to a rule set on the redirection server is not limited to deleting a redirection rule, but can include any other type of modification to the rule set that is supported by the redirection server....

(’118 Patent, 8:6-10.) Accordingly, Patent Owner’s argued claim interpretation is inconsistent with the broadest reasonable interpretation in light of the specification, as it would exclude embodiments where the rule set is modified by an outside server.

Patent Owner further argues that “[t]here is no teaching whatever in Radia ... that the router or modem itself reconfigures or modifies the downloaded packet filter once that packet filter has been programmed into the router/modem.” (Resp. at 20.) The Examiner’s rejection provided substantial analysis of Radia’s teachings with respect to modifying a user’s rule set. (See Request Ex. BB at 15-17.) For example, Radia teaches that a user’s computer is initially associated with a login profile which permits the user to communicate with only a limited number of destinations. These destinations are essentially those “required for a user to login to network 100,” such as the login server. (Radia, 7:38–45.) After the user successfully logs in, the user’s packet filter on the router is updated appropriately. (See, e.g., Radia, 10:6-14.) Thus, the user’s packet filter is modified *after* the user has already initiated and conducted communications with certain network destinations, such as the login server.

Requester further notes that Patent Owner has taken the position in litigation that updating a user’s rule set when the user logs in is within the scope of the “automated modification” claim limitations. (See, e.g., Request Ex. D2 at 55-56 (“For example, at least of a portion of the rule set applicable to the user is automatically modified at certain times by the [accused product], such as when the user properly authenticates with the network...”).) The Examiner may rely on this statement as an admission that Radia’s teachings are within the scope of the “automated modification” claim limitations. See 37 C.F.R. § 1.104(c)(3) (The Examiner may rely on the admissions of a Patent Owner “as to any matter affecting patentability”).

Patent Owner further argues that a user’s session ends when the user logs out, and therefore reconfiguring the router when the user logs out “is not a modification *during a user session* as taught by the ’118 patent.” (Resp. at 21.) The argued claims, however, do not recite modification *during a user session* but instead modification that occurs to “the rule set correlated to the temporarily assigned network address.” (See, e.g., claim 16.) Patent Owner’s argument is untethered from the claim language and therefore fails.

In addition, the Patent Owner previously argued in litigation that a user’s “session” lasts for as long as the user retains a network address, not merely for the portion of time that the user is authenticated. (See Request Ex. D1 at 12.) Patent Owner specifically argued that the claims encompass modifications made when a user authenticates or logs off:

This rule set is dynamically modified after the user authenticates with the system.... The rule set may be dynamically modified for

other reasons as well (e.g., *logging off* or the user's access expires).

...  
The rule set is modified based on data transmitted from the user (e.g., username and password or *a log off request*).

(Ex. N at 22 & 23, emphasis added.) The Examiner may properly rely on these statements by the Patent Owner as admissions regarding the scope of the claims under the broadest reasonable interpretation. (See 37 C.F.R. § 1.104(c)(3).) Even under the claim interpretation advocated by Patent Owner in litigation, Radia teaches the claimed "modification."

Patent Owner argues that in Radia, "the ANCS does the reconfiguring of the router, not the router itself." (Resp. at 21.) This argument depends on Patent Owner's argument that a "rule set" must include a capability for automatic *self*-modification. As refuted more fully above, this proposed interpretation of "rule set" is inconsistent with the broadest reasonable interpretation of the claims in view of the '118 specification. Accordingly, the argument is without merit.

Finally, Requester notes that the proposed rejection, adopted by the Examiner, included an explanation of why—even without Radia's express teaching—it would have been obvious to modify a user's rule set while the user retained an assigned network address. (See Request Ex. BB at 17.) For example, it would have been obvious to block a site after discovering inappropriate communications between the user and the site, or that the user spent an excessive amount of time on a site was unrelated to the user's work. Patent Owner does not contest or challenge these obviousness rationales. For this additional reason, the Examiner's rejections are proper, well-supported, and should be made final.

**D. Comments on the Patent Owner's Arguments Regarding "Redirection" and Claims 31, 35, 61, 66-67**

Patent Owner argues that Radia teaches only to forward or discard packets, and that Radia fails to teach redirection. (Resp. at 22.) This argument fails because the Examiner relied on Stockwell, not Radia, as teaching redirection. "One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references." (MPEP 2145 (IV).)

Patent owner also argues that "the Examiner has further failed to articulate any such motivation for Radia to 'redirect,'" as taught by Stockwell. The proposed rejection, adopted by the Examiner, includes an extensive discussion of reasons to combine Radia and Stockwell—

with particular focus on incorporating Stockwell's redirection feature into Radia's overall system—in accordance with the legal standard in *KSR International v. Teleflex*. (See, e.g., Request Ex. BB at 2.) Patent Owner's argument overlooks this analysis. The assertion that the Examiner failed to analyze obviousness under the appropriate legal standard is therefore without merit.

**VIII. Comments on the Patent Owner's Response to the Rejection of Claims 2-5, 9-12, 45-48, and 57-60 as Obvious over Radia in view of Wong'727 and Stockwell and further in view of Wong '178**

Patent Owner does not contest that the references teach the additional limitations of claims 2-5, 9-12, 45-48, and 57-60. Accordingly, the Examiner's rejections are proper and should be made final.

Requester also notes that claims 2-5 and 9-12 depend from claims 1 and 8 that the Patent Owner has already conceded are invalid. (See '118 Patent, Reexamination Certificate C1.)

**IX. Comments on the Patent Owner's Response to the Rejection of Claims 7, 14, 16-24, 50-56, and 62-90 as Obvious over Radia in view of Wong'727 and further in view of Admitted Prior Art**

The Examiner properly rejected claims based on Radia (US5848233) in view of Wong'727 (US5835727) and the Admitted Prior Art. As analyzed more fully in the Request for Reexamination:

- Radia teaches a system in which each user's access to a network is controlled by an individualized set of rules programmed into a router, which then blocks or allows data packets sent between the user's computer and the network. (See, e.g., Radia, 6:66-7:2 & 3:18-20.)
- The Admitted Prior Art teaches that it was known to redirect a user's request to an alternate destination. (See, e.g., '118 Patent 1:38-67.)

Thus, Radia, Wong'727, and the Admitted Prior art render obvious the claimed systems and methods including the "redirection server" that processes users data "according to the individualized rule set."

With respect to the rejections based in part on Radia and the Admitted Prior Art, Patent Owner generally reiterates its arguments regarding the interpretation of "rule set" and "redirection server." Requester has already shown that these arguments are without merit. Accordingly, Requester responds here only where the Patent Owner raised a new or different



argument.

**A. Comments on the Patent Owner’s Response Regarding the Interpretation of “Rule Set” in All Claims**

Patent Owner argues that the prior art fails to teach a rule set “capable of morphing itself into a modified rule set in response to elements or conditions.” (Resp. at 23.) This argument depends on the Patent Owner’s assertion that a “rule set” must be capable of automatic self-modification, which would be inconsistent with the broadest reasonable interpretation of the claims in view of the ’118 patent specification. As such, the argument is without merit.

**B. Comments on the Patent Owner’s Response Regarding the Interpretation of “Redirection” in Claims 7, 14, 16-24, 50-56, and 62-90**

Patent Owner argues that the prior art fails to teach a “redirection server at the user computer side of the network.” (Resp. at 23.) This argument fails for several reasons.

First, no claim recites a limitation that the redirection server is “at the user computer side of the network” as the Patent Owner argues. Thus, the argument is untethered from the actual claim language.

Second, for those claims that specify that the redirection server is “connected between the dial-up network server and a public network” (*e.g.*, claim 44), the Examiner’s rejections included specific analysis of this “between” location limitation. (*See, e.g.*, Request Ex. BB at 88-89.) Patent Owner has not shown any error in that analysis.

Finally, to the extent that the Patent Owner argues that the Admitted Prior Art fails to teach a complete “redirection server,” the Patent Owner is improperly attacking the references individually. “One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.” (MPEP 2145 (IV).)

Accordingly, the Examiner’s rejections are proper and should be made final.

**C. Comments on the Patent Owner’s Response Regarding “Modification of Rule Set” in Claims 16-24, 53 and 68-90**

Patent Owner reiterates its unsubstantiated assertion that the claims require “modification of a rule set by the redirection server during a user session, that is, after the redirection server begins to process data packets according to a downloaded rule set.” (Resp. at 24.) Once again, Patent Owner fails to explain why such an interpretation would be consistent with the broadest reasonable interpretation, and fails to cite even a single statement in the ’118 patent specification

in support of this interpretation. Patent Owner's position is unsupported and without merit.

**D. Comments on the Patent Owner's Response Regarding a "Rule Set for a Plurality of User IDs" in Claims 14, 50, and 62**

Patent Owner does not contest that the references teach the additional limitations of claims 14, 50, and 62. Accordingly, the Examiner's rejections are proper and should be made final.

**X. Comments on the Patent Owner's Response to the Rejection of Claims 2-5, 9-12, 45-48, and 57-60 as Obvious over Radia in view of Wong'727, the Admitted Prior Art, and further in view of Wong'178**

Patent Owner does not contest that the references teach the additional limitations of claims 2-5, 9-12, 45-48, and 57-60, arguing only that the "prior art, alone or in any combination, does not render obvious the independent claims from which these claims depend." (Resp. at 25.) Accordingly, the Examiner's rejections are proper and should be made final.

Requester also notes that claims 2-5 and 9-12 depend from claims 1 and 8 that the Patent Owner has already conceded are invalid. (*See* '118 Patent, Reexamination Certificate C1.)

**XI. Comments on the Patent Owner's Response to the Rejection of Claims Based on He, Zenchelsky, Admitted Prior Art, and Fortinsky**

The Examiner properly rejected claims based on He (US6088451) in view of Zenchelsky (US6233686) and the Admitted Prior Art. As analyzed more fully in the Request for Reexamination:

- He teaches a system in which each user's individualized credentials are consulted to allow or block access to network resources. (*See, e.g.*, He, 31:1-9 & 18:57-65.)
- Zenchelsky teaches controlling a user's access to a network, such as the Internet, with user-specific rules enforced by a server located between the user and the network. (*See, e.g.*, Zenchelsky, 3:46-51 & Fig. 5A.)
- The Admitted Prior Art teaches that it was known to redirect a user's request to an alternate destination. (*See, e.g.*, '118 Patent 1:38-67.)

Thus, He, Zenchelsky, and the Admitted Prior Art render obvious the claimed systems and methods including the "redirection server" that processes users data "according to the individualized rule set."

The Examiner also properly rejected claims based on He, Zenchelsky, and the Admitted

Prior Art further in view of Fortinsky (US5815574). As analyzed more fully in the Request for Reexamination:

- Fortinsky further teaches a gateway server that processes a user's credentials in determining whether to permit the user to communicate with a second network. (See, e.g., Fortinsky 5:14–20.)

Thus, He, Zenchelsky, the Admitted Prior Art and Fortinsky also render obvious the claimed systems and methods including the “redirection server” that processes users data “according to the individualized rule set.”

Patent Owner asserts that these rejections “were previously fully considered by the Patent Office and the Board” and that “Requester has made no new arguments and has cited no new prior art.” (Resp. at 25-26.) This is incorrect.

Requester's analysis, adopted by the Examiner in rejecting the claims, included new analysis—not previously considered by the Patent Office—of Zenchelsky's teachings, for example, with respect to “providing control over a plurality of data to and from the users' computers as a function of the individualized rule set” in claim 2. (See Request Ex. CC at 10-11 & Ex. DD at 17.) Zenchelsky's teachings regarding such limitations were not considered during the previous reexamination. (See, e.g., Reexam Control No.90/009301, Final Rejection at 6 (Aug. 2, 2010).)

And Fortinsky is clearly “new prior art,” as Requester is unaware of any discussion of Fortinsky anywhere in the prosecution history or previous reexamination of the '118 Patent. Patent Owner does not cite or refer to any such discussion. Patent Owner's assertion that Fortinsky is not “new prior art” is unsupported and contrary to the facts.

Patent Owner argues that “the decision to even grant the present Reexamination should be withdrawn.” (Resp. at 26.) Patent Owner's argument is without merit and procedurally improper because the decision to order reexamination “is not subject to review by petition or otherwise.” (MPEP 2646 (II).)

**A. Comments on the Patent Owner’s Response to the Rejection of Claims 2-7, 9-12, 16-24, 26-54, 60-66, 68-81 and 83-89 as Obvious over He, Zenchelsky and the Admitted Prior Art**

**1. Comments on the Patent Owner’s Statement Regarding the Obviousness of Combining He, Zenchelsky, and the Admitted Prior Art**

Patent Owner argues that the prior art teaches “controlling access to network resources” but does not teach “to control access to the network itself.” (Resp. at 26.) This argument fails because it is untethered from the claim language, which recites for example that “data directed toward the public network ... are processed by the direction server.” (See claim 44.) Thus, the claims do not recite “controlling access” to anything, much less “to the network itself” as the Patent Owner argues. Patent Owner’s argument fails to identify any deficiency in the prior art and is therefore unpersuasive.

**2. Comments on the Patent Owner’s Statement that “He and Fortinsky are Directed to Using Ticket-Based Security Architecture”**

Patent Owner argues that “He and Fortinsky and Admitted Prior Art do not teach controlling access to the network, but rather, access to information on an identified network server where access is allowed or denied based on processing of the ticket data at the network server *after access to the network itself has been allowed without restriction.*” This argument fails for several reasons.

First, Patent Owner does not identify any particular claim limitation in making the general statement that the prior art’s ticket-based architecture is distinguishable. As such, the argument is merely a “general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.” (See 37 C.F.R. § 1.111(b).)

Second, Fortinsky’s gateway server is illustrated in Fig. 2 as securing access to network N2. To communicate with network N2 via the gateway server, “a client must present a complex attribute that contains a whole user profile.” (Fortinsky, 8:56-57.) Thus, Fortinsky teaches evaluating a user’s permissions *before* the user is allowed access to network N2. Patent Owner’s argument that Fortinsky teaches the opposite is without merit.

**3. Comments on the Patent Owner's Statements Regarding Fortinsky's Gateway Server**

Patent Owner asserts that Fortinsky's gateway server "does not allow or deny access to any network including the external network." (Resp. at 27.) Patent Owner states that Fortinsky's gateway server "modifies the ticket information to be reader" by a server on an external network. (*Id.*) Patent Owner's assertions are incorrect and reflect an incomplete understanding of Fortinsky.

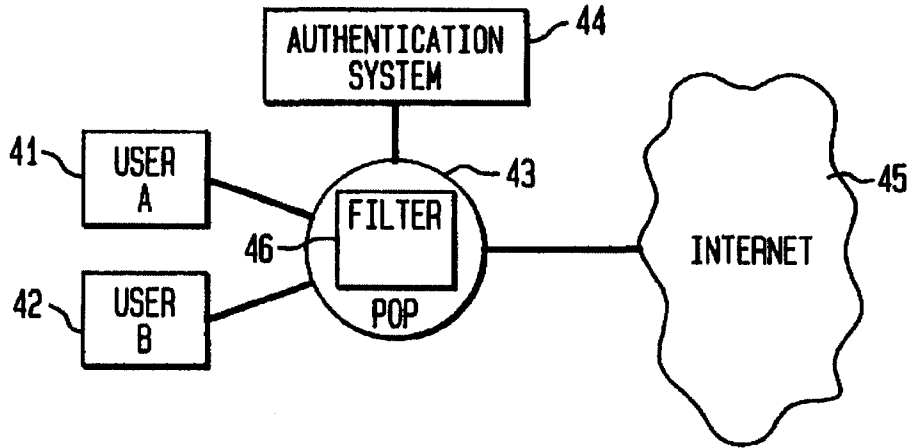
Fortinsky discusses security in the context of a Distributed Computing Environment (DCE). In DCE, a server evaluates whether to grant or deny a client's request based on the user's privilege attribute certificate (PAC). (Fortinsky, 1:57-58.) Fortinsky also discusses "DCE servers that act as gateways to non-DCE resources, i.e. resources outside the DCE environment." (*Id.* 1:63-65.) To provide access control over not just the gateway but also those outside resources, Fortinsky proposes an *extended* PAC which can store security information for non-DCE servers. (*Id.* 2:43-45.) It is this extended PAC information to which the Patent Owner's argument relates. The gateway server, as a DCE server, continues to use the ordinary PAC to decide whether to grant or deny a particular request. (*Id.* 1:57-58.) Thus, Fortinsky's gateway server provides access control over network N2. Patent Owner's arguments focus, inappropriately, on Fortinsky's additional teachings for consolidated credentials for both DCE and non-DCE servers. Patent Owner's arguments are therefore without merit.

**4. Comments on the Patent Owner's Statements Regarding Obviousness of Controlling Access to a Network with a Redirection Server Between the User and the Network**

Patent Owner argues that by combining the teachings of He, Fortinsky, and the Admitted Prior Art, "the user would either be indiscriminately blocked or given access to any destination server on the network." (Resp. at 28.) This argument fails because the Patent Owner does not explain why such a limitation would exist, and more importantly, fails to explain any relevance to the claim language.

The argument is also inconsistent with the Patent Owner's assertion that "redirection at the user side is for the purpose of controlling access to the network itself, not network elements." (*See, e.g.*, Resp. at 4.) If the combination of prior art were to "indiscriminately block[] or give[] access" as the Patent Owner asserts, then the combination would be "controlling access to the network itself"—which the Patent Owner admits is within the scope of the claims.

Finally, Fortinsky teaches that the gateway server itself will process a user's security information to control access to network N2. (*See* Fortinsky, 1:63-65 & 1:57-58.) And Zenchelsky similarly teaches the use of a "filter to regulate the flow of information between users 51 and 53 and the hosts P, U, V and W on the Internet." (Zenchelsky, 3:46-49.) Zenchelsky depicts a similar system in Fig. 4, unambiguously showing that the filter is between the users and the Internet:



**Zenchelsky Fig. 4**

Accordingly, Patent Owner's argument is unrelated to any specific claim limitation, inconsistent with the Patent Owner's own claim interpretation, and ignores the disclosures of Fortinsky and Zenchelsky. The argument is without merit.

**B. Comments on the Patent Owner's Statements on "Processing Before Network Access is Allowed"**

Patent Owner asserts that "processing of data before access to the network (public or private) is permitted is a requirement of each of the claims." (Resp. at 28.) Patent Owner further states that the '118 patent is concerned "only with controlling access to the network itself to enable a provider to be able to charge a fee for granting that access." (Resp. at 29.) These arguments fail because they are inconsistent with the broadest reasonable interpretation of the claims, which recite no express limitations relating to processing data "before access to the network ... is permitted" or "to charge a fee for granting that access." Patent Owner does not identify any claim language that it believes should be interpreted as including these limitations. "[W]ithout specifically pointing out how the language of the claims patentably distinguishes them from the references," these generalized arguments fail. (37 C.F.R. § 1.111(b).)

**C. Comments on the Patent Owner’s Assertion that a “User’s Credentials Do Not Meet the Definition of ‘Rule Set’”**

Patent Owner argues that He, Zenchelsky, and Fortinsky all fail to teach a “‘rule set’ that enables the redirection server to modify the rule set during a user session.” (Resp. at 29.) This argument depends on Patent Owner’s proposed interpretation of “rule set” as requiring a capability for automatic self-modification. As refuted more fully above, this proposed interpretation of “rule set” is inconsistent with the broadest reasonable interpretation of the claims in view of the ’118 specification. Accordingly, the argument is without merit.

**D. Comments on the Patent Owner’s Statements on “Redirection”**

Patent Owner asserts that “none of the prior art teach redirection by a redirection server.” (Resp. at 29.) This argument fails because the rejections were based on obviousness, not anticipation. Specifically, the Examiner’s rejection included a detailed explanation of how the combination of prior art references render obvious the claimed “redirection server.” (*See* Request, Ex. CC at 4-6; Ex. DD at 6-9.) Patent Owner does not point to any error or omission in this analysis. Patent Owner’s argument that no single reference anticipates the claim is unpersuasive, as one “cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.” (MPEP 2145 (IV).)

**E. Comments on the Patent Owner’s Statements on “Modification of ‘Rule Set’”**

Patent Owner repeats the argument that a “rule set” must be capable of automatic self-modification. (Resp. at 30.) As refuted more fully above, this proposed interpretation of “rule set” is inconsistent with the broadest reasonable interpretation of the claims in view of the ’118 specification. Accordingly, the argument is without merit.

**XII. Conclusion**

Patent Owner's arguments are unpersuasive and without merit. Therefore, the Examiner's rejection of claims 2-7, 9-14, 16-24, and 26-90 should be reaffirmed and made final with the issuance of an Action Closing Prosecution.

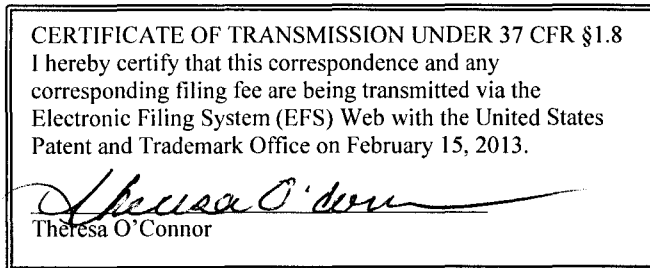
As identified in the attached Certificate of Service and in accordance with MPEP § 2266.06 and 37 CFR §§1.248 and 1.903, a copy of the present response, in its entirety, is being served to the address of the attorney/agent of record at the address provided for in 37 CFR 1.33(c). Please direct all correspondence in this matter to the undersigned.

Respectfully submitted,

/David L. McCombs/

David L. McCombs  
Registration No. 32,271

Dated: February 15, 2013  
HAYNES AND BOONE, LLP  
2323 Victory Avenue, Suite 700  
Dallas, Texas 75219  
Telephone: 214/651-5533  
Attorney Docket No.: 43614.61





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

In re patent of Ikudome et al.	§ <i>Inter Partes</i> Reexamination
	§ Control No. 95/002,035
U.S. Patent No. 6,779,118	§
	§ Group Art Unit: 3992
Issued: August 17, 2004	§
	§ Examiner: Jalatee Worjloh
Title: USER SPECIFIC AUTOMATIC	§
DATA REDIRECTION SYSTEM	§ Confirmation No.: 1745
	§
	§

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the COMMENTS BY THIRD PARTY REQUESTER PURSUANT TO 37 C.F.R. §1.947 and Exhibit N, in their entirety, were served on:

Herskovitz & Associates, LLC  
2845 Duke Street  
Alexandria, VA 22314

the attorney of record for the assignee of U.S. Patent No. 6,779,118 , in accordance with 37 C.F.R. § 1.915 (b)(6), on February 15, 2013.

/David L. McCombs/  
\_\_\_\_\_  
David L. McCombs, Registration No. 32,271

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14973302
<b>Application Number:</b>	95002035
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	1745
<b>Title of Invention:</b>	USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM
<b>First Named Inventor/Applicant Name:</b>	6779118
<b>Customer Number:</b>	40401
<b>Filer:</b>	David L. McCombs/Theresa O'Connor
<b>Filer Authorized By:</b>	David L. McCombs
<b>Attorney Docket Number:</b>	RI1341006F
<b>Receipt Date:</b>	15-FEB-2013
<b>Filing Date:</b>	12-SEP-2012
<b>Time Stamp:</b>	15:30:39
<b>Application Type:</b>	inter partes reexam

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Comments_and_CofS.pdf	1774529 <small>031000ad4729af6bbb379f73a2d6764cfaa2ff7b8</small>	yes	35

Multipart Description/PDF files in .zip description			
	Document Description	Start	End
	Third Party Requester Comments after Non-final Action	1	34
	Reexam Certificate of Service	35	35

**Warnings:**

**Information:**

2	Reexam - Affidavit/Decl/Exhibit Filed by 3rd Party	ExN_T_Mobile_Infr_Contention s.pdf	295823  001ebcb1d3ff413bc63df978f2cc4d76431 c34d	no	32
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>		2070352
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**



# HERSHKOVITZ & ASSOCIATES, LLC

PATENT AGENCY

2845 DUKE STREET, ALEXANDRIA, VA 22314

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Inventor: Koichiro Ikudome et al.

Art Unit: 3992

Reexamination Proceeding: 95/002,035  
(based on U.S. Patent No. 6,779,118)

Confirmation No.: 1745

Reexamination Filed: September 12, 2012

Examiner: Jalatee Worjloh

For: USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM

Mail Stop "inter partes Reexam"  
Attn.: Central Reexamination Unit  
Commissioner for Patents  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 23313-1450

Honorable Commissioner:

Transmitted herewith are a RESPONSE TO OFFICE ACTION UNDER 37 CFR §1.945, COPY OF RESPONSE AND AMENDMENT UNDER 37 CFR §1.111 AFTER BOARD DECISION IN PROCEEDING NO. 90/009,301 and a Certificate of Service in connection with the above-captioned Proceeding.

The fee has been calculated as shown below:

Claims After Amendment	No. of Claims Previously Paid	Present Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
*Total Claims:			x 30=	\$	x 60=	\$
**Indep. Claims:			x125=	\$	x250=	\$
Extension Fee for	Months			\$		\$
Other:				\$		\$
Total:				\$	Total:	\$

Fee Payment made through EFS.

Payment is made herewith by Credit Card (see attached Form PTO-2038).

The Director is hereby authorized to charge all fees, including those under 37 CFR §§1.16 and 1.17, which are required for entry of the papers submitted herewith, and any fees which may be required to maintain pendency of this Proceeding, to Deposit Account No. 50-2929.

The Director is hereby authorized to charge all fees under 37 CFR § 1.18 which may be required to complete issuance of this application to Deposit Account No. 50-2929.

Respectfully submitted,

Date: January 17, 2013

/Abe Hershkovitz/  
Abraham Hershkovitz  
Registration No. 45,294

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

Inventor: Koichiro Ikudome et al.

Art Unit: 3992

Reexamination Proceeding: 95/002,035  
(based on U.S. Patent No. 6,779,118)

Confirmation No.: 1745

Examiner: Jalatee Worjloh

Reexamination Filed: September 12, 2012

For: USER SPECIFIC AUTOMATIC DATA REDIRECTION SYSTEM

**RESPONSE TO OFFICE ACTION UNDER 37 CFR §1.945**

Mail Stop "*inter partes* Reexam"  
Attn.: Central Reexamination Unit  
Commissioner for Patents  
United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 23313-1450

Dear Commissioner:

Patent Owner respectfully submits the following Response to outstanding Office Action mailed on October 19, 2012 in the above-identified Proceeding, which set a two month period for reply, up to and including December 19, 2012. A proper Petition for Extension of Time with Certificate of Service and fee were timely submitted to the Office and granted by the Decision mailed December 13, 2012 for the period of one month, up to and including January 19, 2013. Accordingly, this Response is being timely submitted prior to the extended due date.

It is believed that no fee is required for entry and consideration of this Response. However, the Commissioner is authorized to charge any fee necessary to maintain this Proceeding in force to Deposit Account No. 50-2929, referencing Dkt. No. RI1341006F.

Evidence of service of this Response to the proper mailing address of third party requester is shown on the last page attached hereto.

Consideration of this Response is respectfully requested.

## I. Summary of Argument for Non-Obviousness

The Examiner, adopting Requester's proposed basis for rejection, failed to articulate any rationale for combining the references cited in the Office Action or a rationale as to why the cited references, alone or in combination, disclose, suggest or provide any motivation for a redirection server programmed with a "rule set": (1) to "block" or "allow" data packets from the user computer as a function of the rule set; (2) to perform the redirection of data packets as a function of the rule set; and (3) to change the rule set during a user session as a function of "elements or conditions" that are part of the "rule set."

Patent Owner accordingly requests that the rejections be withdrawn and an *inter partes* Reexamination Certificate be issued as to all claims in US Patent No. 6,779,118 C1 ("the '118 patent").

## II. Legal Requirement for finding Obviousness

Obviousness is a question of law based on underlying factual inquiries. *Graham v. John Deere Co.*, 383 U.S. 1 (1966). The first step in the *Graham v. Deere* obviousness analysis is to determine the scope and content of the prior art. The scope of the prior art includes references that are "from the same field of endeavor, regardless of the problem addressed, [or] reasonably pertinent to the particular problem with which the inventor is involved." *In re Clay*, 966 F.2d 656, 659, 23 USPQ2d 1058, 1060 (Fed. Cir. 1992). The second step in the *Graham v. Deere* obviousness analysis is to determine the differences between the prior art and the claimed invention. This is performed by comparing the claimed invention to the prior art. The third step is to determine the level of ordinary skill in the relevant art. The level of ordinary skill is determined from several factors, including the sophistication of the technology involved and the educational background of those active in the field. *Orthopedic Equipment Co. v. United States*, 702 F.2d 1005, 1011, 217 USPQ 193 (Fed. Cir. 1983); *Custom Accessories, Inc. v. Jeffrey-Allan Industries, Inc.*, 807 F.2d 955, 962, 1 USPQ2d 1196, 1201 (Fed. Cir. 1986); see also *In re GPAC Inc.*, 57 F.3d 1573, 1579, 35 USPQ2d 1116, 1121 (Fed. Cir. 1995). The level of ordinary skill is used to determine whether, given

the prior art, the invention as a whole would have been obvious at the time that it was made.

According to the Federal Circuit, “[w]hat matters in the §103 obviousness determination is whether a person of ordinary skill in the art, having all the teachings of the [prior art] references before him, is able to produce the structure defined by the claim.” See *Orthopedic Equipment Co. v. United States* at 200. While rejecting a rigid approach relating to a finding of a teaching, suggestion or motivation, the Supreme Court recently stated that “there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *KSR v. Teleflex Inc.*, 550 U.S. 398, 418 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)).

An articulation of a rationale is especially important when references or teachings are combined in an attempt to render an invention obvious. An example of a rationale supporting obviousness based on a combination of references is when the references themselves teach, suggest or would motivate one to make such a combination. This test is not exclusive. See *KSR v. Teleflex Inc.* at 418. Accordingly the MPEP provided additional exemplary rationales:

- (A) Combining prior art elements according to known methods to yield predictable results;
- (B) Simple substitution of one known element for another to obtain predictable results;
- (C) Use of known technique to improve similar devices (methods, or products) in the same way;
- (D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;
- (E) "Obvious to try" - choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;
- (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art; and
- (G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention. (M.P.E.P. § 2141.III.)

The Examiner failed to disclose what rationale, if any, there was for combining the prior art relied on in adopting Requester’s proposed obviousness rejections in the Office Action. This is inappropriate as a threshold matter.

### III. Combining References, Even If Justified, Does Not Render The Claims Obvious.

Setting aside the lack of a rationale in the Office Action for combining the prior art, the references recited in each of the rejections, whether alone or in the combinations proposed (or any other combination possible), do not teach or suggest and do not provide any motivation to arrive at an approximation of the invention claimed in the '118 patent. For example, the references do not teach a redirection server that is programmed with a rule set that includes "allow," "deny" and "redirect" actions based on the rules in the rule set and that can be modified by the redirection server during a user session<sup>1</sup> in response to "elements or conditions" which are also part of the programmed rule set.

The technical differences between the teaching of the prior art and the '118 patent include: that the rule set incorporates "elements or conditions," not just packet filters that always "allow," "deny" or "redirect" until changed by a system administrator; that the redirection server be able to modify the rule set during a user session in response to "elements or conditions" in the rule set; and that redirection at the user side is for the purpose of controlling access to the network itself, not network elements. The '118 patent therefore teaches a functionality that is different from that taught by the references, thereby precluding an obviousness finding under the requirements of *Graham v. Deere*. See also, *Perfect Web Techs., Inc. v. Info USA, Inc.*, 587 F.3d 1324, 92 USPQ2d 1849 (Fed. Cir. 2009) and *M.P.E.P. § 2141.03VI*.

An obviousness conclusion is also precluded because of the absence of any claim construction analysis in Requester's argument adopted by the Examiner. The most obvious claim construction deficiency is the absence of any definition of "rule set." Requester did no claim construction analysis of the meaning of "rule set" in the '118 patent, instead merely assuming that a rule set was the same as a data packet filter.<sup>2</sup> However, as set out below, a "rule set" is significantly different from a mere packet filter, including not only an integral "redirect" action but also "elements or conditions" that

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<sup>1</sup> As used herein, "session" means the period of time during which a single temporarily assigned network address is assigned to a user computer and the redirection server processes data packets communicated between the user and the network according to the programmed rule set.

<sup>2</sup> The court in *Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., et al.*, Case No. 2:08-cv-00264-DF-CMC, USDC, Eastern District of Texas, citing the '118 patent at 4:41-47, construed "user's rule



enable the redirection server to change the rule set based on rule set information and further to effect that change during a user session. The failure of both Requester and the Examiner to provide any claim construction for “rule set” and other critical terms in the claims of the ‘118 patent or to articulate a rationale for the obviousness further precludes a finding of obviousness.

Finally, the USPTO and BPAI (now PTAB) have long recognized that an obviousness rejection cannot modify a reference such that it would render the prior art unsatisfactory for its intended purpose. M.P.E.P. § 2143.01(V). Further, references cannot be combined such that the basic principle of operation of a reference is changed. M.P.E.P. § 2143.01(VI). Here, the Examiner has done just that. All of the references address the problem of controlling access to network resources for either security or “parent control” purposes. The ‘118 patent’s access control system is directed to controlling access to the network itself, not specific network elements, for business purposes -- e.g., billing for temporary internet access. As to the former purposes, the specific identity of the user and the user’s “credentials” are essential. In the ‘118 patent, the actual identity of a particular user is not important so long as, e.g., payment for the access granted to a computer with an temporary ID has been made.

Again, both Requester and the Examiner failed to consider the fundamental difference in the basic purposes and consequent principles of operation between the ‘118 patent and the cited references.

#### **IV. Summary Analysis of ‘118 Patent Claims**

##### **A. The Examiner and Requester Failed to Consider the Meaning of “Rule Set” in the ‘118 Patent Claims.**

The ‘118 patent defines “rule set” as “...rule sets specify *elements or conditions* about the user’s session” (emphasis added). The ‘118 patent at 4:41-42.

Examples of such “*elements or conditions*” include:

...data about a type of service which may or may not be accessed,<sup>3</sup> a location which may or may not be accessed<sup>4</sup>, how long to keep the rule set active<sup>5</sup>, under

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set” as “*elements or conditions that apply during a user’s or users’ session.*”

<sup>3</sup> This would, for example, include packet filters used to process data from a user’s computer directed to the network.

<sup>4</sup> *Id.*

what conditions the rule set should be removed<sup>6</sup>, when and how to modify the rule set during a session<sup>7</sup>, and the like (footnotes added). The '118 patent at 4:43-47.

As to functionality, the redirection server dynamically changes the rule set based on “conditions”:

The redirection server receives the IP address and the rule set, and is programmed to implement the rule set ... blocking or allowing the packets as a function of the rule sets, performing the physical redirection of data packets based on the rule sets, and dynamically changing the rule sets based on conditions. The '118 patent at 4:59-66.

One fundamental error made by the Examiner was adopting Requester's analysis that the “rule set” in the '118 patent is a static data packet filter. However, the '118 patent rule set is not a static data packet filter but is a set of rules that, when programmed into the redirection server, can change the way the redirection server processes the data packets from the user computer in response to changes in the elements or conditions -- in short, the '118 patent's rule set itself, when programmed into the redirection server, enables the processing of the redirection server to change from one protocol to another in response to the “elements or conditions” and to effect that change during a user session. Furthermore, the elements or conditions that enable this change of the rule set protocol to occur include “elements or conditions” processed by the redirection server according to the rule set. Consistent with this meaning of “rule set,” the District Court in *Linksmart Wireless Technology, LLC v. T-Mobile USA, Inc., et al.*, Case No. 2:08-cv-00264-DF-CMC, USDC, Eastern District of Texas, construed “user's rule set” as “*elements or conditions that apply during a user's or users' session.*” See the '118 patent at 4:41-47.

The Examiner, adopting Requester's proposed rejections, failed to articulate any rationale supporting the assumption that the '118 patent's “rule set” was the same as data packet filters common in the prior art. Failing to articulate any rationale as to why the prior art static data packet filters would render obvious the '118 patent's “rule set” requires that the rejections as to all claims be withdrawn.

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<sup>5</sup> Information in the rule set responsive to “conditions.”

<sup>6</sup> *Id.*

<sup>7</sup> The “elements or conditions” aspect of the rule set provide directions whereby the redirection server modifies its own program -- rule set.

According to the Federal Circuit, “[w]hat matters in the § 103 obviousness determination is whether a person of ordinary skill in the art, having all the teachings of the [prior art] references before him, is able to produce the structure defined by the claim.” See *Orthopedic Equipment Co. v. United States* at 200. Furthermore, the Supreme Court recently stated that “there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” See *KSR v. Teleflex Inc.* at 398, 418.

### **B. Redirection According To Rule Set Programmed In The Redirection Server**

Related to the meaning of “rule set” in the ‘118 patent is the incorporation of redirection as part of the “rule set,” or that redirection can occur at any time during a user session in response to a change in an “element or condition” or that redirection by the redirection server would occur before access to the network is permitted. Rather, the cited references teach redirection at the destination after data packets pass to the network (a function that would negate the fundamental purpose of the novel invention claimed in the ‘118 patent); teach redirection as a separate function, not part of a packet filter; or teach redirection at discrete events, not as part of an integrated rule set to control access to the network itself and not just to network elements (servers). For example, the queries of Stockwell do not occur during a session but only before the start of a session. By contrast, redirection as taught by the ‘118 patent can occur at any time during a user session in response to a change in “elements or conditions” that occur during a session. Furthermore, the ‘118 patent does not rely on generating a query, but rather incorporates the “redirect” action into the individualized rule set programmed into a redirection server.

As will hereafter be described, none of the references cited, whether singly or in combination, teach, suggest or provide any motivation for placing a redirection server between the user computer and the network to control access to the network based on a rule set programmed into the redirection server where the rule set, including redirection, can change during a user session in response to “elements or conditions.”

### C. Modification of a Portion of the Rule Set During A Session

As above discussed, if the “elements or conditions” of a “rule set” programmed in the redirection server change, the redirection server will change the “rule set” and the modified rule set will be applied to process the data packets thereafter.<sup>8</sup>

Therefore, the requirement of modification of the rule set during a user session is an explicit aspect of the definition of “rule set” in the ‘118 patent, and none of the cited references, either singly or in any possible combination, teach, suggest or provide any motivation for modification of a rule set by a redirection server during a user session after the rule set has been programmed into the redirection server and while the temporary network address is assigned.

### V. Rejection of Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 under 35 U.S.C. 103(a) over RFC 2138 (Willens) and Stockwell (Request Exhibit AA, pages 2-55)

Patent Owner first addresses the prior art generally, and then will address the rejection of specific claims based on the references.

#### A. Stockwell 5,950,195

Stockwell is cited at page 32 of Requester’s brief for the disclosure that “the access control list is a list of rules that regulate the flow of internet connection through a firewall.” However, the “rules” of Stockwell consist of a single set of filters stored in a unified database that define all parameters for all users, a match criteria and an action to be taken. The database (ACLD in Figure 3) receives a query from an “agent” (“Proxies 50, servers 52, login agents 54, and NASes 58”) that contains parameters specific to a user access request. The ACLD database then compares those parameters against the parameters stored for each rule. The “action” (e.g., deny access, allow access, default) to be taken is then embodied in a “reply” which is sent to the agent that made the query. The agent then allows or rejects the connection

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<sup>8</sup> Requester’s brief at page 24 misrepresents that the Board “discussed and resolved the following points:...Redirecting a user *and modifying ‘the rule set ...’* is obvious ....” However, the Board did not conflate “redirection” and “modifying the rule set” as asserted. Indeed, the Board, at pages 9 and 10, only discussed redirection and never mentioned “modification of a rule set.” Furthermore, the ‘118 patent does not teach that redirection equates to modification of a rule set.

coming in through the agent in response to the received “reply.” See Stockwell 10:18-22 (“Agent query”) and Stockwell 11:6-18 (“Action”).

The reply can also include a “side effect” which in addition to an “allow” or “deny” action can change the behavior of the agent in some way such as demanding authentication or “tell the agent to redirect the destination IP address to a different machine.” Stockwell 11:19-21, 30-32. Redirection as a side effect is also recited at Stockwell 1:46-53, 2:29-31, 2:46-47, 5:27-30, 8:14-19, 11:30-35. However, Stockwell explicitly states that the redirection is limited to the “proxy” agents, that is, the “go-between for transfers between domains” (Stockwell 11:31-32). Stockwell also suggests that a redirection action can be the reply to the proxy in connection with a login by a user seeking network access. Stockwell 5:23-32. However, according to the teaching of Stockwell, the “redirect” action is one of several actions that can take place only in response to a query, and a query can only take place: (1) by NSS 70 when the TCP connection is first attempted; (2) by an agent if the user name is required; (3) by the agent after it gets the user name; or (4) by the agent when the ACLD sends messages that the list of rules was changed by the administrator or a time boundary has passed in a time based rule. See Stockwell 14:23-47. None of these queries takes place *while the redirection server processes data packets communicated between the user and the network according to the programmed rule set* (hereinafter referred to as a user “session”), nor does Stockwell explain how or why that could happen. As such, Stockwell does not disclose redirection at *any time during a user session* in response to an “element or condition” change. By contrast, redirection as taught by the ‘118 patent can occur at any time during a user session in response to a change in an “element or condition” that is part of the rule set. Furthermore, the ‘118 patent’s rule set change occurs, not in response to a user-generated “query,” but rather as part of the execution of the rule set program in the redirection server.

Stockwell discloses that “[i]f a connection is active when the time interval expires, ACLD 60 will notify each agent to reassess the connection.” Stockwell 9:62-64. However, to function, the agent must save a copy of the query list for each active connection so that when the agent receives notification that a time interval has expired, the agent is able to “reissue ACL checks for all the saved query lists....If the reply to that ACL check is “deny,” the agent should drop the corresponding connection. If the

agent wants to be polite, it can send a warning message to the user and provide a grace period....” Stockwell 9:61-10:8. This is not the same as the claimed invention of the ‘118 patent for several reasons. The “time” of Stockwell is not part of a rule set programmed in a redirection server through which data is processed throughout the duration of a user session. Rather, in Stockwell it is one of a list of “rules” stored in the ACLD that is available for query by “agents.” The ACLD does not process data passing from the user to a network. Rather, it merely sequences through a list of rules to find a match between the parameters in a query from an agent with a list of parameters in each stored rule, and if a match is found the ACLD returns an “action” recommendation to the agent in response to the agent query. The recommended “action” can be followed or not by the agent. Also, the agent does not process data from a user according to a rule set programmed into the agent and used to process data passing through the agent, as required by the ‘118 patent.

Another difference is that Stockwell only teaches modifying the *rules in the ACLD*. The ACLD cannot be the “redirection server,” as suggested. The only component of Stockwell that processes data packets from the user computer as required of the redirection server in the ‘118 patent is the router/modem. There is no teaching of changing a packet filter in the router/modem. See Stockwell 6:59-67. Furthermore, the modification of a rule in the stored list of rules in the ACLD must be done manually by an administrator and must be done while the “database is locked...” (i.e., before or after a session when there is no correlation between the temporarily assigned network address) to prevent the “occurrence of transient state that may violate the security policy....” Stockwell does not suggest, disclose or provide a motivation for the modification of a rule set programmed in a redirection server in response to “elements or conditions,” that is, while a user session is in progress. Finally, Stockwell’s “action” recommendation (reply) from the ACLD requires an agent-initiated query and that the query must be applied sequentially to the entire list of rules (necessarily arranged by an administrator according to predefined priority) until a match is found. See Stockwell 7:35-8:3. “Recommendations” as taught by Stockwell is not “redirection.”

Stockwell also does not teach or suggest a redirection server programmed as a function of a rule set connected between the user and the network that processes the

data packets from the user throughout a user session according to the programmed rule set. The agents in Stockwell are not programmed with a rule set and do not make the “allow” or “deny” decision. That decision is made by the ACLD database in response to a query from the agent. The ‘118 patent’s “agents” never make a query for the purpose of receiving instructions as to whether to allow or deny access to the network, but rather, send data through the redirection server pre-programmed with the rule set which makes the access or allow decision for each packet of data passing through the redirection server as a function of the rule set. Stockwell’s ACLD never processes data from a user and once an access decision is made, no further query or ACLD processing is done.

### **B. Willens 5,889,958 and RFC 2138**

The relevant technology of Willens and RFC 2138 is essentially the same and will therefore be discussed together, but with particular reference to Willens.

Each of the claims of the ‘118 patent requires a redirection server associated with each user computer where the redirection server is programmed with a rule set. The redirection server then allows or denies access or redirects according to the rule set to control passage of data packets to and from the users’ computers.

As above discussed (Section IV(A)) the Examiner’s analysis, adopted from Requester, is flawed in a number of ways. The ‘118 patent “rule sets” are not merely packet filters but, rather, are dynamic data processing protocols programmed into the redirection server that may include “blocking” or “allowing” actions as well as “redirect” actions and “elements or conditions” such as the duration time defining how long a particular rule set is to be used, conditions for removing (discontinuing processing), and elements and conditions for modifying the rule set during a session. Accordingly, the “rule set” is more than just a static packet filter, but includes “elements or conditions” that are programmed into the redirection server to dynamically control data packets moving from the user to a public network. Willens’ firewall filter is simply one or more individual static filters through which the data is sequentially processed. Willens refers to each individual filter in the sequence as a rule. However, Willens’ “rule” does not include any “elements or conditions” or the ability to modify itself during a user session in response to those elements or conditions.

Willens also does not teach, suggest or even need to change the packet filter during a session, and certainly does not teach or suggest doing so in response to “elements and conditions” that can change during a session resulting in a rule set modification. Rather, Willens uses the same packet filter (whether a single filter or a sequence of filters) throughout a session without any need for a change.

**C. Rule Set - Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90**

The Examiner, adopting Requester’s argument, states that a user’s filter is the “individualized rule set” as claimed by the ‘118 patent (Requester’s Exhibit AA, page 10). However, as demonstrated above in Section IV(A), a rule set as claimed in the ‘118 patent is not simply a static “packet filter” as taught by Willens and Stockwell (and other prior art). Rather, the ‘118 patent rule set is a processing protocol programmed into the redirection server that includes defined actions (allow, deny, or redirect) to be performed on data packets passing through the redirection server from the user computer as well as “elements or conditions” unrelated to the data itself that can result in modification of the rule set. For the reasons set forth in Section IV above, these elements or conditions can change during a user session, enabling the rule set itself to change during a session. Neither Willens nor Stockwell teach, suggest or provide any motivation for doing anything other than selecting a packet filter for a particular user and then using that same packet filter throughout a user session without modification.

For the same reason, Claims 2-6, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90, each of which requires a redirection server to control data passing between the computer and the network “as a function of the individualized rule set,” are not obvious in view of Willens because Willens does not teach suggest or provide any motivation to dynamically process data as a function of “elements or conditions” beyond just the content of the data packets.

Patent Owner therefore requests withdrawal of the above rejection.

**D. Redirection - Claims 5, 6, 12, 13, 31, 35, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82 and 89-90**

The Examiner, again adopting Requester’s recitation, also cites Stockwell in connection with claims 5, 6, 12, 13, 31, 35, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82 and



89-90 based on Stockwell's references to "redirection." While Stockwell discusses redirection as a "side effect" communicated to an agent (server) in response to a query from an agent, redirection only occurs in response to queries from the user computer and only occurs at predefined discrete times (see Sections IV(B) and V(A). There is no disclosure of redirection that is part of a rule set or that the redirection can occur at any time during a user session in response to a change in "elements or conditions."

Significantly, the queries of Stockwell do not occur during a session but only before the user begins communication of data packets before the start of a session. By contrast, redirection as taught by the '118 patent can occur at any time while the user is sending and receiving data packets via the redirection server, i.e., during a user session, in response to a change in elements or conditions that occur during a session.

Furthermore, the '118 patent does not rely on generating a query but rather incorporates the redirection into the individualized rule set programmed into a redirection server. Stockwell does not teach, suggest or provide any motivation for redirection in a rule set programmed into an "agent" (redirection server). In other words, Stockwell does not "redirect the data to and from the users' computers as a function of the individualized rule set." See, e.g., Request Exhibit AA, [5.0].

Patent Owner therefore requests withdrawal of the above rejection.

**E. Modification of The Rule Set - Claims 16–18, 23, 24, 25-27, 26, 36, 37, 38, 39, 42-43, 68–82, 83-84 and 86-90**

Claims 16–18, 23, 24, 25-27, 26, 36, 37, 38, 39, 42-43, 68–82, 83-84 and 86-90 recite that the redirection server is configured to allow modification of at least a portion of the rule set correlated to the temporarily assigned network address where the modification is a function of some combination of time, data or location. In other words, the rule set in the redirection server changes during a user session as a result of changes in specific types of "elements or conditions" of the rule set. Claim 27 embodies the same concept "removing or reinstating at least a portion of the user's rule set as a function of [time, data or location]" as do claims 29, 33, 41, 52, 64 and 87, which recite that the "rule set includes an initial temporary rule set and a standard rule set...wherein the redirection server is configured to utilize the temporary rule set for an initial period of time and thereafter utilizes the standard rule set."

The Examiner asserts that the redirection server's function of changing or modifying the rule set during a user session as set forth in the above identified claims is obvious in view of the Willens (RFC 2138) and Stockwell references. As to Claims 16–18, 23, 24, 25-27, 26, 36, 37, 38, 39, 42-43, 68–82, 83-84 and 86-90, the Examiner, adopting Requester's proposed rejection, states that Willens discloses that a "communications server" (alleged to be equivalent to the claimed "redirection server") communicates with server 18 to "automatically update the list of permitted sites used to control users' access..." However, this statement -- updating a list in a memory -- is not supported by any teaching or suggestion in the applied art, and does not provide any motivation for modifying the rule set programmed in a redirection server during a user session, that is, after the user computer is connected to the network and while the temporarily assigned network address is correlated with the rule set *in the redirection server*. See, e.g., Claims 16 subparagraphs 3 and 4. Furthermore, Willens affirmatively requires that the filter through which the user accesses the network is fixed and unchangeable throughout a user session.

When user 22 logs in through the communications server 14 ... client software 45 first determines if user 22 is authorized ... *using user profiles 46* ... server 16 supplies the filter ... for use by client software 44 for controlling access by the user 22 to Internet sites. The software 44 then checks to see if the filter ... is stored locally in cache 50. If not, the client software 44 sends a look up request to the network access server 18 which stores the centralized permitted site list and the filter to be used as masks for checking access classifications of requested sites to download the filter ... ***which is maintained in server 14 memory for the rest of the user 22's session.*** (emphasis added). Willens 5:9-27.

This quote, proffered by Requester, does not support Requester's position, and indeed, contradicts the explicit statement of Willens above. Willens simply does not refer to modifying the filter in the communications server 14 during a user session as is required in the '118 patent system. For example, the list referenced as being updated *is the list in the server 18 and not the packet filter already downloaded and being used in server 14*. Updating the list of filters in server 18, whether manual or automatic, has nothing to do with modifying a filter in use by server 14. Nothing in Willens suggests, teaches or provides any motivation for modifying the filter in server 14 after it has been downloaded from either cache or from server 18 while it is in use during a user session.

Maintaining and updating a list of filters in the server 18, whether manual, automatic, done daily or done hourly as taught at Willens 5:38-45 and 4:40-45, simply has nothing to do with modifying the filter in use in the communications server 14 by user 22.

Significantly, the last quote explicitly states that the filter list cannot be “tampered with by the end users,” suggesting that alteration of the filter at communications server is not permitted. However, in exact contradiction of Willens, the ‘118 patent teaches modification of the rule set in its redirection server.

For the same reason, the Examiner’s reliance on Willens 4:40-45 with respect to claim 27 that requires removing or reinstating at least a portion of the rule set is without merit and must be withdrawn.

Finally, Requester’s proposed arguments as to the modification of the rule set during a session as recited in claims 29, 33, 41, 52, 64 and 87 are completely unsupported. Each of those claims recites a “temporary rule set” used for an initial time during a session and a “standard rule set” used thereafter during the session. This again refers to modification of the rule set *during a user session*. The Examiner, citing Willens 6:29-38, alleges that Willens teaches applying an “initial filter” until “an appropriate user filter can be loaded [into server 14] ....” However, the Examiner and Requester stretch the meaning of “filter” far beyond what is taught by Willens. Willens teaches that a filter is something stored in the server 18 (or in cache) and is downloaded to the server 14, and when no filter has yet been downloaded, that passage of data packets is not permitted. Willens does not teach that the absence of any filter in the server 14 is a “filter” as Requester suggests. However, even if it was, the initial rejection of data packets until a packet filter is downloaded from server 18 to server 14 will always occur *before a user session starts*. Willens nowhere suggests nor provides any motivation for modifying a filter after a filter is downloaded into server 14 during a user session. Requester’s arguments are without merit and should be rejected.

In summary, Willens does not disclose, suggest or provide any motivation, and indeed, *teaches away from*, any correlation of the rule set to a temporarily assigned network address as required by the ‘118 patent; does not teach or suggest or provide any motivation for modification of a rule set during a user session; and does not disclose, suggest or provide any motivation for redirection during a user session as,

discussed above. Consequently, the rejection of the above claims based on the conjecture in Requestor's Exhibit AA, pages 2-55, are without merit, and Patent Owner therefore respectfully requests withdrawal of the above rejection.

**VI. Rejection of Claims 2-7, 9-14, 16-18, 23, 24, 26-71, 76-84 and 86-90 under 35 U.S.C. 103(a) over Willens in view of RFC 2138 and Admitted Prior Art (Requester Exhibit AA, pages 56-112)**

For the reasons set forth in Section III above, which is incorporated by reference in this Section, the rejection proposed at Exhibit AA, pages 56-112, should also be withdrawn, since the rejection in this Section VI is essentially the same, citing only the addition of the Admitted Prior Art. However, the Admitted Prior Art teaches only that redirection occurs at the destination URL *after access to the network has been granted*. Again, it is noted that granting access to the network before executing a redirection action specified by the rule set of the '118 patent would effectively defeat the purpose of controlling access to the network in the first instance. If redirection was only operable at the destination site, as is all that is taught by the Admitted Prior Art, the user computer would be given unfettered access to all other destinations in the network, thereby defeating the network access control purpose of the '118 patent.

While all of the claims include redirection in the sense that the "redirection server" must be capable of a redirection action, the claims that explicitly incorporate a "redirection" action (the only feature as to which the Admitted Prior Art is even relevant) are Claims 5, 6, 12, 13, 31, 35, 48, 49, 50, 54, 55, 60, 61, 66, 67, 81, 82 and 89-90. Each of these claims provides that the redirection functions be performed by the redirection server. Each of these claims also requires that the redirection server be located between the user computer and the network to allow processing of the data packets from the user before access to the network is allowed. Redirection at the user side of the network is not taught by the Admitted Prior Art. This issue was previously considered fully by the Examiner after the Board Decision, and the Reexamination Certificate was nevertheless issued that affirmed these claims as patentable. The Board Decision addressed the fact that the redirection server must "redirect" and that blocking and allowing were additional but not necessary functions of the redirection server. (BPAI page 5-6.) The Board also addressed processing of data by the

redirection server, and that Claim 1 does not exclude communication between a user and a control server via a public network. (BPAI page 6.) However, nowhere did the Board consider that the prior art only teaches redirection at a destination address among other limitations and requirements of Claims 1, 8, 15 and 25. See the attached Response Under 37 CFR 1.111 at pages 23-26.

**VII. Rejection of Claims 6,7, 13, 14, 16-24, 26-44, 49-56, and 61-90 under 35 U.S.C. 103(a) over Radia in view of Wong '726 and further in view of Stockwell (Requester Exhibit BB, pages 2-47)**

Patent Owner submits that the rejection of the claims cited in this Section VII should also be withdrawn for the same reasons recited in Sections V and VI above. Patent Owner nevertheless provides additional comments regarding the Radia and Wong references as follows.

**A. Radia 5,848,233; Wong 5,835,727; Wong 6,073,178**

These references disclose essentially the same technology relevant to the '118 patent and will therefore be discussed together but with particular reference to Radia.

Radia is a system describe as "dynamic filter assignment." The operation of this system is described at Radia 3:60-4:20. The only element of Radia that processes packet data from the user computer to the network is the router/modem positioned between the user computer and the network. Radia 10:11-14. Requester, and apparently the Examiner, agree that the router/modem of Radia is the only component that could perform the functions that must be performed by the redirection server in the '118 patent. See Requester's Exhibit BB, page 8, "Radia further illustrates in Fig. 1 that the SMS is connected to the *router ('redirection server')*" (emphasis added).

Another requirement in Radia is that the IP address (an example of a "temporarily assigned network address") be passed initially to SMS and the user computer. See Radia 7:21-28. Thereafter the IP-assigned address is sent by the SMS to the ANCS (not to the router) but *only after* the initial login process between the SMS and ANCS (not the router) has been completed. Radia 6:63-66 and 9:60-10:4. Only then does the ANCS establish a filtering profile associated with the IP address that is used to configure the router / modem of the particular user computer associated with that IP address. During the initial login steps, the four "filter rules" are passed from the

SMS to the ANCS, not the router or the user computer. Consequently, the initial filter rules are not used to process data packets destined for the network. Also, in the login process of Radia, the IP address is not required because the login process is described as the same for all user computers and the four rules provided by SMS and used by ANCS generally consist of a standardized template. See Radia 9:1-9.

Another characteristic of Radia is that neither the SMS nor the ANCS process any data passing between the user computer and the network. That processing is done by the router/modem.

Still another characteristic of Radia is that once the components (router or modem) are configured with a packet filter, that configuration remains constant during the remainder of a user session. Nothing in Radia suggests or teaches nor is there any motivation to change a configuration of a router or modem during a session. See Radia 3:51-55. Furthermore, even if Radia could be interpreted to teach reconfiguration of a router during a session, the reconfiguration would have to be done by the ANCS, not the router itself as required by the '118 patent.

### **B. Processing According to the “Rules Set” – All Rejected Claims**

All of the above-identified rejected claims require that a redirection sever process data from the user computer according to the “rule set.” As set forth above in many Sections, a “rule set” as defined by the '118 patent includes “allow” and “deny” and “redirect” actions on the data packets from the user computer, and “element or conditions” that need not be related to the header data of the data packet itself but that may instead relate to factors other than the packet data. The packet filter generated by the ANCS and downloaded and programmed into the router/modem (referred to in Radia as reconfiguring and alleged to perform the function of the '118 patent's redirection server) does not include any “elements or conditions” as taught by the '118 patent. The “events” referred to in Radia are never described as part of any packet filter and are never downloaded to the router/modem. Therefore, Radia does not teach or suggest nor is there any motivation for including “events” as part of the packet filter downloaded to the router/modem. Accordingly, the '118 patent's claimed element ('118 Patent Claim 1, subparagraph 7 at Requester's Exhibit AA, page 12), and similar elements incorporated in each of the other claims, would require that the router/modem

of Radia be programmed with a “rule set” that included not just packet filters or redirection functionality but also incorporate “elements or conditions” that would enable Radia’s router itself to modify the packet filter during a user session. Radia does not do this, and does not give any motivation for wanting or needing to do this. The Wong patents, which are similar to Radia, also do not teach this. The Examiner has given no rationale as to how these references, alone or in any combination, would result in even an approximation of a redirection server with a programmed rule set as claimed in the ‘118 patent. Accordingly, Patent Owner requests that the obviousness rejection as to all claims be withdrawn.

Requester makes the assertion that the ANCS and modem together constitute the redirection server as claimed in the ‘118 patent. However, this assertion is devoid of any rationale or evidentiary support and contradicts the teaching of Radia itself. Specifically, the ANCS does not process any data passing between the user and the network. Its sole function is to generate a packet filter for a router that is located between the user and the network. Once the ANCS generates a packet filter for a particular user computer and downloads that packet filter to the appropriate router (all functions that are completed before any processing of data packets from the user computer occur) the job of the ANCS is finished and it has no further interaction with the router. At the same time, the router does nothing while the ANCS is creating the packet filter. Only after the packet filter is downloaded to the router does the user computer begin to process data packets. The absence of any interaction between the router and the ANCS while the router is processing data packets from the user and the absence of any interaction between the router and the ANCS while the packet filter is being created by the ANCS, preclude viewing the combination of the two as a redirection server. The sole function of the redirection server is to apply a rule set that is downloaded into the redirection server from the authentication server. The redirection server does not create the rule set in the manner that Radia’s ANCS creates the packet filter. Accordingly, Requester’s assertion of obviousness as to claims 6, 7, 13, 14, 16-24, 26-44, 49-56 and 61-90 is without merit, and Patent Owner requests withdrawal of the rejection of these claims.

**C. Modification of Rule Set by Redirection Server During Session –  
Rejected Claims 16-24, 26 - 29, 33-34, 36-43, 64 and 68-90**

In addition to the fact that Radia and the other cited references do not teach, suggest or provide any motivation for using a rule set as defined in the '118 patent, Radia also does not teach, suggest or provide any motivation for modifying a rule set during a user session, that is, after the rule set has been programmed into the redirection server for processing data packets from the user computer to the network. The Examiner, adopting Requester's argument, states that Radia discloses that the ANCS (equating that to the authentication server of the '118 patent) and automatically configures the modem or router (equated to the redirection server of the '118 patent) to implement the packet filter. However, the configuring is nothing more than downloading a static packet filter to the modem or router and as such does not suggest, teach or provide any motivation for modifying a packet filter *after* it is downloaded or modifying the packet filter *by the redirection server* which is the teaching, for example, in Claim 16, subparagraph 3, of the '118 patent.

Specifically, Claim 16 requires that the "*redirection server* [not an authentication server or an ANCS server] is configured [programmed] to allow modification [by the redirection server] of at least a portion of the rule set ...." By contrast, Radia states that "[s]ubsequently [i.e., after the packet filter has been created by the ANCS and downloaded into the router/modem] the packet filter ... is used to filter IP packets that originate from the client system ...." See Radia 9:64-10:4 and 10:10-14.

Radia neither says nor suggests modifying the packet filter already downloaded into the router according to the packet filter itself. Indeed, once the packet filter of Radia has been downloaded into the router/modem, the only action taught by Radia is that the router processes the data packets according to the packet filter. The ANCS does not perform any further function related to the packet filter once the packet filter has been downloaded to the router. There is no teaching whatever in Radia (or any of the other references) that the router or modem itself reconfigures or modifies the downloaded packet filter once that packet filter has been programmed into the router/modem, or that a rule set include elements or conditions that enable the router to change the rule set during a session. Accordingly, Requester's argument is without



merit or support from the teaching of Radia. Patent Owner therefore requests that the rejection of claims based on this inaccurate ground for obviousness also be withdrawn.

Requester's analysis at Exhibit BB [16.4] pages 15-17 is also flawed. First, reconfiguring the router/modem after a session ends (*i.e., after the user logs out*) is not a modification *during a user session* as taught by the '118 patent. Furthermore, it is the ANCS that changes the router configuration at the end of a user session, not the router itself as required by the '118 patent. Requester's assertion that Radia teaches that the message that the user has logged out is "data transmitted to or from the user" is without any support and contrary to the plain teaching of Radia. In fact, the ANCS does the reconfiguring of the router, not the router itself. Radia discloses only that the IP address assignment is done by the DHCP and that information regarding the IP address is passed to the ANCS by the SMS not by the user computer. See Radia 9:12-18. Furthermore, according to Radia, all reconfiguration of the router is done by the ANCS and that would include the reconfiguration after a session is completed.

Contrary to Requester's statement that filter profiles can change, nothing in Radia discloses changing a packet filter after it is programmed into a router, that is, during a user session. Furthermore, and contrary to Requester's unsupported argument at Exhibit BB page 16, nothing in Figure 9 or any discussion of Figure 9 discloses or teaches that, after a packet filter is programmed into a router, "the ANCS accesses other profiles of the user and implements the new packet filters corresponding to the profiles." Radia's four step connection process does not teach reconfiguration of the router four different times. Rather, each of those four steps gathers information provided to the ANCS which uses that information before the user session begins to create a packet filter which the ANCS downloads to the router. Thereafter, that packet filter remains unchanged until the IP address is cancelled by the DHCP at which time the ANCS downloads a new packet filter after a user session.

Accordingly, Radia does not teach the modification of a rule set by the redirection server during a user session. Patent Owner respectfully submits that the rejections of the above claims on this unsupported and erroneous basis should be withdrawn.

#### **D. Redirection – Rejected Claims 31, 35, 61, 66-67**

The Examiner also rejected claims 31, 35, 61 and 66-67 adopting Requester's inaccurate assertion that redirection would be obvious in view of Radia and Stockwell. In support of its argument, Requester points to the destination address and destination mask portions of the filtering rule. However, the only "actions" taught or suggested by Radia if a data packet matches a filter rule is to either "forward" or "discard." Radia 6:14-18. Radia does not teach, suggest nor provide any motivation for redirection as an action in the event of a match.

Merely adding a generalized reference to redirection from Stockwell does not suggest any motivation for Radia to undertake a "redirect" action, and the Examiner has further failed to articulate any such motivation for Radia to "redirect," much less incorporate a "redirect" action as part of a "rule set" in a redirection server that would redirect during a session, as required by the claims of the '118 patent. Furthermore, Stockwell discusses only redirection as a "side effect" action communicated to an agent (server) in response to a query from an agent not as part of a packet filter much less a rule set. Stockwell also teaches redirection in response to queries from the user computer and only at four discrete times (see, e.g., Section V(A)), and not as an "action" in a packet filter or that redirection can occur at any time during a user session. Significantly, the queries of Stockwell do not occur during a session but only at the start of a session. By contrast, redirection as claimed by the '118 patent can occur at any time during a user session.

Finally, the rejected claims are dependent from claims previously discussed as being allowable over the cited references, alone or in any possible combination, and for the same reasons presented for those claims, the rejections of claims 31, 35, 61, 66-67 should also be withdrawn.

#### **VIII. Rejection of Claims 2-5, 9-12, 45-48 and 57-60 under 35 U.S.C. 103(a) over Radia in view of Wong '726 and Stockwell and further in view of Wong '178 (Requester Exhibit BB, pages 48-53)**

The rejection of the above claims should be withdrawn for the same reasons as set forth in Sections V – VII above. In any event, Requester's proposed arguments for rejection are immaterial. For the reasons set forth above in Section VII, these claims

are not obvious even if Wong '178 discloses controlling data coming from the network to the user computer through the redirection server because the bases of unobviousness are independent of this argument. Specifically, these claims are dependent from allowable claims and therefore should be allowable as well. Accordingly there is no need to address whether controlling data from the network as taught by the '118 patent is or is not independently patentable.

**IX. Rejection of Claims 7, 14, 16-24, 50-56 and 62-90 under 35 U.S.C. 103(a) over Radia in view of Wong '726 and further in view of Admitted Prior Art (Requester Exhibit BB, pages 54-102)**

To the extent that the rejection of any of the above claims is withdrawn in response to the arguments presented in Sections IV or VII above, this rejection should also be withdrawn. The arguments in this Section IX are presented as additional reasons for withdrawing the rejection of those claims.

**A. Rule Set – All Claims**

The arguments of Section VII(B) and (D) above are incorporated here by reference. None of the references cited and/or applied teach, suggest or would motivate anyone to incorporate the rule set as defined in the '118 patent. The Examiner has failed to articulate any reason why the combination of the teaching of the cited patents would render a rule set, when programmed into the redirection server, capable of morphing itself into a modified rule set in response to elements or conditions as required by all of the claims. Accordingly, Patent Owner requests withdrawal of the rejection of the above claims.

**B. Redirection – Claims 7, 14, 16-24, 50-56 and 62-90**

All of the '118 patent claims require a redirection server and the redirection server must be able to do redirection in response to a rule set programmed into the redirection server that specifies a redirection action. For the same reasons as are set forth in Sections V(D) and VII(D), none of the references cited and/or applied teach, suggest or provide any motivation for redirection by a redirection server at the user computer side of the network in accordance with the rule set. The Admitted Prior Art adds nothing to this ground of the rejection. Specifically, the '118 patent, at 1:63-66,

states: “One disadvantage with the current redirection technology is that control of the redirection *is at the remote end*, or WWW server end – and *not the local or user end*.”

The Board’s comment was based on an incorrect and overly broad interpretation of the claims, that the redirection server could be at the remote end of the network. This conclusion is contrary to the plain teaching of the ‘118 patent and is contrary to the claim interpretation ruling of the District Court. See Footnote No. 2 above.

Nevertheless, Patent Owner, in the interest of moving the matter forward, elected to further clarify this point by including the work “between” to confirm that the location of the redirection server in the ‘118 patent was between the user and the network. The issue of rule set or redirection server as set forth above were never issues raised before the board and were raised for the first time in this *inter partes* Reexamination Proceeding.

Accordingly, the claims of the ‘118 patent reciting redirection at the user side by a redirection server programmed with a rule set from which redirection is effected are not obvious, and the rejection should be withdrawn.

### **C. Modification of Rules Set – Claims 16-24, 53 and 68-90**

Sections IV(A) and V(C), which discuss the modification of a rule set during a user session, are incorporated here by reference. As set forth in those Sections, none of the cited references teach, suggest or provide any motivation for modification of a rule set by the redirection server during a user session, that is, after the redirection server begins to process data packets according to a downloaded rule set.

Furthermore, none of the references teach, discuss or provide any motivation for a rule set that enables the redirection server into which it is programmed, to modify itself in response to elements or conditions.

The addition of the Admitted Prior Art does not alter this analysis since the only disclosure of the additional prior art relates to redirection at the destination, not the user, side of the network. For the reasons set forth in Section VI above, the Admitted Prior Art does not teach or suggest redirection at the user side of a network before data is passed to the network by the redirection server in response to a programmed rule set. Likewise, nothing in the Admitted Prior Art supplies the deficiencies of the Radia and

Wong references. Specifically, none say anything about a redirection server modifying the rule set in response to the rule set programmed in the redirection server.

Accordingly, the rejection of claims 16-24, 53, 68-90 is not supported by the disclosure or teaching of the cited and/or applied references, and should therefore be withdrawn.

#### **D. One Rule Set for a Plurality of User IDs - Claims 14, 50 and 62**

Claims 14, 50 and 62 are dependent on claims for which the rejections must be withdrawn for the reasons given in Sections V - IX above. As such, the argument that one rule for a plurality of user IDs is disclosed is immaterial to patentability.

Accordingly, the rejection of dependent claims 14, 50 and 62 based on a single rule set being used by a plurality of users IDs is without merit and should also be withdrawn.

#### **X. Rejection of Claims 2-5, 9-12, 45-48 and 57-60 under 35 U.S.C. 103(a) over Radia in view of Wong '726 and Admitted Prior Art and further in view of Wong '178 (Requester Exhibit BB, pages 103-109)**

The Examiner rejected the above claims, adopting the Requester's defective argument that upstream and downstream packet filtering according to the recitation of Claims 2-5, 9-12, 45-48 and 57-60 would be obvious in view of the teaching of Wong '178. However, as discussed above in, e.g., Sections VII - VIII, the rejection of those claims must be withdrawn because the prior art, alone or in any combination, does not render obvious the independent claims from which these claims depend. If the parent claim is unobvious and the rejection withdrawn, then the rejection of the dependent claims must also be withdrawn. Accordingly, a rejection of Claims 2-5, 9-12, 45-48 and 57-60 because of "upstream and downstream packet filtering" is without merit and must be withdrawn as an independent basis of finding "obviousness."

#### **XI. (1) Rejection of Claims 2-7, 9-14, 16-24, 26-54, 60-66, 68-81 and 83-89 under 35 U.S.C. 103(a) over He, Zenchelsky and Admitted Prior Art (See Requester's Exhibit CC); and (2) Rejection of Claims 2-7, 9-14, 16-24, 26-54, 60-66, 68-81 and 83-89 under 35 U.S.C. 103(a) over He, Zenchelsky, Fortinsky and Admitted Prior Art (See Requester's Exhibit DD)**

Patent Owner first notes that the arguments for rejection in Requester's Exhibits CC and DD were previously fully considered by the Patent Office and the Board **and were not adopted**. Requester has made no new arguments and has cited no new

prior art not previously before the Examiner and the Board, and the Examiner in this Reexamination Proceeding has failed to articulate any such new art or argument or new grounds that would warrant the granting of Reexamination. For this reason, no reasonable likelihood of success with respect to the above claims has been shown, and the decision to even grant the present Reexamination should be withdrawn, and such action is courteously requested.

Patent Owner nevertheless addresses the specific claim rejections. Because the rejections arising from Requester's Exhibits CC and DD are essentially the same, Exhibit DD merely adding consideration of Fortinsky, the two rejections will be addressed together.

### **C. Claims 2-7, 9-14, 16-24, 26-54, 60-66, 68-81 and 83-89**

Requester attempts to assert four points in summarizing its position with respect to the above claims. Each position is erroneous and does not support an obviousness conclusion.

1. Requester's assertion that it would have been obvious to combine the teachings of He, Zenchelsky and Admitted Prior Art because "all three are generally ... for providing and controlling users' access to network resources."

Requester accurately describes the teaching of He, Zenchelsky and Admitted Prior Art as controlling users' access to *network resources* -- He's "network elements," Zenchelsky's "application servers" and Admitted Prior Art's "www server." By contrast, the '118 patent is not concerned with controlling access to network resources. Furthermore, none of the references, alone or in any possible combination, teach, suggest or provide any motivation for a redirection server to control access to the network itself. Finally, none of the references, alone or in any possible combination, teach or suggest a redirection server between the user and the network that is programmed with a "rule set" that includes "elements or conditions" which can change during a user session to enable the redirection server to modify the rule set during a user session according to the programmed rule set, as explained above in Section IV.