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November 16, 2004

ATTORNEY DOCKET NO. 09635.0001-00000
CUSTOMER NO. 22,852

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

New U.S. Patent Application
Title: SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING
CONTENT IN A NETWORK
Inventors: Robert M. BURKE, II, and David Z. CARMAN
Address: 21103 Old Well Road
Los Gatos, CA 95033

Sir:

We enclose the following papers for filing in the United States Patent and Trademark Office in connection with the above patent application.

1.   Application- 69 pages, including 36 independent claims and 115 claims total.

2.   Drawings- 7 sheets of drawings (Figures 1-7).

3.   The filing fee is calculated as follows:

Robert M. BURKE, II, and David Z. CARMAN
November 16, 2004
Page 2

Basic Application Filing Fee					$ 790	$ 790.00
	Number of Claims		Basic	Extra Claims		
Total Claims	115	-	20	95	x $18	1,710.00
Independent Claims	36	-	3	33	x $88	2,904.00
☐ Presentation of Multiple Dep. Claim(s)					+ $300	0
Subtotal						$ 5,404.00
Reduction by 1/2 if small entity						- 2,702.00
TOTAL APPLICATION FILING FEE						$ 2,702.00

4.   A check for $2,702.00 is enclosed. The fee includes:

$395.00 filing fee; and
$2,307.00 additional claims fee

Applicants claim small entity status. The fees indicated above are reduced by ½.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).
Applicants await notification from the Patent and Trademark Office of the time set for
filing the Declaration.

Applicants claim the right to priority based on U.S. Application Nos. 60/523,057,
60/538,370, and 60/563,064, filed November 18, 2003, January 22, 2004, and
April 16, 2004 respectively.

Please address all correspondence with respect to this application to:

Finnegan, Henderson, Farabow,
  Garrett & Dunner, L.L.P.
1300 I Street, N.W.
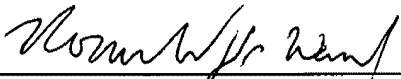Washington, D.C. 20005-3315

Please accord this application an application number and filing date.

Robert M. BURKE, II, and David Z. CARMAN
November 16, 2004
Page 3

      The Commissioner is hereby authorized to charge any additional filing fees due and any other fees due under 37 C.F.R. § 1.16 or §1.17 during the pendency of this application to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: _____

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RJW/ja
Enclosures

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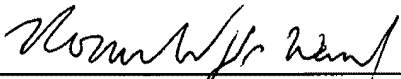1300 I Street, N.W.
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Ronald J. Ward
Reg. No. 54,870

RJW/ja
Enclosures

UNITED STATES PATENT APPLICATION

FOR

SYSTEM FOR REGULATING ACCESS TO AND

DISTRIBUTING CONTENT IN A NETWORK

BY

ROBERT M. BURKE, II

AND

DAVID Z. CARMAN

DESCRIPTION

Technical Field

[001] This invention is in general related to regulation of access to a network and, more particularly, to distributing content efficiently while protecting the digital rights associated with the content.

Background

[002] The network commonly known as the Internet, or any similar private or managed network, provides a convenient medium for the delivery of electronic data or content such as music, video, games, broadband data, real-time audio and voice applications, and software to subscribers. To accomplish these purposes, the Internet is composed of several components including, for example, content providers for generating content; service providers for delivering content; subscriber terminals for receiving, displaying and playing content; and various additional network elements between service providers and subscribers for aiding in the distribution of the content. Service providers include, for example, telephone line carriers, enterprise data centers, and cable television providers. Subscriber terminals are located at subscriber premises and include, for example, personal computers, televisions configured with modems, a combination of both, or any other combination of consumer electronics capable of presenting electronic content to a subscriber.

[003] Interest in providing delivery of content via the Internet has remained high throughout the growth of the Internet. Several problems have yet to be overcome, however, before the Internet is fully effective at delivering content efficiently and rapidly, while also protecting the rights of the owners of content, that is, the owners of

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intellectual property. Techniques for protecting this intellectual property are often referred to as Digital Rights Management (DRM). Recent music industry lawsuits over the distribution of pirated music are evidence of the difficulties not yet solved by current DRM techniques.

[004] Service providers and content providers need the assurance that the intellectual property (music, video, games, software, etc.) will be secure from illegal downloading and transmission over the Internet, a major source of lost revenues and the basis for hundreds of lawsuits. Service providers want this feature to halt the legal onslaught launched by music companies and to encourage the motion picture industry to license their content for distribution over the otherwise unsecured Internet. The motion picture industry is understandably reluctant, having seen the negative impact that piracy has already had on the Music Recording Industry. Content providers thus demand this feature to stop the illegal downloading and transmission of intellectual property over the Internet which has cost the music and movie industries billions of dollars annually. Techniques that reduce the strain on a content provider's resources and reduce the high volumes of network data traffic are also desirable in order to improve the speed and efficiency of accessing content in a network.

[005] Another difficult problem that remains to be solved is providing a means for law enforcement agencies to execute warrants to wire-tap Internet communications such as email and real-time audio and video communications. A solution to this problem is especially desirable considering the importance of thwarting terrorist attacks. The Patriot Act and other recently passed legislation indicate the desirability and importance of providing such capabilities to law enforcement bodies.

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[006] It is therefore desirable to provide new access regulation and data traffic control techniques that can be made available to telephone line carriers, ISPs, enterprises, cable television companies, for their Internet access networks. In addition, it is desirable to provide a means for law enforcement bodies to combat the prevalent use of Internet communications in planning illegal operations. In particular, it is desirable to meet these needs using the service provider's existing distribution network.

SUMMARY

[007] Consistent with the invention, there is provided a system for regulating access to a network. The system comprises a controller node coupled to the network, the controller node comprising a first processor for generating controller instructions and a first network interface for transmitting the controller instructions over the network. The system also comprises a plurality of gateway units, the gateway units comprising a user interface receiving user-entered network access requests, a second network interface coupled to the network and receiving the controller instructions from the network and a second processor, the second processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the second network interface.

[008] Consistent with another aspect of the present invention, there is also provided a system for regulating access to a network that is accessed by a plurality of users. The system comprises a controller node coupled to the network, the controller node comprising a first processor for generating controller instructions and a first network interface for transmitting the controller instructions over the network. The

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system also comprises a plurality of network units associated with a first group of users, the network units comprising a second network interface coupled to the network and receiving the controller instructions from the network and a second processor, the second processor inhibiting access for a second group of users to content in the network in accordance with the controller instructions.

[009] Consistent with yet another aspect of the present invention, there is also provided a system for distributing content over a network. The system comprises a controller node coupled to the network, the controller node comprising a first processor for generating controller instructions and a first network interface for transmitting the controller instructions over the network. The system also comprises a plurality of network units, the network units comprising a second network interface coupled to the network, the second network interface in at least a first one of the network units receiving the controller instructions from the network and receiving a portion of a content data file from at least a second one of the network units and a second processor, the second processor in the at least first one of the network units selectively forwarding the portion of the content data file received from the at least second one of the network units to at least a third one of the network units in accordance with the controller instructions.

[010] It is to be understood that both the foregoing general description and the following detailed description are exemplary and explanatory only and are not restrictive of the invention, as claimed.

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[011] The accompanying drawings, which are incorporated in and constitute a part of this specification, illustrate one (several) embodiment(s) of the invention and together with the description, serve to explain the principles of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

[012] **Figure 1** depicts the overall environment in which the present invention is implemented.

[013] **Figure 2** depicts a communication gateway consistent with the present invention.

[014] **Figure 3** depicts an internet control point consistent with the present invention.

[015] **Figure 4** depicts a network element consistent with the present invention.

[016] **Figure 5** is a flow chart of a method for selectively transmitting network access requests consistent with the present invention.

[017] **Figure 6** is a flow chart of a method for inhibiting access to content servers on a network consistent with the present invention.

[018] **Figure 7** is a flow chart of a method for distributing content in a network consistent with the present invention.

DETAILED DESCRIPTION

[019] **System Architecture**

[020] Consistent with principles of the present invention, there is provided a system including a Service Preference Architecture (SPA). The SPA is a collection of hardware components and software routines executed by the components. Components installed at a subscriber's site may be referred to as gateway units, or

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more specifically, Communication Gateways (CGs). The subscribers may include

residential and business subscribers. The CGs may include a data storage device such

as a hard drive, and are operable between active and inactive states. CGs operate in

conjunction with SPA-based Internet Service Providers (ISPs) under the control of

"controller nodes," hereinafter referred to as Internet Control Points (ICPs). The ICPs

are installed in an ISP's network. ICPs may be network-based routers or computers

that control the operation of CGs.

[021] The software routines located in CGs and ICPs provide a suite of features

for the system. ISPs, such as telecommunication carriers, electronic data centers, and

cable TV companies, may be equipped to deliver the suite of features by using a

network service based system.

[022] In general, the SPA uses ICPs to control subscriber access to web sites

and to deliver data to subscribers. The ICPs control the processing of data sent

between subscribers (e.g., client PCs or LAN servers) and the ISPs or content servers

with which they are exchanging information, using the CGs. The ICPs cooperate with

hardware and software of the CGs located at a subscriber's premises to provide the

specific features of the system.

[023] The CGs cannot be tampered with by subscribers. This is accomplished

by two aspects of the CGs. First, CGs are specifically designed to permit no

subscriber-initiated programming and no access to the CG hardware or software.

Instead, the CGs are provided only with compiled code loaded from flash memory, a

hard drive, or EEPROM. Updates to this code are obtained from ICPs and encrypted

passwords are stored in hidden, undocumented locations to allow authentication of ICP

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presence prior to CG control program update. The passwords are changed frequently during an "idle process control" phase and tracked by an ICP.

[024] The second anti-tampering aspect is the provision of a housing for the CGs and a detector consisting of a one or more "deadman" switches that are tripped upon opening the housing or removing a CG's hard drive. The circuit may be either passive or active.

[025] If the detector is passive, it signals an internal controller upon re-start that it has been tripped and causes an event notification sent to an ICP upon next power-up. Upon receipt of the event notification, either the ICP initiates diagnostics and disables the CG if a software tamper has occurred, or the CG disables both its control software and its internal hard drive to prevent the hard drive from operating, until it is returned to the ISP for repair. Subscriber agreements may be used to supply a contract provision specifying that tampering voids the warranty and that the subscriber deeds a portion of the CG to the ISP and agrees to return tampered products to the ISP.

[026] If the detector is active, the "deadman switch" is kept powered by, for example, battery or capacitor. The trip is used to immediately disable the controller software in the processor and the internal hard drive of the CG. Both may be reset only by the ICP, either automatically or by human intervention. These measures prevent subscribers from writing, compiling, executing. modifying, or otherwise tampering with the operating software of the CG. Second, the active mode prevents users from getting access to the content on the hard drive.

[027] In addition to these tamper-proof provisions, all ICP-CG communications take place within the ISP side of the network and ICP-CG communications are secured

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with encryption and hashing. Furthermore, all CGs must be registered with the ISP. An ICP will not enable any service to an un-registered CG and an un-registered CG will not operate in an experimental environment at all. At the onset of power-up or transition from an inactive to an active state, the CG signals the ICP and the ICP returns an "OK" message prior to proceeding further. This transaction requires an encrypted password exchange to authorize the CG to enter an "active" state where it can play back, download or be used for anything delivering services to users. These measures ensure secure control of the data flow between both the ICP and the CG. This secure flow of data then enables ISPs to effectively and efficiently control the services provided to subscribers.

[028] Reference will now be made in detail to the present embodiments (exemplary embodiments) of the invention, examples of which are illustrated in the accompanying drawings. Wherever possible, the same reference numbers will be used throughout the drawings to refer to the same or like parts.

[029] **Figure 1** illustrates an environment in which the invention may operate. A Service Preference Architecture (SPA) may include at least one Internet Control Point ("ICP") **50** connected to a network **52**. Network **52** may be, for example, the Internet, a metro area network, or a local area network, and may include a plurality of SPA-controlled network elements **54** and non-SPA-controlled network elements **55**. Network elements **54, 55** may include, for example, network switches and routers. SPA-controlled network elements **54** aid in regulating access and distributing content through network **52**.

[030] Also connected to network **52** are content servers including at least one SPA-controlled content server **56** and a plurality of communication gateways ("CGs") **58**, including CGs **58$_1$, 58$_2$, . . 58$_n$**. A subscriber terminal **60$_1$, 60$_2$, . . 60$_n$** may be connected to each respective CG **58**, or in an alternative embodiment not shown, may be combined with each respective CG **58** to form "converged" CGs **58**.

[031] An SPA-controlled content server **56** may be, for example, a computing terminal used to deliver content services. A content service may include, for example, delivery of any media file (such as movies, music, pictures, and graphics), software file (such as a complete application, operating parameters, data files, or partial application/updates) or a real time application (such as interactive data processing, voice communications or visual communications to an end user). In an alternative embodiment, the functions of SPA-controlled content server **56** and ICP 50 may be combined in a single component.

[032] ICP **50** is typically located remotely from subscriber terminals **60** and regulates both subscriber access to network **52** and distribution of content in network **52**. The content may originate from SPA-controlled content server **56**, for example, or from other content servers **57** in network **52**. ICP **50** works in conjunction with CGs **58** and SPA-controlled network elements **54** by generating instructions which are transmitted over network **52** to CGs **58** and SPA-controlled network elements **54**, where the instructions are executed.

[033] ICP **50** may constitute the source of internet service control and conditional denial of subscriber access to ISP-selected URLs or IP addresses. ICP **50** may control CGs **58** to determine what web site data is allowed to pass through to

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subscribers using, for example, web browser programs executing in subscriber terminals **60**. ICP **50** may also control packet inspection processing in CGs **58** to determine which data can be allowed to flow through CGs **58** to and from subscriber terminals **60**, specifically when e-mail or file transfers are initiated. ICP **50** also controls what activities are engaged in by idle CGs **58** when corresponding subscriber terminals **60** are inactive. Idle CGs **58** may receive software downloads from ICP **50**, collect data, and initiate communications activities that are disruptive to certain non-SPA content servers **57** that offer unauthorized copyrighted materials for illegal download by subscribers. Multiple ICPs **50** may be deployed geographically in an ISP's network to support the CG management capacity of ICP **50** and the number of subscribers in its service area.

[034] An ISP may provide an ISP portal **62** to facilitate subscriber access to network **52**. ISP portal **62** may be, for example, an enterprise data center. Access node **66** is associated with the ISP providing ISP portal **62**. ICP **50** interacts with ISP portal **62**, ISP associated access node **66**, and SPA-controlled content server **56** to control subscribers' ability to access services that are offered by ISP portal **62**. ICP **50** also controls CGs **58** to deliver various services, including, for example, advertisements, the home page for ISP Portal **62** or SPA-controlled content server **56** web servers, or software downloads to subscriber terminals **60** for their use of ISP **62** or SPA-controlled content server **56** services.

[035] ICP **50** also interacts with SPA-controlled network elements **54** used by ISP portal **62** to deliver services. ICP **50** controls subscribers' ability to access services that are offered by the ISP portal **62** and controls the operation of the services

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themselves by controlling the flow of data through SPA-controlled network elements **54** used by ISP portal **62**.

[036] ICP **50** may be programmed either by human input or by operator-controlled web crawler software. Updates to a database in ICP **50** may be provided by an active intervention system **64** whereby changes to ICP **50** database entries are discovered and implemented. The updates to ICP **50** database may be made in a manner analogous to the regular updating of virus definitions for computer virus and worm protection.

[037] The web crawlers, human intervention, and ICP **50** and CG **58** database updates may be controlled by active intervention system **64**. Active intervention system **64** may include, for example, a set of centrally maintained computer systems. Active intervention system **64** may control the operation of various geographically deployed ICPs **50**.

[038] The process begins with active intervention system **64**. Active intervention system **64** is used by human operators to discover new URLs or IP addresses to "pirate" sites to conditionally deny access to these URLs or IP addresses by CGs **58**, discover changes needed to implement Digital Rights Management (DRM) techniques, discover and record new packet characteristics, install wiretaps as ordered, process new copyright registry entries, change encryption techniques, and perform other management services. ICPs **50** then deliver active and real time executed network management, distribute new database entries and software changes to CGs **58** and track operation of the SPA-controlled network elements **54**. Although one ICP **50** is illustrated there may be more. Thus, multiple ICPs **50** may be networked together to

enable them to manage large numbers of SPA-controlled network elements **54** and provide redundant, highly reliable operation. Furthermore, ICPs **50** may all use identical databases to enable uninterrupted network management.

[039]   As illustrated in **Figure 2**, a CG **58** may include a user interface **100** that receives subscriber requests, entered by subscribers at an associated subscriber terminal **60**, to access network **52**. CG **58** may also include a network interface **102** to exchange data with network **52** and to receive instructions from ICP **50**; a memory device **104** including a database for storing ICP-generated instructions, initial operating parameters, and other records; a processor **106** to implement the instructions; a content storage device **108** having a user partition and a network partition for storing content; and a housing disassembly detector **110** to prevent tampering, as described above. Memory device **104** may be, for example, a bank of one or more semiconductor memories, a bank of one or more hard disk drives, a combination of semiconductor memories and hard disk drives or any other device that holds data. Processor **106** may be, for example, a general purpose processor (such as a Pentium 4 processor, an integrated circuit, or collection of integrated circuits) that can execute program instructions and is designed to allow control of CG **58** to be implemented in purely software and may also be used for non-CG related general purpose computing applications, or processor **106** may be a special purpose processor (integrated circuit or collection of integrated circuits) that can execute program instructions and is designed with only the power, bus, memory, logic and hardware accelerators needed to control CG **58**. Content storage **108** may be, for example, a bank of one or more semiconductor memories, a bank of one or more hard disk drives, a combination of

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semiconductor memories and hard disk drives or any other device that holds data. CGs may be provided in various forms, such as, for example, a gateway module that combines TV, video, internet and voice access, a dial-up remote access server, an ADSL modem/router, a satellite TV gateway, a cable TV modem, a converged set top-plus-internet gateway, a wireless modem, or other fixed or mobile computing, playback, recording, display or communications device including radio, TV, stereo, wireless phone, phone, DVD, VCR, WLAN access point, wireless broadband or narrowband modem, or similar device.

[040] As illustrated in **Figure 3**, an ICP **50** may include one or more network interfaces **200**, one or more processors **202**, a memory device **204** including a database for storing records, and a non-internet communications link for traffic between processors and shared storage and memory. The records preferably include instructions that may be updated by active intervention system **64** and distributed to CGs **58** and SPA-controlled network elements **54** for execution.

[041] As illustrated in **Figure 4**, SPA-controlled network elements **54** may include one or more network interfaces **300**, one or more processors **302**, a memory device **304** including a database, and one or more switch modules **306** for providing routing and switching services. Components **300, 302,** and **304** may operate in a similar fashion to the corresponding components of the CGs. SPA-controlled network element **54** may be provided in various forms, such as, for example, a computer used to deliver data services or content services, a core router or ATM switch, a subscriber management system used to control access to the network, authenticate subscribers or devices before allowing access into the network, a DSLAM, cable modem system,

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wireless modem system, or any other multiplexing or channel service delivery system, or a satellite that incorporates any of these elements.

[042] **Service Initialization**

[043] CGs **58** may be required to register with ICP **50** when they are powered up for the first time. CGs **58** will remain inactive until they receive a registration confirmation from SPA-controlled content server **56** or ICP **50**. The registration process may include collection of information by ICP **50** for a warranty registration from the subscriber such as, for example, CG's **58** hardware address and other identifying data. ICP **50** will then send CG **58** the latest operating software, if necessary, and its initial operating parameters to load in memory **104**. Initial operating parameters may include, for example, the address of the CG's **58** ICP **50** and other variables as described below. Subsequent re-registrations may be initiated by CG **58** under subscriber control for address or ISP changes.

[044] **Active and Inactive CG Processing Control**

[045] Upon power down or inactivity timeout of CG **58**, CG **58** may register itself as "idle" by sending an event notification to ICP **50**. The duration of an inactivity timeout may be preset and may be changed by input to ICP **50** for distribution to all CGs **58** under the control of ICP **50**.

[046] Upon subsequent re-activation, which may be initiated by either power up or signals from subscriber terminal **60**, CG **58** identifies itself as "active" by sending an event notification to ICP **50**, which responds with an acknowledgement. Failure of a CG **58** to receive an acknowledgement results in a series of re-tries until finally a timeout or maximum number of re-tries occurs. When this occurs, a diagnostic program may be

executed in CG **58** to advise the subscriber what to do next, based on the deduced source of the failure. Active CGs **58** may process and control delivery of content and services from SPA-controlled content server **56** or ISP portal **62**. Inactive CGs **58** may process and control either CG maintenance or may carry out activity delegated to inactive CGs by design.

[047] **Conditional Denial**

[048] **Figure 5** shows a method, consistent with the invention for regulating user access to a network. In step **400**, a gateway unit associated with a user receives controller instructions from the network. Next, at step **402**, the gateway unit receives a network access request from a user, via a subscriber terminal. At step **404**, the gateway unit selectively transmits the network access requests over the network in accordance with the controller instructions. Finally, at step **406**, the gateway unit receives content data responsive to the transmitted network access request from the network. Consistent with the present invention, this section, and others that follow, describe in more detail the implementation of this method.

[049] CGs **58**, under ICP **50** control, may provide a network-based Digital Rights Management (DRM) service. The DRM service denies subscribers the capability to send or to receive data from or to "pirate" URLs or IP addresses that are known to contain unlicensed copyrighted material. In implementing this denial, CG **58** deletes the "pirate" URL or IP address and substitutes the URL or IP address of a site that offers licensed copyrighted materials for legal, authorized sale. The list of "pirate" URLs or IP addresses that are known to contain unlicensed copyrighted material may be regularly updated, similar to the manner in which virus definitions are regularly updated.

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[050] Furthermore, when other non-web browser programs executing in subscriber terminals **60** attempt to access a blocked site, the request to the URL or IP address of the blocked site may be redirected to a legal content provider's URL or IP address or ignored.

[051] Upon registration of a CG **58** as "active," ICP **50** may update the list in CG **58** of DRM URL or IP address substitutions.

[052] **Packet Inspection**

[053] CGs **58** and SPA-controlled network elements **54** may perform packet inspection to determine the file type of all files being transferred through CG **58** or SPA-controlled network elements **54**, based on file properties, including, for example, file extension, file format, header or trailer contents and URL/IP addresses that are known sources of unauthorized copyrighted material. ICP **50** programs CGs **58** and SPA-controlled network elements **54** with certain data patterns. These data patterns may be any length and may contain exact matches or regular expressions. When certain data patterns are recognized, the data transfer may be stopped or another action may be taken, based on instructions delivered by ICP **50**.

[054] **E-Mail Server & Client Spoofing**

[055] A CG **58** or the first SPA-controlled network element **54** capable of switching traffic inside the network may present itself to the subscriber terminal **60** as the associated subscriber's e-mail server, which may be a network element **54**. In addition, the CG **58** or the first SPA-controlled network element **54** capable of switching traffic inside the network may present itself to the subscriber's e-mail server as a subscriber terminal **60**. In this manner, CG **58** or the first network element **54** capable

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of switching traffic inside the network acts as a two-way encryption/decryption point to enable inspection of what would otherwise be encrypted data. When e-mail is sent through CG **58** or the first network element **54** capable of switching traffic inside the network, all attached files are inspected using, for example, packet inspection techniques described above. Based on ICP-delivered instructions, CG **58** or the first network element **54** capable of switching traffic inside the network may then deny access to incoming files, stop transfer of outgoing files, or take other action.

[056] **Browser, Program Communications, & URL or IP Address Access Blocking**

[057] Under control of ICP **50**, CG **58** may block subscriber access to a list of URLs or IP addresses. When CG **58** registers with ICP **50** as "active", CG **58** receives from ICP **50** an update to its list of denied URL or IP addresses and its substitute list. The substitute list includes, for example, URLs or IP addresses to be substituted for certain URLs or IP addresses denied to the subscriber by CG **58**. A subscriber-entered request in a web browser program to display a denied URL or IP address or a program call made by a program running on subscriber terminal **60** to connect to a denied URL or IP address may be allowed to time out. Alternatively, CG **58** may present a substitute URL or IP address from its substitute list to be displayed to the subscriber. Time-out may occur when no substitute URL or IP address exists. An ISP may optionally allow a subscriber to submit entries to the list of denied URLs or IP addresses for parental control purposes. Converged CGs **58** may also use this blocking feature to grant access and deliver only ISP-provided video services that subscribers have

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subscribed to, excluding all others. This blocking feature may also be used to block web sites for public policy, court-ordered or ISP policy purposes.

[058] **Event Notification**

[059] CGs **58** and SPA-controlled network elements **54** deliver an event notification to ICP **50** whenever a packet inspection match is made or an attempt to access a conditionally denied URL is detected.

[060] **Virus-Initiated Denial of Service Traffic Blocking**

[061] Repeated and rapid attempts to send data to one or a short list of URLs or IP addresses by any subscriber terminal **60** served by CG **58** are detected by CG **58** and traffic to the identified sites is not forwarded.

[062] **Voice over Internet Protocol (VoIP) Blocking**

[063] For subscribers who are not VoIP subscribers, CG **58** or SPA controlled network elements **54** may identify attempts to use VoIP services by recognizing destination URL, source URL, packet length, header information or packet contents. Incoming or outgoing VoIP packets may be discarded and an advertisement offering VoIP subscription service may be delivered and displayed to subscriber terminal **60**.

[064] **Real Time Video or Audio Streaming Blocking**

[065] For subscribers who are not real time quality-of-service subscribers, CG **58** or SPA controlled network elements **54** may identify attempts to use real time applications by recognizing destination URL, source URL, packet length, header information or packet contents. Incoming or outgoing real time packets may be discarded and an advertisement offering a real time streaming subscription service may be delivered and displayed to subscriber terminal **60**.

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[066] **Real Time Video or Audio Quality-of-Service (QoS) Reduction**

[067] For subscribers who are not real time quality-of-service subscribers or

who attempt to access portals that are known to offer illegal P2P file sharing, CG **58** or

SPA controlled network elements **54** may identify real-time applications by recognizing

destination URL, source URL, packet length, header information or packet contents.

Upon identification, CG **58** or SPA controlled network elements **54** may reduce the

speed with which traffic is delivered through reducing the duty cycle at which data is

transferred. This may be done by insertion of TCP/IP messages, Nak/Ack or X-On/X-

Off pairs. An advertisement offering real time QoS subscription service may be

delivered if the site requested is not a known illegal P2P site.

[068] **Internet or Data Network Access Authentication**

[069] This technique prevents subscribers from substituting foreign gateways

and logging on to Internet (broadband or narrowband remote) access servers without

controls on their data flow.

[070] After ICP **50** has authorized the flow of data through a CG **58**, ICP **50** may

send authorization instructions to access node **66** associated with the ISP providing ISP

portal **62**. Access node **66** may be, for example, an internet access server or subscriber

management system. The authorization instructions must be received by access node

66 before the subscriber may be authenticated and granted internet access.

[071] **Denial of Service and Spoofing Attacks on Sites Distributing**

Unlicensed Copyrighted Material

[072] A method, consistent with the invention, for regulating user access to a

plurality of content servers in a network is shown in **Figure 6**. First, at step **500**, a

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network unit associated with a first group of users receives controller instructions from the network. Next, at step **502**, the network unit selectively inhibits access to a portion of the content servers by a second group of users in accordance with the controller instructions. Consistent with the present invention, this section describes the implementation of this method in more detail.

[073] Network units, including, for example, powered up and inactive CGs **58** and SPA-controlled network elements **54**, may be directed by instructions received from an ICP **50** to initiate repeated requests for service or other similar transactions to URLs or IP addresses of "pirate" sites, that is, sites that have been identified for interdiction in an ICP-delivered conditional denial of service list. ICP **50** may activate such attacks on any of several bases: "scheduled with duration," "real time activated" by ICP **50**, or "event driven." When attacks are "scheduled with duration", ICP **50** directs CG **58** to attack at a certain time and attack for a specified time interval. When attacks are "real time activated," ICP **50** directs CG **58** to immediately begin or end attacks. When attacks are "event driven," ICP **50** directs CG 58 to begin attacks upon instance of an event, such as entering inactive state. A "scheduled with duration" attack may be combined with an "event driven" attack so that an attack begins upon instance of an event and ends after a time interval specified by ICP **50**. In this way, subscribers not served by CGs **58** under ICP **50** control may also be denied access to copyrighted materials. Thus, the impact of initially deployed CGs **58** greatly expands to prevent access to pirated material in network **52**.

[074] In addition to directing denial of service attacks on URLs or IP addresses in the conditional denial of service list, ICP **50** may direct CGs **58** and SPA-controlled

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network elements **54** to perform similar attacks on URLs or IP addresses identified by a government or law enforcement body including, for example, the Department of Defense. This technique would be desirable when, for example, an identified URL or IP address is being used to plan dangerous criminal or terrorist activities.

[075] Many P2P servers facilitate the distribution of unlicensed copyrighted content. Human operators using active intervention system **64** may discover the IP address or URLs of such servers. This may be accomplished via several methods, including, for example, subscribing to P2P services or using P2P software from multiple sources.

[076] The files being shared via P2P resource address servers may then be examined by the human operators to discover which Internet servers contain links to unlicensed copyrighted content. The URLs and IP addresses of P2P servers offering or containing links to unlicensed copyrighted material may be blocked by placing them on a blocked address list maintained by ICP **50**.

[077] Human operators then use active intervention system **64** to enter spoofing attack instructions by uploading to various P2P resource address servers substitute file pointers. The substitute file pointers specify to the servers the identities of what are supposedly unlicensed copyrighted files and re-direct access requests from P2P users seeking the unlicensed copyright files to substitute files. Network units, including, for example, powered up and inactive CGs **58** and SPA-controlled network elements **54**, may also be directed by instructions received from an ICP **50** to upload substitute file pointers to various P2P resource address servers.

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[078] The substitute files may be, for example, non-working or defectively working files or may contain messages informing the user that access has been prevented and that legal copies may be obtained elsewhere.

[079] **Copyright Registry**

[080] A registry is centrally kept and enabled access by ICP **50**. Subscribers who have purchased copyrighted material may be registered by the seller or may self-register as owners of a license to use the material. Furthermore, non-copyrighted material may be registered in order to identify files having no limit on the number of copies made or that may be e-mailed or downloaded without intervention.

[081] **Copyrighted File Deletion**

[082] A powered-up inactive CG **58** may, under ICP **50** control, inspect the computer file system associated with any subscriber terminal **60** available to it on the network to which CG **58** is attached. CG **58** may notify ICP **50** of file names that match packet inspection patterns to identify the presence of copyrighted material to which the associated subscriber may not be entitled. Human intervention via active intervention system **64** or, alternatively, the copyright registry, may be used to verify a subscriber's entitlement to copyrighted materials found on the subscriber's file system. If no entitlement is found, a CG **58** associated with the file system may then delete the files to which the subscriber is not entitled.

[083] **First Portal Visibility ("First Portal")**

[084] The "first portal" feature is used to present to subscribers a specific URL, with content specified by the ISP, as the "first portal" page to be displayed to a subscriber upon launch of a web browser regardless of the subscriber's selection as

"home" in the web browser program running on subscriber terminal **60**. CG **58** delivers

the "first portal" under ICP **50** direction. The "first portal" may be selected from a list of

URLs or IP addresses upon web browser launch or resumption of activity when, for

example, an inactivity timeout has occurred. ICP **50** may periodically change the list of

URLs or IP addresses delivered to CG **58**. CG **58** receives the subscriber's URL

requests via user interface **100** and delivers instead the "first portal" URL. The

subscriber may be presented with a rotational scroll of URLs or IP addresses, in which

each URL in the ICP-delivered list of URLs or IP addresses is presented in round robin

fashion each time a new "first portal" opportunity is created. Alternatively, the list

received from ICP **50** may consist of one URL or the URLs or IP addresses in the list

may be processed by a weighting function so that some URLs appear more often than

others. The specific weighting function may optionally be configured by an ISP.

[085] **Advertising**

[086]   Under control of ICP **50**, ISP portal **62** may present a set of generalized

and/or customized advertisements to subscriber terminal **60** during the presentation of

pages from the "first portal" URL and during events specified by ISP portal **62**. CG **58**

may receive, via network interface **102**, a list of advertisements or URLs or IP

addresses from ICP **50** to be presented to the subscriber associated with subscriber

terminal **60**. Ads can be customized by ICP **50** based on ISP input, subscriber input, zip

code, URLs or IP addresses viewed by subscribers. A set of events that trigger the ad

presentation to the browser on subscriber terminal **60** may be transferred from ICP **50**

to CG **58** under operator control. Events may be time triggered or may include such

things as new URL or IP ADDRESS requests or commencement or completion of data

transfer. Advertising may be delivered via pop-up windows, browser windows, e-mail messages or physical media sent to subscriber terminal **60**.

[087] **Service Applet Downloads**

[088] Subscribers who subscribe to fee-based services such as video calling, games or gambling may receive applet downloads from ICP **50** or from SPA content server **56**. The applet downloads may then be loaded to an associated subscriber terminal **60** or network appliance/controller. The applets are typically the resident software required for the service. CG **58**, under ICP **50** control, may restrict the applet download to only the services subscribed to by the subscriber. Applet updates may be delivered to a subscriber when they are on-line and CG **58** is registered with ICP **50** as active.

[089] **Law Enforcement Monitoring**

[090] Law enforcement or national security agencies worldwide have interests in monitoring use of the Internet and e-mail during "threat" situations. Such agencies are also charged with gaining access to Internet communications under legal warrants. With this feature, some or all data flowing through CG **58** or SPA-controlled network elements **54** may be copied to specific law enforcement or national security monitoring sites (not shown in figures). To send only a portion of traffic, the data stream may be monitored by a packet inspection engine at CGs **58** or SPA-controlled network elements **54** to sniff IP addresses or data and send selected traffic to appropriate agency sites. The monitoring is activated by a human interaction with ICP **50** via active intervention system **64** and monitoring instruction are then sent to the appropriate CG(s) **58** or SPA-controlled network element(s) **54.**

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[091] **Pay Per View (PPV) Advertising**

[092] This technique allows subscribers to view advertising in a searchable format. The advertisements may be video, text, audio or a combination of two or all three media formats. A search result showing short descriptions of returned advertisements may be presented to the subscriber. The subscriber may then select an advertisement they are interested in viewing or listening to.

[093] When packaged with a video delivery service, subscribers may generally skip advertisements that are embedded in the video programming and may search advertisements with text input and receive advertisements that match their interest. For each advertisement viewed, the subscriber may be paid for viewing it. Payment may be nominal and used to stimulate high penetration of advertisement viewing by interested subscribers who are actually shopping and buying products presented in the advertisements.

[094] Playback of advertisements may be in a "click and play" mode, a "short play and skip to the next" mode or a "play until I say stop" mode. Conversion between playback modes may be controlled by the subscriber.

[095] PPV Advertisers may purchase placement high up in the listings. Subscribers may input weighting to search terms to raise or lower the placement order of advertisements for the display of search results.

[096] When PPV Advertising is packaged with audio delivery service, the audio equivalent to display weighting by the subscriber may be delivered by use of subscriber terminal **60** or a remote control. A subscriber may select a continuous playback of

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advertisements mode or a "listen and skip" mode to allow the subscriber to listen to any portion then skip to the next advertisement.

[097]   Text may be added to either video or audio services by use of a display embedded in the advertisement playback device.

[098]   **Efficient Content Delivery using CG Based Caching / Storage and Access Network Bandwidth for Content Service Delivery**

[099]   A method, consistent with the invention, for distributing content data over a network is shown in **Figure 7**. First, at step **600**, a first network unit receives content distribution instructions from the network. Next, at step **602**, the first network unit stores a first portion of content data from the network. Next, at step **604**, the first network unit initiates a request over the network, in accordance with the content distribution instructions and in response to a user request, for the remainder of the content data. At step **606**, the first network unit receives the remainder of the content data from the network. Then, at step **608**, the first network unit assembles the first portion of content data with the remainder of the content data. At step **610**, the first network unit supplies the assembled content data to the user. Finally at step **612**, the first network unit selectively forwards the first portion of content data to a second network unit in accordance with the content distribution instructions.

[0100] In more detail, consistent with the present invention, this method combines the use of network units, such as CGs **58**, that store a portion or slice of content being delivered with ICP control of content delivery so that CGs **58** are used to deliver content to one another from their small slice of content upon request by subscribers. SPA-controlled content server **56** first receives all the incoming content.

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SPA-controlled content server **56** may be composed of any number of platforms. The incoming content may be video, music, books, software, games and so forth. Subsequent to receipt of the content, SPA-controlled content server **56** then distributes a sufficiently large fraction of the content for storage within CGs **58** within its subscriber network so as to reduce demand for data communication through its network connection. Individual CGs **58** receive controller instructions from ICP **50** and a small slice or portion of the total content. The slices of content thus downloaded to CGs **58** approach 100% of the content delivered. The slices of content thus downloaded are stored in a network partition of content storage **108** within each CG **58** to which SPA-controlled content server **56** has the only "write" permission and to which subscribers have only "read" permission and then only by request for the content and as directed to download the content from CG **58** or from SPA-controlled content server **56** to CG **58** by the ICP **50**. Content requested by subscribers may also be stored on this network partition of content storage **108**. A subscriber may have permission to delete content as a result of that subscriber's request. All subscriber "deletes" may be allowed immediately or delayed to a later event by ICP **50**, based upon the need to distribute the content from CG **58** to additional CGs to satisfy other subscriber requests. The IP address and other unique identifying information about which CG **58** holds which portion of content is tracked by SPA-controlled content server **56** and ICP **50**. This technique furthermore parses each individual file into smaller chunks and then places them in several sets of CGs **58** so as to place several "seed CGs" within the network that contain the same content. In this way, a storm of packets may be created that overcomes the imbalance between upstream and downstream bit rate speeds delivered

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to CGs **58**. Many CGs with lower upstream (CG to network) rates can download data to a CG requesting a download with a higher downstream (network to CG) rate. In addition, SPA-controlled network elements **54** may aid in distribution of content by storing seeds, or slices of content, to be distributed so as to reduce demand on SPA-controlled content server **56**.

[0101] In response to a subscriber's request for content, the subscriber may have access to all content stored on the network partition of both their own CG and other CGs under control of ICP **50**. When many subscribers request the same content, then ICP **50** directs a replication of content as it is distributed to CGs **58**. "Replication" is a technique whereby the first CG to receive specific content forwards that content to other CGs. These other CGs may, in turn, download content to several subsequent CGs. Thus CG **58** selectively forwards the portion of the content file in accordance with instructions received from ICP **50**. In this manner, all CGs receive content in a shorter period of time. ICP **50** directs content to be delivered to the requesting subscriber's CG from SPA-controlled content server **56** if the file is not available from any other CG. Once a content file is resident in CG **58**, the associated subscriber may select it for playback. Content is either displayed on consumer electronics, displayed on subscriber terminals **60** or delivered to other terminals, as allowed by the content's license grant. Content delivered at a subscriber's request will be stored on the network partition of that subscriber's CG **58**. Playback, use of content with consumer electronics, and/or file transfer may be allowed, in accordance with the license grant.

[0102] ICP **50** keeps track of which CGs **58** are powered up and are active and available. ICP **50** also keeps track of the content that was written to the active CGs by

SPA-controlled content server **56**. Content may be purged from the CG network partitions on a regular basis by several methods. First, a "deletion date" may be used for each content file. Second, SPA-controlled content server **56** may purge content when new content is delivered, with SPA-controlled content server **56** notifying CG **58** of the purge. Third, the oldest content may be purged if space in the network partition is too small to accept new content. Fourth, subscribers may delete content previously downloaded at subscriber request.

[0103] CG **58** may also contain a user partition in which a subscriber may store his or her own content. The content stored in a user partition may be any file, including, for example, media, software, and data files. The content stored in a user partition may also be accessed by subscribers via subscriber terminal **60** or may be transferred to various consumer electronics at the subscriber location to be played or displayed.

[0104] **ICP, CG, and Network Element Database Structures**

[0105] Each ICP **50** may keep a master database used for control of SPA-controlled content servers **56**, CGs **58**, and SPA-controlled network elements **54**. The master database may be managed by a database system that is accessed by ICP software. Preferably, no storage space is allocated for record fields with null content. Each CG **58**, network element **54**, and SPA-controlled content server **56** may also keep a subset of the master database for use in processing.

[0106] The following sections describe the various types of data kept in ICP **50** master database and in CG **58**, network element **54**, and SPA-controlled content server **56** databases.

[0107] **Individual Managed CG, Network Element, Content Server and Provider/Subscriber Identifiers**

[0108] ICP **50**, CG **58**, network element **54**, and SPA-controlled content server **56** databases may each contain hardware records. ICP's **50** master database records may include an active record for each CG **58**, network element **54**, and SPA-controlled content server **56** managed by ICP **50** with a "history archive" including up to ten past records to account for subscriber, ISP portal **62**, network element **54**, CG **58**, and SPA-controlled content server **56** software changes. The information in master database records may include, for example, subscriber/contact name, company name, address, city, state, country, post code, telephone number, e-mail address, hardware addresses of CG **58**, SPA-controlled network element **54**, or SPA-controlled content server **56**, unique identifiers of CG 58, SPA-controlled network element **54** or SPA-controlled content server **56**, model number, serial number, hardware release version, software release version, law enforcement copy to URLs, events logged from CG **58**, network element **54** or SPA-controlled content server **56**, authentication pre-authorization URL or IP address, active process image ID, inactive process image ID, active/inactive flag, real time QoS Flag, and VoIP QoS Flag.

[0109] CG **58**, network element **54**, and SPA-controlled content server **56** database records may each include their own individual corresponding identifying information.

[0110] **Current Production Software Versions and Images by CG, Network Element or Content Server Model**

[0111] This record is kept only in ICP **50** master database. The following fields may be kept in the master database record for each managed CG **58**, network element **54** or SPA-controlled content server **56**: model number, hardware release version, software release version, current code image, last two code images, and release notes for customer support.

[0112] **Managing ICP List**

[0113] The managing ICP list data is kept only in CG **58**, SPA-controlled network element **54**, and SPA-controlled content server **56** databases. This data includes a list of URL or IP addresses for ICPs **50** that can control the associated CG **58**, network element **54**, or SPA-controlled content server **56**. The first entry is permanent and allows for initial registration and download of ICP addresses for the ISP associated with the specific CG, network element, or SPA-controlled content server.

[0114] **Active Process Image List**

[0115] ICP **50**, CG **58**, network element **54**, and SPA-controlled content server **56** databases each contain active process image list data. Active processes are sub-routines that may be executed by the production software running on each CG **58** when the CG is in an active state. The active processes can be changed by ICP **50**, without changing the current production software, whenever a CG **58**, SPA-controlled network element **54**, or SPA-controlled content server **56** performs an "I'm Active" login. Copies of active process routines may be downloaded to CGs **58**, SPA-controlled network elements **54**, or SPA-controlled content servers **56**, as directed by an image

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distribution routine applied to ICP **50** by human input at active intervention system **64**. A human operator may identify a set of "unique identifiers" that may be loaded with each specific active process. The active process image list may be null.

[0116] **Idle Process Image List**

[0117] ICP **50**, CG **58**, network element **54**, and SPA-controlled content server **56** databases may each contain idle process image list data. Idle processes are subroutines that may be executed by the production software running on each CG **58** when the CG is in an active state. The idle processes can be changed by ICP **50**, without changing the production software, whenever a CG **58**, SPA-controlled network element **54** or SPA-controlled content server **56** performs an "I'm Idle" login. The idle process images are downloaded to CGs **58**, SPA-controlled network elements **54**, or SPA-controlled content servers **56** as directed by an image distribution routine applied to ICP **50** by human input at active intervention system **64**. The human operator may identify a set of "unique identifiers" that may be loaded with each specific idle process. The idle process image list may be null.

[0118] **P2P Idle Process Attack URL List**

[0119] P2P idle process attack URL list data is kept only in ICP **50** and CG **58** databases. The data contains a list of URLs or IP addresses of sites containing illegally distributed unlicensed materials that may be attacked by the idle process. The list may be null. This list contains a set of flags to define the type of content the illegal sites are known by active intervention system **64** to offer.

[0120] **Department of Defense (DOD) Idle Process Attack URL List**

[0121] DOD idle process attack URL list data is kept only in ICP **50**, CG **58**, and SPA-controlled network elements **54** databases. This is a list of URLs or IP addresses, generated by DOD, of sites that are to be attacked during the idle process. The list may be null.

[0122] **"First Look" URL List**

[0123] "First look" URL list data is kept only in ICP **50** and CG **58** databases. The data contains lists of URLs or IP addresses that will be presented to subscribers with the "first portal" browser screen. This list may be null, or may have one or more entries. Multiple entries may be cycled through by a routine built into ICP **50** or CG **58** software.

[0124] **Advertisement Insertion URL List**

[0125] Advertisement insertion URL list data is kept only in ICP **50** and CG **58** databases. The data contains a list of URLs or IP addresses that are presented to subscribers as "advertising" browser screens. This list may be null, or may have one or more entries. Multiple entries may be cycled through by a routine built into CG **58**.

[0126] **Legal Content URL List**

[0127] Legal content URL list data is kept only in ICP **50** and CG **58** databases. The data contains a list of URLs or IP addresses that are presented to subscribers as legal content sites when they attempt to connect their browser to a URL or IP address that is on the "P2P Blocked URL" List. This list may be null, or may have one or more entries. Multiple entries will be cycled through by a routine built into the CG **58**. The content flags from the P2P Blocked URL list are used by active CG **58** or SPA-

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controlled content server **56** processes to present the subscriber with a browser screen containing links to "Legal Content URLs" that match what the subscriber tried to access.

[0128] **P2P Blocked URL List**

[0129] P2P blocked URL list data is kept only in ICP **50** and CG **58** databases. The data contains a list of URLs or IP addresses of sites containing illegally distributed unlicensed materials that are to be blocked from access by the active process. The list may be null. This list contains a set of flags to define the type of content the illegal sites are known by active intervention system **64** to offer. The flags are used by CG **58** software to present a browser screen to subscribers containing "Legal Content Sites" that offer similar content to what the P2P Blocked URL offers when they try to point their browser to a site on this list.

[0130] **P2P QoS Restriction URL List**

[0131] P2P QoS restriction URL list data is kept only in ICP **50** and CG **58** databases. The data contains a list of URLs or IP addresses of sites containing illegally distributed unlicensed materials whose throughput to and from subscribers is to be severely constricted by the active process. The list may be null. This list contains a set of flags to define the type of content the illegal sites are known by active intervention system **64** to offer. The flags are used by CG **58** active software to present a "first portal" or advertising browser screen to subscribers containing "legal content sites" that offer similar content to what the P2P QoS restricted URL Offers.

[0132] **Portal Blocked URL List**

[0133] Portal blocked URL list data is kept only in ICP **50**, CG **58**, and network element **54** databases. The data contains a list of URLs or IP addresses that are

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blocked as dictated by ISP policy or as required by regulators or court order. Blocking

is performed by CG **58** active process or network element **54**. The list may be null. The

list is used by the active process to present a browser screen to subscribers containing

a "URL not available" message, or something similar, to the requesting subscriber.

[0134] **Portal QoS Restriction URL List**

[0135] Portal QoS restriction URL list data is kept only in ICP **50**, CG **58**, and

network element **54** databases. The data contains a list of URLs or IP addresses of

sites whose QoS are to be severely restricted by CG **58** active process or SPA-

controlled network element **54** due to lack of contractual arrangements with an

associated ISP to deliver high throughput or a high level of traffic generated into the

network. The list may be null. Such restriction controls core network costs for an ISP.

[0136] **Law Enforcement Agency "Copy To" List**

[0137] Law enforcement agency "copy to" list data is kept only in ICP **50**, CG **58**,

and network element **54** databases. The data contains a list of CGs **58**, SPA-controlled

network elements **54** or SPA-controlled content servers **56** being wiretapped, identified

by a unique identifier, and the URL or IP address of the law enforcement site(s) to

whose URL the traffic is to be copied. It is created by human input at active intervention

system **64** upon receipt of a legal wiretap order. The list may be null. More than one

agency may be copied.

[0138] **Packet Inspection Pattern List**

[0139] Packet inspection pattern list data is kept only in ICP **50**, CG **58**, and

network element **54** databases. The data contains a list of patterns that the packet

inspection routine in CGs **58** or SPA-controlled network elements **54** use to discover

patterns that indicate viruses, traffic caused by viruses, or other unwanted data that is being sent into network **52**.

[0140] **Received Event Log**

[0141] Received event log data is kept only in ICP **50** master database. The data contains a log of events reported by CGs **58**, SPA-controlled content servers **56** or SPA-controlled network elements **54** to ICP **50**. It may contain three fields: a unique ID for the CG **58** reporting it, an event ID and an event description.

[0142] **Sent Event Log**

[0143] Sent event log data is kept only in the CG **58**, network element **54**, and SPA-controlled content server **56** databases. The data contains a log of the events reported by CG **58**, network element **54**, or SPA-controlled content server **56** to ICP **50**. It may contain three fields: a unique ID for CG **58**, network element **54**, or SPA-controlled content server **56** reporting it, an event ID and an event description.

[0144] **Copyright Registry**

[0145] Copyright registry data is kept only in ICP **50** master database. The data contains identifying information from the copyright holder or subscriber registrant and a file of the entire content that has been registered. Information from the files are used to produce file signatures that the packet inspection process may use to discover that a copyrighted work is being sent or received by e-mail and to block it.

[0146] **Content In-Net**

[0147] Content in-net data is kept only in ICP **50** master database. The data contains metadata for content that is presently available for subscriber download. Also the data may contain a set of pointers for each metadata file showing which SPA-

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controlled content servers **56** or CGs **58** have which portions of the content file presently available for download to CGs **58**. In addition, the data may contain a set of pointers for each metadata file showing which of the SPA-controlled content servers **56** or CGs **58** are to replicate the content and metadata file and a progress indicator for the status of content download to other CGs **58**.

[0148] **Content On-Board and being downloaded**

[0149] Content on-board and being downloaded data is kept only in the CG **58** and SPA-controlled content server **56** databases.

[0150] In CG **58** this data may contain metadata for content that is presently available for subscriber download or viewing. The data may also contain a set of pointers (sent from ICP **50**) for each content file being downloaded showing which SPA-controlled content servers **56** or CGs **58** have which portions of the content file presently available for download to the CG **58**. The data may also contain a set of pointers (sent from ICP **50**) for each "seed" content file contained in CG **58** showing to which other CGs CG **58** is to replicate the content and metadata file to and a progress indicator for the status of content download to other CGs **58**.

[0151] In SPA-controlled content server **56** this data may contain metadata for content that is presently available from SPA-controlled content server **56** for subscriber download from the corresponding SPA-controlled content server **56** to CG **58**. The data may also contain a pointer for each metadata file showing which CGs **58** are to have the content file downloaded to them and a progress indicator for the status of content download to the CGs **58**.

[0152] **Pre-Authorization Flag**

[0153] Pre-authorization flag data is kept only in ICP **50**, network element **54**, and SPA-controlled content server **56** databases. This data is used to ensure that the CG **58** being used by the subscriber is "ICP Managed." It is updated every time a CG goes from idle to active or active to idle, which is a transaction initiated by CG **58**. An un-populated pre-authorization flag is used by SPA-controlled network elements **54** or SPA-controlled content servers **56** to deny service to subscribers attempting to access network **52** with non-managed CGs **58**.

[0154] This invention is not limited to the embodiments as explained above, but can be performed using various configurations. It will be apparent to those skilled in the art that various modifications and variations can be made in the context of the present invention, and in its practice, without departing from the scope and spirit of the invention.

<u>WHAT IS CLAIMED IS:</u>

1.   A system for regulating access to a network, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions; and

a first network interface for transmitting the controller instructions over the network; and

a plurality of gateway units, the gateway units comprising:

a user interface receiving user-entered network access requests;

a second network interface coupled to the network and receiving the controller instructions from the network; and

a second processor, the second processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the second network interface.

2.   The system of claim 1 wherein:

the gateway units further comprise a storage device for storing instructions;

the gateway units further comprise an identifier uniquely associating the gateway units with a user; and

the storage device is operable to store user-specific information.

3.   The system of claim 1, wherein:

the gateway units comprise a user interface receiving requests to transmit data;

and

the gateway units comprise a second processor inspecting the data to selectively

transfer the data in accordance with the controller instructions.

4.   The system of claim 1, wherein:

the gateway units comprise a user interface receiving requests to receive data;

and

the gateway units comprise a second processor inspecting the data to selectively

transfer the data in accordance with the controller instructions.

5.   The system of claim 1, wherein the first processor generates the controller

instructions automatically.

6.   The system of claim 1, wherein the first processor generates the controller

instructions in response to an operator-entered request.

7.   The system of claim 1, wherein the controller nodes comprise a first processor

generating the controller instructions by operator-controlled network crawling.

8.   The system of claim 1, wherein the controller nodes comprise a first processor

generating the controller instructions to deny user access to a first group of network

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servers.

9.   The system of claim 8, wherein the gateway units comprise a second processor to generate a notification to a controller node if a network access request designates a network server of the first group of network servers.

10.   The system of claim 8, wherein the gateway units comprise a second processor to:

detect a network access request designating a network server a first group of network servers; and

re-direct the access request to a second group of network servers, in accordance with the controller instructions.

11.   The system of claim 1, wherein:

the controller nodes comprise a first processor generating the controller instructions, the controller instructions including a file identifier; and

the system comprises a plurality of gateway units associated with a user file system, the gateway units comprising a second processor to detect a file in a user file system corresponding to the file identifier.

12.   The system of claim 11, wherein the gateway units are operable between an active state and an inactive state.

13.   The system of claim 12, wherein the second processors notify a controller node if the associated gateway unit enters an inactive state.

14.   The system of claim 12, wherein the second processors delete the detected files from a user file system in accordance with the controller instructions.

15.   The system of claim 14, wherein the second processors delete the detected files from a user file system during the inactive state.

16.   The system of claim 11, wherein the gateway units notify a controller node if a file corresponding to the file identifier is detected.

17.   The system of claim 1, wherein the gateway units comprise:

a housing; and

a detector for detecting an attempt to open the housing.

18.   The system of claim 17, wherein the gateway unit notifies the controller node of a detected attempt to open the housing after a user-initiated event.

19.   The system of claim 17, wherein the gateway units comprise a storage device and the second processor prevents access to the storage device when the detector detects an attempt to open the housing.

20.   The system of claim 1, wherein the gateway units comprise a second processor that enters a user-controlled operational mode after receiving permission from the controller node.

21.   The system of claim 1, wherein the controller node comprises a copyright registry for tracking copyright status of content data files distributed to gateway units in the system.

22.   The system of claim 21, wherein the user interface receives registrations of the content data files for transmission to the copyright registry.

23.   The system of claim 1, wherein the second processor causes the gateway unit to access a predetermined network site upon initiation of network browser software, in accordance with the controller instructions.

24.   The system of claim 23, wherein the second processor selects the predetermined network site from a list of predetermined network sites received via the controller instructions.

25.   The system of claim 24, wherein the second processor selects the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others.

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26.　The system of claim 1, wherein the gateway units:

receive registration information from a user via the user interface; and

receive initial operating parameters via the second network interface.

27.　The system of claim 1, wherein the gateway units:

receive registration information from a user via the user interface; and

receive software updates via the second network interface.

28.　The system of claim 1, wherein:

the gateway units transmit advertising via the user interface to a user display, the advertising being customized in accordance with information received via at least one of the second network interface and the user interface.

29.　The system of claim 1, wherein the gateway units:

transmit pay-per-view advertising via the user interface for selective display by a user; and

generate payment credits for the user upon display of the advertising by the user.

30.　The system of claim 29, wherein the gateway units generate one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection.

31.　The system of claim 1, wherein the gateway units receive software via the second network interface for execution on the second processor, the software enabling

at least one of a fee-based network service, network video calling, and network gaming.

32. The system of claim 1, wherein the second processor detects a denial-of-service attack.

33. The system of claim 32, wherein the second processor detects a denial-of-service attack initiated by a virus.

34. The system of claim 1, wherein the gateway units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units.

35. The system of claim 1, wherein the gateway units:

detect a user attempt to at least one of transmit and receive voice traffic; and

selectively block the detected attempt in accordance with the controller instructions.

36. The system of claim 35 wherein the gateway units transmit, via the user interface, an advertisement offering voice transmission services.

37. The system of claim 1, wherein the gateway units:

detect a user attempt to at least one of transmit and receive at least one of audio and video traffic; and

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selectively block the detected attempt in accordance with the controller

instructions.

38. The system of claim 37, wherein the gateway units transmit, via the user

interface, an advertisement offering at least one of audio and video traffic services.

39. The system of claim 1, wherein the gateway units:

detect at least one of audio and video traffic flowing through the second network

interface; and

selectively reduce the quality of service of the at least one of audio and video

traffic in accordance with the controller instructions,

wherein reduction of quality of service comprises at least one of: reducing a duty

cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting

Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off

pairs in the at least one of audio and video traffic.

40. The system of claim 1, further comprising a plurality of access nodes, wherein

the controller node comprises a first processor for generating authorization instructions

and transmitting the authorization instructions over the network to the access nodes,

and the access nodes:

receive the authorization instructions from the controller node; and

selectively permit the gateway units to access the network in accordance with the

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authorization instructions.

41. The system of claim 1, wherein the gateway units comprise data storage units partitioned into a network portion and a user portion, and at least one of a first group of gateway units selectively shares data stored in the network partition with at least one of a second group of gateway units, via the second network interface, in accordance with the controller instructions.

42. The system of claim 1, wherein the second processor in at least a first one of the gateway units selectively forwards content data received from at least a second one of the gateway units to at least a third one of the gateway units in accordance with the controller instructions.

43. The system of claim 42 wherein the second processor in at least a first one of the gateway units:

receives portions of a content data file from a group of gateway units in accordance with the controller instructions; and

assembles a data file based on the received portions for transmission to the user via the user interface.

44. The system of claim 1, further comprising an intervention node, the intervention node comprising:

an operator interface for receiving operator-entered spoofing attack instructions;

and

a third network interface for transmitting at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions.

45. The system of claim 1, further comprising network units, the network units comprising:

a network interface coupled to the network and receiving the controller instructions from the network and network traffic from a gateway unit; and

a processor for selectively reducing the flow of the received network traffic in accordance with the controller instructions.

46. The system of claim 45, wherein the network units:

detect the flow of voice traffic; and

selectively block the detected traffic in accordance with the controller instructions.

47. The system of claim 45, wherein the network units:

detect the flow of at least one of audio and video traffic; and

selectively block the detected traffic in accordance with the controller instructions.

48. The system of claim 45, wherein the network units:

detect the flow of at least one of audio and video traffic; and

selectively reduce the quality of service of the detected at least one of audio and video traffic in accordance with the controller instructions,

wherein the reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

49.   A system for regulating access to a network that is accessed by a plurality of users, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions; and

a first network interface for transmitting the controller instructions over the network; and

a plurality of network units associated with a first group of users, the network units comprising:

a second network interface coupled to the network and receiving the controller instructions from the network; and

a second processor, the second processor inhibiting access for a second group of users to content in the network in accordance with the controller instructions.

50.   The system of claim 49, wherein the second processor in the network units inhibits access for a second group of users by performing denial of service attacks in accordance with the controller instructions.

51.   The system of claim 50, wherein the second processor performs attacks based on a schedule comprising at least one of:

a schedule based on duration of the attacks;

real time response to controller instructions; and

in response to an event.

52.   The system of claim 49, wherein at least a portion of the network units comprise gateway units uniquely associated with a user.

53.   The system of claim 52, wherein the gateway units:

are operable between an active state and an inactive state; and

perform denial of service attacks, in accordance with the controller instructions, during the inactive state.

54.   The system of claim 49, wherein the second processor detects a denial-of-service attack.

55.   The system of claim 54, wherein the second processor detects a denial-of-service attack initiated by a virus.

56.   The system of claim 54, wherein the second processor prevents a denial-of-service attack upon detection.

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57.   The system of claim 49, wherein the network units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units.

58.   A system for distributing content over a network, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions; and

a first network interface for transmitting the controller instructions over the network; and

a plurality of network units, the network units comprising:

a second network interface coupled to the network, the second network interface in at least a first one of the network units receiving the controller instructions from the network and receiving a first portion of a content data file from at least a second one of the network units; and

a second processor, the second processor in the at least a first one of the network units selectively forwarding the received first portion of the content data file to at least a third one of the network units in accordance with the controller instructions.

59.   The system of claim 58, wherein:

the second network interface receives a plurality of portions of a content data file from a group of network units in accordance with the controller instructions; and

the second processor assembles a data file based on the received portions for transmission to the user via the user interface.

60.   The system of claim 58, wherein:

the second network interface of the second network unit receives a portion of a

content data file from a content server; and

the second processor of the second network unit forwards the portion of the

content data file to the at least first one of the network units in accordance with the

controller instructions.

61.   The system of claim 58, wherein the second processor deletes portions of

content data in accordance with a predetermined deletion date associated with the

content data.

62.   The system of claim 58, wherein the second processor deletes portions of

content data when new content data is delivered.

63.   The system of claim 58, wherein the second processor deletes portions of

content data when insufficient storage space remains, deleting oldest content data first.

64.   The system of claim 58, wherein the second processor deletes portions of

content data in accordance with an associated user's selections.

65.   A gateway unit for regulating access to a network comprising:

a user interface to receive requests to transmit data;

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a network interface to receive controller instructions from the network; and

a processor to inspect the data and to selectively transmit the data in accordance with the received controller instructions.

66.   A gateway unit for regulating access to a network comprising:

a user interface to receive requests to receive data;

a network interface to receive controller instructions from the network; and

a processor to inspect the data and selectively receive the data in accordance with the received controller instructions.

67.   A controller node for regulating access to a network, the controller node comprising:

a processor to generate controller instructions for causing a plurality of gateway units to selectively transfer user-entered network access requests over the network, the processor generating the controller instructions by at least one of automatically generating instructions and generating instructions in response to an operator-entered request; and

a network interface to transmit the controller instructions over the network to the plurality of gateway units.

68.   The controller node of claim 67, comprising a processor to generate the controller instructions by operator-controlled network crawling.

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69.   A controller node for regulating access to a network comprising:

a processor to generate controller instructions; and

a network interface to transmit the controller instructions over the network to a

plurality of gateway units, the controller instructions causing at least one gateway unit to

deny access to a first group of network servers.

70.   The controller node of claim 69, wherein the network interface receives

notification from at least one gateway unit if the at least one gateway unit detects a

request to access a denied network server.

71.   The controller node of claim 69, wherein the processor generates instructions

causing a gateway unit to re-direct user access requests to a second group of network

servers in accordance with the controller instructions.

72.   A system for regulating file access in a network, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions, the instructions

including a file identifier; and

a first network interface for transmitting the controller instructions over the

network; and

a plurality of gateway units associated with user file systems, the gateway units

comprising

a second network interface to receive the controller instructions from the

network; and

a second processor to detect files in the user file systems corresponding to the file identifier.

73.   The system of claim 72, comprising a plurality of gateway units operable between an active state and an inactive state.

74.   The system of claim 73, wherein the gateway units notify a controller node upon entering the inactive state.

75.   The system of claim 73, wherein the gateway units comprise a processor to delete the detected files during the inactive state.

76.   The system of claim 72, wherein the plurality of gateway units notify a controller node if at least one file matching the list of file identifiers is detected.

77.   A gateway unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests;

a network interface for transmitting the network access requests to the network;

a housing; and

a detector for detecting a user attempt to open the housing.

78.   The gateway unit of claim 77, wherein the detector notifies the controller node

of a detected attempt to open the housing after a subsequent user-initiated event.

79.   The gateway unit of claim 77 further comprising a storage device and an

interlock to prevent access to the storage device when the detector detects an attempt

to open the housing.

80.   A gateway unit for regulating access to a network, comprising:

     a network interface for providing access to the network;

     a user interface to receive user-entered network access requests; and

     a processor that enters a user-controlled operational mode after receiving

permission over the network from a controller node via the network interface.

81.   A controller node for regulating file access in a network, comprising a copyright

registry and a processor, wherein the processor:

     receives registrations of content data files distributed to a plurality of gateway

units; and

     tracks copyright status of the content data files.

82.   A gateway unit for regulating access to a network comprising:

     a network interface for providing access to the network and for receiving

controller instructions from the network;

     a user interface for transferring content between the network and a user; and

a processor for connecting to a predetermined network site upon initiation of network browser software, in accordance with the received controller instructions.

83. The plurality of gateway units of claim 82, wherein the processor selects the predetermined network site from a list of predetermined network sites.

84. The plurality of gateway units of claim 83, wherein the processor selects from the list of predetermined network sites according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others.

85. A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network;

a user interface to transfer content between the network and a user; and

a processor to gather registration information from the user via the user interface and to receive initial operating parameters via the network interface.

86. A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network;

a user interface to transfer content between the network and a user; and

a processor to gather registration information from the user via the user interface and to receive software updates via the network interface.

87.   A gateway unit for regulating access to a network comprising:

a network interface to receive information from the network;

a user interface to receive information from a user; and

a processor to transmit advertising via the user interface to a user display,

wherein the advertising is customized in accordance with information received

via at least one of the network interface and the user interface.

88.   A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive pay-per-view

advertising from the network;

a user interface to transfer content between the network and a user; and

a processor to transmit the pay-per-view advertising via the user interface for

selective display by a user and to generate payment credits to the user upon display of

the advertising by the user.

89.   The gateway unit of claim 88, wherein the processor generates one of a plurality

of viewing modes for viewing the pay-per-view advertising in response to a user

selection.

90.   A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive software from

the network;

a user interface to transfer content between the network and a user; and

a processor to execute the software to enable the user to use, via the user interface, at least one of a fee-based network service, network video calling, and network gaming.

91. A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network;

a user interface to receive network access requests from a user; and

a processor to detect a denial-of-service attack received from the user interface and transmitted to the network via the network interface.

92. The plurality of gateway units of claim 91, wherein the processor detects a denial-of-service attack initiated by a virus.

93. A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer incoming data and outgoing data between a user and the network interface; and

a processor to selectively transmit to law enforcement terminals information describing at least one of the incoming data and the outgoing data in accordance with the received controller instructions.

94.   A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect a user attempt to at least one of transmit and receive voice traffic over the network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and transmitting, via the user interface, an advertisement offering voice transmission services.

95.   A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect a user attempt to at least one of transmit and receive at least one of audio and video traffic over the network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and transmitting, via the user interface, an advertisement offering at least one of audio and video traffic services.

96.   A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect at least one of audio and video traffic flowing through the user interface, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions,

wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

97. A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect voice traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

98. A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

99.   A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller

instructions and network traffic; and

a processor to detect at least one of audio and video traffic, the processor

selectively reducing the quality of service of the detected at least one of audio and video

traffic in accordance with the received controller instructions,

wherein reduction of quality of service comprises at least one of: reducing a duty

cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting

Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off

pairs in the at least one of audio and video traffic.

100.   A controller node for regulating subscriber access to a network comprising:

a processor to generate authentication instructions on behalf of an authenticated

subscriber; and

a network interface to transmit the authentication instructions to an access node

coupled to the network,

wherein the access node selectively permits subscriber access to the network in

accordance with the authentication instructions.

101.   A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller

instructions;

a data storage unit partitioned into a network portion and a user portion; and

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a processor to selectively transmit data stored in the network partition, via the network interface, in accordance with the received controller instructions.

102.   A network unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests;

a network interface coupled to the network and receiving controller instructions from the network; and

a processor, the processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the network interface;

wherein the network unit selectively forwards content data received from a first associated network unit to at least a second associated unit in accordance with the controller instructions.

103.   The network unit claim 102, wherein the processor

receives portions of a content data file from a group of third associated network units in accordance with the controller instructions; and

assembles a data file based on the received portions for transmission to a user via the user interface.

104.   The network unit of claim 102, wherein the processor:

receives a portion of a content data file from a content server; and

forwards the portion of the content data file to the first associated network unit in accordance with the controller instructions.

105.   A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a processor to perform denial of service attacks in accordance with the received controller instructions.

106.   A method for regulating access to a network, the method comprising:

receiving controller instructions from a network at a gateway unit associated with a user;

receiving a network access request at the gateway unit from a user;

selectively transmitting the network access request over the network in accordance with the controller instructions; and

receiving content data responsive to the transmitted network access request from the network.

107.   A method for regulating access to a plurality of content servers, the method comprising:

receiving controller instructions from the network at a network unit associated with a first group of users; and

selectively inhibiting access to a portion of the content servers by a

second group of users in accordance with the controller instructions.

108.   The method of claim 107, wherein inhibiting access for a second group of users

comprises performing denial of service attacks.

109.   A method for distributing content data over a network, the method comprising:

receiving content distribution instructions from the network;

storing a first portion of content data from the network at a first network unit;

initiating a request over the network, in accordance with the content distribution

instructions and in response to a user request, for the remainder of the content data;

receiving the remainder of the content data from the network;

assembling the first portion of content data with the remainder of the content

data; and

supplying the assembled content data to the user.

110.   The method of claim 109, further comprising selectively forwarding the first

portion of content data to a second network unit in accordance with the content

distribution instructions.

111.   A gateway unit for regulating access to a network, the gateway unit comprising:

a user interface receiving user-entered network access requests;

a network interface coupled to the network and receiving controller instructions

from a controller node in the network; and

a processor, the processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the network interface.

112. A network unit associated with a first group of users for regulating access to a network, the network unit comprising:

a network interface coupled to the network and receiving controller instructions from a controller node associated with the first group of users; and

a processor, the processor inhibiting access for a second group of users to content in the network in accordance with the controller instructions.

113. A controller node for regulating access to a network, the controller node comprising:

a processor for generating controller instructions; and

a network interface for transmitting the controller instructions over the network, the controller instructions being configured to cause a user-associated gateway unit to selectively transmit over the network at least some user-entered network access requests.

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114. The controller node of claim 113 further comprising a content server for providing content data in response to the user-entered network access requests.

115. A controller node for regulating access to a network, the controller node comprising:

a processor for generating controller instructions; and

a network interface for transmitting the controller instructions over the network to network units associated with a first group of users, the controller instructions being configured to cause the network units to inhibit access for a second group of users to content in the network.

ABSTRACT OF THE DISCLOSURE

There is provided a system for regulating access and managing distribution of content in a network, such as the Internet. The system includes communication gateways, installed at a subscriber site, internet control points, installed remotely, and various network elements installed throughout the network. The communication gateways and network elements operate in conjunction with the internet control points to restrict or allow access to specified Internet sites and to manage efficient distribution of content such as music, video, games, broadband data, real-time audio and voice applications, and software to subscribers.
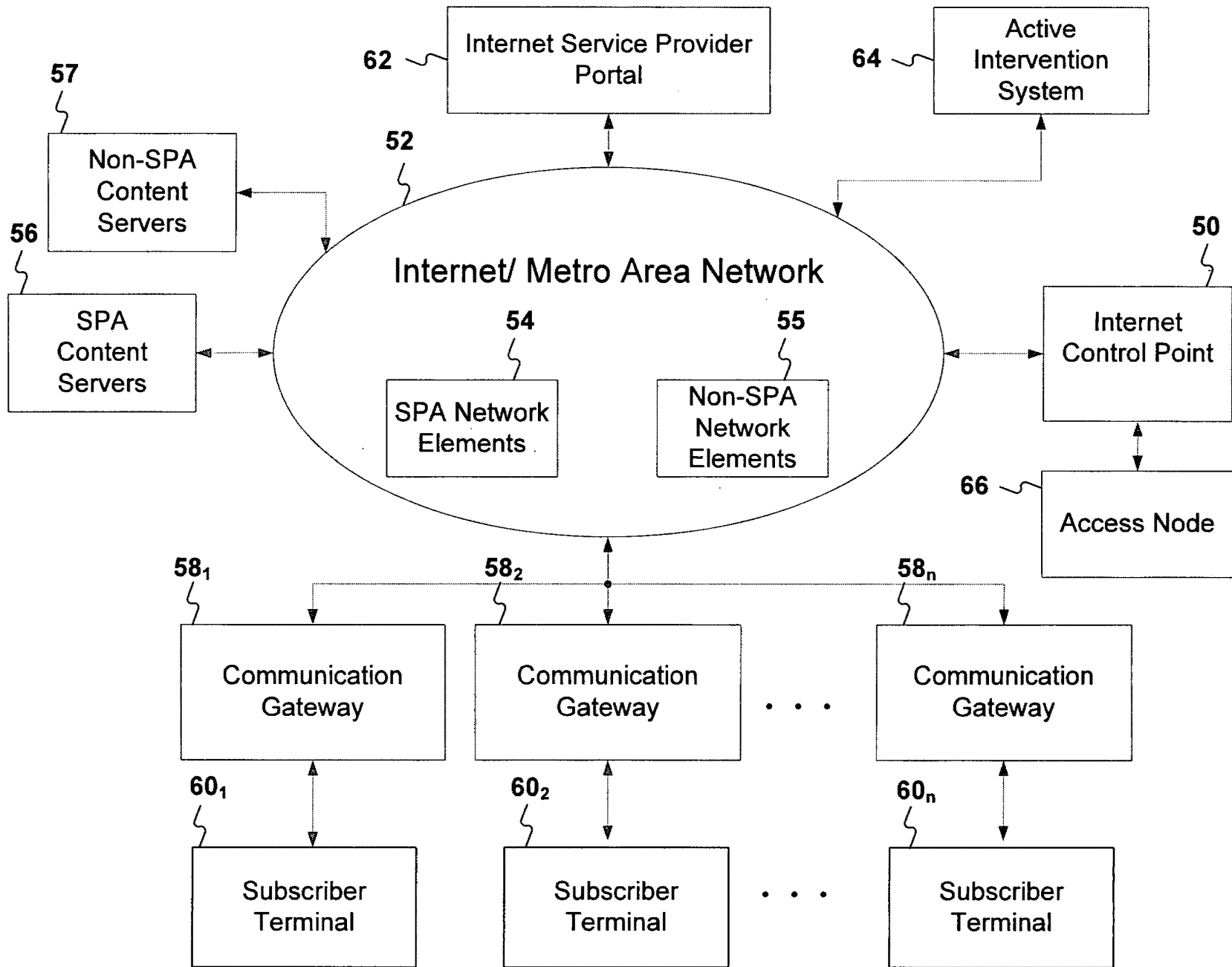
Figure 1

Communication Gateway **58**

To Internet **52**

102

Network Interface

104

Memory

- Instructions
- Initial Operating Parameters
- Other records

Content Storage **108**

User Partition

——————

Network Partition

106

Processor

100

User Interface

110

Housing Disassembly Detector

To Subscriber Terminal **60**
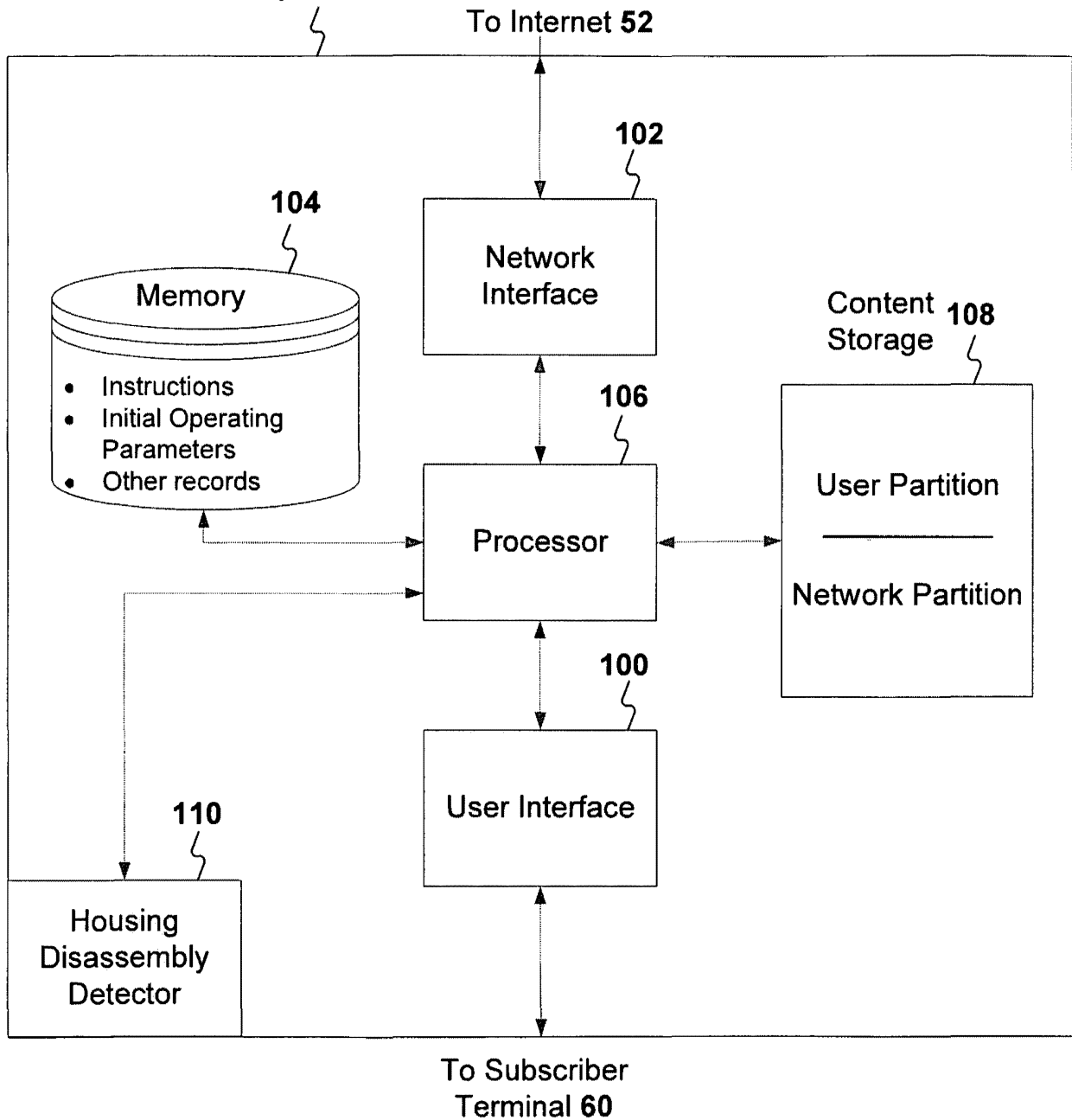
Figure 2

Internet Control Point **50**

To Internet **52**

Network Interfaces ~ **200**

204

Memory

- Instructions
- Other records

Processors ~ **202**
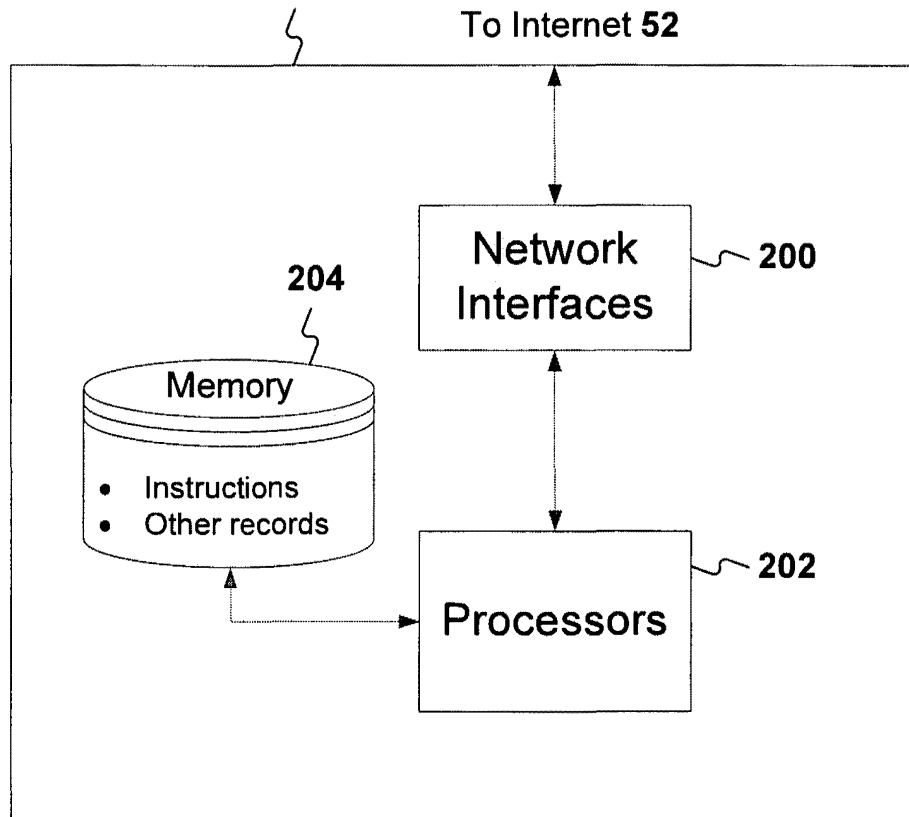
Figure 3

SPA Network Element **54**

To Internet **52**

Figure 4

400

Receive instructions from network

402

Receive network access request from a user

404

Selectively transmit network access request in accordance with received instructions

406

Receive content data responsive to transmitted network access request

Figure 5

500

Receive instructions from
network at subscribing
network units

502

Selectively inhibit access to
content servers by a group
of non-subscribing users in
accordance with received
instructions

Figure 6

Receive, at a first network unit, content distribution instructions from the network — 600

Store a first portion of content data from the network — 602

Initiate a request over the network, in accordance with the instructions and in response to a user request, for the remainder of the content data — 604

Receive the remainder of the content data from the network — 606

Assemble the first portion of content data with the remainder of the content data — 608

Supply the assembled content data to the user — 610

Selectively forward the first portion of content data to a second network unit in accordance with the instructions — 612

Figure 7

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

11/18/2004 CNGUYEN 00000006 10989023

01 FC:2001   395.00 OP
02 FC:2202   855.00 OP
03 FC:2201   1452.00 OP

PTO-1556
(5/87)

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2004

CLAIMS AS FILED - PART I

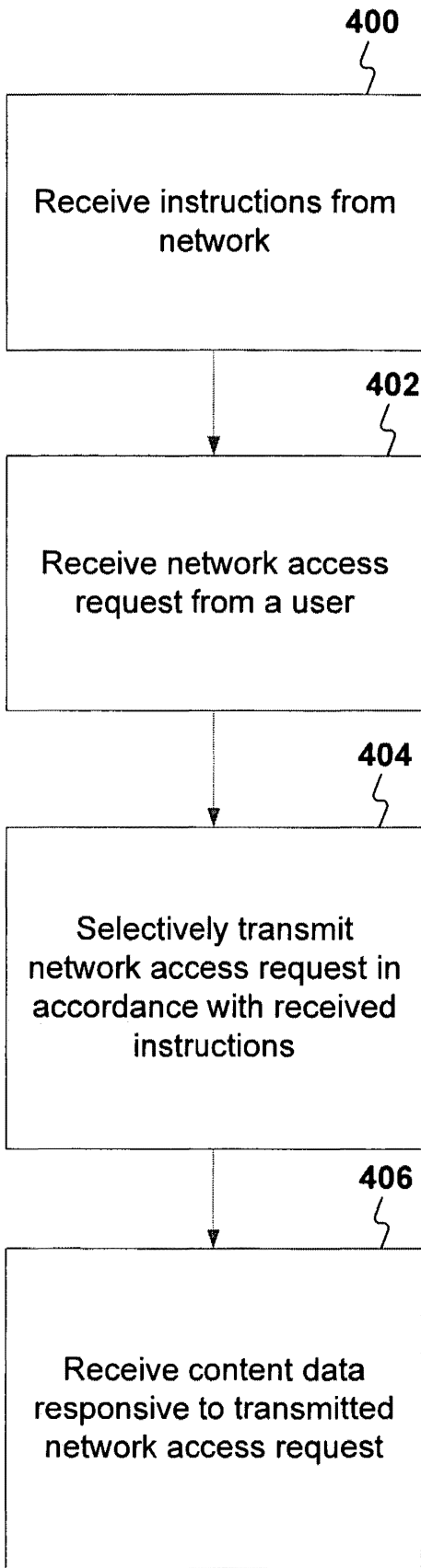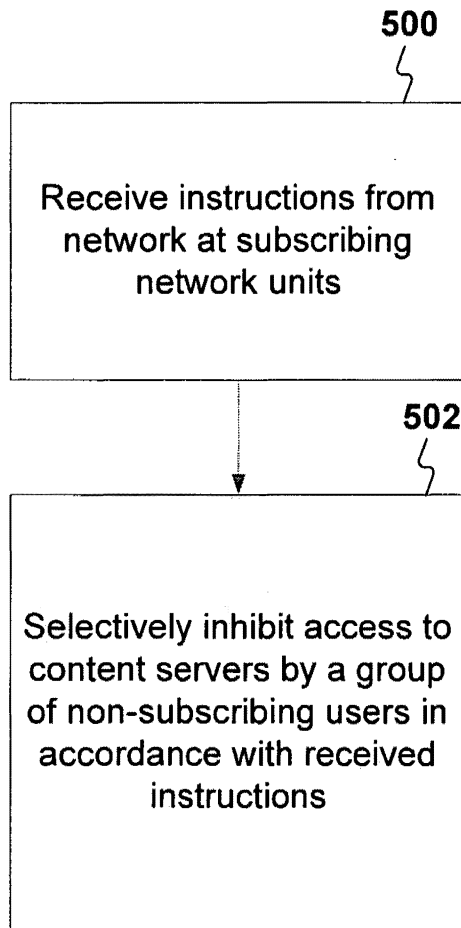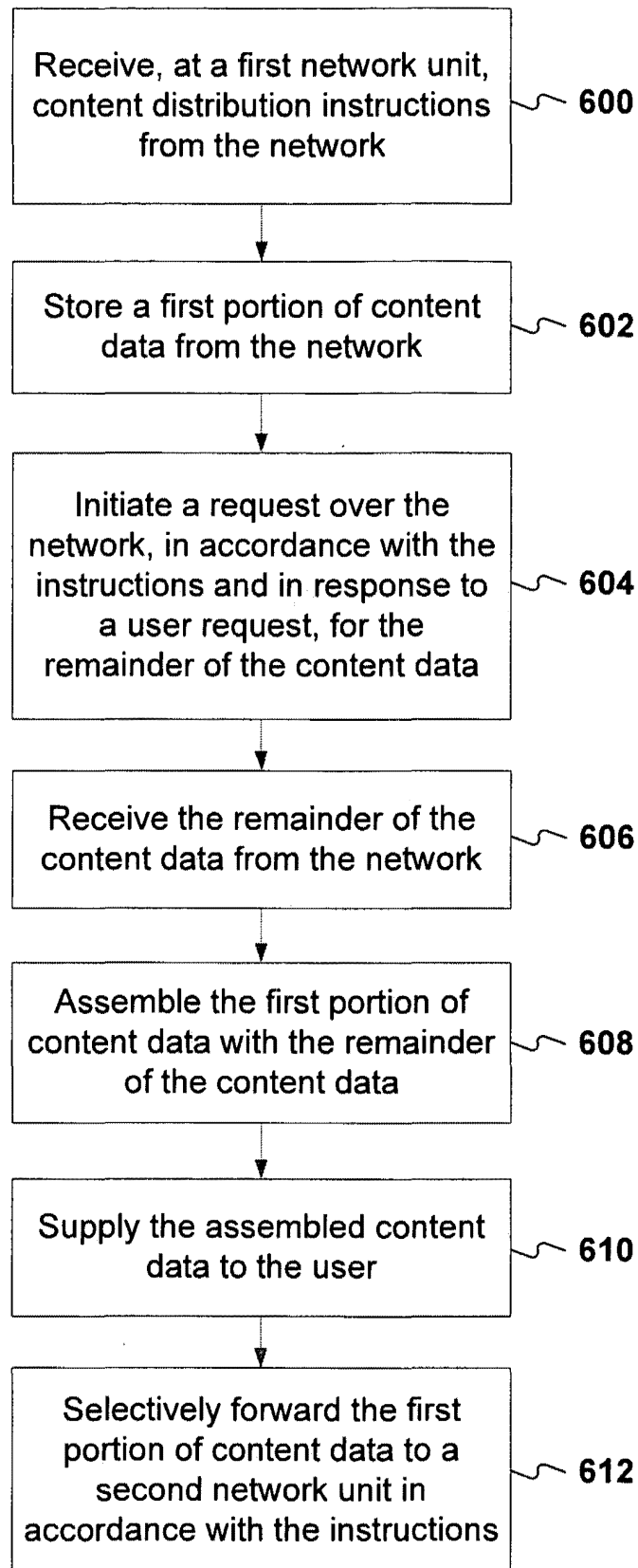|	(Column 1)	(Column 2)
TOTAL CLAIMS	115	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	115 minus 20=	* 95
INDEPENDENT CLAIMS	36 minus 3 =	* 33
MULTIPLE DEPENDENT CLAIM PRESENT		☐

SMALL ENTITY				OTHER THAN SMALL ENTITY	
TYPE ☐		OR			
RATE	FEE			RATE	FEE
BASIC FEE	395.00	OR		BASIC FEE	790.00
X$ 9=	855	OR		X$18=	
X44=	1452	OR		X88=	
+150=		OR		+300=	
TOTAL	2702.	OR		TOTAL	

*If the difference in column 1 is less than zero, enter "0" in column 2

1 49 58 65 66 67 72 77 80 81 82 85
86 87 88 89 90 91 93 94 95 96 97
98 99 100 CLAIMS AS AMENDED - PART II 101 102
105 106 107

CLAIMS AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY				OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE			RATE	ADDITIONAL FEE
X$ 9=		OR		X$18=	
X44=		OR		X88=	
+150=		OR		+300=	
TOTAL ADDIT. FEE		OR		TOTAL ADDIT. FEE	

		(Column 1)		(Column 2)	(Column 3)
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY				OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE			RATE	ADDITIONAL FEE
X$ 9=		OR		X$18=	
X44=		OR		X88=	
+150=		OR		+300=	
TOTAL ADDIT. FEE		OR		TOTAL ADDIT. FEE	

		(Column 1)		(Column 2)	(Column 3)
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY				OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE			RATE	ADDITIONAL FEE
X$ 9=		OR		X$18=	
X44=		OR		X88=	
+150=		OR		+300=	
TOTAL ADDIT. FEE		OR		TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

CONFIRMATION NO. 1874

FORMALITIES LETTER

OC000000014783792

Date Mailed: 12/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

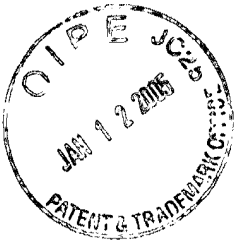Total additional fee(s) required for this application is **$65** for a Small Entity

- **$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Muhueneier Leren

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Robert M. BURKE, II, et al.	) Group Art Unit: 2143
	)
Application No.: 10/989,023	) Examiner: Not yet assigned
	)
Filed: November 16, 2004	)
	)
For: SYSTEM FOR REGULATING	) Confirmation No.: 1874
ACCESS TO AND DISTRIBUTING	)
CONTENT IN A NETWORK	)

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

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of

the Examiner the documents on the attached listing. This Information Disclosure

Statement is being filed within three months of the filing date of the above-referenced

application.

Copies of the U.S. patent documents are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents

and indicate that they were considered by making appropriate notations on the attached

form.

This submission does not represent that a search has been made or that no

better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the

documents as prior art against any claim in the application and Applicants determine

that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the office the relevant facts and law regarding

the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the

patentability of the disclosed invention over the listed documents, should one or more of

the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please

charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 12, 2005   By:_____
                                           Ronald J. Ward
                                           Reg. No. 54,870

-2-

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

			Complete if Known
Application Number			10/989,023
Filing Date			November 16, 2004
First Named Inventor			Robert M. BURKE, II
Art Unit			2143
Examiner Name			Not yet assigned
Attorney Docket Number			09635.0001-00000

Sheet	1	of	1

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials*	Cite No.[1]	Document Number — Number-Kind Code[2] *(if known)*	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,694,429 B1	02/17/2004	KALMANEK, JR. et al.	
		US-2002/0059440 A1	05/16/2002	HUDSON et al.	
		US-2002/0145981 A1	10/10/2002	KLINKER et al.	
		US-2003/0204602 A1	10/30/2003	HUDSON et al.	
		US-2003/0233281 A1	12/18/2003	TAKEUCHI et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document — Country Code[3] Number[4] Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation[6]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation[6]

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

OIPE
FEB 1 5 2005
PATENT & TRADEMARK OFFICE

CONFIRMATION NO. 1874
FORMALITIES LETTER

OC000000014783792

Date Mailed: 12/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **$65** for a Small Entity

- **$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

02/17/2005 BABRAHA1 00000100 10989023

01 FC:2051   65.00 OP

A copy of this notice MUST be returned with the reply.

Milueneser Leser

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Robert M. BURKE, II, et al.	) Group Art Unit: 2143
	)
Application No.: 10/989,023	) Examiner: Unknown
	)
Filed: November 16, 2004	)
	) Confirmation No.: 1874
For: SYSTEM FOR REGULATING	)
ACCESS TO AND DISTRIBUTING	)
CONTENT IN A NETWORK	)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts mailed December 17, 2004,

Applicants submit a Declaration/Power of Attorney for filing in this application, the

required fee of $65.00, and a copy of the Notice to File Missing Parts.

Please associate the enclosed declaration with the application, grant any

extensions of time required to enter this response, and charge any additional required

fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 15, 2005   By: _Ronald W. Ward_

Ronald J. Ward
Reg. No. 54,870

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name; I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK, the specification of which ☐ is attached and/or ☒ was filed on November 16, 2004, as United States Application No. 10/989,023 and Confirmation No. 1874.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			☐ YES ☐ NO
			☐ YES ☐ NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing
60/523,057	November 18, 2003
60/538,370	January 22, 2004
60/563,064	April 16, 2004

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852.**

I hereby declare that all statements 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 false statements may jeopardize the validity of the application or any patent issuing thereon.

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Full Name of First Inventor Robert M. BURKE, II	Inventor's Signature	Date 1-22-05
Residence 21103 Old Well Road, Los Gatos, CA 95033		Citizenship USA
Post Office Address 21103 Old Well Road, Los Gatos, CA 95033		
Full Name of Second Inventor David Z. CARMAN	Inventor's Signature	Date 1-22-05
Residence 350 East Mission Street, #126, San Jose, CA 95112		Citizenship USA
Post Office Address 350 East Mission Street, #126, San Jose, CA 95112		
Full Name of Third Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Fourth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Fifth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Sixth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Eighth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		

June 2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
10/989,023		2143	

Correspondence Address / Fee Address Change

The following fields have been set to Customer Number 22852 on 04/08/2005

• Correspondence Address

The address of record for Customer Number 22852 is:
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON,DC 20001-4413

PATENT
Customer No. 22,852
Attorney Docket No. 09635.0001-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Robert M. BURKE, II, et al.	) Group Art Unit: 2143
	)
Application No.: 10/989,023	) Examiner: Not yet assigned
	)
Filed: November 16, 2004	)
	)
For: SYSTEM FOR REGULATING	) Confirmation No.: 1874
ACCESS TO AND DISTRIBUTING	)
CONTENT IN A NETWORK	)

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

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of

the Examiner the documents on the attached listing. This Supplemental Information

Disclosure Statement is being filed before the mailing date of a first Office Action on the

merits for the above-referenced application.

Applicants attach an English language version of an International Search Report

issued by the U.S. Patent and Trademark Office in a corresponding application citing

these documents and setting forth the relevance thereof. Copies of the U.S. patent

publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 17, 2006   By: _____

Ronald J. Ward
Reg. No. 54,870

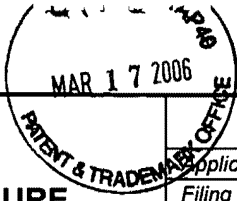| IDS Form PTO/SB/08: Substitute for form 1449A/PTO	**Complete if Known**	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(Use as many sheets as necessary)*	Application Number	10/989,023
	Filing Date	November 16, 2004
	First Named Inventor	Robert M. BURKE, II
	Art Unit	2143
	Examiner Name	Not yet assigned

Sheet	1	of	1	Attorney Docket Number	09635.0001-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,516,416 B2	02-04-2003	GREGG et al.	
		US-2001/0051996 A1	12-13-2001	COOPER et al.	
		US-2002/0169865 A1	11-14-2002	TARNOFF	
		US-2002/0120577 A1	08-29-2002	HANS et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] Number[4] Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation[6]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation[6]
		International Search Report dated January 31, 2006.	

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000	1874

22852   7590   05/05/2009

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
05/05/2009	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.

	Application No.	Applicant(s)
Office Action Summary	10/989,023	BURKE ET AL.
	Examiner	Art Unit	
	SHRIPAL K. KHAJURIA	2446	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *1* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11/16/2004*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-115* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☒ Claim(s) *1-115* are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Claims 1-115 are presented for examination.

2.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

I.   Claims 1-48, 72-75, 65-71, 86-86 and 111-115, drawn to network access regulating, classified in class 709, subclass 225.

II.   Claims 49-57, 91-92, 105, 107-108, drawn to resource access regulating, classified in class 709, subclass 229.

III.   Claims 95-99 drawn to data flow compensating, classified in class 709, subclass 234.

IV.   Claims 58-64, 101-104, 109-110 drawn to data framing, classified in class 709, subclass 236.

V.   Claims 77-79 drawn to condition responsive indication system, classified in class 340, subclass 500.

VI.   Claim 93 drawn to network monitoring, classified in class 709, subclass 224.

VII.   Claim 100 drawn to computer handshaking, classified in class 709, subclass 237.

3.   Inventions **I-VII** are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is

separately usable. In the instant case, **subcombination I** has separate utility such as regulating access to a network. **Subcombination II** has separate utility such as preventing and determining DOS attacks in a network. **Subcombination III** has separate utility such as selectively allowing certain kinds of traffic on a network. **Subcombination IV** has a separate utility such as forwarding selected portions of data in a network. **Subcombination V** has a separate utility such as a sensor detecting when a housing it opened. **Subcombination VI** has a separate utility such as monitoring a network for specific kinds of traffic. **Subcombination VII** has a separate utility such as computer to computer authentication. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

4.   Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

(a) the inventions have acquired a separate status in the art in view of their

different classification;

(b) the inventions have acquired a separate status in the art due to their

recognized divergent subject matter;

(c) the inventions require a different field of search (for example, searching

different classes/subclasses or electronic resources, or employing different

search queries);

(d) the prior art applicable to one invention would not likely be applicable to

another invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C.

101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after

the election, applicant must indicate which of these claims are readable on the elected

invention.

If claims are added after the election, applicant must indicate which of these

claims are readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably

distinct, applicant should submit evidence or identify such evidence now of record

showing the inventions to be obvious variants or clearly admit on the record that this is

the case. In either instance, if the examiner finds one of the inventions unpatentable

over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.

103(a) of the other invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL K. KHAJURIA whose telephone number is

(571)270-5662. The examiner can normally be reached on Monday - Thursday Alt.

Friday, 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. K./
Examiner, Art Unit 2446

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000	1874

22852   7590   06/26/2009
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
06/26/2009	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.

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *1* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 November 2004*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-115* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☐ Claim(s) _____ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☒ Claim(s) *1-115* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Claims 1-115 are presented for examination.

2.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

I.   Claims 1-57, 65-71, 72-76, 80-90, 93,94, 111, 112, and 113-115 drawn to network access regulating, classified in class 709, subclass 225.

II.   Claims 91-92, 105, 107-108, drawn to resource access regulating, classified in class 709, subclass 229.

III.   Claims 95-99 drawn to data flow compensating, classified in class 709, subclass 234.

IV.   Claims 58-64, 101-104, 109-110 drawn to data framing, classified in class 709, subclass 236.

V.   Claims 77-79 drawn to condition responsive indication system, classified in class 340, subclass 500.

VI.   Claim 93 drawn to network monitoring, classified in class 709, subclass 224.

VII.   Claim 100 drawn to computer handshaking, classified in class 709, subclass 237.

3.   Inventions **I-VII** are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, **subcombination I** has separate utility such as regulating access to a network. **Subcombination II** has separate utility such as preventing and determining DOS attacks in a

network. **Subcombination III** has separate utility such as selectively allowing certain kinds of traffic on a network. **Subcombination IV** has a separate utility such as forwarding selected portions of data in a network. **Subcombination V** has a separate utility such as a sensor detecting when a housing it opened. **Subcombination VI** has a separate utility such as monitoring a network for specific kinds of traffic. **Subcombination VII** has a separate utility such as computer to computer authentication. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

4. Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above <u>and</u> there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

    (a) the inventions have acquired a separate status in the art in view of their different classification;

    (b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;

(c) the inventions require a different field of search (for example, searching different

classes/subclasses or electronic resources, or employing different search queries);

(d) the prior art applicable to one invention would not likely be applicable to another

invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101

and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include

(i) an election of a invention to be examined even though the requirement may be traversed (37

CFR 1.143) **and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to

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election without traverse. Traversal must be presented at the time of election in order to be

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petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate

which of these claims are readable on the elected invention.

If claims are added after the election, applicant must indicate which of these claims are

readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably distinct,

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inventions to be obvious variants or clearly admit on the record that this is the case. In either

instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence

or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL K. KHAJURIA whose telephone number is (571)270-

5662. The examiner can normally be reached on Monday - Thursday Alt. Friday, 7:30AM-

5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for the

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Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2446

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Robert M. BURKE II et al.	)	Group Art Unit: 2446
	)	
Application No.: 10/989,023	)	Examiner: Shripal K. KHAJURIA
	)	
Filed: November 16, 2004	)	
	)	Confirmation No.: 1874
For: SYSTEM FOR REGULATING ACCESS	)	
TO AND DISTRIBUTING CONTENT IN	)	
A NETWORK	)	

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

Sir:

RESPONSE TO SUPPLEMENTAL RESTRICTION REQUIREMENT

In a supplemental restriction requirement dated June 26, 2009, the Examiner

required restriction under 35 U.S.C. § 121 between the following groups of claims:

Group I: Claims 1-57, 65-71, 72-76, 80-90, 93-94, and 111-115 are drawn to network access regulating, classified in class 709, subclass 225.

Group II: Claims 91-92, 105, and 107-108 are drawn to resource access regulating, classified in class 709, subclass 229.

Group III: Claims 95-99 are drawn to data flow compensating, classified in class 709, subclass 234.

Group IV: Claims 58-64, 101-104, and 109-110 are drawn to data framing, classified in class 709, subclass 236.

Group V: Claims 77-79 are drawn to condition responsive indication system, classified in class 340, subclass 500.

Group VI: Claim 93 is drawn to network monitoring, classified in class 709, subclass 224.

Group VII: Claim 100 is drawn to computer handshaking, classified in class 709, subclass 237.

I. Interview of June 15, 2009

Applicant appreciates the courtesy extended to Applicant's representatives during the interview of June 15, 2009. During the interview, the Examiner acknowledged that claim 106 was inadvertently not included in the proposed claim groupings I-VII listed in the restriction requirement dated May 5, 2009. The Examiner did agree that claim 106 should be placed in Group IV. Applicant notes that in the restriction requirement dated June 26, 2009, claim 106 remains unassigned to any of the proposed claim groupings. Based on the interview of June 15, 2009, Applicant assumes that Group IV includes claim 106. If this assumption is not true, Applicant respectfully requests that the Examiner contact his representatives to clarify.

II. Election

Applicant provisionally elects to prosecute Group I, claims 1-57, 65-71, 72-76, 80-90, 93-94, and 111-115, drawn to network access regulating. Applicant makes this election without traverse.

III. Conclusion

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 10, 2009   By: _____

Aaron J. Capron
Reg. No. 56,170
(650) 849-6600

2

Electronic Acknowledgement Receipt

EFS ID:	5683857
Application Number:	10989023
International Application Number:	
Confirmation Number:	1874
Title of Invention:	System for regulating access to and distributing content in a network
First Named Inventor/Applicant Name:	Robert M. Burke
Customer Number:	22852
Filer:	Darrell Dean Kinder/Annie Wong
Filer Authorized By:	Darrell Dean Kinder
Attorney Docket Number:	09635.0001-00000
Receipt Date:	10-JUL-2009
Filing Date:	16-NOV-2004
Time Stamp:	19:40:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Response to Election / Restriction Filed	Response_Supp_Restriction_Requirement_10Jul2009_10989023.pdf	66232 e38bd916974a56733d739df7999a779c862424ba	no	2

Warnings:	
Information:	

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000	1874

22852   7590   10/26/2009
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
10/26/2009	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.

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
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- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>10 July 2009</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-57,65-76,80-90,93,94 and 111-115</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-57,65-76,80-90,93,94 and 111-115</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>16 November 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>1/12/05; 3/17/06</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Applicant has chosen Group I, claims 1-57, 65-71, 72-76, 80-90, 93-94 and 111-

115.

It is noted that claim 106 belongs to Group IV.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claim 45 recites the limitation "the flow" which is dependent on claim 1. Claim 1

makes no mention of a network flow but rather "content data". There is insufficient

antecedent basis for this limitation in the claim. Dependent claims 46-48 also discuss

flow however also lack antecedent basis.

Claim Rejections - 35 USC § 102

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.   Claims 1-16, 20, 23-27,31-35,37, 39-57, 67-76, 82, 93, 112, and 115 are rejected

under 35 U.S.C. 102(b) as being anticipated by Gregg et al US (6,516,416).

    a.   Regarding claim 1, Gregg et al teaches a system for regulating access to

    a network (see column 1 lines 58-67), the system comprising: a controller node

    coupled to the network (see administration software 32 in Fig. 1), the controller

    node comprising: a first processor for generating controller instructions (see

    column 5 lines 3-6); and a first network interface for transmitting the controller

instructions over the network (see column 4 lines 63-67 and column 5 lines 1-6

and LAN 40); and a plurality of gateway units (see subscriber software 36 and

Fig. 30), the gateway units comprising: a user interface receiving user-entered

network access requests (see column 5 lines 32-55); a second network interface

coupled to the network and receiving the controller instructions from the network

(see column 6 lines 25-30); and a second processor, the second processor

selectively transmitting at least some of the network access requests over the

network in accordance with the controller instructions (see column 20 lines 14-20

and blocks 330, 332, and 334 in Fig. 24), and transferring content data

responsive to the transmitted network access requests over the network via the

second network interface (see column 20 lines 14-18 and block 332 in Fig. 24

and Fig.2).

b.   Regarding claim 2, Gregg et al teaches wherein: the gateway units further

comprise a storage device for storing instructions (see Fig. 3 and access key 54);

the gateway units further comprise an identifier uniquely associating the gateway

units with a user (see column 7 lines 48-65); and the storage device is operable

to store user-specific information (see Fig. 3 and access key 54 and column 8

lines 33-38).

c.   Regarding claim 3, Gregg et al teaches wherein: the gateway units

comprise a user interface receiving requests to transmit data (see column 5 lines

32-55); and the gateway units comprise a second processor inspecting the data

to selectively transfer the data in accordance with the controller instructions (see

column 6 lines 25-32).

d.   Regarding claim 4, Gregg et al teaches wherein: the gateway units

comprise a user interface receiving requests to receive data (see column 5 lines

32-55); and the gateway units comprise a second processor inspecting the data

to selectively transfer the data in accordance with the controller instructions (see

column 6 lines 25-32).

e.   Regarding claim 5, Gregg et al teaches wherein the first processor

generates the controller instructions automatically (see column 5 lines 3-6).

f.   Regarding claim 6, Gregg et al teaches wherein the first processor

generates the controller instructions in response to an operator-entered request

(see column 5 lines 3-6).

g.   Regarding claim 7, Gregg et al teaches wherein the controller nodes

comprise a first processor generating the controller instructions by operator-

controlled network crawling (see column 5 lines 3-6).

h.   Regarding claim 8, Gregg et al teaches wherein the controller nodes

comprise a first processor generating the controller instructions to deny user

access to a first group of network servers (see column 18 lines 13-29 and Fig. 20

block 206).

i.   Regarding claim 9, Gregg et al teaches wherein the gateway units

comprise a second processor to generate a notification to a controller node if a

network access request designates a network server of the first group of network servers (see Fig 8 and block 162 and column 17 lines 48-53).

j.   Regarding claim 10, Gregg et al teaches wherein the gateway units comprise a second processor to: detect a network access request designating a network server a first group of network servers (see Fig. 21 block 250 and column 18 lines 61-64); and re-direct the access request to a second group of network servers (see Fig. 21 block 264 and column 19 lines 4-8), in accordance with the controller instructions.

k.   Regarding claim 11, Gregg et al teaches wherein: the controller nodes comprise a first processor generating the controller instructions (see column 5 lines 3-6), the controller instructions including a file identifier (see column 5 lines 52-55); and the system comprises a plurality of gateway units associated with a user file system (see subscriber software 36 and Fig. 30), the gateway units comprising a second processor to detect a file in a user file system corresponding to the file identifier (see column 11 lines 58-65).

l.   Regarding claim 12, Gregg et al teaches wherein the gateway units are operable between an active state (see column 13 lines 1-3) and an inactive state (see column 12 lines 41-46).

m.   Regarding claim 13, Gregg et al teaches wherein the second processors notify a controller node if the associated gateway unit enters an inactive state (see column 12 lines 41-46).

n.   Regarding claim 14 Gregg et al teaches wherein the second processors

delete the detected files from a user file system in accordance with the controller

instructions (see column 12 lines 60-62).

o.   Regarding claim 15, Gregg et al teaches wherein the second processors

delete the detected files from a user file system during the inactive state (see

column 12 lines 60-62).

p.   Regarding claim 16, Gregg et al teaches wherein the gateway units notify

a controller node if a file corresponding to the file identifier is detected (see

column 2 lines 9-18).

q.   Regarding claim 20, Gregg et al teaches wherein the gateway units

comprise a second processor that enters a user-controlled operational mode

after receiving permission from the controller node (see column 26 lines 50-66).

r.   Regarding claim 23, Gregg et al teaches wherein the second processor

causes the gateway unit to access a predetermined network site upon initiation of

network browser software, in accordance with the controller instructions (see Fig.

1 and Fig. 2).

s.   Regarding claim 24, Gregg et al teaches wherein the second processor

selects the predetermined network site from a list of predetermined network sites

received via the controller instructions (see Fig. 1 and Fig. 2 and column 5 lines

32-55).

t.   Regarding claim 25, Gregg et al teaches wherein the second processor

selects the predetermined network site according to a weighting function such

that at least a portion of the predetermined network sites are selected more often
than others (see Fig. 1 and Fig. 2 and column 5 lines 32-55).

u.   Regarding claim 26, Gregg et al teaches wherein the gateway units:
receive registration information from a user via the user interface; and receive
initial operating parameters via the second network interface (see Fig. 2).

v.   Regarding claim 27, Gregg et al teaches wherein the gateway units:
receive registration information from a user via the user interface; and receive
software updates via the second network interface (see Fig. 2).

w.   Regarding claim 31, Gregg et al teaches wherein the gateway units
receive software via the second network interface for execution on the second
processor, the software enabling at least one of a fee-based network service,
network video calling, and network gaming (see Fig. 24 and blocks 332 and 336).

x.   Regarding claim 32, Gregg et al teaches wherein the second processor
detects a denial-of-service attack (see Fig. 18 block 176).

y.   Regarding claim 33, Gregg et al teaches wherein the second processor
detects a denial-of-service attack initiated by a virus (see Fig. 18 block 176).

z.   Regarding claim 34, Gregg et al teaches wherein the gateway units
selectively transmit to law enforcement terminals information describing at least
one of incoming data and outgoing data to the gateway units (see fig 18 blocks
168 and 170, and Fig. 23 steps 310, 324 and 326).

aa.   Regarding claim 35, Gregg et al teaches the system of claim 1, wherein
the gateway units: detect a user attempt to at least one of transmit and receive

voice traffic; and selectively block the detected attempt in accordance with the controller instructions (see Fig. 24 blocks 330, 332 and Fig. 18 block 176).

bb.   Regarding claim 37 Gregg et al teaches the system of claim 1, wherein the gateway units: detect a user attempt to at least one of transmit and receive at least one of audio and video traffic; and selectively block the detected attempt in accordance with the controller instructions (see Fig. 24 blocks 330, 332 and Fig. 18 block 176).

cc.   Regarding claim 39, Gregg et al teaches the system of claim 1, wherein the gateway units: detect at least one of audio and video traffic flowing through the second network interface (see Fig. 12 and Fig. 24 blocks 330 and 332); and selectively reduce the quality of service of the at least one of audio and video traffic in accordance with the controller instructions , wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic (see fig. 21 block 268).

dd.   Regarding claim 40, Gregg et al teaches further comprising a plurality of access nodes (see subscriber software 36 and Fig. 2), wherein the controller node comprises a first processor for generating authorization instructions and transmitting the authorization instructions over the network to the access nodes (see Subscription Host 34 and Fig. 2), and the access nodes: receive the authorization instructions from the controller node (see Fig. 1); and selectively

permit the gateway units to access the network in accordance with the

authorization instructions (see Fig.2).

ee.   Regarding claim 41, Gregg et al teaches the system of claim 1, wherein

the gateway units comprise data storage units partitioned into a network portion

and a user portion, and at least one of a first group of gateway units selectively

shares data stored in the network partition with at least one of a second group of

gateway units, via the second network interface, in accordance with the controller

instructions (see column 8 lines 20-67).

ff.   Regarding claim 42, Gregg et al teaches the system of claim 1, wherein

the second processor in at least a first one of the gateway units selectively

forwards content data received from at least a second one of the gateway units

to at least a third one of the gateway units in accordance with the controller

instructions (see Fig. 2 and column 6 lines 17-32).

gg.   Regarding claim 43, Gregg et al teaches the system of claim 42 wherein

the second processor in at least a first one of the gateway units: receives

portions of a content data file from a group of gateway units in accordance with

the controller instructions (see fig. 2 and column 6 lines 27-30); and assembles a

data file based on the received portions for transmission to the user via the user

interface (See fig. 2).

hh.   Regarding claim 44, Gregg et al teaches the system of claim 1, further

comprising an intervention node, the intervention node comprising: an operator

interface for receiving operator-entered spoofing attack instructions; and a third

network interface for transmitting at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions (see Fig. 18).

ii.   Regarding claim 45, Gregg et al teaches the system of claim 1, further comprising network units (see fig. 2 item 36), the network units comprising: a network interface coupled to the network and receiving the controller instructions from the network and network traffic from a gateway unit (see fig. 2 item 34); and a processor for selectively reducing the flow of the received network traffic in accordance with the controller instructions (see fig. 2, if the user does not meet access rights, they are denied access).

jj.   Regarding claim 46, Gregg et al teaches the system of claim 45, wherein the network units: detect the flow of voice traffic (see Fig.2); and selectively block the detected traffic in accordance with the controller instructions (see Fig. 2).

kk.   Regarding claim 47, Gregg et al teaches the system of claim 45, wherein the network units: detect the flow of at least one of audio and video traffic; and selectively block the detected traffic in accordance with the controller instructions (see fig. 2 and fig. 3).

ll.   Regarding claim 48, Gregg et al teaches the system of claim 45, wherein the network units: detect the flow of at least one of audio and video traffic (see fig. 2 and fig. 3); and selectively reduce the quality of service of the detected at least one of audio and video traffic in accordance with the controller instructions (see fig. 2 and fig. 3), wherein the reduction of quality of service comprises at least one of: reducing a duty cycle (see fig. 2 and fig. 3), inserting TCP/IP

messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in

the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at

least one of audio and video traffic (see fig. 2 and fig. 3).

mm.   Regarding claim 49, Gregg et al teaches A system for regulating access

to a network that is accessed by a plurality of users (see column 1 lines 58-67),

the system comprising: a controller node coupled to the network (see

subscription host 34 and Fig. 1 and Fig. 2 and LAN 40), the controller node

comprising: a first processor for generating controller instructions (see column 5

lines 3-6 and Fig. 1 and Fig. 2); and a first network interface for transmitting the

controller instructions over the network Fig. 1 and Fig. 2 and LAN 40); and a

plurality of network units associated with a first group of users (see column 6

lines 7-16 and Fig. 1 and Fig. 2), the network units comprising: a second network

interface coupled to the network and receiving the controller instructions from the

network (see Fig. 2); and a second processor (see Fig. 2 and ISA clearing house

30), the second processor inhibiting access for a second group of users to

content in the network in accordance with the controller instructions (see Fig. 2).

nn.   Regarding claim 50, Gregg et al teaches wherein the second processor in

the network units inhibits access for a second group of users by performing

denial of service attacks in accordance with the controller instructions (see Fig.

18 block 176).

oo.   Regarding claim 51, Gregg et al teaches the system of claim 50, wherein

the second processor performs attacks based on a schedule comprising at least

one of: a schedule based on duration of the attacks; real time response to controller instructions; and in response to an event (see Fig. 18).

pp.   Regarding claim 52, Gregg et al teaches wherein at least a portion of the network units comprise gateway units uniquely associated with a user (see column 6 lines 17-32).

qq.   Regarding claim 53, Gregg et al teaches the system of claim 52, wherein the gateway units: are operable between an active state and an inactive state (see column 13 lines 1-3 and column 12 lines 41-46); and perform denial of service attacks, in accordance with the controller instructions, during the inactive state (see Fig. 18 block 176).

rr.   Regarding cliam 54, Gregg et al teaches the system of claim 49, wherein the second processor detects a denial-of-service attack (see Fig. 18 block 176).

ss.   Regarding claim 55, Gregg et al teaches the system of claim 54, wherein the second processor detects a denial-of-service attack initiated by a virus (see Fig. 18 block 176).

tt.   Regarding claim 56 Gregg et al teaches, the system of claim 54, wherein the second processor prevents a denial-of-service attack upon detection (see Fig. 18 block 176).

uu.   Regarding claim 57, Gregg et al teaches, the system of claim 49, wherein the network units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units (see fig 18 blocks 168 and 170, and Fig. 23 steps 310, 324 and 326).

vv.   Regarding claim 67, Gregg et al teaches a controller node for regulating

access to a network (see Fig. 2), the controller node comprising: a processor to

generate controller instructions for causing a plurality of gateway units to

selectively transfer user-entered network access requests over the network (see

fig. 2), the processor generating the controller instructions by at least one of

automatically generating instructions and generating instructions in response to

an operator-entered request (see fig. 2); and a network interface to transmit the

controller instructions over the network to the plurality of gateway units (see Fig.

2).

ww.   Regarding claim 68, Gregg et al teaches the controller node of claim 67,

comprising a processor to generate the controller instructions by operator-

controlled network crawling see column 5 lines 3-6.

xx.   Regarding claim 69, Gregg et al teaches a controller node for regulating

access to a network comprising: a processor to generate controller instructions

(see Fig. 2); and a network interface to transmit the controller instructions over

the network to a plurality of gateway units (see Fig. 2), the controller instructions

causing at least one gateway unit to deny access to a first group of network

servers (see Fig. 2).

yy.   Regarding claim 70, Gregg et al teaches the controller node of claim 69,

wherein the network interface receives notification from at least one gateway unit

if the at least one gateway unit detects a request to access a denied network

server (see column 6 line 17-32).

zz.   Regarding claim 71, Gregg et al teaches the controller node of claim 69, wherein the processor generates instructions causing a gateway unit to re-direct user access requests to a second group of network servers in accordance with the controller instructions (see column 8 lines 10-13).

aaa.   Regarding claim 72, Gregg et al teaches A system for regulating file access in a network, the system comprising: a controller node coupled to the network (see Fig. 2), the controller node comprising: a first processor for generating controller instructions (see Fig. 2), the instructions including a file identifier; and a first network interface for transmitting the controller instructions over the network (see Fig. 2); and a plurality of gateway units associated with user file systems (see column 6 lines 7-16 and Fig. 1 and Fig. 2), the gateway units comprising a second network interface to receive the controller instructions from the network (see Fig. 2); and a second processor to detect files in the user file systems corresponding to the file identifier (see Fig. 2).

bbb.   Regarding claim 73, Gregg et al teaches the system of claim 72, comprising a plurality of gateway units operable between an active state and an inactive state (see column 12 lines 41-50).

ccc.   Regarding claim 74, Gregg et al teaches the system of claim 73, wherein the gateway units notify a controller node upon entering the inactive state (see column 19 lines 25-28).

ddd.   Regarding claim 75, Gregg et al teaches the system of claim 73, wherein

the gateway units comprise a processor to delete the detected files during the

inactive state (see column 12 lines 60-62).

eee.   Regarding claim 76, Gregg et al teaches the system of claim 72, wherein

the plurality of gateway units notify a controller node if at least one file matching

the list of file identifiers is detected (see column 8 lines 39-53).

fff.   Regarding claim 82, Gregg et al teaches a gateway unit for regulating

access to a network comprising: a network interface for providing access to the

network and for receiving controller instructions from the network (see fig. 2); a

user interface for transferring content between the network and a user (see fig.

2); and a processor for connecting to a predetermined network site upon initiation

of network browser software, in accordance with the received controller

instructions (see column 8 line 9-19).

ggg.   Regarding claim 93, Gregg et al teaches a gateway unit for regulating

access to a network comprising (see Fig. 2 and subscription access server 34): a

network interface to provide access to the network and to receive controller

instructions (see column 6 lines 17-32); a user interface to transfer incoming data

and outgoing data between a user and the network interface (see Fig. 2 and

column 6 lines 17-32); and a processor to selectively transmit to law enforcement

terminals information describing at least one of the incoming data and the

outgoing data in accordance with the received controller instructions (see fig 18

blocks 168 and 170, and Fig. 23 steps 310, 324 and 326).

hhh.   Regarding claim 112, Gregg et al teaches a network unit associated with a

first group of users for regulating access to a network (see column 1 lines 58-67),

the network unit comprising: a network interface coupled to the network and

receiving controller instructions from a controller node associated with the first

group of users(see column 4 lines 63-67 and column 5 lines 1-6 and LAN 40);

and a processor, the processor inhibiting access for a second group of users to

content in the network in accordance with the controller instructions (see Fig. 2).

iii.   Regarding claim 115, Gregg et al teaches a controller node for regulating

access to a network (see Fig. 2), the controller node comprising: a processor for

generating controller instructions (see Fig. 2); and a network interface for

transmitting the controller instructions over the network to network units

associated with a first group of users (see Fig. 2), the controller instructions being

configured to cause the network units to inhibit access for a second group of

users to content in the network (see Fig. 2).

2.   Claims 65, 66, 80, 85, 86, 90, 111, 113 and 114 are rejected under 35

U.S.C. 102(b) as being anticipated by Hans et al US (20020120577).

jjj.   Regarding claim 65, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11) comprising: a user interface to receive requests to transmit data

(see paragraph [0022]); a network interface to receive controller instructions from

the network (see paragraph [0026]); and a processor to inspect the data and to

selectively transmit the data in accordance with the received controller

instructions (see Fig. 5 and paragraph [0029]).

kkk.   Regarding claim 66, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11) comprising: a user interface to receive requests to receive data

(see fig. 5 box 88); a network interface to receive controller instructions from the

network (see fig. 5, box 94); and a processor to inspect the data and selectively

receive the data in accordance with the received controller instructions (see Fig.

5 box 90, 92, 96 and 98).

lll.   Regarding claim 80, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11), comprising: a network interface for providing access to the network

(see paragraph [0026]); a user interface to receive user-entered network access

requests (see paragraph [0028]); and a processor that enters a user-controlled

operational mode after receiving permission over the network from a controller

node via the network interface (see paragraph [0028]).

mmm. Regarding claim 85, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11) comprising: a network interface to provide access to the network

(see paragraph [0026]); a user interface to transfer content between the network

and a user (see Fig. 5, box 98); and a processor to gather registration

information from the user via the user interface and to receive initial operating

parameters via the network interface (see paragraph [0028]).

nnn.   Regarding claim 86, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11) comprising: a network interface to provide access to the network

(see paragraph [0026]); a user interface to transfer content between the network

and a user (see Fig. 5, box 98); and a processor to gather registration

information from the user via the user interface and to receive software updates

via the network interface (see paragraph [0028]).

ooo.   Regarding claim 90, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11) comprising: a network interface to provide access to the network

and to receive software from the network (see Fig. 5, box 98); a user interface to

transfer content between the network and a user (see Fig. 5, box 98); and a

processor to execute the software to enable the user to use, via the user

interface, at least one of a fee-based network service, network video calling, and

network gaming (see paragraph [0028]).

ppp.   Regarding claim 111, Hans et al teaches a gateway unit for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11), the gateway unit comprising: a user interface receiving user-

entered network access requests (see Fig. 5 box 96); a network interface

coupled to the network and receiving controller instructions from a controller

node in the network (see paragraph [0026]); and a processor, the processor

selectively transmitting at least some of the network access requests over the

network in accordance with the controller instructions (see Fig. 5 box 90, 92 and

94), and transferring content data responsive to the transmitted network access

requests over the network via the network interface (see Fig. 5 box 98).

qqq.   Regarding claim 113, Hans et al teaches a controller node for regulating

access to a network (see Fig. 1 and content management node 10 and content

manager 11), the controller node comprising: a processor for generating

controller instructions (see paragraph [0026]); and a network interface for

transmitting the controller instructions over the network (see paragraph [0026]),

the controller instructions being configured to cause a user-associated gateway

unit to selectively transmit over the network at least some user-entered network

access requests (see Fig. 5 boxes 90, 92, 94 and 98).

rrr.   Regarding claim 114, Hans et al teaches further comprising a content

server for providing content data in response to the user-entered network access

requests (see Fig. 5 and box 96).

3.   Claim 81 is rejected under 35 U.S.C. 102(b) as being anticipated by Cooper et al

US (20010051996).

sss.   Regarding claim 81, Cooper et al teaches a controller node for regulating

file access in a network (see abstract), comprising a copyright registry and a

processor (see copyright registry 234 and Fig. 2), wherein the processor:

receives registrations of content data files distributed to a plurality of gateway

units; and tracks copyright status of the content data files (see paragraphs

[0094]-[0099]).

Claim Rejections - 35 USC § 103

4.   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 negatived by the manner in which the invention was made.

5.   Claims 21, 22, 28, 36 and 38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gregg et al US (6,516,416) and in further view of Cooper et al. US

(20010051966).

> ttt.   Regarding claim 21, Gregg et al teaches all the limitations of claim 1 from
>
> which claim 21 depends on. However Gregg fails to explicitly teach a copyright
>
> registry as further recited in the claim. Conversely Cooper et al teaches such a
>
> limitation; wherein the controller node comprises a copyright registry for tracking
>
> copyright status of content data files distributed to gateway units in the system
>
> (see Fig. 2, copyright registry 234 and paragraph [0094]). Therefore it would
>
> have been obvious to a person of ordinary skill in the art at the time the invention
>
> was made to have combined the teachings of Gregg et al with the copyright
>
> registry as taught by Cooper et al. The motivation for this would have been to
>
> allow users to register their copyrighted content for tracking purposes.

uuu.   Regarding claim 22, Cooper et al further teaches wherein the user

interface receives registrations of the content data files for transmission to the

copyright registry (see Fig. 2, copyright registry 234 and paragraphs [0094]-

[0099]).

vvv.   Regarding claim 28, Gregg et al teaches the limitations of claim 1 from

which claim 28 depends on. However Gregg et al fails to explicitly teach

customized advertising as further recited in the claim. Conversely Cooper

teaches such a limitation; wherein: the gateway units transmit advertising via the

user interface to a user display, the advertising being customized in accordance

with information received via at least one of the second network interface and the

user interface (see paragraph [0177]). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Gregg et al with the customized advertisements as

taught by Cooper et al. The motivation for this would have been to target the user

with advertisements that would be of interest.

www. Regarding claim 36, Gregg et al teaches the limitations of claim 1 from

which claim 36 depends on. However Gregg et al fails to explicitly teach

customized advertising as further recited in the claim. Conversely Cooper

teaches such a limitation; wherein the gateway units transmit, via the user

interface, an advertisement offering voice transmission services (see paragraph

[0177]). Therefore it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to have combined the teachings of Gregg

et al with the customized advertisements as taught by Cooper et al. The

motivation for this would have been to target the user with advertisements that

would be of interest.

xxx.   Regarding claim 38, Gregg et al teaches the limitations of claim 1 from

which claim 38 depends on. However Gregg et al fails to explicitly teach

customized advertising as further recited in the claim. Conversely Cooper

teaches such a limitation; wherein the gateway units transmit, via the user

interface, an advertisement offering at least one of audio and video traffic

services (see paragraph [0177]). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Gregg et al with the customized advertisements as

taught by Cooper et al. The motivation for this would have been to target the user

with advertisements that would be of interest.

6.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gregg et al US (6,516,416) and in further view of Harvey et al US (20050033990).

yyy.   Regarding claim 17, Gregg et al teaches all the limitations of claim 1 from

which claim 17 depends on. However Gregg et al fails to explicitly teach a

housing detector as further reicted in the claims. Conversely Harvey et al

teaches such a limitation; wherein the gateway units comprise: a housing; and a

detector for detecting an attempt to open the housing (see paragraph [0108]).

Therefore it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have combined the teachings of Gregg et al with

the housing tamper detector as taught by Harvey et al. The motivation for this

would have been to enhance the security features of a network node.

zzz.   Regarding claim 18, Harvey et al further teaches wherein the gateway unit

notifies the controller node of a detected attempt to open the housing after a

user-initiated event (see paragraph [0108]).

aaaa. Regarding claim 19, Harvey et al further teaches wherein the gateway

units comprise a storage device and the second processor prevents access to

the storage device when the detector detects an attempt to open the housing

(see paragraph [0108]).

7.   Claims 94 and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Gregg et al US (6,516,416) and in further view of Hudson et al US (20020059440).

bbbb. Regarding claim 94, Gregg et al teaches a gateway unit for regulating

access to a network comprising: a network interface to provide access to the

network and to receive controller instructions (see fig. 2 and column 6 lines 17-

32); a user interface to transfer traffic between the network and a user (see Fig.

2); and a processor to detect a user attempt to at least one of transmit and

receive voice traffic over the network, the processor selectively blocking the

detected attempt in accordance with the received controller instructions and

transmitting, via the user interface (see Fig. 24 blocks 330, 332 and Fig. 18 block

176). However Gregg et al fails to teach an advertisement as further recited in

the claim. Conversely Hudson et al teaches such a limitation; an advertisement

offering voice transmission services (see paragraph [0036] and Fig. 2 advertising

content files 66). Therefore it would have been obvious to a person of ordinary

skill in the art at the time the invention was made to have combined the teachings

of Gregg et al and the advertisement offering voice transmission services as

taught by Hudson et al. The motivation for this would have been only show the

user advertisements related to there activities on the network.

cccc. Regarding claim 87 Gregg et al teaches A gateway unit for regulating

access to a network comprising: a network interface to receive information from

the network (see fig. 2 and column 6 lines 17-32); a user interface to receive

information from a user (see Fig. 2). However Gregg et al fails to teach an

advertisement as further recited in the claim. Conversely Hudson et al teaches

such a limitation; and a processor to transmit advertising via the user interface to

a user display, wherein the advertising is customized in accordance with

information received via at least one of the network interface and the user

interface (see paragraph [0036] and Fig. 2 advertising content files 66).

Therefore it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have combined the teachings of Gregg et al and

the advertisement offering voice transmission services as taught by Hudson et al.

The motivation for this would have been only show the user advertisements

related to there activities on the network.

8.   Claims 29, 30, 88 and 89 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gregg et al US (6,516,416) and in further view of Tarnoff US

(20020169865).

>   dddd. Regarding claim 29, Gregg et al teaches all the limitations of claim 1 from
>
>   which claim 29 depends on. However Gregg et al fails to explicitly teach pay-
>
>   per-view advertising as further recited in the claim. Conversely Tarnoff teaches
>
>   such a limitation; wherein the gateway units: transmit pay-per-view advertising
>
>   via the user interface for selective display by a user; and generate payment
>
>   credits for the user upon display of the advertising by the user (see paragraph
>
>   [0224]). Therefore it would have been obvious to a person of ordinary skill in the
>
>   art at the time the invention was made to have combined the teachings of Gregg
>
>   et al with the pay-per-view advertising as taught by Tarnoff. The motivation for
>
>   this would have been to induce impulse buys for customers searching for things
>
>   related to the pay-per-view content.
>
>   eeee. Regarding claim 30, Tarnoff further teaches wherein the gateway units
>
>   generate one of a plurality of viewing modes for viewing the pay-per-view
>
>   advertising in response to a user selection (see paragraph [0174]).
>
>   ffff.   Regarding claim 88, Gregg et al teaches a gateway unit for regulating
>
>   access to a network comprising: a network interface to provide access to the
>
>   network and to receive pay-per-view advertising from the network (see Fig. 2); a
>
>   user interface to transfer content between the network and a user (see Fig. 2 and
>
>   column 6 lines 17-32); However Gregg et al fails to explicitly teach pay-per-view

advertising as further recited in the claim. Conversely Tarnoff teaches such a limitation; and a processor to transmit the pay-per-view advertising via the user interface for selective display by a user and to generate payment credits to the user upon display of the advertising by the user (see paragraph [0224]). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Gregg et al with the pay-per-view advertising as taught by Tarnoff. The motivation for this would have been to induce impulse buys for customers searching for things related to the pay-per-view content.

gggg. Regarding claim 89, Tarnoff further teaches wherein the processor generates one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection (see paragraph [0174]).

9.   Claims 83 and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg et al US (6,516,416) and in further view of Saxena US (20020103778).

hhhh. Regarding claim 83, Gregg et al teaches all the limitations of claim 82 form which claim 83 depends on. However Gregg et al fails to explicitly teach predetermined network sites as further recited in the claim. Conversely Saxena teaches such a limitation; wherein the processor selects the predetermined network site from a list of predetermined network sites (see paragraph [0049]). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Gregg et al with

the predetermined websites as taught by Saxena. The motivation for this would

have been to provide a user specific websites to see which are related to the

content that they are requesting.

iiii.   Regarding claim 84, Saxena further teaches wherein the processor

selects from the list of predetermined network sites according to a weighting

function such that at least a portion of the predetermined network sites are

selected more often than others (see paragraph [0006]).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL K. KHAJURIA whose telephone number is

(571)270-5662. The examiner can normally be reached on Monday - Thursday Alt.

Friday, 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. K./
Examiner, Art Unit 2446

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446

Notice of References Cited

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited	10/989,023	BURKE ET AL.
	Examiner	Art Unit	
	SHRIPAL K. KHAJURIA	2446	Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0103778 A1	08-2002	Saxena, Avinash C.	707/1
*	B	US-2005/0033990 A1	02-2005	Harvey et al.	713/201
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)   **Notice of References Cited**   Part of Paper No. 20090427

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	Art Unit
	SHRIPAL K KHAJURIA	2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009								
	1	✓								
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	4	✓								
	5	✓								
	6	✓								
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		Index of Claims	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
			Examiner SHRIPAL K KHAJURIA	Art Unit 2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE							
Final	Original	10/23/2009							
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	72	✓							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	Art Unit
	SHRIPAL K KHAJURIA	2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant　　☐ CPA　☐ T.D.　☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009								
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	108	✓								

Search Notes	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
	Examiner SHRIPAL K KHAJURIA	Art Unit 2446

SEARCHED

Class	Subclass	Date	Examiner
709	225	10/22/09	skk

SEARCH NOTES

Search Notes	Date	Examiner
Inventor Search	10/22/09	skk
East search - see attached	10/22/09	skk

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner

UNITED STATES PATENT AND TRADEMARK OFFICE

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BIB DATA SHEET

CONFIRMATION NO. 1874

SERIAL NUMBER 10/989,023	FILING or 371(c) DATE 11/16/2004 RULE	CLASS 709	GROUP ART UNIT 2446	ATTORNEY DOCKET NO. 09635.0001-00000

APPLICANTS
　　Robert M. Burke II, Los Gatos, CA;
　　David Z. Carman, San Jose, CA;

** CONTINUING DATA *************************
　　This appln claims benefit of 60/523,057 11/18/2003
　　　　and claims benefit of 60/538,370 01/22/2004
　　　　and claims benefit of 60/563,064 04/16/2004

** FOREIGN APPLICATIONS ************************

** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **
　　12/16/2004

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and /SHRIPAL K KHAJURIA/ Acknowledged Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 7	TOTAL CLAIMS 115	INDEPENDENT CLAIMS 36

ADDRESS

　　FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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　　901 NEW YORK AVENUE, NW
　　WASHINGTON, DC 20001-4413
　　UNITED STATES

TITLE

　　System for regulating access to and distributing content in a network

FILING FEE RECEIVED 2767	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees
		☐ 1.16 Fees (Filing)
		☐ 1.17 Fees (Processing Ext. of time)
		☐ 1.18 Fees (Issue)
		☐ Other _____
		☐ Credit

BIB (Rev. 05/07).

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
L2	0	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
L3	709	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
L4	7462681	network same partition $3 and user near (portion or part) and network (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
L5	119	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:16
L6	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:18
L7	9	("6516416" "20010051996" "20020169865" "20020120577" "6694429" "20020059440" "20020145981" "20030204602" "20030233281").pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:21
L8	11	predetermined near website same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:51
L9	9	predetermined near websites same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:52
L10	4	predetermined near websites and weight same website	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:01

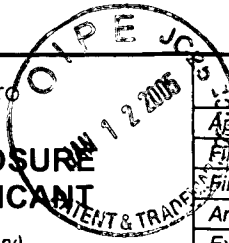| L11	16	predetermined near sites and weight same site and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:04
L12	20	predetermined near web and weight same web and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:06
L13	0	gateway and storage and autheticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
L14	836	gateway and storage and authenticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
L15	125	gateway and storage and pay near3 pay near3 view	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:23
L16	73	gateway and storage and pay near3 pay near3 view and modes	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
L17	73	gateway and storage and pay near3 pay near3 view and modes and display	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S1	5488	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S2	585	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S3	1	(S1 S2) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:59
S4	3886	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 12:11

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known		
Application Number	10/989,023
Filing Date	November 16, 2004
First Named Inventor	Robert M. BURKE, II
Art Unit	2143
Examiner Name	Not yet assigned
Attorney Docket Number	09635.0001-00000

Sheet	1	of	1

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/S.K./		US-6,694,429 B1	02/17/2004	KALMANEK, JR. et al.	
/S.K./		US-2002/0059440 A1	05/16/2002	HUDSON et al.	
/S.K./		US-2002/0145981 A1	10/10/2002	KLINKER et al.	
/S.K./		US-2003/0204602 A1	10/30/2003	HUDSON et al.	
/S.K./		US-2003/0233281 A1	12/18/2003	TAKEUCHI et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] Number[4] Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation[6]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation[6]

Examiner Signature	/Shripal Khajuria/	Date Considered	10/23/2009

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO		**Complete if Known**	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(Use as many sheets as necessary)*		Application Number	10/989,023
		Filing Date	November 16, 2004
		First Named Inventor	Robert M. BURKE, II
		Art Unit	2143
		Examiner Name	Not yet assigned

Sheet	1	of	1	Attorney Docket Number	09635.0001-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/S.K./		US-6,516,416 B2	02-04-2003	GREGG et al.	
/S.K./		US-2001/0051996 A1	12-13-2001	COOPER et al.	
/S.K./		US-2002/0169865 A1	11-14-2002	TARNOFF	
/S.K./		US-2002/0120577 A1	08-29-2002	HANS et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.[1]	Foreign Patent Document Country Code[3] Number[4] Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation[6]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation[6]
/S.K./		International Search Report dated January 31, 2006.	

Examiner Signature	/Shripal Khajuria/	Date Considered	10/23/2009

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
    Robert M. BURKE II, et al.   ) Group Art Unit: 2446
)
Application No.: 10/989,023   ) Examiner: Shripal K. KHAJURIA
)
Filed: November 16, 2004   )
) Confirmation No.: 1874
For: SYSTEM FOR REGULATING   )
      ACCESS TO AND DISTRIBUTING   )
      CONTENT IN A NETWORK   )

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

Sir:

AMENDMENT AND RESPONSE TO OFFICE ACTION

In reply to the non-final Office Action mailed October 26, 2009, the period for

response extending to January 26, 2010, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims in this paper

beginning on page 2.

Remarks begin on page 30 of this paper.

AMENDMENTS TO THE CLAIMS:

1.   (Currently amended) A system for regulating access to a <u>service provider</u> network, the system comprising:

a controller node<u>, located in the service provider</u> ~~coupled to the~~ network, <u>configured to control processing of content data exchanged over the service provider network,</u> the controller node comprising:

a first processor for generating controller instructions<u>, the controller instructions configured to be executed by a plurality of gateway units to regulate processing of received content data</u>; and

a first network interface for transmitting the controller instructions over the <u>service provider</u> network; and

[[a]] <u>the</u> plurality of gateway units<u>, each coupled between the service provider network and at least one of a plurality of subscriber terminals, and configured to regulate access to the content data exchanged over the service provider network from at least one of the plurality of subscriber terminals in response to receipt of the controller instructions</u>, the gateway units comprising:

a user interface receiving user-entered network access requests;

a second network interface coupled to the <u>service provider</u> network and receiving the controller instructions from the ~~network~~ <u>controller node</u>; and

a second processor, the second processor selectively transmitting at least some of the network access requests over the <u>service provider</u> network in accordance with the controller instructions, and transferring <u>received</u> content

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data responsive to the transmitted network access requests over the <u>service</u>

<u>provider</u> network via the second network interface.

2.   (Original) The system of claim 1 wherein:

the gateway units further comprise a storage device for storing instructions;

the gateway units further comprise an identifier uniquely associating the gateway

units with a user; and

the storage device is operable to store user-specific information.

3.   (Original) The system of claim 1, wherein:

the gateway units comprise a user interface receiving requests to transmit data;

and

the gateway units comprise a second processor inspecting the data to selectively

transfer the data in accordance with the controller instructions.

4.   (Original) The system of claim 1, wherein:

the gateway units comprise a user interface receiving requests to receive data;

and

the gateway units comprise a second processor inspecting the data to selectively

transfer the data in accordance with the controller instructions.

5.   (Original) The system of claim 1, wherein the first processor generates

the controller instructions automatically.

6.   (Original) The system of claim 1, wherein the first processor generates

the controller instructions in response to an operator-entered request.

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7.   (Original) The system of claim 1, wherein the controller nodes comprise a

first processor generating the controller instructions by operator-controlled network

crawling.

8.   (Currently amended) The system of claim 1, wherein the controller nodes

comprise a first processor generating the controller instructions configured to deny user

access to a first group of network servers.

9.   (Currently amended) The system of claim 8, wherein the gateway units

comprise a second processor configured to generate a notification to a controller node if

a network access request designates a network server of the first group of network

servers.

10.   (Currently amended) The system of claim 8, wherein the gateway units

comprise a second processor configured to:

detect a network access request designating a network server a first group of

network servers; and

re-direct the access request to a second group of network servers, in accordance

with the controller instructions.

11.   (Currently Amended) The system of claim 1, wherein:

the controller nodes comprise a first processor generating the controller

instructions, the controller instructions including a file identifier; and

the system comprises a plurality of gateway units associated with a user file

system, the gateway units comprising a second processor configured to detect a file in a

user file system corresponding to the file identifier.

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12. (Original) The system of claim 11, wherein the gateway units are operable between an active state and an inactive state.

13. (Original) The system of claim 12, wherein the second processors notify a controller node if the associated gateway unit enters an inactive state.

14. (Original) The system of claim 12, wherein the second processors delete the detected files from a user file system in accordance with the controller instructions.

15. (Original) The system of claim 14, wherein the second processors delete the detected files from a user file system during the inactive state.

16. (Original) The system of claim 11, wherein the gateway units notify a controller node if a file corresponding to the file identifier is detected.

17. (Original) The system of claim 1, wherein the gateway units comprise:

a housing; and

a detector for detecting an attempt to open the housing.

18. (Original) The system of claim 17, wherein the gateway unit notifies the controller node of a detected attempt to open the housing after a user-initiated event.

19. (Original) The system of claim 17, wherein the gateway units comprise a storage device and the second processor prevents access to the storage device when the detector detects an attempt to open the housing.

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20. (Original) The system of claim 1, wherein the gateway units comprise a second processor that enters a user-controlled operational mode after receiving permission from the controller node.

21. (Original) The system of claim 1, wherein the controller node comprises a copyright registry for tracking copyright status of content data files distributed to gateway units in the system.

22. (Original) The system of claim 21, wherein the user interface receives registrations of the content data files for transmission to the copyright registry.

23. (Original) The system of claim 1, wherein the second processor causes the gateway unit to access a predetermined network site upon initiation of network browser software, in accordance with the controller instructions.

24. (Original) The system of claim 23, wherein the second processor selects the predetermined network site from a list of predetermined network sites received via the controller instructions.

25. (Original) The system of claim 24, wherein the second processor selects the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others.

26. (Original) The system of claim 1, wherein the gateway units:

receive registration information from a user via the user interface; and

receive initial operating parameters via the second network interface.

27. (Original) The system of claim 1, wherein the gateway units:

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receive registration information from a user via the user interface; and

receive software updates via the second network interface.

28.   (Original) The system of claim 1, wherein:

the gateway units transmit advertising via the user interface to a user display, the advertising being customized in accordance with information received via at least one of the second network interface and the user interface.

29.   (Original) The system of claim 1, wherein the gateway units:

transmit pay-per-view advertising via the user interface for selective display by a user; and

generate payment credits for the user upon display of the advertising by the user.

30.   (Original) The system of claim 29, wherein the gateway units generate one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection.

31.   (Original) The system of claim 1, wherein the gateway units receive software via the second network interface for execution on the second processor, the software enabling at least one of a fee-based network service, network video calling, and network gaming.

32.   (Original) The system of claim 1, wherein the second processor detects a denial-of-service attack.

33.   (Original) The system of claim 32, wherein the second processor detects a denial-of-service attack initiated by a virus.

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34.   (Original) The system of claim 1, wherein the gateway units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units.

35.   (Original) The system of claim 1, wherein the gateway units:

detect a user attempt to at least one of transmit and receive voice traffic; and

selectively block the detected attempt in accordance with the controller instructions.

36.   (Original) The system of claim 35 wherein the gateway units transmit, via the user interface, an advertisement offering voice transmission services.

37.   (Original) The system of claim 1, wherein the gateway units:

detect a user attempt to at least one of transmit and receive at least one of audio and video traffic; and

selectively block the detected attempt in accordance with the controller instructions.

38.   (Original) The system of claim 37, wherein the gateway units transmit, via the user interface, an advertisement offering at least one of audio and video traffic services.

39.   (Original) The system of claim 1, wherein the gateway units:

detect at least one of audio and video traffic flowing through the second network interface; and

selectively reduce the quality of service of the at least one of audio and video traffic in accordance with the controller instructions,

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wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

40. (Original) The system of claim 1, further comprising a plurality of access nodes, wherein the controller node comprises a first processor for generating authorization instructions and transmitting the authorization instructions over the network to the access nodes, and the access nodes:

receive the authorization instructions from the controller node; and

selectively permit the gateway units to access the network in accordance with the authorization instructions.

41. (Original) The system of claim 1, wherein the gateway units comprise data storage units partitioned into a network portion and a user portion, and at least one of a first group of gateway units selectively shares data stored in the network partition with at least one of a second group of gateway units, via the second network interface, in accordance with the controller instructions.

42. (Original) The system of claim 1, wherein the second processor in at least a first one of the gateway units selectively forwards content data received from at least a second one of the gateway units to at least a third one of the gateway units in accordance with the controller instructions.

43. (Original) The system of claim 42 wherein the second processor in at least a first one of the gateway units:

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receives portions of a content data file from a group of gateway units in accordance with the controller instructions; and

assembles a data file based on the received portions for transmission to the user via the user interface.

44. (Original) The system of claim 1, further comprising an intervention node, the intervention node comprising:

an operator interface for receiving operator-entered spoofing attack instructions; and

a third network interface for transmitting at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions.

45. (Currently amended) The system of claim 1, further comprising network units, the network units comprising:

a network interface coupled to the network and configured to receive receiving the controller instructions from the network and network traffic from a gateway unit; and

a processor for selectively reducing the flow of the received network traffic content data in accordance with the controller instructions.

46. (Currently amended) The system of claim 45, wherein the network units:

detect the flow of received content data that includes voice traffic; and

selectively block the detected traffic in accordance with the controller instructions.

47. (Currently amended) The system of claim 45, wherein the network units:

detect the flow of received content data that includes at least one of audio and video traffic; and

selectively block the detected traffic in accordance with the controller instructions.

48.   (Currently amended) The system of claim 45, wherein the network units:

detect the ~~flow of~~ <u>received content data that includes</u> at least one of audio and video traffic; and

selectively reduce the quality of service of the detected at least one of audio and video traffic in accordance with the controller instructions,

wherein the reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

49.   (Currently amended) A system for regulating access to a <u>service provider</u> network that is accessed by a plurality of users, the system comprising:

a controller node <u>located in the service provider</u> network, the controller node comprising:

a first processor for generating controller instructions<u>, the controller instructions configured to be executed by a plurality of network units to regulate processing of received content data</u>; and

a first network interface for transmitting the controller instructions over the <u>service provider</u> network; and

[[a]] <u>the</u> plurality of network units associated with a first group of users, the network units comprising:

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a second network interface coupled to the <u>service provider</u> network

and receiving the controller instructions from the <u>controller node</u> ~~network~~;

and

a second processor, the second processor inhibiting access for a

second group of users to content [[in]] <u>accessible from</u> the <u>service provider</u>

network in accordance with the controller instructions.

50.   (Original) The system of claim 49, wherein the second processor in the

network units inhibits access for a second group of users by performing denial of

service attacks in accordance with the controller instructions.

51.   (Original) The system of claim 50, wherein the second processor

performs attacks based on a schedule comprising at least one of:

a schedule based on duration of the attacks;

real time response to controller instructions; and

in response to an event.

52.   (Original) The system of claim 49, wherein at least a portion of the

network units comprise gateway units uniquely associated with a user.

53.   (Original) The system of claim 52, wherein the gateway units:

are operable between an active state and an inactive state; and

perform denial of service attacks, in accordance with the controller instructions,

during the inactive state.

54.   (Original) The system of claim 49, wherein the second processor detects

a denial-of-service attack.

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55.   (Original) The system of claim 54, wherein the second processor detects a denial-of-service attack initiated by a virus.

56.   (Original) The system of claim 54, wherein the second processor prevents a denial-of-service attack upon detection.

57.   (Original) The system of claim 49, wherein the network units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units.

58.   (Withdrawn) A system for distributing content over a network, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions; and

a first network interface for transmitting the controller instructions over the network; and

a plurality of network units, the network units comprising:

a second network interface coupled to the network, the second network interface in at least a first one of the network units receiving the controller instructions from the network and receiving a first portion of a content data file from at least a second one of the network units; and

a second processor, the second processor in the at least a first one of the network units selectively forwarding the received first portion of the content data file to at least a third one of the network units in accordance with the controller instructions.

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59.   (Withdrawn) The system of claim 58, wherein:

the second network interface receives a plurality of portions of a content data file

from a group of network units in accordance with the controller instructions; and

the second processor assembles a data file based on the received portions for

transmission to the user via the user interface.

60.   (Withdrawn) The system of claim 58, wherein:

the second network interface of the second network unit receives a portion of a

content data file from a content server; and

the second processor of the second network unit forwards the portion of the

content data file to the at least first one of the network units in accordance with the

controller instructions.

61.   (Withdrawn) The system of claim 58, wherein the second processor

deletes portions of content data in accordance with a predetermined deletion date

associated with the content data.

62.   (Withdrawn) The system of claim 58, wherein the second processor

deletes portions of content data when new content data is delivered.

63.   (Withdrawn) The system of claim 58, wherein the second processor

deletes portions of content data when insufficient storage space remains, deleting

oldest content data first.

64.   (Withdrawn) The system of claim 58, wherein the second processor

deletes portions of content data in accordance with an associated user's selections.

65.   (Currently amended) A gateway unit for regulating access to a <u>service</u> <u>provider</u> network comprising:

a user interface <u>configured</u> to receive requests <s>to transmit data</s> <u>directly from a</u> <u>subscriber terminal, wherein the requests are to transmit data</u>;

a network interface <u>configured</u> to receive controller instructions from the <u>service</u> <u>provider</u> network; and

a processor <u>configured</u> to inspect the data and to selectively transmit the data in accordance with the received controller instructions.

66.   (Currently amended) A gateway unit for regulating access to a <u>service</u> <u>provider</u> network comprising:

a user interface <u>configured</u> to receive requests <s>to receive data</s> <u>directly from a</u> <u>subscriber terminal, wherein the requests are to receive data</u>;

a network interface <u>configured</u> to receive controller instructions from the <u>service</u> <u>provider</u> network; and

a processor <u>configured</u> to inspect the data and selectively receive the data in accordance with the received controller instructions.

67.   (Currently amended) A controller node for regulating access to a <u>service</u> <u>provider</u> network, the controller node comprising:

a processor <u>configured</u> to generate controller instructions for causing a plurality of gateway units to selectively transfer user-entered network access requests over the <u>service provider</u> network, the processor generating the controller instructions by at least one of automatically generating instructions and generating instructions in response to an operator-entered request; and

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a network interface <u>configured</u> to transmit the controller instructions over the

<u>service provider</u> network to the plurality of gateway units.

68.   (Original) The controller node of claim 67, comprising a processor to

generate the controller instructions by operator-controlled network crawling.

69.   (Currently amended) A controller node for regulating access to a <u>service</u>

<u>provider</u> network comprising:

a processor <u>configured</u> to generate controller instructions <u>that regulate</u>

<u>processing by a plurality of gateway units of received content data</u>; and

a network interface <u>configured to be coupled directly to a service provider</u>

<u>network and configured</u> to transmit the controller instructions over the <u>service provider</u>

network to a plurality of gateway units, the controller instructions causing at least one

gateway unit to deny access to a first group of network servers.

70.   (Original) The controller node of claim 69, wherein the network interface

receives notification from at least one gateway unit if the at least one gateway unit

detects a request to access a denied network server.

71.   (Original) The controller node of claim 69, wherein the processor

generates instructions causing a gateway unit to re-direct user access requests to a

second group of network servers in accordance with the controller instructions.

72.   (Currently amended) A system for regulating file access in a <u>service</u>

<u>provider</u> network, the system comprising:

a controller node <u>located in the service provider</u> ~~coupled to the~~ network, the

controller node comprising:

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a first processor for generating controller instructions, the ~~instructions~~

controller instructions configured to be executed by a plurality of gateway units to

regulate processing of received content data and including a file identifier; and

a first network interface for transmitting the controller instructions over the

service provider network; and

[[a]] the plurality of gateway units, each coupled between the service

provider network and at least one of a plurality of subscriber terminals, and

associated with user file systems, the gateway units comprising:

a second network interface configured to receive the controller

instructions from the service provider network; and

a second processor configured to detect files in the user file

systems corresponding to the file identifier.

73.   (Original) The system of claim 72, comprising a plurality of gateway units

operable between an active state and an inactive state.

74.   (Original) The system of claim 73, wherein the gateway units notify a

controller node upon entering the inactive state.

75.   (Original) The system of claim 73, wherein the gateway units comprise a

processor to delete the detected files during the inactive state.

76.   (Original) The system of claim 72, wherein the plurality of gateway units

notify a controller node if at least one file matching the list of file identifiers is detected.

77.   (Withdrawn) A gateway unit for regulating access to a network,

comprising:

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a user interface receiving user-entered network access requests;

a network interface for transmitting the network access requests to the network;

a housing; and

a detector for detecting a user attempt to open the housing.

78. (Withdrawn) The gateway unit of claim 77, wherein the detector notifies the controller node of a detected attempt to open the housing after a subsequent user-initiated event.

79. (Withdrawn) The gateway unit of claim 77 further comprising a storage device and an interlock to prevent access to the storage device when the detector detects an attempt to open the housing.

80. (Currently amended) A gateway unit for regulating access to a service provider network, comprising:

a network interface for providing access to the service provider network;

a user interface configured to receive user-entered network access requests directly from a subscriber terminal; and

a processor that enters a user-controlled operational mode after receiving permission over the service provider network from a controller node via the network interface.

81. (Currently amended) A controller node for regulating file access in a network, comprising:

a processor configured to:

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generate controller instructions for causing a plurality of gateway units to

selectively transfer user-entered network access requests over the service

provider network;

receive ~~receives~~ registrations of content data files distributed to [[a]] the

plurality of gateway units; and

track ~~tracks~~ copyright status of the content data files.

82.   (Currently amended) A gateway unit for regulating access to a service

provider network comprising:

a network interface for providing access to the service provider network and for

receiving controller instructions from the service provider network;

a user interface for transferring, with the service provider network, content

transmitted directly to or received directly from a subscriber terminal associated with a

user ~~between the network and a user~~; and

a processor for connecting to a predetermined network site upon initiation of

network browser software, in accordance with the received controller instructions.

83.   (Original) The plurality of gateway units of claim 82, wherein the

processor selects the predetermined network site from a list of predetermined network

sites.

84.   (Original) The plurality of gateway units of claim 83, wherein the

processor selects from the list of predetermined network sites according to a weighting

function such that at least a portion of the predetermined network sites are selected

more often than others.

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85.   (Currently amended) A gateway unit for regulating access to a network comprising:

a network interface <u>configured</u> to provide access to the <u>service provider</u> network;

a user interface <u>configured</u> to transfer<u>, with the service provider network,</u> content <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> ~~between the network and a user~~; and

a processor <u>configured</u> to gather registration information from the user via the user interface and to receive initial operating parameters via the network interface.

86.   (Currently amended) A gateway unit for regulating access to a <u>service provider</u> network comprising:

a network interface <u>configured</u> to provide access to the <u>service provider</u> network;

a user interface <u>configured</u> to transfer<u>, with the service provider network,</u> content <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> ~~between the network and a user~~; and

a processor <u>configured</u> to gather registration information from the user via the user interface and to receive software updates via the network interface.

87.   (Currently amended) A gateway unit for regulating access to a <u>service provider</u> network comprising:

a network interface <u>configured</u> to receive information from the <u>service provider</u> network;

a user interface <u>configured</u> to receive information <u>directly</u> from a <u>subscriber terminal associated with a</u> user; and

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a processor <u>configured</u> to transmit advertising via the user interface to a user display, wherein the advertising is customized in accordance with information received via at least one of the network interface and the user interface.

88. (Currently amended) A gateway unit for regulating access to a <u>service provider</u> network comprising:

a network interface <u>configured</u> to provide access to the <u>service provider</u> network and to receive pay-per-view advertising from the network;

a user interface to transfer<u>, with the service provider network,</u> content <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> <s>between the network and a user</s>; and

a processor <u>configured</u> to transmit the pay-per-view advertising via the user interface for selective display by a user and to generate payment credits to the user upon display of the advertising by the user.

89. (Original) The gateway unit of claim 88, wherein the processor generates one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection.

90. (Currently amended) A gateway unit for regulating access to a <u>service provider</u> network comprising:

a network interface <u>configured</u> to provide access to the <u>service provider</u> network and to receive software from the network;

a user interface <u>configured</u> to transfer<u>, with the service provider network,</u> content <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> ~~between the network and a user~~; and

a processor <u>configured</u> to execute the software to enable the user to use, via the user interface, at least one of a fee-based network service, network video calling, and network gaming.

91.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network;

a user interface to receive network access requests from a user; and

a processor to detect a denial-of-service attack received from the user interface and transmitted to the network via the network interface.

92.   (Withdrawn) The plurality of gateway units of claim 91, wherein the processor detects a denial-of-service attack initiated by a virus.

93.   (Currently amended) A gateway unit for regulating access to a <u>service provider</u> network comprising:

a network interface <u>configured</u> to provide access to the <u>service provider</u> network and to receive controller instructions;

a user interface <u>configured</u> to transfer<u>, with the network interface,</u> incoming data and outgoing data <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> ~~between a user and the network interface~~; and

a processor <u>configured</u> to selectively transmit to law enforcement terminals information describing at least one of the incoming data and the outgoing data in accordance with the received controller instructions.

94.   (Currently amended) A gateway unit for regulating access to a <u>service provider</u> network comprising:

a network interface <u>configured</u> to provide access to the <u>service provider</u> network and to receive controller instructions;

a user interface <u>configured</u> to transfer<u>, with the service provider network,</u> content <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> between the network and a user; and

a processor <u>configured</u> to detect a user attempt to at least one of transmit and receive voice traffic over the <u>service provider</u> network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and transmitting, via the user interface, an advertisement offering voice transmission services.

95.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect a user attempt to at least one of transmit and receive at least one of audio and video traffic over the network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and

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transmitting, via the user interface, an advertisement offering at least one of audio and video traffic services.

96.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect at least one of audio and video traffic flowing through the user interface, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions,

wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

97.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect voice traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

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98.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

99.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions,

wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

100.   (Withdrawn) A controller node for regulating subscriber access to a network comprising:

a processor to generate authentication instructions on behalf of an authenticated subscriber; and

a network interface to transmit the authentication instructions to an access node coupled to the network,

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wherein the access node selectively permits subscriber access to the network in accordance with the authentication instructions.

101.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a data storage unit partitioned into a network portion and a user portion; and

a processor to selectively transmit data stored in the network partition, via the network interface, in accordance with the received controller instructions.

102.   (Withdrawn) A network unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests;

a network interface coupled to the network and receiving controller instructions from the network; and

a processor, the processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the network interface;

wherein the network unit selectively forwards content data received from a first associated network unit to at least a second associated unit in accordance with the controller instructions.

103.   (Withdrawn) The network unit claim 102, wherein the processor

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receives portions of a content data file from a group of third associated network

units in accordance with the controller instructions; and

assembles a data file based on the received portions for transmission to a user

via the user interface.

104.   (Withdrawn) The network unit of claim 102, wherein the processor:

receives a portion of a content data file from a content server; and

forwards the portion of the content data file to the first associated network unit in

accordance with the controller instructions.

105.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller

instructions;

a processor to perform denial of service attacks in accordance with the received

controller instructions.

106.   (Withdrawn) A method for regulating access to a network, the method

comprising:

receiving controller instructions from a network at a gateway unit associated with

a user;

receiving a network access request at the gateway unit from a user;

selectively transmitting the network access request over the network in

accordance with the controller instructions; and

receiving content data responsive to the transmitted network access request from

the network.

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107.   (Withdrawn) A method for regulating access to a plurality of content servers, the method comprising:

receiving controller instructions from the network at a network unit associated with a first group of users; and

selectively inhibiting access to a portion of the content servers by a second group of users in accordance with the controller instructions.

108.   (Withdrawn) The method of claim 107, wherein inhibiting access for a second group of users comprises performing denial of service attacks.

109.   (Withdrawn) A method for distributing content data over a network, the method comprising:

receiving content distribution instructions from the network;

storing a first portion of content data from the network at a first network unit;

initiating a request over the network, in accordance with the content distribution instructions and in response to a user request, for the remainder of the content data;

receiving the remainder of the content data from the network;

assembling the first portion of content data with the remainder of the content data; and

supplying the assembled content data to the user.

110.   (Withdrawn) The method of claim 109, further comprising selectively forwarding the first portion of content data to a second network unit in accordance with the content distribution instructions.

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111.   (Currently amended) A gateway unit for regulating access to a service

provider network, the gateway unit comprising:

a user interface configured to receive receiving user-entered network access

requests directly from a subscriber terminal;

a network interface coupled configured to the network and receive receiving

controller instructions from a controller node in the service provider network; and

a processor, the processor configured to selectively transmitting transmit at least

some of the network access requests over the service provider network in accordance

with the controller instructions, and to transfer transferring content data responsive to

the transmitted network access requests over the service provider network via the

network interface.

112-114 (Canceled).

115.   (Currently amended) A controller node for regulating access to a service

provider network, the controller node comprising:

a processor for generating controller instructions that regulate the processing by

network units of received content data; and

a network interface for transmitting the controller instructions over the service

provider network to network units associated with a first group of users, the controller

instructions being configured to cause the network units to inhibit access for a second

group of users to received content data [[in]] accessible from the service provider

network.

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REMARKS

By this Amendment, Applicant cancels claims 112-114, without prejudice or disclaimer, thus rendering rejections of these claims moot. Applicant amends claims 1, 8-11, 45-49, 65-67, 69, 72, 80-82, 85-88, 90, 93, 94, 111, and 115. Claims 1-57, 65-76, 80-90, 93, 94, 111, and 115 remain pending and under examination.

Office Action

Applicant respectfully traverses the following rejections:

(a) rejection of claim 45 under 35 U.S.C. § 112, second paragraph;

(b) rejection of claims 1-16, 20, 23-27, 31-35, 37, 39-57, 67-76, 82, 93, 112, and 115 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,516,416 ("Gregg");

(c) rejection of claims 65, 66, 80, 85, 86, 90, 111, 113, and 114 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0120577 ("Hans");

(d) rejection of claim 81 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2001/0051996 ("Cooper");

(e) rejection of claims 21, 22, 28, 36, and 38 under 35 U.S.C. § 103(a) as being unpatentable over Gregg in view of Cooper;

(f) rejection of claims 17-19 under 35 U.S.C. § 103(a) as being unpatentable over Gregg in view of U.S. Patent Publication No. 2005/0033990 ("Harvey");

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(g) rejection of claims 87 and 94 under 35 U.S.C. § 103(a) as being

unpatentable over <u>Gregg</u> in view of U.S. Patent Publication No.

2002/0059440 ("<u>Hudson</u>");

(h) rejection of claims 29, 30, 88, and 89 under 35 U.S.C. § 103(a) as being

unpatentable over <u>Gregg</u> in view of U.S. Patent Publication No.

2002/0169865 ("<u>Tarnoff</u>"); and

(i) rejection of claims 83 and 84 under 35 U.S.C. § 103(a) as being

unpatentable over <u>Gregg</u> in view of U.S. Patent Publication No.

2002/0103778 ("<u>Saxena</u>").

Claim Rejections under 35 U.S.C. § 112

In rejecting dependent claim 45, the Examiner alleged that the phrase "the flow"

lacks sufficient antecedent basis. In response, and without conceding to the Examiner's

allegations, Applicant amends claim 45 to recite "a processor for selectively reducing

~~the flow of~~ the received ~~network traffic~~ <u>content data</u> in accordance with the controller

instructions." Applicant also amends dependent claims 46-48 in a similar manner as

indicated herein.

Applicant submits that amended claims 45-48 fully comply with 35 U.S.C. § 112,

second paragraph. Accordingly, Applicant requests withdrawal of the rejection.

Claim Rejection under 35 U.S.C. § 102(b)

A.   <u>Claims 1-16, 20, 23-27, 31-35, 37, 39-57, 67-76, 82, 93, and 115</u>

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Applicant requests reconsideration and withdrawal of the rejection of claims 1-16, 20, 23-27, 31-35, 37, 39-57, 67-76, 82, 93, and 115 under 35 U.S.C. § 102(b) as being anticipated by Gregg.

To establish anticipation under 35 U.S.C. § 102, the Office Action must show that each and every element as set forth in the claim is found, either expressly or inherently described, in Gregg. *See* M.P.E.P. § 2131. Gregg, however, does not disclose each and every element of Applicant's claims.

Specifically, Gregg does not disclose or suggest at least the following features recited in amended independent claim 1, and similarly recited in amended independent claims 49, 67, 69, 72, 82, 93, and 115: "a controller node located in the service provider network," a controller node comprising "a first processor for generating controller instructions, the controller instruction configured to be executed by a plurality of gateway units to regulate processing of received content data," and "a plurality of gateway units, each coupled between the service provider network and at least one of a plurality of subscriber terminals." (emphases added).

Further, Applicant respectfully submits that at least three allegations in the Office Action do not reflect what is actually disclosed in Gregg. First, Applicant respectfully disagrees with the allegation that Gregg's administration software discloses the claimed controller node. *See* Office Action, pages 2-3. Instead, Gregg discloses a subscriber access system. *See* Gregg, col. 3, ll. 56-59. Gregg's subscriber access system includes a clearing house that resides on "a back office platform in a corporate network." Gregg, col. 4, ll. 34-36 (emphasis added). The clearing house "hosts all the subscription information and subscriber information." Gregg, col. 4, ll. 44-45. As shown in Figure 1 of Gregg, the clearing house administrative software resides on a desktop

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P.C. connected to a local area network. The local area network (LAN) connects the administration software to the internet (service provider network) via a firewall. Gregg, FIG. 1. As shown in Figures 1 and 2 of Gregg, both the administration software and the associated clearing house are connected directly to the LAN, and are not located nor components of the service provider network (internet/untrusted network 38).

Second, Applicant respectfully disagrees with the allegation that column 5, lines 3-6 and Figure 2 of Gregg allegedly disclose "a controller node for regulating access to a network comprising: a processor to generate controller instructions." Instead, Gregg discloses that the administration software is used to "administer the clearing house database." Gregg, col. 4, ll. 59-62. Administration, for example, may include using the administration software to "define the business rules for subscription services and administer subscription demographic data and the their usage data." Gregg, col. 5, ll. 3-6. (emphasis added). Business rules, for example, may be used to authenticate that a subscriber has permission to access a web server. See Gregg, col. 6, ll. 57-61.

In operation, the subscription access server regulates the transmission of protected data to a subscriber in response to querying the clearing house database. For example, the subscription access server may fulfill a request for protected content from a subscriber in response to querying the clearing house database for user login information. Gregg, col. 6, ll. 22-27; FIG. 2. If the login information is valid, the clearing house authorizes the subscription access server to send the requested protected content to the subscriber. Gregg, col. 6, ll. 27-30; FIG. 2. Put another way, the subscription access server regulates data access to subscribers based on business rules contained in the clearing house database. Thus, even if the business rules of Gregg could be interpreted to be controller instructions, which Applicant does not

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concede, the business rules provided by the administration software are processed by the subscription access server, and not a plurality of gateway units. Gregg's subscriptions access server is not equivalent to the claimed "plurality of gateway units." Indeed, the Examiner equates Gregg's subscriber software to the claimed gateway unit. Accordingly, Gregg's administration software is not equivalent to the claimed controller node.

Third and finally, Applicant respectfully disagrees with allegation that Gregg's subscriber software discloses the claimed gateway unit. *See* Office Action, page 3. Instead, Gregg discloses that the "local area network is connected to the outside world by a 'Gateway' computer." Gregg, col. 4, ll. 17-19. The gateway computer may be converted to a firewall, as shown in Figure 1 of Gregg, "by installing special software." Gregg, col. 4, ll. 19-22. Gregg further discloses that "[t]her are a number of subscription access common gateway interface programs (CGIs) that are a part of the subscription access server 34." Gregg, col. 8, ll. 20-22. Put another way, Gregg discloses that the subscription access server, and not the subscriber computer operates as a gateway. Gregg's subscription access server, however, is coupled between a firewall and the internet, and not coupled to a subscriber terminal at one interface and a service provider network at another interface. Gregg, FIG. 1.

Since Gregg does not disclose each and every element recited in amended claim 1, and similarly recited in claims 28, 67, 69, 72, 82, 93, and 115, Gregg does not anticipate claims 1, 28, 67, 69, 72, 82, 93, and 115 under 35 U.S.C. § 102. Independent claims 1, 28, 67, 69, 72, 82, 93, and 115 should therefore be allowable. Moreover, claims 2-16, 20, 23-27, 31-35, 37, 39-48, 50-57, 68, 70, 71, and 73-76 should also be allowable at least due to their dependence from one of independent claims 1,

28, 67, 69, 72, 82, 93, and 115, and because they recite additional features not taught or suggested by Gregg. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1-16, 20, 23-27, 31-35, 37, 39-57, 67-76, 82, 93, and 115.

B.   Claims 65, 66, 80, 85, 86, 90, 111, 113, and 114

Applicant requests reconsideration and withdrawal of the rejection of claims 65, 66, 80, 85, 86, 90, and 111 under 35 U.S.C. § 102(b) as being anticipated by Hans.

Hans does not disclose each and every element of Applicant's claims. Specifically, Hans does not disclose or suggest at least the following features recited in amended independent claim 65, and similarly recited in amended independent claims 66, 80, 85, 86, 90, and 111: "[a] user interface coupled to receive requests to transmit data directly from a subscriber terminal." (emphasis added).

Further, Applicant respectfully submits that the allegations in the Office Action do not reflect what is actually disclosed in Hans. Applicant respectfully disagrees with allegation that Hans's content management node discloses the claimed gateway unit. *See* Office Action, pages 18-19. Instead, Hans discloses a content management node "configured to provide digital content access to an electronic playback device operating at a user node" Hans,¶ [0021]. As shown in Figure 1 of Hans, the content management communicates with the user node through the global communication network. That is, even if Hans's content management node could be interpreted to be equivalent to the claimed gateway unit, which Applicant does not concede, the content management node is coupled to receive requests directly from the intervening global communication network, and not from the user node.

Since Hans does not disclose each and every element recited in amended claim 65, Hans does not anticipate claims 66, 80, 85, 86, 90, and 111 under 35 U.S.C. § 102. Independent claims 65, 66, 80, 85, 86, 90, and 111 should therefore be allowable. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejection of claims 65, 66, 80, 85, 86, 90, and 111.

C.   Claim 81

Applicant requests reconsideration and withdrawal of the rejection of claim 81 under 35 U.S.C. § 102(b) as being anticipated by Cooper.

Cooper does not disclose each and every element of Applicant's claim. Specifically, Cooper does not disclose or suggest at least the following features recited in independent claim 81, as amended: "[a] controller node for regulating file access in a network, comprising: a processor configured to receive registrations of content data files distributed to the plurality of gateway units." (emphasis added).

Further, Applicant respectfully submits that the allegations in the Office Action do not reflect what is actually disclosed in Cooper. Applicant respectfully disagrees with the allegation that paragraphs [0094] - [0099] allegedly disclose "wherein the processor: receives registrations of content data files distributed to a plurality of gateway units." See Office Action, pages 19-20. Instead, Cooper discloses a content distribution system site, which may include one or more servers. Cooper, ¶ [0058]. The cited portions of Cooper disclose that the content distribution system site may include a copyright registration system. Cooper, ¶¶ [0094]-[0099]. The cited portions of Cooper, however, fail to disclose a processor that "receives registrations of content data files distributed to a plurality of gateway units," as recited in claim 81(emphasis added).

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Since <u>Cooper</u> does not disclose each and every element recited in amended

claim 81, <u>Cooper</u> does not anticipate amended claim 81 under 35 U.S.C. § 102.

Independent claim 81 should therefore be allowable. Accordingly, Applicant respectfully

requests withdrawal of the 35 U.S.C. § 102(b) rejection of claim 81.

Claim Rejections Under 35 U.S.C. § 103(a)

A.   <u>Claims 21, 22, 28, 36, and 38</u>

Applicant respectfully traverses the rejections of claims 21, 22, 28, 36, and 38

under 35 U.S.C. § 103(a) as being obvious from <u>Gregg</u> in view of <u>Cooper</u>.

A *prima facie* case of obviousness cannot be established with respect to these

claims for at least the reason that <u>Gregg</u> in view of <u>Cooper</u> does not teach or suggest

each and every claim element of these claims.

Claims 21, 22, 28, 36, and 38 depend from amended independent claim 1, and

thus include all of the elements recited in claim 1. As discussed above, <u>Gregg</u> fails to

disclose or suggest at least "a plurality of gateway units, each coupled between the

service provider network and at least one of a plurality of subscriber terminals," as

recited in independent claim 1, and required by claims 21, 22, 28, 36, and 38.

The Examiner alleged that <u>Cooper</u> cures the deficiencies of <u>Gregg</u>. Office

Action, pages 20-22. Even if this assertion were correct, which Applicant does not

concede, <u>Cooper</u> still does not teach or suggest the above-quoted features recited in

claim 1 and included in claims 21, 22, 28, 36, and 38. Thus <u>Cooper</u> does not

compensate for the deficiencies of <u>Gregg</u>.

Applicant therefore submits that independent claim 1 is <u>not</u> obvious over <u>Gregg</u>

and <u>Cooper</u> whether taken alone or in combination. Independent claim 1 should

therefore be allowable. Dependent claims 21, 22, 28, 36, and 38 should also be allowable at least by virtue of their dependence from base claim 1, as well as because they recite additional features not taught or suggested by the cited references. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 21, 22, 28, 36, and 38.

B.   Claims 17-19

Applicant respectfully traverses the rejections of claims 17-19 under 35 U.S.C. § 103(a) as being obvious from Gregg in view of Harvey.

A *prima facie* case of obviousness cannot be established with respect to these claims for at least the reason that Gregg in view of Harvey does not teach or suggest each and every claim element of these claims.

Claims 17-19 depend from amended independent claim 1, and thus include all of the elements recited in claim 1. As discussed above, Gregg fails to disclose or suggest at least "a controller node located in the service provider network," as recited in independent claim 1.

The Examiner alleged that Harvey cures the deficiencies of Gregg. Office Action, pages 22-23. Even if this assertion were correct, which Applicant does not concede, Harvey still does not teach or suggest the above-quoted features recited in claim 1 and included in claims 17-19.

Harvey is directed to "network security provided by a secure one-way data transfer mechanism." Harvey, ¶ [0002]. The Examiner appears to equate Harvey's transmitter (TX) 104 with the claimed gateway. *See* Office Action, pages 6-7. But, like Gregg, Harvey fails to teach or suggest at least "a controller node located in the service

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provider network," as recited in claim 1, and thus required by claims 17-19. Thus,

Harvey does not compensate for the deficiencies of Gregg.

Applicant therefore submits that independent claim 1 is not obvious over Gregg

and Harvey whether taken alone or in combination. Independent claim 1 should

therefore be allowable. Dependent claims 17-19 should also be allowable at least by

virtue of their dependence from base claim 1, as well as because they recite additional

features not taught or suggested by the cited references. Accordingly, Applicant

respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection

of claims 17-19.

C.   Claims 87 and 94

Applicant respectfully traverses the rejections of claims 87 and 94 under

35 U.S.C. § 103(a) as being obvious from Gregg in view of Hudson.

A *prima facie* case of obviousness cannot be established with respect to these

claims for at least the reason that Gregg in view of Hudson does not teach or suggest

each and every claim element of these claims.

Amended claims 87 and 94 recite, *inter alia*, "a user interface configured to

receive information directly from a subscriber terminal associated with a user," and "a

user interface to transfer, with the service provider network, content transmitted directly

to or received directly from a subscriber terminal associated with a user," respectively.

Amended claim 1, although different in scope, recites a similar element. Specifically,

claim 1 recites, "a plurality of gateway units, each coupled between the service provider

network and at least one of a plurality of subscriber terminals." As discussed above,

Gregg does teach each and every element of claim 1 because Gregg's subscription

access server is coupled between a firewall and the internet, and not coupled to a

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subscriber terminal at one interface and a service provider network at another interface. Gregg, FIG. 1. For at least the same reasons, Gregg also fails to teach "a user interface configured to receive information directly from a subscriber terminal associated with a user," and "a user interface to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user," respectively.

While acknowledging that Gregg "fails to teach an advertisement," the Examiner alleges that Hudson teaches such a limitation. *See* Office Action, pages 23-24. Even if this assertion were correct, which Applicant does not concede, Hudson still does not disclose or suggest the above-quoted features recited in claims 87 and 94.

Hudson is directed to "system architecture and methods providing for the streaming delivery of multimedia information through use of a secure content last-element cache." Hudson, ¶ [0004]. But, like Gregg, Hudson fails to teach or suggest at least "a user interface configured to receive information directly from a subscriber terminal associated with a user," and "a user interface to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user," as recited in amended claims 87 and 94, respectively. Thus, Hudson does not compensate for the deficiencies of Gregg.

Applicant therefore submits that independent claims 87 and 94 are not obvious over Gregg and Hudson whether taken alone or in combination. Independent claims 87 and 94 should therefore be allowable. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 87 and 94.

D.   Claims 29, 30, 88, and 89

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Applicant respectfully traverses the rejections of claims 29, 30, 88, and 89 under

35 U.S.C. § 103(a) as being obvious from <u>Gregg</u> in view of <u>Tarnoff</u>.

A *prima facie* case of obviousness cannot be established with respect to these

claims for at least the reason that <u>Gregg</u> in view of <u>Tarnoff</u> does not teach or suggest

each and every claim element of these claims.

Claims 29 and 30 depend from amended independent claim 1, and thus include

all of the elements recited in claim 1. As discussed above, <u>Gregg</u> fails to disclose or

suggest at least "a plurality of gateway units, each coupled between the service provider

network and at least one of a plurality of subscriber terminals," as recited in independent

claim 1, and required by claims 29 and 30.

The Examiner alleged that <u>Tarnoff</u> cures the deficiencies of <u>Gregg</u>. Office Action,

page 25. Even if this assertion were correct, which Applicant does not concede, <u>Tarnoff</u>

still does not teach or suggest the above-quoted features recited in claim 1 and included

in claims 29 and 30.

<u>Tarnoff</u> is directed to components "installed on the website's computer platform

... to detect[ ] search engines and other qualifying databases and lists located at other

nodes." <u>Tarnoff</u>, Abstract. <u>Tarnoff</u>, like, <u>Gregg</u>, however, fails to disclose "a plurality of

gateway units, each coupled between the service provider network and at least one of a

plurality of subscriber terminals," as recited in independent claim 1, and required by

claims 29 and 30. Thus <u>Tarnoff</u> does not compensate for the deficiencies of <u>Gregg</u>.

Amended claim 88 recites, *inter alia*, "[a] gateway unit for regulating access to a

service provider network comprising ... a user interface to transfer, with the service

provider network, content transmitted directly to or received directly from a subscriber

terminal associated with a user." Amended claim 1, although different in scope, recites

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a similar element. Specifically, claim 1 recites, "a plurality of gateway units, each coupled between the service provider network and at least one of a plurality of subscriber terminals." As discussed above, Gregg does teach each and every element of claim 1 because Gregg's subscription access server is coupled between a firewall and the internet, and not coupled to a subscriber terminal at one interface and a service provider network at another interface. Gregg, FIG. 1. For at least the same reasons, Gregg also fails to teach "[a] gateway unit for regulating access to a service provider network comprising ... a user interface to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user," as recited in amended claim 88 and required by claim 89.

The Examiner alleged that Tarnoff cures the deficiencies of Gregg. Office Action, pages 25-26. Even if this assertion were correct, which Applicant does not concede, Tarnoff still does not teach or suggest the above-quoted features recited in claim 88 and included in claims 89. Thus, Tarnoff does not compensate for the deficiencies of Gregg.

Applicant therefore submits that claims 29, 30, 88, and 89 are not obvious over Gregg and Tarnoff whether taken alone or in combination. Independent claims 29, 30, 88, and 89 should therefore be allowable. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 29, 30, 88, and 89.

E   Claims 83 and 84

Applicant respectfully traverses the rejections of claims 83 and 84 under 35 U.S.C. § 103(a) as being obvious from Gregg in view of Saxena.

A *prima facie* case of obviousness cannot be established with respect to these claims for at least the reason that <u>Gregg</u> in view of <u>Saxena</u> does not teach or suggest each and every claim element of these claims.

Claims 83 and 84 depend from amended independent claim 82, and thus include all of the elements recited claim 82. As discussed above, <u>Gregg</u> fails to disclose or suggest at least "a user interface for transferring, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user," as recited in independent claim 82.

The Examiner alleged that <u>Saxena</u> cures the deficiencies of <u>Gregg</u>. Office Action, pages 26-27. Even if this assertion were correct, which Applicant does not concede, <u>Saxena</u> still does not teach or suggest the above-quoted features recited in claim 82 and included in claims 83-84.

<u>Saxena</u> is directed to a method for retrieving web pages from an origin server prior to the web pages being requested by a user. <u>Saxena</u>, Abstract. But, like <u>Gregg</u>, <u>Saxena</u> fails to teach or suggest at least "a user interface for transferring, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user," as recited in claim 82, and thus required by claims 83 and 84. Thus, <u>Saxena</u> does not compensate for the deficiencies of <u>Gregg</u>.

Applicant therefore submits that independent claim 82 is <u>not</u> obvious over <u>Gregg</u> and <u>Saxena</u> whether taken alone or in combination. Independent claim 82 should therefore be allowable. Dependent claims 83 and 84 should also be allowable at least by virtue of their dependence from base claim 82, as well as because they recite additional features not taught or suggested by the cited references. Accordingly,

Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C.

§ 103(a) rejection of claims 83 and 84.

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CONCLUSION

Applicant requests reconsideration of this application and withdrawal of the rejections. Pending claims 1-57, 65-76, 80-90, 93, 94, 111, and 115 are in condition for allowance, and Applicants request a favorable action.

The Office Action contains a number of statements reflecting characterizations of the prior art, alleged inferences to be drawn therefrom, and the claims. Regardless of whether any such statements are identified herein, Applicant declines to automatically subscribe to any such statements or characterizations in the Office Action.
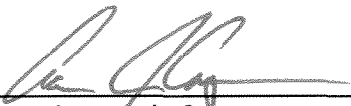
If there are any remaining issues or misunderstandings, Applicant requests the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 26, 2010   By: _____

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Electronic Acknowledgement Receipt

EFS ID:	6885795
Application Number:	10989023
International Application Number:	
Confirmation Number:	1874
Title of Invention:	System for regulating access to and distributing content in a network
First Named Inventor/Applicant Name:	Robert M. Burke
Customer Number:	22852
Filer:	Sarah Meira Barnett
Filer Authorized By:	
Attorney Docket Number:	09635.0001-00000
Receipt Date:	26-JAN-2010
Filing Date:	16-NOV-2004
Time Stamp:	18:00:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	Amendment.PDF	758741 c6cc757e73d7c1ac0d56efae37f5f2c76138d893	no	45

Warnings:

Information:

| Total Files Size (in bytes): | 758741 |

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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 10/989,023	Filing Date 11/16/2004	☒ To be Mailed

APPLICATION AS FILED – PART I

OTHER THAN

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY ☒ RATE ($)	FEE ($)	OR	SMALL ENTITY RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

OTHER THAN

		(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	SMALL ENTITY	
AMENDMENT	**01/26/2010**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 112	Minus	** 115	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 34	Minus	***36	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/NICHELE PETERSON/

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000	1874

22852   7590   05/17/2010
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
05/17/2010	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.

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _the amendment filed on 1/26/10_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-57,65-76,80-90,93,94,111 and 115_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☐ Claim(s) _____ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☒ Claim(s) _1-57,65-76,80-90,93,94,111 and 115_ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _11/16/04_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
       1.☐ Certified copies of the priority documents have been received.
       2.☐ Certified copies of the priority documents have been received in Application No. _____.
       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1, 8-11, 45-49, 65-67, 69, 72, 80-82, 85-88, 90 and 93 have been amended.

Claims 112-114 have been cancelled.

Response to Arguments

Applicants amendments filed in the amendment filed on 1/26/10 have been fully considered. Upon inspection of the newly amended claims, the Examiner requires a restriction election as presented below necessitated by amended claims.

Election/Restrictions

1.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

   I.   Claims 1-48, 69-71, 80, 82-84, 85, 86 and 115 drawn to network access regulating, classified in class 709, subclass 225.

   II.   Claims 49-57, drawn to resource access controlling, classified in class 709, subclass 229.

   III.   Claims 65, 66, 67-68, 72-76, 81, 93, 111 drawn to computer network monitoring, classified in class 709, subclass 223.

   IV.   Claims 87, 88-89, 94 drawn to payment methods for video distribution, classified in class 725, subclass 5.

   V.   Claim 90 drawn to charge determination for use of selected information, classified in class 705, subclass 52.

2.   Inventions **I-V** are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, **subcombination I** has separate utility such as regulating access to a network. **Subcombination II** has separate utility such as preventing and determining DOS attacks in a network. **Subcombination III** has separate utility such as monitoring a network for specific kinds of traffic.
Subcombination IV has a separate utility such as prompting payment messages to a user depending if they want to order a service. **Subcombination V** has a separate utility such as determining charges for network services. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

3.   Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above

and there would be a serious search and examination burden if restriction were not

required because one or more of the following reasons apply:

(a) the inventions have acquired a separate status in the art in view of their

different classification;

(b) the inventions have acquired a separate status in the art due to their

recognized divergent subject matter;

(c) the inventions require a different field of search (for example, searching

different classes/subclasses or electronic resources, or employing different

search queries);

(d) the prior art applicable to one invention would not likely be applicable to

another invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C.

101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must

include (i) an election of a invention to be examined even though the requirement

may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing**

the elected invention.

The election of an invention may be made with or without traverse. To reserve a

right to petition, the election must be made with traverse. If the reply does not distinctly

and specifically point out supposed errors in the restriction requirement, the election

shall be treated as an election without traverse. Traversal must be presented at the time

of election in order to be considered timely. Failure to timely traverse the requirement

will result in the loss of right to petition under 37 CFR 1.144. If claims are added after

the election, applicant must indicate which of these claims are readable on the elected

invention.

If claims are added after the election, applicant must indicate which of these

claims are readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably

distinct, applicant should submit evidence or identify such evidence now of record

showing the inventions to be obvious variants or clearly admit on the record that this is

the case. In either instance, if the examiner finds one of the inventions unpatentable

over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.

103(a) of the other invention.

Conclusion

A shortened statutory period for reply to this final action is set to expire ONE

MONTH from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL K. KHAJURIA whose telephone number is

(571)270-5662. The examiner can normally be reached on Monday - Thursday Alt.

Friday, 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. K./
Examiner, Art Unit 2446

/Benjamin R Bruckart/
Primary Examiner, Art Unit 2446

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	Art Unit
	SHRIPAL K KHAJURIA	2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE									
Final	Original	10/23/2009	04/23/2010								
	1	✓	÷								
	2	✓	÷								
	3	✓	÷								
	4	✓	÷								
	5	✓	÷								
	6	✓	÷								
	7	✓	÷								
	8	✓	÷								
	9	✓	÷								
	10	✓	÷								
	11	✓	÷								
	12	✓	÷								
	13	✓	÷								
	14	✓	÷								
	15	✓	÷								
	16	✓	÷								
	17	✓	÷								
	18	✓	÷								
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	27	✓	÷								
	28	✓	÷								
	29	✓	÷								
	30	✓	÷								
	31	✓	÷								
	32	✓	÷								
	33	✓	÷								
	34	✓	÷								
	35	✓	÷								
	36	✓	÷								

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010							
	37	✓	÷							
	38	✓	÷							
	39	✓	÷							
	40	✓	÷							
	41	✓	÷							
	42	✓	÷							
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	60	N	N							
	61	N	N							
	62	N	N							
	63	N	N							
	64	N	N							
	65	✓	÷							
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	67	✓	÷							
	68	✓	÷							
	69	✓	÷							
	70	✓	÷							
	71	✓	÷							
	72	✓	÷							

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Index of Claims		10989023	BURKE ET AL.
		Examiner	Art Unit
		SHRIPAL K KHAJURIA	2446

✓	**Rejected**	-	**Cancelled**	**N**	**Non-Elected**	**A**	**Appeal**
=	**Allowed**	÷	**Restricted**	**I**	**Interference**	**O**	**Objected**

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010							
	73	✓	÷							
	74	✓	÷							
	75	✓	÷							
	76	✓	÷							
	77	N	N							
	78	N	N							
	79	N	N							
	80	✓	÷							
	81	✓	÷							
	82	✓	÷							
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	91	N	N							
	92	N	N							
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	101	✓	÷							
	102	✓	÷							
	103	✓	÷							
	104	✓	÷							
	105	✓	÷							
	106	✓	÷							
	107	✓	÷							
	108	✓	÷							

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Index of Claims		10989023	BURKE ET AL.
		Examiner	**Art Unit**
		SHRIPAL K KHAJURIA	2446

✓	**Rejected**	-	**Cancelled**	**N**	**Non-Elected**	**A**	**Appeal**
=	**Allowed**	÷	**Restricted**	**I**	**Interference**	**O**	**Objected**

☐ **Claims renumbered in the same order as presented by applicant**   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010							
	109	✓	÷							
	110	✓	÷							
	111	✓	÷							
	112	✓	-							
	113	✓	-							
	114	✓	-							
	115	✓	÷							

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Robert M. BURKE II, et al.	) Group Art Unit: 2446
	)
Application No.: 10/989,023	) Examiner: Shripal K. KHAJURIA
	)
Filed: November 16, 2004	)
	) Confirmation No.: 1874
For: SYSTEM FOR REGULATING	)
ACCESS TO AND DISTRIBUTING	)
CONTENT IN A NETWORK	)

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

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a Restriction Requirement mailed May 17, 2010, the Examiner required restriction under 35 U.S.C. § 121 between the following groups:

Group I, claims 1-48, 69-71, 80, 82-84, 85, 86, and 115, characterized by the Examiner as being drawn to network access regulating, classified in class 709, subclass 225.

Group II, claims 49-57, characterized by the Examiner as being drawn to resource access controlling, classified in class 709, subclass 229;

Group III, claims 65, 66, 67-68, 72-76, 81, 93, and 111, characterized by the Examiner as being drawn to computer network monitoring, classified in class 709, subclass 223;

Group IV, claims 87, 88-89, and 94, characterized by the Examiner as being drawn to payment methods for video distribution, classified in class 725, subclass 5; and

Group V, claim 90, characterized by the Examiner as being drawn to charge determination for use of selected information, classified in class 705, subclass 52.
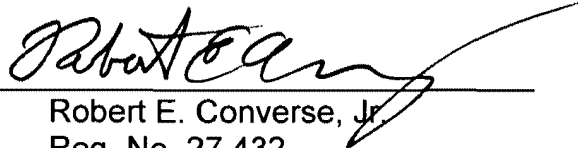
In response, Applicant provisionally elects to prosecute Group I, claims 1-48, 69-71, 80, 82-84, 85, 86, and 115 , without traverse.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: _6/8/10_   By:_____

Robert E. Converse, Jr.
Reg. No. 27,432
Tel. No. (202) 408-4000

-2-

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000	1874

22852   7590   08/20/2010
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
08/20/2010	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.

	Application No.	Applicant(s)
Office Action Summary	10/989,023	BURKE ET AL.
	Examiner	Art Unit	
	SHRIPAL K. KHAJURIA	2446	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *the amendment filed 1/26/10*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-115* is/are pending in the application.

    4a) Of the above claim(s) *49-68, 72-79, 81, 87-114* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-48, 69-71, 80, 82-86 and 115* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11/16/04* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1, 8-11, 45-49, 69, 80, 82, 85, 86, and 115 have been amended.

A non-final rejection was mailed out on 10/26/09.

Based on the Applicants amendments and response filed to that non-final

rejection on 1/26/10, a second election/restriction was sent out on 5/17/10.

Applicant has elected Group I which contains claims 1-48, 69-71, 80, 82-84, 85,

86 and 115.

The 35 U.S.C 112 second paragraph rejection made upon claims 45-48 has

been withdrawn based on Applicants amendments.

Response to Arguments

Applicants arguments filed in the amendment filed 1/26/10 have been fully

considered but are moot in view of new grounds of rejection. The reasons set forth

below.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-16, 20, 23-27,31-35,37, 39-48, 69-71, 82 and 115 are rejected under 35

U.S.C. 102(b) as being anticipated by Gregg et al US (6,516,416).

a.   (Currently Amended) Regarding claim 1, Gregg et al teaches a system for

regulating access to a network (see column 1 lines 58-67), the system

comprising: a controller node (see clearinghouse server 30 in Figures 1 and 30

and column 4 lines 44-50), located in the service provider coupled to the network

(column 4 lines 44-59), configured to control processing of content data

exchanged over the service provider network (see column 4 lines 44-59), the

controller node comprising: a first processor for generating controller instructions

(see column 5 lines 3-6 and administration software 32); the controller

instructions configured to be executed by a plurality of gateway units (see Fig. 30

and webservers 69) to regulate processing of received content (see column 26

lines 43-66) ; and a first network interface for transmitting the controller

instructions over the service provider network (see column 4 lines 63-67 and

column 5 lines 1-6 and LAN 40); and [[a]] the plurality of gateway units (see Fig.

30 and webservers 69), each coupled between the service provider network and

at least one of a plurality of subscriber terminals (see Fig. 30 and column 26 lines

43-66), and configured to regulate access to the content data exchanged over

the service provider network from at least one of the plurality of subscriber

terminals in response to receipt of the controller instructions (see column 25 lines

47-61, the webserver 69 authenticates users); the gateway units comprising: a

user interface receiving user-entered network access requests (see column 25

lines 47-61); a second network interface coupled to the service provider network

and receiving the controller instructions from the network controller node (see

column 6 lines 25-30); and a second processor, the second processor selectively

transmitting at least some of the network access requests over the <u>service</u>

<u>provider</u> network in accordance with the controller instructions (see column 20

lines 14-20 and blocks 330, 332, and 334 in Fig. 24), and transferring <u>received</u>

content data responsive to the transmitted network access requests over the

<u>service provider</u> network via the second network interface (see column 20 lines

14-18 and block 332 in Fig. 24 and Fig.2).

b.   (Original) Regarding claim 2, Gregg et al teaches wherein: the gateway

units further comprise a storage device for storing instructions (see Fig. 3 and

access key 54); the gateway units further comprise an identifier uniquely

associating the gateway units with a user (see column 7 lines 48-65); and the

storage device is operable to store user-specific information (see Fig. 3 and

access key 54 and column 8 lines 33-38).

c.   (Original) Regarding claim 3, Gregg et al teaches wherein: the gateway

units comprise a user interface receiving requests to transmit data (see column 5

lines 32-55); and the gateway units comprise a second processor inspecting the

data to selectively transfer the data in accordance with the controller instructions

(see column 6 lines 25-32).

d.   (Original) Regarding claim 4, Gregg et al teaches wherein: the gateway

units comprise a user interface receiving requests to receive data (see column 5

lines 32-55); and the gateway units comprise a second processor inspecting the

data to selectively transfer the data in accordance with the controller instructions
(see column 6 lines 25-32).

e.   (Original) Regarding claim 5, Gregg et al teaches wherein the first
processor generates the controller instructions automatically (see column 5 lines
3-6).

f.   (Original) Regarding claim 6, Gregg et al teaches wherein the first
processor generates the controller instructions in response to an operator-
entered request (see column 5 lines 3-6).

g.   (Original) Regarding claim 7, Gregg et al teaches wherein the controller
nodes comprise a first processor generating the controller instructions by
operator-controlled network crawling (see column 5 lines 3-6).

h.   (Currently Amended) Regarding claim 8, Gregg et al teaches wherein the
controller nodes comprise a first processor generating the controller instructions
configured to deny user access to a first group of network servers (see column
18 lines 13-29 and Fig. 20 block 206).

i.   (Currently Amended) Regarding claim 9, Gregg et al teaches wherein the
gateway units comprise a second processor configured to generate a notification
to a controller node if a network access request designates a network server of
the first group of network servers (see Fig 8 and block 162 and column 17 lines
48-53).

j.   (Currently Amended) Regarding claim 10, Gregg et al teaches wherein the
gateway units comprise a second processor configured to: detect a network

access request designating a network server a first group of network servers

(see Fig. 21 block 250 and column 18 lines 61-64); and re-direct the access

request to a second group of network servers (see Fig. 21 block 264 and column

19 lines 4-8), in accordance with the controller instructions.

k.   (Currently Amended) Regarding claim 11, Gregg et al teaches wherein:

the controller nodes comprise a first processor generating the controller

instructions (see column 5 lines 3-6), the controller instructions including a file

identifier (see column 5 lines 52-55); and the system comprises a plurality of

gateway units associated with a user file system (see subscriber software 36 and

Fig. 30), the gateway units comprising a second processor configured to detect a

file in a user file system corresponding to the file identifier (see column 11 lines

58-65).

l.   (Original) Regarding claim 12, Gregg et al teaches wherein the gateway

units are operable between an active state (see column 13 lines 1-3) and an

inactive state (see column 12 lines 41-46).

m.   (Original) Regarding claim 13, Gregg et al teaches wherein the second

processors notify a controller node if the associated gateway unit enters an

inactive state (see column 12 lines 41-46).

n.   (Original) Regarding claim 14 Gregg et al teaches wherein the second

processors delete the detected files from a user file system in accordance with

the controller instructions (see column 12 lines 60-62).

o.   (Original) Regarding claim 15, Gregg et al teaches wherein the second

processors delete the detected files from a user file system during the inactive

state (see column 12 lines 60-62).

p.   (Original) Regarding claim 16, Gregg et al teaches wherein the gateway

units notify a controller node if a file corresponding to the file identifier is detected

(see column 2 lines 9-18).

q.   (Original) Regarding claim 20, Gregg et al teaches wherein the gateway

units comprise a second processor that enters a user-controlled operational

mode after receiving permission from the controller node (see column 26 lines

50-66).

r.   (Original) Regarding claim 23, Gregg et al teaches wherein the second

processor causes the gateway unit to access a predetermined network site upon

initiation of network browser software, in accordance with the controller

instructions (see Fig. 1 and Fig. 2).

s.   (Original) Regarding claim 24, Gregg et al teaches wherein the second

processor selects the predetermined network site from a list of predetermined

network sites received via the controller instructions (see Fig. 1 and Fig. 2 and

column 5 lines 32-55).

t.   (Original) Regarding claim 25, Gregg et al teaches wherein the second

processor selects the predetermined network site according to a weighting

function such that at least a portion of the predetermined network sites are

selected more often than others (see Fig. 1 and Fig. 2 and column 5 lines 32-55).

u.   (Original) Regarding claim 26, Gregg et al teaches wherein the gateway

units: receive registration information from a user via the user interface; and

receive initial operating parameters via the second network interface (see Fig. 2).

v.   (Original) Regarding claim 27, Gregg et al teaches wherein the gateway

units: receive registration information from a user via the user interface; and

receive software updates via the second network interface (see Fig. 2).

w.   (Original) Regarding claim 31, Gregg et al teaches wherein the gateway

units receive software via the second network interface for execution on the

second processor, the software enabling at least one of a fee-based network

service, network video calling, and network gaming (see Fig. 24 and blocks 332

and 336).

x.   (Original) Regarding claim 32, Gregg et al teaches wherein the second

processor detects a denial-of-service attack (see Fig. 18 block 176).

y.   (Original) Regarding claim 33, Gregg et al teaches wherein the second

processor detects a denial-of-service attack initiated by a virus (see Fig. 18 block

176).

z.   (Original) Regarding claim 34, Gregg et al teaches wherein the gateway

units selectively transmit to law enforcement terminals information describing at

least one of incoming data and outgoing data to the gateway units (see fig 18

blocks 168 and 170, and Fig. 23 steps 310, 324 and 326).

aa.   (Original) Regarding claim 35, Gregg et al teaches the system of claim 1,

wherein the gateway units: detect a user attempt to at least one of transmit and

receive voice traffic; and selectively block the detected attempt in accordance with the controller instructions (see Fig. 24 blocks 330, 332 and Fig. 18 block 176).

bb.   (Original) Regarding claim 37 Gregg et al teaches the system of claim 1, wherein the gateway units: detect a user attempt to at least one of transmit and receive at least one of audio and video traffic; and selectively block the detected attempt in accordance with the controller instructions (see Fig. 24 blocks 330, 332 and Fig. 18 block 176).

cc.   (Original) Regarding claim 39, Gregg et al teaches the system of claim 1, wherein the gateway units: detect at least one of audio and video traffic flowing through the second network interface (see Fig. 12 and Fig. 24 blocks 330 and 332); and selectively reduce the quality of service of the at least one of audio and video traffic in accordance with the controller instructions , wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic (see fig. 21 block 268).

dd.   (Original) Regarding claim 40, Gregg et al teaches further comprising a plurality of access nodes (see subscriber software 36 and Fig. 2), wherein the controller node comprises a first processor for generating authorization instructions and transmitting the authorization instructions over the network to the access nodes (see Subscription Host 34 and Fig. 2), and the access nodes:

receive the authorization instructions from the controller node (see Fig. 1); and

selectively permit the gateway units to access the network in accordance with the

authorization instructions (see Fig.2).

ee.   (Original) Regarding claim 41, Gregg et al teaches the system of claim 1,

wherein the gateway units comprise data storage units partitioned into a network

portion and a user portion, and at least one of a first group of gateway units

selectively shares data stored in the network partition with at least one of a

second group of gateway units, via the second network interface, in accordance

with the controller instructions (see column 8 lines 20-67).

ff.   (Original) Regarding claim 42, Gregg et al teaches the system of claim 1,

wherein the second processor in at least a first one of the gateway units

selectively forwards content data received from at least a second one of the

gateway units to at least a third one of the gateway units in accordance with the

controller instructions (see Fig. 2 and column 6 lines 17-32).

gg.   (Original) Regarding claim 43, Gregg et al teaches the system of claim 42

wherein the second processor in at least a first one of the gateway units:

receives portions of a content data file from a group of gateway units in

accordance with the controller instructions (see fig. 2 and column 6 lines 27-30);

and assembles a data file based on the received portions for transmission to the

user via the user interface (See fig. 2).

hh.   (Original) Regarding claim 44, Gregg et al teaches the system of claim 1,

further comprising an intervention node, the intervention node comprising: an

operator interface for receiving operator-entered spoofing attack instructions; and

a third network interface for transmitting at least one substitute file pointer to

addresses in the network in accordance with the spoofing attack instructions (see

Fig. 18).

ii.   (Currently Amended) Regarding claim 45, Gregg et al teaches the system

of claim 1, further comprising network units (see fig. 2 item 36), the network units

comprising: a network interface coupled to the network and configured to receive

~~receiving~~ the controller instructions from the network and network traffic from a

gateway unit (see fig. 2 item 34); and a processor for selectively reducing ~~the~~

~~flow of~~ the received ~~network traffic~~ content data in accordance with the controller

instructions (see fig. 2, if the user does not meet access rights, they are denied

access).

jj.   (Currently Amended) Regarding claim 46, Gregg et al teaches the system

of claim 45, wherein the network units: detect the ~~flow of~~ received content data

that includes voice traffic (see Fig.2); and selectively block the detected traffic in

accordance with the controller instructions (see Fig. 2).

kk.   (Currently Amended) Regarding claim 47, Gregg et al teaches the system

of claim 45, wherein the network units: detect the ~~flow of~~ received content data

that includes at least one of audio and video traffic; and selectively block the

detected traffic in accordance with the controller instructions (see fig. 2 and fig.

3).

ll.   (Currently Amended) Regarding claim 48, Gregg et al teaches the system

of claim 45, wherein the network units: detect the ~~flow of~~ received content data

that includes at least one of audio and video traffic (see fig. 2 and fig. 3); and

selectively reduce the quality of service of the detected at least one of audio and

video traffic in accordance with the controller instructions (see fig. 2 and fig. 3),

wherein the reduction of quality of service comprises at least one of: reducing a

duty cycle (see fig. 2 and fig. 3), inserting TCP/IP messages in the at least one of

audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and

video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video

traffic (see fig. 2 and fig. 3).

mm.   (Currently Amended) Regarding claim 69, Gregg et al teaches a controller

node for regulating access to a service provider network comprising: a processor

configured to generate controller instructions (see column 5 lines 3-6 and

administration software 32) that regulate processing by a plurality of gateway

units of received content data (see column 26 lines 43-66 and Fig. 30 and

webservers 69); and a network interface configured to be coupled directly to a

service provider network and configured to transmit the controller instructions

over the service provider network to a plurality of gateway units (see column 26

lines 43-66), the controller instructions causing at least one gateway unit to deny

access to a first group of network servers (see column 25 lines 47-61).

nn.   (Original) Regarding claim 70, Gregg et al teaches the controller node of

claim 69, wherein the network interface receives notification from at least one

gateway unit if the at least one gateway unit detects a request to access a denied network server (see column 6 line 17-32).

oo.   (Original) Regarding claim 71, Gregg et al teaches the controller node of claim 69, wherein the processor generates instructions causing a gateway unit to re-direct user access requests to a second group of network servers in accordance with the controller instructions (see column 8 lines 10-13).

pp.   (Currently Amended) Regarding claim 82, Gregg et al teaches a gateway unit for regulating access to a <u>service provider </u>network (see column 4 lines 44-59) comprising: a network interface for providing access to the <u>service provider</u> network and for receiving controller instructions from the <u>service provider </u>network (see column 5 lines 3-6 and administration software 32); a user interface for transferring,<u> with the service provider network,</u> content <u>transmitted directly to or received directly from a subscriber terminal associated with a user</u> ~~between the network and a user~~ (see column 26 lines 43-66 and Fig. 30 and webservers 69); and a processor for connecting to a predetermined network site upon initiation of network browser software, in accordance with the received controller instructions (see column 25 lines 47-61).

qq.   (Currently Amended) Regarding claim 115, Gregg et al teaches a controller node for regulating access to a <u>service provider </u>network (see column 4 lines 44-59), the controller node comprising: a processor for generating controller instructions <u>that regulate processing by network units of received content data</u> (see column 26 lines 43-66 and Fig. 30 and webservers 69); and a network

interface for transmitting the controller instructions over the <u>service provider</u>

network to network units associated with a first group of users (see column 26

lines 43-66 and Fig. 30 and webservers 69), the controller instructions being

configured to cause the network units to inhibit access for a second group of

users to <u>received</u> content <u>data</u> [[in]] <u>accessible from</u> the <u>service provider</u> network

(see column 25 lines 47-61).

Claim Rejections - 35 USC § 103

2.   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 negatived by the manner in which the invention was made.

3.   Claims 21, 22, 28, 36 and 38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gregg et al US (6,516,416) and in further view of Cooper et al. US

(20010051966).

        rr.   (Original) Regarding claim 21, Gregg et al teaches all the limitations of

        claim 1 from which claim 21 depends on. However Gregg fails to explicitly teach

        a copyright registry as further recited in the claim. Conversely Cooper et al

        teaches such a limitation; wherein the controller node comprises a copyright

        registry for tracking copyright status of content data files distributed to gateway

        units in the system (see Fig. 2, copyright registry 234 and paragraph [0094]).

        Therefore it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have combined the teachings of Gregg et al with

the copyright registry as taught by Cooper et al. The motivation for this would

have been to allow users to register their copyrighted content for tracking

purposes.

ss.   (Original) Regarding claim 22, Cooper et al further teaches wherein the

user interface receives registrations of the content data files for transmission to

the copyright registry (see Fig. 2, copyright registry 234 and paragraphs [0094]-

[0099]).

tt.   (Original) Regarding claim 28, Gregg et al teaches the limitations of claim

1 from which claim 28 depends on. However Gregg et al fails to explicitly teach

customized advertising as further recited in the claim. Conversely Cooper

teaches such a limitation; wherein: the gateway units transmit advertising via the

user interface to a user display, the advertising being customized in accordance

with information received via at least one of the second network interface and the

user interface (see paragraph [0177]). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Gregg et al with the customized advertisements as

taught by Cooper et al. The motivation for this would have been to target the user

with advertisements that would be of interest.

uu.   (Original) Regarding claim 36, Gregg et al teaches the limitations of claim

1 from which claim 36 depends on. However Gregg et al fails to explicitly teach

customized advertising as further recited in the claim. Conversely Cooper

teaches such a limitation; wherein the gateway units transmit, via the user

interface, an advertisement offering voice transmission services (see paragraph

[0177]). Therefore it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to have combined the teachings of Gregg

et al with the customized advertisements as taught by Cooper et al. The

motivation for this would have been to target the user with advertisements that

would be of interest.

vv.   (Original) Regarding claim 38, Gregg et al teaches the limitations of claim

1 from which claim 38 depends on. However Gregg et al fails to explicitly teach

customized advertising as further recited in the claim. Conversely Cooper

teaches such a limitation; wherein the gateway units transmit, via the user

interface, an advertisement offering at least one of audio and video traffic

services (see paragraph [0177]). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Gregg et al with the customized advertisements as

taught by Cooper et al. The motivation for this would have been to target the user

with advertisements that would be of interest.

4.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gregg et al US (6,516,416) and in further view of Harvey et al US (20050033990).

ww.   (Original) Regarding claim 17, Gregg et al teaches all the limitations of

claim 1 from which claim 17 depends on. However Gregg et al fails to explicitly

teach a housing detector as further recited in the claims. Conversely Harvey et

al teaches such a limitation; wherein the gateway units comprise: a housing; and a detector for detecting an attempt to open the housing (see paragraph [0108]). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Gregg et al with the housing tamper detector as taught by Harvey et al. The motivation for this would have been to enhance the security features of a network node.

xx.   (Original) Regarding claim 18, Harvey et al further teaches wherein the gateway unit notifies the controller node of a detected attempt to open the housing after a user-initiated event (see paragraph [0108]).

yy.   (Original) Regarding claim 19, Harvey et al further teaches wherein the gateway units comprise a storage device and the second processor prevents access to the storage device when the detector detects an attempt to open the housing (see paragraph [0108]).

5.   Claims 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg et al US (6,516,416) and in further view of Tarnoff US (20020169865).

zz.   (Original) Regarding claim 29, Gregg et al teaches all the limitations of claim 1 from which claim 29 depends on. However Gregg et al fails to explicitly teach pay-per-view advertising as further recited in the claim. Conversely Tarnoff teaches such a limitation; wherein the gateway units: transmit pay-per-view advertising via the user interface for selective display by a user; and generate payment credits for the user upon display of the advertising by the user (see

paragraph [0224]). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Gregg et al with the pay-per-view advertising as taught by Tarnoff. The motivation for this would have been to induce impulse buys for customers searching for things related to the pay-per-view content.

aaa.   (Original) Regarding claim 30, Tarnoff further teaches wherein the gateway units generate one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection (see paragraph [0174]).

6.   Claims 80, 85, 86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hans et al US (20020120577) and in further view of Gregg et al US (6,516,416).

bbb.   (Currently Amended) Regarding claim 80, Hans et al teaches a gateway unit for regulating access to a <u>service provider</u> network (see Fig. 1 and content management node 10 and content manager 11), comprising: a network interface for providing access to the <u>service provider</u> network (see paragraph [0026; and a processor that enters a user-controlled operational mode after receiving permission over the <u>service provider</u> network from a controller node via the network interface (see paragraph [0028]). Although Hans teaches the limitations above he fails to explicitly teach user-entered network access requests as further recited in the claims. Conversely Gregg et al teaches such a limitation; a user interface <u>configured</u> to receive user-entered network access requests <u>directly from a subscriber terminal</u> (see column 25 lines 47-61). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was

made to have combined the teachings of Hans with the receiving of user-entered

access requests as taught by Gregg et al. The motivation for this would have

been to let a user have subscription access over an untrusted network (see

column 1 lines 47-51).

ccc.   (Currently Amended) Regarding claim 85, Hans et al teaches a gateway

unit for regulating access to a network (see Fig. 1 and content management node

10 and content manager 11) comprising: a network interface configured to

provide access to the network (see paragraph [0026]); between the network and

a user (see Fig. 5, box 98); and a processor configured to gather registration

information from the user via the user interface and to receive initial operating

parameters via the network interface (see paragraph [0028]). Although Hans

teaches the limitations above he fails to explicitly teach user-entered network

access requests as further recited in the claims. Conversely Gregg et al teaches

such a limitation; a user interface configured to transfer, with the service provider

network, content transmitted directly to or received from a subscriber terminal

associated with a user (see column 25 lines 47-61). Therefore it would have

been obvious to a person of ordinary skill in the art at the time the invention was

made to have combined the teachings of Hans with the receiving of user-entered

access requests as taught by Gregg et al. The motivation for this would have

been to let a user have subscription access over an untrusted network (see

column 1 lines 47-51).

ddd.   (Currently Amended) Regarding claim 86, Hans et al teaches a gateway

unit for regulating access to a <u>service provider </u>network (see Fig. 1 and content

management node 10 and content manager 11) comprising: a network interface

<u>configured </u>to provide access to the <u>service provider </u>network (see paragraph

[0026]); ~~between the network and a user~~ (see Fig. 5, box 98); and a processor

<u>configured </u>to gather registration information from the user via the user interface

and to receive software updates via the network interface (see paragraph

[0028]). Although Hans teaches the limitations above he fails to explicitly teach

user-entered network access requests as further recited in the claims.

Conversely Gregg et al teaches such a limitation; a user interface <u>configured </u>to

transfer, <u>with the service provider network,</u> content <u>transmitted directly to or</u>

<u>received directly from a subscriber terminal associated with a user</u> (see column

25 lines 47-61). Therefore it would have been obvious to a person of ordinary

skill in the art at the time the invention was made to have combined the teachings

of Hans with the receiving of user-entered access requests as taught by Gregg et

al. The motivation for this would have been to let a user have subscription

access over an untrusted network (see column 1 lines 47-51).

7.   Claims 83 and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Gregg et al US (6,516,416) and in further view of Saxena US (20020103778).

eee.   (Original) Regarding claim 83, Gregg et al teaches all the limitations of

claim 82 form which claim 83 depends on. However Gregg et al fails to explicitly

teach predetermined network sites as further recited in the claim. Conversely

Saxena teaches such a limitation; wherein the processor selects the predetermined network site from a list of predetermined network sites (see paragraph [0049]). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Gregg et al with the predetermined websites as taught by Saxena. The motivation for this would have been to provide a user specific websites to see which are related to the content that they are requesting.

fff.   (Original) Regarding claim 84, Saxena further teaches wherein the processor selects from the list of predetermined network sites according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others (see paragraph [0006]).

Remarks

The Applicant Argues:

In regards to claims 1, 69, 82 and 115 (claims 49, 67, 72 and 93 have been withdrawn) Gregg does not teach the amended portions of the claims, these amended portions will be addressed below.

In Response, the examiner respectfully submits:

The rejection is maintained because Gregg does in fact teach each of the newly amended limitations as recited by the Applicant. Applicant first argues that "a controller node located in the service provider network" is not taught by Gregg. Gregg teaches this limitation in Fig. 30, where it shows a clearinghouse 30. Column 4 lines

44-50 teach exactly what the clearing house 30 is "The clearinghouse 30 is the entity

that hosts all of the subscription information and the subscriber information. It provides a

secure interface to the subscription access servers 34 which enables the subscription

access servers to authenticate subscribers and to send subscriber's usage data and

universal resource locator (URL) tracking data to the clearinghouse 30." The term

"controller node" is very broad as anything which implements any kind of control on a

network can be considered a controller node, in this instance the clearinghouse 30

enables subscription servers to authenticate subscribers, hence controlling who has

access and who does not. Further in Fig. 30 it shows that clearinghouse 30 can be

located anywhere (Chicago and Omaha are given as examples) and it is apparent that

these would lie in a service provider network.

The Applicant next argues that Gregg fails to teach a controller node

comprising "a first processor for generating controller instructions, the controller

instruction configured to be executed by a plurality of gateway units to regulate

processing of received content data". Gregg teaches a plurality of gateway units as

shown in Fig. 30, webserver 69. The controller instructions are passed on from the

clearinghouse 30 to the webserver 69 to regulate users whom are subscribed or not.

Column 25 lines 47-61 further emphasize this teaching by Gregg.

Finally the Applicant argues that Gregg fails to teach "a plurality of

gateway units, each coupled between the service provider network and at least one of a

plurality of subscriber terminals." Looking at Fig. 30 once again we see the plurality of

gateways (webservers 69) clearly coupled in between the SA subscriber 36 on the left

hand side and the SA clearing house 30 on the right hand side. The clearinghouse 30

is the one providing the service hence it is apparent they belong in a service provider

network.

The Applicant Argues:

In regards to claims 1, 69, 82 and 115 (claims 49, 67, 72 and 93 have

been withdrawn) Greggs administration software does not disclose the claimed

controller node.

In Response, the examiner respectfully submits:

This argument is now moot because and different portion of Gregg is now

used to teach the controller node, specifically clearing house 30 is "The clearinghouse

30 is the entity that hosts all of the subscription information and the subscriber

information. It provides a secure interface to the subscription access servers 34 which

enables the subscription access servers to authenticate subscribers and to send

subscriber's usage data and universal resource locator (URL) tracking data to the

clearinghouse 30" (see column 4 lines 44-50). The term "controller node" is very broad

as anything which implements any kind of control on a network can be considered a

controller node, in this instance the clearinghouse 30 enables subscription servers to

authenticate subscribers, hence controlling who has access and who does not.

The Applicant Argues:

In regards to claims 1, 69, 82 and 115 (claims 49, 67, 72 and 93 have been withdrawn) Gregg does not disclose "a controller node for regulating access to a network comprising: a processor to generate controller instructions."

In Response, the examiner respectfully submits:

The rejection is maintained because Gregg does in fact teach this limitation as broadly recited by the Applicant. Gregg teaches a plurality of gateway units as shown in Fig. 30, webserver 69. The controller instructions are passed on from the clearinghouse 30 to the webserver 69 to regulate users whom are subscribed or not. Column 25 lines 47-61 further emphasize this teaching by Gregg. In this section Gregg states "When a subscription access subscriber attempts to access any subscription access protected content from any one of these web sites, the respective server 69 for that web site will need to authenticate the subscriber. In order to perform subscriber authentication, the subscription access server will need to interact with the system clearinghouse 30, which it does by establishing and maintaining a communication line between itself and the clearinghouse. The information transmitted on this communication line is encrypted using a public/private key mechanism so that only authentic servers and an to authentic subscription access clearinghouse can communicate with each other. The server 69 also implements the same mechanism in sending usage transaction data to the subscription access clearinghouse's data warehouse." Once again access to the network and content on the network is regulated.

The Applicant further argues that "the Examiner equates Greggs subscriber software to the claimed gateway unit" however this is now moot as Examiner is now correlating the gateway unit to the webserver 69 found in Fig. 30.

The Applicant Argues:

In regards to claims 80, 85 and 86 (claims 65, 66, 90 and 111 have been withdrawn) Hans does not teach the amended features

In Response, the examiner respectfully submits:

This argument is now moot in view of new grounds of rejections, specifically in view of Gregg et al. Please see arguments and Office Action above for specific citations.

The Applicant Argues:

In regards to the dependant claims the additional reference all fail to cure the deficiencies of Gregg.

In Response, the examiner respectfully submits:

This argument is now moot in view of new grounds of rejections, specifically the new citations in Gregg, please see Office Action above for citations.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL K. KHAJURIA whose telephone number is

(571)270-5662. The examiner can normally be reached on Monday - Thursday Alt.

Friday, 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. K./
Examiner, Art Unit 2446

/Benjamin R Bruckart/
Primary Examiner, Art Unit 2446

Search Notes ‖‖‖‖‖‖‖	**Application/Control No.** 10989023	**Applicant(s)/Patent Under Reexamination** BURKE ET AL.
	Examiner SHRIPAL K KHAJURIA	**Art Unit** 2446

SEARCHED

Class	Subclass	Date	Examiner
709	225	10/22/09	skk
709	225	8/13/10	skk

SEARCH NOTES

Search Notes	Date	Examiner
Inventor Search	10/22/09	skk
East search - see attached	10/22/09	skk
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent, IBM_TDB) and Inventor search.	8/13/10	skk

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Index of Claims	10989023	BURKE ET AL.
	Examiner	Art Unit
	SHRIPAL K KHAJURIA	2446

✓	**Rejected**		-	**Cancelled**		N	**Non-Elected**		A	**Appeal**
=	**Allowed**		÷	**Restricted**		I	**Interference**		O	**Objected**

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010						
	1	✓	÷	✓						
	2	✓	÷	✓						
	3	✓	÷	✓						
	4	✓	÷	✓						
	5	✓	÷	✓						
	6	✓	÷	✓						
	7	✓	÷	✓						
	8	✓	÷	✓						
	9	✓	÷	✓						
	10	✓	÷	✓						
	11	✓	÷	✓						
	12	✓	÷	✓						
	13	✓	÷	✓						
	14	✓	÷	✓						
	15	✓	÷	✓						
	16	✓	÷	✓						
	17	✓	÷	✓						
	18	✓	÷	✓						
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	26	✓	÷	✓						
	27	✓	÷	✓						
	28	✓	÷	✓						
	29	✓	÷	✓						
	30	✓	÷	✓						
	31	✓	÷	✓						
	32	✓	÷	✓						
	33	✓	÷	✓						
	34	✓	÷	✓						
	35	✓	÷	✓						
	36	✓	÷	✓						

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Index of Claims		10989023	BURKE ET AL.
		Examiner	Art Unit
		SHRIPAL K KHAJURIA	2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010						
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	38	✓	÷	✓						
	39	✓	÷	✓						
	40	✓	÷	✓						
	41	✓	÷	✓						
	42	✓	÷	✓						
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	62	N	N	N						
	63	N	N	N						
	64	N	N	N						
	65	✓	÷	N						
	66	✓	÷	N						
	67	✓	÷	N						
	68	✓	÷	N						
	69	✓	÷	✓						
	70	✓	÷	✓						
	71	✓	÷	✓						
	72	✓	÷	N						

	Index of Claims	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
		Examiner SHRIPAL K KHAJURIA	Art Unit 2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010						
	73	✓	÷	N						
	74	✓	÷	N						
	75	✓	÷	N						
	76	✓	÷	N						
	77	N	N	N						
	78	N	N	N						
	79	N	N	N						
	80	✓	÷	✓						
	81	✓	÷	N						
	82	✓	÷	✓						
	83	✓	÷	✓						
	84	✓	÷	✓						
	85	✓	÷	✓						
	86	✓	÷	✓						
	87	✓	÷	N						
	88	✓	÷	N						
	89	✓	÷	N						
	90	✓	÷	N						
	91	N	N	N						
	92	N	N	N						
	93	✓	÷	N						
	94	✓	÷	N						
	95	✓	÷	N						
	96	✓	÷	N						
	97	✓	÷	N						
	98	✓	÷	N						
	99	✓	÷	N						
	100	✓	÷	N						
	101	✓	÷	N						
	102	✓	÷	N						
	103	✓	÷	N						
	104	✓	÷	N						
	105	✓	÷	N						
	106	✓	÷	N						
	107	✓	÷	N						
	108	✓	÷	N						

	Index of Claims	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
		Examiner SHRIPAL K KHAJURIA	Art Unit 2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE									
Final	Original	10/23/2009	04/23/2010	08/13/2010							
	109	✓	÷	N							
	110	✓	÷	N							
	111	✓	÷	N							
	112	✓	-	N							
	113	✓	-	N							
	114	✓	-	N							
	115	✓	÷	✓							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	136	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 18:23
L2	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 18:23
S1	5488	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S2	585	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S3	1	(S1 S2) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:59
S4	3886	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 12:11
S5	0	network same parition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S6	0	network same paritition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S7	709	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S8	7462681	network same partition $3 and user near (portion or part) and network (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S9	119	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:16

DISH, Exh.1004, p.0250

S10	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:18
S11	9	("6516416" "20010051996" "20020169865" "20020120577" "6694429" "20020059440" "20020145981" "20030204602" "20030233281").pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:21
S12	11	predetermined near website same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:51
S13	9	predetermined near websites same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:52
S14	4	predetermined near websites and weight same website	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:01
S15	16	predetermined near sites and weight same site and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:04
S16	20	predetermined near web and weight same web and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:06
S17	0	gateway and storage and autheticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
S18	836	gateway and storage and authenticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
S19	125	gateway and storage and pay near3 pay near3 view	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:23
S20	73	gateway and storage and pay near3 pay near3 view and modes	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S21	73	gateway and storage and pay near3 pay near3 view and modes and display	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S22	1	"20050033990".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:25

S23	1	"6516416".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 16:38
S24	5893	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S25	626	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S26	1	(S24 S25) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S27	4846	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S28	1	"20020120577".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16

EAST Search History (Interference)

< This search history is empty>

8/13/2010 6:24:24 PM
C:\Documents and Settings\skhajuria\My Documents\EAST\Workspaces\10989023.wsp

REQUEST FOR **CONTINUED EXAMINATION (RCE) TRANSMITTAL** **Address to:** **Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450**	*Application Number*	10/989,023
	Filing Date	16-Nov-2004
	First Named Inventor	Robert M. Burke II
	Art Unit	2446
	Examiner Name	KHAJURIA, SHRIPAL K.
	Attorney Docket Number	123205-179926

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

    a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

        i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

        ii. ☐ Other _____

    b. ☒ Enclosed

        i. ☒ Amendment/Reply   iii. ☐ Information Disclosure Statement (IDS)

        ii ☐ Affidavit(s)/Declaration(s)   iv. ☐ Other _____

2. Miscellaneous

    a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

    b. ☐ Other _____

3. Fees   The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

    a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 500393.

        i. ☒ RCE fee required under 37 CFR 1.17(e)

        ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

        iii. ☐ Other _____

    b. ☐ Check in the amount of $ _____ enclosed

    c. ☐ Payment by credit card (Form PTO-2038 enclosed)

        WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/Linda S. Zachariah/	*Date*	February 18, 2011
Name (Print /Type)	Linda S. Zachariah	*Registration No.*	48,057

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print /Type)	*Date*

SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Robert M. Burke II, et al.

Application No.: 10/989,023

Filed: November 16, 2004

Confirmation No.: 1874

For: SYSTEM FOR REGULATING
       ACCESS TO AND
       DISTRIBUTING CONTENT IN A
       NETWORK

Examiner: Shripal K. Khajuria

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

RESPONSE ACCOMPANYING RCE

Sir/Madam:

In response to the Final Office Action mailed August 20, 2010, please enter the following amendments and consider the following remarks.

Amendments to the Claims begin on page **2** of this paper.

Remarks begin on page **30** of this paper.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.   (Currently Amended) A system for regulating access to content provided by a content server~~service provider network~~, the system comprising:

a controller node~~, located in the service provider network,~~ configured to control ~~processing of~~access to the content ~~data exchanged over~~provided by the ~~service provider network~~ content server, the controller node comprising:

a first processor configured to~~for~~ generat~~e~~ing controller instructions, wherein the controller instructions are configured to be executed by a plurality of gateway units, remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network, to regulate ~~processing of received content data~~ access of the content provided by the content server by subscriber terminals selectively coupled to the gateway units, including distributedly implementing a digital rights management service on behalf of the controller node of the service provider network; and

a first network interface coupled to the first processor, and configured to ~~for~~ transmitt~~ing~~ the controller instructions to the gateway units over the ~~service provider~~ network; ~~and~~

wherein each of the plurality of gateway units is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the

subscriber terminals. ~~, each coupled between the service provider network and at least one of a plurality of subscriber terminals, and configured to regulate access to the content data exchanged over the service provider network from at least one of the plurality of subscriber terminals in response to receipt of the controller instructions, the gateway units comprising:~~

~~a user interface receiving user-entered network access requests;~~

~~a second network interface coupled to the service provider network and receiving the controller instructions from the controller node; and~~

~~a second processor, the second processor selectively transmitting at least some of the network access requests over the service provider network in accordance with the controller instructions, and transferring received content data responsive to the transmitted network access requests over the service provider network via the second network interface.~~

2.   (Currently Amended) The system of claim 1 wherein:

at least one of the gateway units further comprise<u>s</u> a storage device ~~for storing~~<u>configured to store the controller</u> instructions; <u>and</u>

the<u> at least one</u> gateway unit[[s]] further comprise<u>s</u> an identifier uniquely associating the<u> corresponding</u> gateway unit[[s]] with a user; ~~and~~<u>wherein</u> the<u> corresponding</u> storage device is ~~operable~~<u>further configured</u> to store ~~user-specific~~ information<u> associated with the user, in accordance with the controller instructions</u>.

3.   (Currently Amended) The system of claim 1, wherein:

at least one of the gateway units comprise<u>s</u> an~~ user~~ interface <u>configured to</u> ~~receiving~~ <u>receive</u> requests to transmit data<u> for a coupled subscriber terminal</u>; and

the<u> at least one</u> gateway unit[[s]] <u>further</u> comprise<u>s</u> a second processor <u>configured to</u>

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~~inspecting~~ inspect the data to selectively ~~transfer~~ transmit none, some or all of the data for the requesting subscriber terminal, in accordance with the controller instructions.

4. (Currently Amended) The system of claim 1, wherein:

at least one of the gateway unit<u>s</u> comprises a<u>n</u> ~~user~~ interface

~~receiving~~ configured to receive requests to <u>retrieve</u>~~receive~~ data for

a coupled subscriber terminal; and

the <u>at least one</u> gateway unit[[s]] <u>further</u> comprise<u>s</u> a second processor ~~inspecting~~ configured to inspect the data to selectively ~~transfer~~ provide none, some or all of ~~the~~ retrieved data to the requesting subscriber terminal, in accordance with the controller instructions.

5. (Currently Amended) The system of claim 1, wherein the first processor <u>is</u> <u>configured to</u> generate[[s]] the controller instructions automatically.

6. (Currently Amended) The system of claim 1, wherein the first processor <u>is</u> <u>configured to</u> generate[[s]] the controller instructions in response to an operator-entered request.

7. (Currently Amended) The system of claim 1, wherein the controller node[[s]] is included in a plurality of controller nodes, and wherein the controller node ~~comprise~~ comprising the~~a~~ first processor <u>is configured to</u> ~~generating~~ generate the controller instructions by operator-controlled network crawling.

8. (Currently Amended) The system of claim 1, wherein ~~the controller nodes comprises a first processor generating~~ the controller instructions <u>are</u> configured to deny user<u>s</u> of the subscriber terminals access to ~~a first group of network~~ one or more other content servers<u>, in accordance with the controller instructions</u>.

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9.   (Currently Amended) The system of claim 8, wherein at least one of the gateway units comprises a second processor configured to generate a notification to a the controller node in response to if a network access request designates a network server of the first group of network to access one of the one or more other content servers by a coupled subscriber terminal, in accordance with the controller instructions.

10.   (Currently Amended) The system of claim 8, wherein at least one of the plurality of gateway units comprises a second processor configured to:

detect a network access request designating a network server a first group of network to access one of the one or more other content servers by a coupled subscriber terminal; and

re-direct the network access request to a second group of network one or more other content servers;

wherein the detect and re-direct are performed in accordance with the controller instructions.

11.   (Currently Amended) The system of claim 1, wherein:

the controller nodes comprise a first processor generating the controller instructions, the controller instructions are configured to including include a file identifier; and

the system comprises a at least one of the plurality of gateway units is configured to be associated with a user file system, and the at least one gateway unit[[s]] comprisesing a second processor configured to detect a file in a the user file system corresponding to the file identifier, in accordance with the controller instructions.

12.   (Currently Amended) The system of claim 11, wherein the at least one gateway units are is configured to be operable between an active state and an inactive state.

13.   (Currently Amended) The system of claim 12, wherein the second

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processor[[s]] is configured to notify a the controller node if in response to the associated at least one gateway unit enterings an inactive state, in accordance with the controller instructions.

14.   (Currently Amended) The system of claim 12, wherein the second processor[[s]] is configured to delete the detected file[[s]] from thea user file system, in accordance with the controller instructions.

15.   (Currently Amended) The system of claim 14, wherein the second processor[[s]] is configured to delete the detected file[[s]] from a user file system during the inactive state.

16.   (Currently Amended) The system of claim 11, wherein the at least one gateway unit[[s]] is configured to notify a the controller node if a file corresponding to the file identifier is detected in the associated user file system, in accordance with the controller instructions.

17.   (Currently Amended) The system of claim 1, wherein at least one of the tamper resistant gateway units comprise:

a housing; and

a detector configured tofor detecting an attempt to open the housing.

18.   (Currently Amended) The system of claim 17, wherein the at least one gateway unit is further configured to notifyies the controller node of a detected attempt to open the housing after a user-initiated event, in accordance with the controller instructions.

19.   (Currently Amended) The system of claim 17, wherein the at least one gateway unit[[s]] further comprises a storage device configured to store the controller instructions, and athe second processor configured to prevent[[s]] access to the storage

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device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

20. (Currently Amended) The system of claim 1, wherein each of the gateway units comprises a second processor configured to that entersenter a corresponding gateway unit into a user-controlled operational mode after receiving permission from the controller node, in accordance with the controller instructions.

21. (Currently Amended) The system of claim 1, wherein the controller node comprises a copyright registry for configured to tracking copyright status of content data files distributed to subscriber terminals, via one or more of the gateway units in the system.

22. (Currently Amended) The system of claim 21, wherein at least one of the gateway units comprises the an user interface configured to transmit copyrightreceives registrations of the content data files for transmission to the copyright registry, in accordance with the controller instructions.

23. (Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises the a second processor configured to cause[[s]] the at least one gateway unit to access a predetermined network site upon initiation of network browser software on a coupled subscriber terminal, in accordance with the controller instructions.

24. (Currently Amended) The system of claim 23, wherein the second processor is configured to select[[s]] the predetermined network site from a list of predetermined network sites, in accordance with received via the controller instructions.

25. (Currently Amended) The system of claim 24, wherein the second processor is configured to select[[s]] the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than

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others, in accordance with the controller instructions.

26.   (Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled subscriber terminal via the user interface; and

receive initial operating parameters from the controller node via the second network interface;

wherein both receive operations are in accordance with the controller instructions.

27.   (Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled subscriber terminal via the user interface; and

receive software updates from the controller node via the second network interface;

wherein both receive operations are in accordance with the controller instructions.

28.   (Currently Amended) The system of claim 1, wherein:

at least one of the gateway units comprises a user interface and a second network interface configured to transmit advertisements~~ing~~ via the user interface to a user display of a coupled subscriber terminal, wherein the advertisements~~ing being~~ are customized in accordance with ~~information~~ content received via ~~at least one of~~ the second network interface, ~~and the user interface~~ in accordance with the controller instructions.

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29.　　(Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises a user interface configured to:

transmit pay-per-view advertising via the user interface to a coupled subscriber terminal for selective display by a user of the subscriber terminal; and

~~generate~~ report to the controller node for payment credits for the user upon selective display of an~~the~~ advertis~~ing~~ement by the user;

wherein the transmit and report operations are in accordance with the controller instructions.

30.　　(Currently Amended) The system of claim 29, wherein the at least one gateway units is configured to generate one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection, in accordance with the controller instructions.

31.　　(Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises a second network interface and a second processor configured to receive software via the second network interface for execution on the second processor, the software to enabl~~ing~~e at least one of a fee-based network service, network video calling, and network gaming, in accordance with the controller instructions.

32.　　(Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises ~~the~~ a second processor configured to detect[[s]] a denial-of-service attack, in accordance with the controller instructions.

33.　　(Currently Amended) The system of claim 32, wherein the second processor is configured to detect[[s]] a denial-of-service attack initiated by a virus.

34.　　(Currently Amended) The system of claim 1, wherein at least one of the

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gateway units is configured to selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the at least one of the gateway units, in accordance with the controller instructions.

35. (Currently Amended) The system of claim 1, wherein at least one of the gateway units is configured to:

detect a user attempt to access at least one of transmit and receive voice traffic; and

selectively block the detected attempt;

wherein the detect and selective block are in accordance with the controller instructions.

36. (Currently Amended) The system of claim 35 wherein at least one the gateway units comprises an interface configured to transmit, via the user interface, an advertisement offering voice transmission services, in accordance with the controller instructions.

37. (Currently Amended) The system of claim 1, wherein at least one of the gateway units is configured to:

detect a user attempt to access at least one of transmit and receive at least one of audio and or video traffic; and

selectively block the detected attempt;

wherein the detect and selective block are in accordance with the controller instructions.

38. (Currently Amended) The system of claim 37, wherein at least one of the gateway units comprises an interface configured to transmit, via the user interface, an advertisement offering at least one of audio and video traffic services, in accordance with the

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controller instructions.

39.   (Currently Amended) The system of claim 1,wherein at least one of the
gateway units comprises a second network interface configured to:

detect at least one of audio and video traffic flowing through the second network
interface; and

selectively reduce the quality of service of the at least one of audio and video traffic;

wherein the detect and selective reduction are in accordance with the controller
instructions:; and

wherein reduction of quality of service comprises at least one of:

reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and
video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and
inserting X-On/X-Off pairs in the at least one of audio and video traffic.

40.   (Currently Amended) The system of claim 1, further comprising a plurality
of access nodes, wherein the controller node comprises a first processor is further
configured to for generatinggenerate authorization instructions and transmitting the
authorization instructions over the network to the access nodes, and the access nodes are
configured to:

receive the authorization instructions from the controller node; and

selectively permit the gateway units to access the network in accordance with
the authorization instructions.

41.   (Currently Amended) The system of claim 1, wherein at least one of the
gateway units comprises data storage units partitioned into a network portion and a user
portion, and the at least one of a first group of gateway units is configured to selectively

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share[[s]] data stored in the network partition with at least one of another second group of gateway units, via athe second network interface of the at least one gateway unit, in accordance with the controller instructions.

42.   (Currently Amended) The system of claim 1, wherein at least one of the gateway unit comprises a second processor, and the second processor in at least a first one of the gateway units is configured to selectively forwards content data received from at least a second one of the first other gateway units to at least a third one of thea second other gateway unit,s in accordance with the controller instructions.

43.   (Currently Amended) The system of claim 142, wherein at least one of the gateway units comprises a second processor and a user interface, and the second processor in at least a first one of the gateway units is further configured to:

receive[[s]] portions of a content data file from a group of other gateway units in accordance with the controller instructions; and

assemble[[s]] a data file based on the received portions for transmission to the a user of a coupled subscriber terminal, via the user interface;

wherein the receive and assemble are in accordance with the controller instructions.

44.   (Currently Amended) The system of claim 1, further comprising an intervention node, wherein the intervention node includescomprising:

an operator interface configured tofor receiveing operator-entered spoofing attack instructions; and

a third second network interface configured tofor transmitting at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions.

45. – 48. (Canceled).

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49.   (Withdrawn – Previously Presented) A system for regulating access to a service provider network that is accessed by a plurality of users, the system comprising:

a controller node located in the service provider network, the controller node comprising:

a first processor for generating controller instructions, the controller instructions configured to be executed by a plurality of network units to regulate processing of received content data; and

a first network interface for transmitting the controller instructions over the service provider network; and

the plurality of network units associated with a first group of users, the network units comprising:

a second network interface coupled to the service provider network and receiving the controller instructions from the controller node; and

a second processor, the second processor inhibiting access for a second group of users to content accessible from the service provider network in accordance with the controller instructions.

50.   (Withdrawn) The system of claim 49, wherein the second processor in the network units inhibits access for a second group of users by performing denial of service attacks in accordance with the controller instructions.

51.   (Withdrawn) The system of claim 50, wherein the second processor performs attacks based on a schedule comprising at least one of:

a schedule based on duration of the attacks; real time response to controller instructions; and

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in response to an event.

52. (Withdrawn) The system of claim 49, wherein at least a portion of the network units comprise gateway units uniquely associated with a user.

53. (Withdrawn) The system of claim 52, wherein the gateway units:

are operable between an active state and an inactive state; and

perform denial of service attacks, in accordance with the controller instructions, during the inactive state.

54. (Withdrawn) The system of claim 49, wherein the second processor detects a denial-of-service attack.

55. (Withdrawn) The system of claim 54, wherein the second processor detects a denial-of-service attack initiated by a virus.

56. (Withdrawn) The system of claim 54, wherein the second processor prevents a denial-of-service attack upon detection.

57. (Withdrawn) The system of claim 49, wherein the network units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units.

58. (Withdrawn) A system for distributing content over a network, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions; and

a first network interface for transmitting the controller instructions over the network; and

a plurality of network units, the network units comprising:

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a second network interface coupled to the network, the second network interface in at least a first one of the network units receiving the controller instructions from the network and receiving a first portion of a content data file from at least a second one of the network units; and

a second processor, the second processor in the at least a first one of the network units selectively forwarding the received first portion of the content data file to at least a third one of the network units in accordance with the controller instructions.

59.   (Withdrawn) The system of claim 58, wherein: the second network interface receives a plurality of portions of a content data file from a group of network units in accordance with the controller instructions; and

the second processor assembles a data file based on the received portions for transmission to the user via the user interface.

60.   (Withdrawn) The system of claim 58, wherein:

the second network interface of the second network unit receives a portion of a content data file from a content server; and

the second processor of the second network unit forwards the portion of the content data file to the at least first one of the network units in accordance with the controller instructions.

61.   (Withdrawn) The system of claim 58, wherein the second processor deletes portions of content data in accordance with a predetermined deletion date associated with the content data.

62.   (Withdrawn) The system of claim 58, wherein the second processor deletes

portions of content data when new content data is delivered.

63.   (Withdrawn) The system of claim 58, wherein the second processor deletes portions of content data when insufficient storage space remains, deleting oldest content data first.

64.   (Withdrawn) The system of claim 58, wherein the second processor deletes portions of content data in accordance with an associated user's selections.

65.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a user interface configured to receive requests directly from a subscriber terminal, wherein the requests are to transmit data;

a network interface configured to receive controller instructions from the service provider network; and

a processor configured to inspect the data and to selectively transmit the data in accordance with the received controller instructions.

66.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a user interface configured to receive requests directly from a subscriber terminal, wherein the requests are to receive data;

a network interface configured to receive controller instructions from the service provider network; and

a processor configured to inspect the data and selectively receive the data in accordance with the received controller instructions.

67.   (Withdrawn – Previously Presented) A controller node for regulating access

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to a service provider network, the controller node comprising:

a processor configured to generate controller instructions for causing a plurality of gateway units to selectively transfer user-entered network access requests over the service provider network, the processor generating the controller instructions by at least one of automatically generating instructions and generating instructions in response to an operator-entered request; and

a network interface configured to transmit the controller instructions over the service provider network to the plurality of gateway units.

68.   (Withdrawn) The controller node of claim 67, comprising a processor to generate the controller instructions by operator-controlled network crawling.

69.   (Currently Amended) A controller node for regulating access to ~~a service provider network~~content provided by a content server, comprising:

a processor configured to generate controller instructions ~~that regulate processing~~ to be executed by a plurality of gateway units ~~of received content data~~that are remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network, to regulate access of the content provided by the content provider by subscriber terminals selectively coupled to the gateway units, including distributedly implementing a digital rights management service on behalf of the controller node; and

a network interface coupled to the processor, and configured to transmit the controller instructions to the gateway units over a service provider network~~; and~~

~~a network interface configured to be coupled directly to a service provider network and configured to transmit the controller instructions over the service provider~~

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~~network to a plurality of gateway units, the controller instructions causing at least one~~

~~gateway unit to deny access to a first group of network servers.~~

70. (Currently Amended) The controller node of claim 69, wherein the network interface is configured to receive[[s]] notification from at least one gateway unit if the at least one gateway unit detects a request to access a denied network server.

71. (Canceled).

72. (Withdrawn - Previously Presented) A system for regulating file access in a service provider network, the system comprising:

a controller node located in the service provider network, the controller node comprising:

a first processor for generating controller instructions, the controller instructions configured to be executed by a plurality of gateway units to regulate processing of received content data and including a file identifier; and

a first network interface for transmitting the controller instructions over the service provider network; and

the plurality of gateway units, each coupled between the service provider network and at least one of a plurality of subscriber terminals, and associated with user file systems, the gateway units comprising:

a second network interface configured to receive the controller instructions from the service provider network; and

a second processor configured to detect files in the user file systems corresponding to the file identifier.

73. (Withdrawn) The system of claim 72, comprising a plurality of gateway units

operable between an active state and an inactive state.

74.   (Withdrawn) The system of claim 73, wherein the gateway units notify a controller node upon entering the inactive state.

75.   (Withdrawn) The system of claim 73, wherein the gateway units comprise a processor to delete the detected files during the inactive state.

76.   (Withdrawn) The system of claim 72, wherein the plurality of gateway units notify a controller node if at least one file matching the list of file identifiers is detected.

77.   (Withdrawn) A gateway unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests;

a network interface for transmitting the network access requests to the network;

a housing; and

a detector for detecting a user attempt to open the housing.

78.   (Withdrawn) The gateway unit of claim 77, wherein the detector notifies the controller node of a detected attempt to open the housing after a subsequent user-initiated event.

79.   (Withdrawn) The gateway unit of claim 77 further comprising a storage device and an interlock to prevent access to the storage device when the detector detects an attempt to open the housing.

80.   (Currently Amended) ~~A gateway unit for regulating access to a service provider network, comprising:~~

~~a network interface for providing access to the service provider network;~~

~~a user interface configured to receive user-entered network access requests directly from a subscriber terminal; and~~ The gateway unit of claim 82, wherein the

~~a processor that~~processor is further configured to enters a user-controlled operational mode after receiving permission ~~over the service provider network~~ from ~~a~~ the controller node ~~via the network interface~~.

81.   (Withdrawn - Previously Presented) A controller node for regulating file access in a network, comprising:

a processor configured to:

generate controller instructions for causing a plurality of gateway units to selectively transfer user-entered network access requests over the service provider network;

receive registrations of content data files distributed to the plurality of gateway units; and

track copyright status of the content data files.

82.   (Currently amended) A gateway unit for regulating access to ~~a service provider network~~content provided by a content server, comprising:

a network interface ~~for~~configured to ~~providing access to the service provider network and for receiving~~ receive controller instructions from ~~the service provider network~~a controller node, the gateway unit remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network;

~~a user interface for transferring, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and~~

a processor ~~for connecting to a predetermined network site upon initiation of network browser software, in accordance with the received controller~~

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~~instructions~~configured to execute the controller instructions to regulate access by subscriber terminals selectively coupled to the gateway unit of the content provided by the content server, including distributedly implementing a digital rights management service on behalf of the controller node;

wherein the gateway unit is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminals.

83. (Currently Amended) The ~~plurality of~~ gateway unit[[s]] of claim 82, wherein the processor is further configured to select[[s]] ~~the~~ a predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

84. (Currently Amended) The ~~plurality of~~ gateway unit[[s]] of claim 83, wherein the processor is further configured to select[[s]] from the list of predetermined network sites according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

85. – 86. (Canceled).

87. (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to receive information from the service provider network;

a user interface configured to receive information directly from a subscriber terminal associated with a user; and

a processor configured to transmit advertising via the user interface to a user display, wherein the advertising is customized in accordance with information received via at least one of the network interface and the user interface.

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88.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to provide access to the service provider network and to receive pay-per-view advertising from the network;

a user interface to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to transmit the pay-per-view advertising via the user interface for selective display by a user and to generate payment credits to the user upon display of the advertising by the user.

89.   (Withdrawn) The gateway unit of claim 88, wherein the processor generates one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection.

90.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to provide access to the service provider network and to receive software from the network;

a user interface configured to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to execute the software to enable the user to use, via the user interface, at least one of a fee-based network service, network video calling, and network gaming.

91.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network;

a user interface to receive network access requests from a user; and

a processor to detect a denial-of-service attack received from the user interface and transmitted to the network via the network interface.

92.   (Withdrawn) The plurality of gateway units of claim 91, wherein the processor detects a denial-of-service attack initiated by a virus.

93.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising: a network interface configured to provide access to the service provider network and to receive controller instructions;

a user interface configured to transfer, with the network interface, incoming data and outgoing data transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to selectively transmit to law enforcement terminals information describing at least one of the incoming data and the outgoing data in accordance with the received controller instructions.

94.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to provide access to the service provider network and to receive controller instructions;

a user interface configured to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to detect a user attempt to at least one of transmit and receive

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voice traffic over the service provider network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and transmitting, via the user interface, an advertisement offering voice transmission services.

95.   (Withdrawn) A gateway unit for regulating access to a network comprising: a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect a user attempt to at least one of transmit and receive at least one of audio and video traffic over the network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and

transmitting, via the user interface, an advertisement offering at least one of audio and video traffic services.

96.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect at least one of audio and video traffic flowing through the user interface, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions, wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-OnlX-Off pairs in the at least one of audio and video traffic.

97.   (Withdrawn) A network unit for regulating access to a network comprising:

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a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect voice traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

98. (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

99. (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions, wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

100. (Withdrawn) A controller node for regulating subscriber access to a network comprising: a processor to generate authentication instructions on behalf of an authenticated subscriber; and

a network interface to transmit the authentication instructions to an access node

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coupled to the network, wherein the access node selectively permits subscriber access to the network in accordance with the authentication instructions.

101. (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a data storage unit partitioned into a network portion and a user portion; and

a processor to selectively transmit data stored in the network partition, via the network interface, in accordance with the received controller instructions.

102. (Withdrawn) A network unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests; a network interface coupled to the network and receiving controller instructions from the network; and

a processor, the processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the network interface;

wherein the network unit selectively forwards content data received from a first associated network unit to at least a second associated unit in accordance with the controller instructions.

103. (Withdrawn) The network unit claim 102, wherein the processor receives portions of a content data file from a group of third associated network units in accordance with the controller instructions; and

assembles a data file based on the received portions for transmission to a user via the user interface.

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104.   (Withdrawn) The network unit of claim 102, wherein the processor:

receives a portion of a content data file from a content server; and

forwards the portion of the content data file to the first associated network unit in accordance with the controller instructions.

105.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions; and

a processor to perform denial of service attacks in accordance with the received controller instructions.

106.   (Withdrawn) A method for regulating access to a network, the method comprising:

receiving controller instructions from a network at a gateway unit associated with a user;

receiving a network access request at the gateway unit from a user;

selectively transmitting the network access request over the network in accordance with the controller instructions; and

receiving content data responsive to the transmitted network access request from the network.

107.   (Withdrawn) A method for regulating access to a plurality of content servers, the method comprising:

receiving controller instructions from the network at a network unit associated with a first group of users; and

selectively inhibiting access to a portion of the content servers by a second group of

users in accordance with the controller instructions.

108. (Withdrawn) The method of claim 107, wherein inhibiting access for a second group of users comprises performing denial of service attacks.

109. (Withdrawn) A method for distributing content data over a network, the method comprising:

receiving content distribution instructions from the network;

storing a first portion of content data from the network at a first network unit;

initiating a request over the network, in accordance with the content distribution instructions and in response to a user request, for the remainder of the content data;

receiving the remainder of the content data from the network;

assembling the first portion of content data with the remainder of the content data; and

supplying the assembled content data to the user.

110. (Withdrawn) The method of claim 109, further comprising selectively forwarding the first portion of content data to a second network unit in accordance with the content distribution instructions.

111. (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network, the gateway unit comprising:

a user interface configured to receive user-entered network access requests directly from a subscriber terminal;

a network interface configured to receive controller instructions from a controller node in the service provider network; and

a processor configured to selectively transmit at least some of the network access

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requests over the service provider network in accordance with the controller instructions, and to transfer content data responsive to the transmitted network access requests over the service provider network via the network interface.

112-114 (Canceled).

115. (Currently Amended) A controller node for regulating access to ~~a service provider network~~content provided by a content server, the controller node comprising:

a processor for generating controller instructions ~~that regulate the processing by network units of received content data~~to be executed by a plurality of gateway units that are remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network, to regulate access of the content provided by the content server by subscriber terminals selectively coupled to the gateway units, including distributedly implementing a digital rights management service on behalf of the controller node of the service provider network; and

a network interface coupled to the processor, and configured to ~~; and~~

~~a network interface for~~transmitt~~ing~~ the controller instructions over ~~the~~a ~~service provider~~network to ~~network units~~the plurality of gateway units ~~associated with a first group of users~~, wherein the controller instructions are~~being~~ configured to cause the ~~network units~~plurality of gateway units to inhibit access ~~for~~by a ~~second~~group of ~~users~~subscriber terminals to ~~received content data accessible from the service provider network~~content provided by the content server.

Remarks

SUMMARY

Claims 49-68, 72-79, 81, and 87-114 were withdrawn in response to the Restriction Requirements of May 17, 2010 and June 26, 2009. Claims 1-48, 69-71, 80, 82-84, 85, 86, and 115 which were provisionally elected in the Response filed June 8, 2010, presently stand rejected. Claims 45-48, 71, 85, and 86 have been canceled. No claims have been added. Thus, claims 1-44, 49-70, 72-84, 86-111, and 115 remain pending. Various claims are amended as shown. Applicants respectfully request reconsideration of the application and allowance of the pending claims in view of the above amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 1-16, 20, 23-27, 31-35, 37, 39-48, 69-71, 82 and 115 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,516,416 to Gregg et al. ("Gregg"). Claims 45-48, and 71 have been canceled, thus rendering the rejections to claims 45-48 and 71 moot. Regarding the rejections to claims 1-16, 20, 23-27, 31-35, 37, 39-44, 69, 70, 82, and 115, Applicants respectfully traverse the rejections in view of the amendments.

A claim is anticipated only if each and every element of the claim is found in a single reference. M.P.E.P § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the claim." M.P.E.P. § 2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989)).

Claim 1 has been amended to recite, in pertinent part,

> …wherein the controller instructions are configured to be executed by *a plurality of gateway units (58), remotely disposed from the controller node (50) and the content server (56),* and coupled to the controller node and the content server via a network, *to regulate access of the content provided by the content server by subscriber terminals (60)* selectively coupled to the gateway units, *including **distributedly** implementing a digital right management service **on behalf of the controller node of the service provider network;***

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Reference numerals corresponding to the elements in Figure 1 of the application as filed have been added for the Examiner's convenience.

It is respectfully submitted that Gregg fails to disclose at least the above recitations of amended claim 1. To be sure, page 3 of the Office Action has cited clearinghouse server 30 and web servers 69 illustrated in FIG. 1 and FIG. 30 of Gregg as corresponding to the claimed respective controller node and gateway units. In particular, the Office Action cited col. 26 and lines 43-66 of Gregg as corresponding to the previously claimed "...plurality of gateway units to regulate processing of the received content." However, Gregg teaches that the alleged regulation of "the received content" occurs at multiple web servers 69 each of which host their "own copy of server 34 to communicate and interact with one or more clearinghouses 30," (Gregg, col. 25, lines 36-40). In order to verify that a subscriber is entitled to the content, web servers 69 communicate with clearinghouse 30 which "hosts all of the subscription information and the subscriber information." (Gregg, col. 4, lines 43-35) and "controls the authentication and authorization of subscribers for individually enabled web servers," (Gregg, col. 6, lines 57-61). If login parameters are valid, the clearinghouse 30 communicates a response to the subscription access server 34, "which then communicates the protected content to the subscriber," (Gregg, col. 6, lines 27-33).

Thus, Gregg teaches that regulation of content occurs at (and in conjunction with) the element providing the content (e.g. web server or content server) in the network. In contrast, in the present embodiment, there is no need for a content provider or content server to regulate "processing of the received content," or "implement a digital rights management service," because "a plurality of gateway units," that are "remotely disposed from the controller node and the content server....regulate access of the content provided by the content provider ...including distributedly implementing a digital rights management service on behalf of the controller node of the service provider network." Please see paragraph [0049] of the application as published for support for subject matter related to digital rights management services.

Claim 1 is allowable for at least another independent reason. Claim 1 has been amended to recite, "wherein each of the plurality of gateway units is further configured to be tamper resistant *with respect to access of the controller node provided controller instructions by the subscriber terminals.*" It is noted that in rejecting dependent claim 17, the Office

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Action cited Harvey as teaching "a detector for detecting an attempt to open the housing."
However, as noted above, claim 1 has been amended to recite "tamper resistant with respect
to access of ....controller instructions *by the subscriber terminals*." Thus, whether or not
Harvey teaches a tamper resistant housing, Harvey fails to teach a gateway unit that is
"tamper resistant with respect to access of the controller node provider provided controller
instructions *by the subscriber terminals*." Note that as described in paragraph [0023], the
CGs are "specifically designed to permit no subscriber-initiated programming ...Updates to
this code are obtained from ICPs and encrypted passwords are stored in hidden,
undocumented locations to allow authentication of ICP presence prior to CG control program
update.."

Consequently, for at least the above reasons, Gregg fails to disclose each and every
element of claim 1, as required under M.P.E.P. § 2131. Amended independent claims 69, 82,
and 115 include one or more similar novel elements as independent claim 1. Thus for at least
the same reasons that claim 1 is patentable over Gregg, claims 69, 82, and 115 are now also
patentable. Accordingly, Applicants request that the instant §102 rejections of claims 1, 69,
82, and 115 be withdrawn.

Dependent claims 2-16, 20, 23-27, 31-35, 37, 39-44, and 70 depend directly or
indirectly from at least one of claims 1, 69, and 82 incorporating the recitations of their
respective base claims. Thus, for at least the same reasons that claims 1, 69, and 82 are
patentable over Gregg, claims 2-16, 20, 23-27, 31-35, 37, 39-44, and 70 are now also
patentable. Accordingly, Applicants request that the instant §102 rejections of claims 2-16,
20, 23-27, 31-35, 37, 39-44, and 70 be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Rejection of Dependent Claims 17-19, 21, 22, 28-30, 36, and 38

Claims 17-19, 21, 22, 28-30, 36, and 38 stand rejected under 35 U.S.C. § 103(a) as
over different combinations of Gregg, U.S. Patent Publication No. 20011051 996 to Cooper
et al. ("Cooper"), U.S. Patent Publication No. 2005/0033990 ("Harvey"), and U.S. Patent
Publication No. 2002101 69865 to Tarnoff ("Tarnoff"). In particular, claims 21, 22, 28, 36,
and 38 stand rejected over Gregg in view of Cooper. Claims 17-19 stand rejected over Gregg

in further view of Harvey. Claims 29-30 stand rejected over Gregg and in further view of Tarnoff.

Applicants respectfully traverse the Examiner's rejections in view of the amendments. If an independent claim is non-obvious under *35 U.S.C. § 103*, then any claim depending therefrom is also non-obvious. M.P.E.P. § 2131; *In re Fine*, 837 F. 2d 1071 (Fed. Cir. 1988). As discussed above, Applicants submit that claims 1, 69, 82, and 115 are in condition for allowance, even if the additional references are combined with Gregg, since the additional references do not cure the above discussed deficiencies of Gregg. Applicants submit that claims 17-19, 21, 22, 28-30, 36, and 38 are therefore allowable by virtue of their dependence on an allowable independent claim, as well as by virtue of the features recited therein. Applicants therefore respectfully request withdrawal of the rejections and allowance of the claims.

Rejections of Claims 80, 83-85, and 86

Claims 80, 85, and 86 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent Publication 20020120577 to Hans et al ("Hans") in further view of Gregg. Claims 83-84 stand rejected under Gregg and in further view of U.S. Patent Publication 20020103778 to Saxena ("Saxena"). In response, claim 80 has been amended to depend from independent claim 82. Claims 83 and 84 also depend directly or indirectly from claim 82. Claims 85 and 86 have been canceled, thus rendering the rejections to claims 85 and 86 moot. As discussed above, it is submitted that claim 82 is allowable over the references. It is submitted that claims 80, 83 and 84 are therefore allowable by virtue of their dependence on an allowable independent claim, as well as by virtue of the features recited therein. Claims 80, 83 and 84 are in condition for allowance, even if Hans and/or Saxena are combined with Gregg, since neither cures the above discussed deficiencies of Gregg. Applicants therefore respectfully request withdrawal of the rejections and allowance of the claims.

Conclusion

In view of the foregoing, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 622-1711 if the Examiner believes that an interview might be useful for any reason.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a).

If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1542. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: __February 18, 2011__   by: _____/Linda S. Zachariah/_____
                                          Linda S. Zachariah
                                          Reg. No.: 48057

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2009 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)	Docket Number (Optional) 123205-179926

Application Number 10/989,023	Filed 16-Nov-2004

For SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK

Art Unit 2446	Examiner KHAJURIA, SHRIPAL K.

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

		Fee	**Small Entity Fee**	
☐	One month (37 CFR 1.17(a)(1))	$130	$65	$_____
☐	Two months (37 CFR 1.17(a)(2))	$490	$245	$_____
☒	Three months (37 CFR 1.17(a)(3))	$1110	$555	$555
☐	Four months (37 CFR 1.17(a)(4))	$1730	$865	$_____
☐	Five months (37 CFR 1.17(a)(5))	$2350	$1175	$_____

☒   Small entity status is claimed. See 37 CFR 1.27.

☐   A check in the amount of the fee is enclosed.

☐   Payment by credit card. Form PTO-2038 is attached.

☐   The Director has already been authorized to charge fees in this application to a Deposit Account.

☒   The Director is hereby authorized to charge the above fees, or credit any overpayment, to Deposit Account Number 50-0393.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71
    Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☐ attorney or agent of record. Registration No. _____

☒ attorney or agent under 37 CFR 1.34.
    Registration number if acting under 37 CFR 1.34. 48057 .

/ Linda S. Zachariah /	February 18, 2010
Signature	Date
Linda S. Zachariah	206-622-1711
Typed or printed name	Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

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

Electronic Patent Application Fee Transmittal

Application Number:	10989023
Filing Date:	16-Nov-2004
Title of Invention:	System for regulating access to and distributing content in a network
First Named Inventor/Applicant Name:	Robert M. Burke
Filer:	Linda S. Zachariah/Bianca Zhang
Attorney Docket Number:	09635.0001-00000

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with $0 paid	2253	1	555	555

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Request for continued examination	2801	1	405	405
Total in USD ($)				**960**

Electronic Acknowledgement Receipt

EFS ID:	9481763
Application Number:	10989023
International Application Number:	
Confirmation Number:	1874
Title of Invention:	System for regulating access to and distributing content in a network
First Named Inventor/Applicant Name:	Robert M. Burke
Customer Number:	22852
Filer:	Linda S. Zachariah/Bianca Zhang
Filer Authorized By:	Linda S. Zachariah
Attorney Docket Number:	09635.0001-00000
Receipt Date:	18-FEB-2011
Filing Date:	16-NOV-2004
Time Stamp:	19:17:04
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$ 960
RAM confirmation Number	5436
Deposit Account	500393
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	123205_179926_RCE.pdf	107413 c42cdc8c72b6f98b9ff8d1e576930c0e29f6548a	no	1

Warnings:

This is not a USPTO supplied RCE SB30 form.

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
2		123205_179926_Amnd.pdf	215331 9a1223bf67a1ad2538acf9369cac7aa79542aeba	yes	34

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	29
Applicant Arguments/Remarks Made in an Amendment	30	34

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
3	Extension of Time	123205_179926_Extension.pdf	96478 2a643a5698d84036ddee3473a5cc30499e0ac389	no	1

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
4	Fee Worksheet (PTO-875)	fee-info.pdf	32075 f80de73b8db220973acbafa5b7b5f5c7028ca8f1	no	2

Warnings:

Information:

		Total Files Size (in bytes):	451297		

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.

<u>New Applications Under 35 U.S.C. 111</u>
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.

<u>National Stage of an International Application under 35 U.S.C. 371</u>
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.

<u>New International Application Filed with the USPTO as a Receiving Office</u>
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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	
10/989,023	11/16/2004	☐ To be Mailed

APPLICATION AS FILED – PART I

OTHER THAN

SMALL ENTITY ☒ OR SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

OTHER THAN

SMALL ENTITY OR SMALL ENTITY

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
AMENDMENT	02/18/2011									
	Total (37 CFR 1.16(i))	* 105	Minus	** 115	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 34	Minus	*** 36	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
AMENDMENT										
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/DEBORAH NASH/

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/989,023
	Filing Date	16-Nov-2004
	First Named Inventor	Robert M. Burke II
	Title	System for regulating access to and distrib
	Art Unit	2478
	Examiner Name	KHAJURIA, SHRIPAL K.
	Attorney Docket Number	123205-179926

I hereby revoke all previous powers of attorney given in the above-identified application.

[X] A Power of Attorney is submitted herewith.

OR

[ ] I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

60172

OR

[ ] I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

[X] The address associated with the above-mentioned Customer Number.

OR

[ ] The address associated with Customer Number:

OR

Firm or Individual Name	
Address	
City		State		Zip	
Country	
Telephone		Email	

I am the:

[X] Applicant/Inventor.

OR

[ ] Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature		Date	3/1/11
Name	David Z. Carman	Telephone	918 585 9528
Title and Company	Applicant		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

[X] *Total of ___1___ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/989,023
	Filing Date	16-Nov-2004
	First Named Inventor	Robert M. Burke II
	Title	System for regulating access to and distrib
	Art Unit	2478
	Examiner Name	KHAJURIA, SHRIPAL K.
	Attorney Docket Number	123205-179926

I hereby revoke all previous powers of attorney given in the above-identified application.

[X] A Power of Attorney is submitted herewith.

OR

[ ] I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

60172

OR

[ ] I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

[X] The address associated with the above-mentioned Customer Number.

OR

[ ] The address associated with Customer Number:

OR

[ ] Firm or Individual Name	
Address	
City		State		Zip	
Country	
Telephone		Email	

I am the:

[X] Applicant/Inventor.

OR

[ ] Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record			
Signature	*(signature)*	Date	3-17-11
Name	Robert M. Burke II	Telephone	
Title and Company	Applicant		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

[X] *Total of ____1____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	9687941
Application Number:	10989023
International Application Number:	
Confirmation Number:	1874
Title of Invention:	System for regulating access to and distributing content in a network
First Named Inventor/Applicant Name:	Robert M. Burke
Customer Number:	22852
Filer:	Linda S. Zachariah/Allyson Dahmen
Filer Authorized By:	Linda S. Zachariah
Attorney Docket Number:	09635.0001-00000
Receipt Date:	18-MAR-2011
Filing Date:	16-NOV-2004
Time Stamp:	13:42:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	BC_P001_CarmanPOA_.pdf	274583 d7ed961e15fc23cc2137ba1e1f573fff6ff694dd	no	1

Warnings:

Information:

| 2 | Power of Attorney | BC_P001_BurkePOA_.pdf | 169097

 20e8aaf2b47b594e0d226a269f6192350c41583b | no | 2 |

Warnings:

Information:

| | Total Files Size (in bytes): | 443680 |

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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.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/989,023	11/16/2004	Robert M. Burke II	123205-179926

CONFIRMATION NO. 1874

POA ACCEPTANCE LETTER

60172
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

OC000000046749334

Date Mailed: 03/25/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/18/2011.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/snguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/989,023	11/16/2004	Robert M. Burke II	09635.0001-00000

CONFIRMATION NO. 1874

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

POWER OF ATTORNEY NOTICE

OC000000046749293

Date Mailed: 03/25/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/18/2011.

• The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/snguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

60172   7590   04/12/2011
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2478	

MAIL DATE	DELIVERY MODE
04/12/2011	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.

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *the amendment filed 2/8/11*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44,69,70,80,82-84 and 115* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-44,69,70,80,82-84 and 115* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *11/6/04* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claims 1-44, 69-70, 80, 82-84 and 115 have been amended.

Claims 45-48, 71, 85 and 86 have been cancelled.

Claims 1-44, 69-70, 80, 82-84 and 115 are pending.

Response to Arguments

Applicants arguments filed in the amendment 2/18/11 have been fully considered

but are moot in view of new grounds of rejection. The reasons set forth below.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   Claim 1 recites the limitation "the service provider network" in the amended

portion of the claim. There is insufficient antecedent basis for this limitation in the claim

as the Applicant has cancelled out all previous mentions of "service provider network".

3.   Claim 115 recites the limitation "the service provider network" in the amended

portion of the claim. There is insufficient antecedent basis for this limitation in the claim

as the Applicant has cancelled out all previous mentions of "service provider network".

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 69-70 and 115 are rejected under 35 U.S.C. 102(b) as being anticipated

by Gregg et al US (6,516,416).

a.   (Currently Amended) Regarding claim 69, Gregg et al teaches a controller

node for regulating access to ~~a service provider network~~ content provided by a

content server comprising: a processor configured to generate controller

instructions (see column 5 lines 3-6 and administration software 32) ~~that regulate~~

~~processing~~ to be executed by a plurality of gateway units ~~of received content~~

~~data~~ (see column 26 lines 43-66 and Fig. 30 and webservers 69) that are

remotely disposed from the controller node and the content server (see Fig. 30),

and coupled to the controller node and the content server via a network (see Fig.

30 and column 5 lines 44-59), to regulate access of the content provided by the

content provider by a subscriber terminals selectively coupled to the gateway

units (see column 5 lines 44-59), including distributedly implementing a digital

rights management service on behalf of the controller node (see column 25 lines

47-61); and a network interface coupled to the processor, and configured to

transmit the controller instructions to the gateway units over a service provider

network (see column 26 lines 43-66); ~~and a network interface configured to be~~

~~coupled directly to a service provider network and configured to transmit the~~

~~controller instructions over the service provider network to a plurality of gateway~~

~~units (see column 26 lines 43-66), the controller instructions causing at least one~~

~~gateway unit to deny access to a first group of network servers (see column 25~~

~~lines 47-61).~~

b.   (Currently Amended) Regarding claim 70, Gregg et al teaches the

controller node of claim 69, wherein the network interface is configured to

receive[[s]] notification from at least one gateway unit if the at least one gateway

unit detects a request to access a denied network server (see column 6 line 17-

32).

c.   (Currently Amended) Regarding claim 115, Gregg et al teaches a

controller node for regulating access to ~~a service provider network~~ content

provided by a content server(see column 4 lines 44-59), the controller node

comprising: a processor for generating controller instructions ~~that regulate~~

~~processing by network units of received content data~~ (see column 26 lines 43-66

and Fig. 30 and webservers 69) to be executed by a plurality of gateway units

that are remotely disposed from the controller node and the content server (see

Fig. 30), and coupled to the controller node and the content server via a network

(see Fig. 30 and column 5 lines 44-59), to regulate access of the content

provided by the content server by subscriber terminals selectively coupled to the

gateway units (see column 5 lines 44-59), including distributedly implementing a

digital rights management service on behalf of the controller node of the service

provider network; and a network interface coupled to the processor (see column

26 lines 43-66), and configured to ~~and a network interface for~~ transmit the

controller instructions over ~~the~~ a ~~service provider~~ network to ~~network units~~ the

plurality of gateway units ~~associated with a first group of users~~ (see column 26

lines 43-66 and Fig. 30 and webservers 69), <u>wherein </u>the controller instructions

<u>are </u>~~being~~ configured to cause the ~~network units~~ <u>plurality of gateway units </u>to

inhibit access ~~for~~ <u>by </u>a ~~second~~ group of ~~users~~ <u>subscriber terminals </u>to r~~eceived~~

~~content data [[in]] accessible from the service provider network~~ <u>content provided</u>

<u>by the content server</u>(see column 25 lines 47-61).

Claim Rejections - 35 USC § 103

1.   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 negatived by the manner in which the invention was made.

3.   Claims 1-20, 23-27,31-35,37, 39-48 and 82 are rejected under under 35 U.S.C.

103(a) as being unpatentable over Gregg et al US (6,516,416) and in further view

Harvey et al US (20050033990).

a.   (Currently Amended) Regarding claim 1, Gregg et al teaches a system for

regulating access to <u>content provided by </u>a <u>content server </u>~~network~~ (see column 1

lines 58-67), the system comprising: a controller node (see clearinghouse server

30 in Figures 1 and 30 and column 4 lines 44-50), ~~located in the service provider~~

~~network~~ (column 4 lines 44-59), configured to control ~~processing of~~ <u>access to the</u>

content ~~data exchanged~~ <u>provided by </u>the ~~service provider network~~ <u>content</u>

<u>server</u>(see column 4 lines 44-59), the controller node comprising: a first

processor configured to for generateing controller wherein instructions (see

column 5 lines 3-6 and administration software 32); the controller instructions

configured to be executed by a plurality of gateway units (see Fig. 30 and

webservers 69), remotely disposed from the controller node and the content

server (see Fig. 30), and coupled to the controller node and the content server

via a network (see Fig. 30 and column 5 lines 44-59), to regulate processing of

received content access of the content provided by the content server by

subscriber terminals selectively coupled to the gateway units (see column 5 lines

44-59), including distributedly implementing a digital rights management service

on behalf of the controller node of the service provider network (see column 26

lines 43-66) ; and a first network interface coupled to the first processor, and

configured to for transmitting the controller instructions to the gateway units over

the service provider network (see column 4 lines 63-67 and column 5 lines 1-6

and LAN 40); and However Gregg et al fails to explicitly teach a housing detector

as further recited in the claims. Conversely Harvey et al teaches such a

limitation; wherein each of the plurality of gateway units is further configured to

be tamper resistant with respect to access of the controller node provided

controller instructions by the subscriber terminals (see paragraph [0108]).

Therefore it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have combined the teachings of Gregg et al with

the housing tamper detector as taught by Harvey et al. The motivation for this

would have been to enhance the security features of a network node. _each

~~coupled between the service provider network and at least one of a plurality of~~

~~subscriber terminals (see Fig. 30 and column 26 lines 43-66), and configured to~~

~~regulate access to the content data exchanged over the service provider network~~

~~from at least one of the plurality of subscriber terminals in response to receipt of~~

~~the controller instructions (see column 25 lines 47-61, the webserver 69~~

~~authenticates users); the gateway units comprising: a user interface receiving~~

~~user-entered network access requests (see column 25 lines 47-61); a second~~

~~network interface coupled to the service provider network and receiving the~~

~~controller instructions from the controller node (see column 6 lines 25-30); and a~~

~~second processor, the second processor selectively transmitting at least some of~~

~~the network access requests over the service provider network in accordance~~

~~with the controller instructions (see column 20 lines 14-20 and blocks 330, 332,~~

~~and 334 in Fig. 24), and transferring received content data responsive to the~~

~~transmitted network access requests over the service provider network via the~~

~~second network interface (see column 20 lines 14-18 and block 332 in Fig. 24~~

~~and Fig.2).~~

b.   (Currently Amended) Regarding claim 2, Gregg et al teaches wherein: <u>at

least one of </u>the gateway units further comprise<u>s</u> a storage device ~~for storing~~

<u>configured to store the controller </u>instructions (see Fig. 3 and access key 54); <u>and</u>

the <u>at least one</u> gateway unit[[s]] further comprise<u>s</u> an identifier uniquely

associating the <u>corresponding </u>gateway unit[[s]] with a user (see column 7 lines

48-65); ~~and~~ <u>wherein </u>the <u>corresponding </u>storage device is ~~operable~~ <u>further

configured to store ~~user-specific~~ information <u>associated with the user, in</u>

<u>accordance with the controller instructions </u>(see Fig. 3 and access key 54 and

column 8 lines 33-38).

c.   (Currently Amended) Regarding claim 3, Gregg et al teaches wherein: <u>at</u>

<u>least one of </u>the gateway unit<u>s</u> comprise<u>s</u> a<u>n</u> ~~user~~ interface <u>configured to</u>

~~receiving~~ <u>receive </u>requests to transmit data <u>for a coupled subscriber terminal</u>(see

column 5 lines 32-55); and the <u>at least one </u>gateway unit[[s]] <u>further </u>comprise<u>s</u> a

second processor <u>configured to </u>~~inspecting~~ <u>inspect </u>the data to selectively ~~transfer~~

<u>transmit non, some or all of </u>the data <u>for the requesting subscriber terminal </u>in

accordance with the controller instructions (see column 6 lines 25-32).

d.   (Currently Amended) Regarding claim 4, Gregg et al teaches wherein: <u>at</u>

<u>least one of </u>the gateway unit<u>s</u> comprise<u>s</u> a<u>n</u> ~~user~~ interface ~~receiving~~ <u>configured</u>

<u>to receive </u>requests to <u>retrieve </u>~~receive~~ data <u>for a coupled subscriber terminal</u>(see

column 5 lines 32-55); and the <u>at least one </u>gateway unit[[s]] <u>further </u>comprise<u>s</u> a

second processor ~~inspecting~~ <u>configured to inspect </u>the data to selectively ~~transfer~~

<u>provide none, some or all </u>~~the~~ <u>retrieved </u>data <u>to the requesting subscriber terminal</u>

in accordance with the controller instructions (see column 6 lines 25-32).

e.   (Currently Amended) Regarding claim 5, Gregg et al teaches wherein the

first processor <u>is configured to </u>generate[[s]] the controller instructions

automatically (see column 5 lines 3-6).

f.   (Currently Amended) Regarding claim 6, Gregg et al teaches wherein the

first processor is configured to generate[[s]] the controller instructions in

response to an operator-entered request (see column 5 lines 3-6).

g.   (Currently Amended) Regarding claim 7, Gregg et al teaches wherein the

controller node[[s]] is included in a plurality of controller nodes, and wherein the

controller node comprise comprising the a first processor configured to

generating generate the controller instructions by operator-controlled network

crawling (see column 5 lines 3-6).

h.   (Currently Amended) Regarding claim 8, Gregg et al teaches wherein the

controller nodes comprise a first processor generating the controller instructions

are configured to deny users of the subscriber terminals access to a first group of

network one or more other content servers, in accordance with the controller

instructions (see column 18 lines 13-29 and Fig. 20 block 206).

i.   (Currently Amended) Regarding claim 9, Gregg et al teaches wherein at

least one of the gateway units comprises a second processor configured to

generate a notification to a the controller node in response to if a network access

request designates a network server of the first group of network to access of

one of the one or more other content servers by a coupled subscriber terminal, in

accordance with the controller instructions (see Fig 8 and block 162 and column

17 lines 48-53).

j.   (Currently Amended) Regarding claim 10, Gregg et al teaches wherein at

least one of the plurality of gateway units comprise a second processor

configured to: detect a network access request ~~designating a network server a~~

~~first group of network~~ to access one of the one or more other content servers by

a coupled subscriber terminal (see Fig. 21 block 250 and column 18 lines 61-64);

and re-direct the network access request ~~to a second group of network~~ one or

more other content servers (see Fig. 21 block 264 and column 19 lines 4-8),

wherein the detect and re-direct are performed in accordance with the controller

instructions.

k.   (Currently Amended) Regarding claim 11, Gregg et al teaches wherein:

~~the controller nodes comprise a first processor generating the controller~~

~~instructions~~ (see column 5 lines 3-6), the controller instructions are configured to

~~including~~ include a file identifier (see column 5 lines 52-55); and ~~the system~~

~~comprises~~ at least one of the a plurality of gateway units is configured to be

associated with a user file system (see subscriber software 36 and Fig. 30), and

the at least one gateway unit[[s]] compris~~ing~~es a second processor configured to

detect a file in ~~a~~ the user file system corresponding to the file identifier, in

accordance with the controller instructions (see column 11 lines 58-65).

l.   (Original) Regarding claim 12, Gregg et al teaches wherein the at least

one gateway units ~~are~~ is configured to be operable between an active state (see

column 13 lines 1-3) and an inactive state (see column 12 lines 41-46).

m.   (Currently Amended) Regarding claim 13, Gregg et al teaches wherein the

second processor[[s]] is configured to notify ~~a~~ the controller node ~~if~~ in response to

the ~~associated~~ at least one gateway unit enter~~ings~~ an inactive state, in

accordance with the controller instructions (see column 12 lines 41-46).

n.   (Currently Amended) Regarding claim 14 Gregg et al teaches wherein the

second processor[[s]] is configured to delete the detected file[[s]] from the ~~a~~ user

file system in accordance with the controller instructions (see column 12 lines 60-

62).

o.   (Currently Amended) Regarding claim 15, Gregg et al teaches wherein the

second processor[[s]] is configured to delete the detected file[[s]] from a user file

system during the inactive state (see column 12 lines 60-62).

p.   (Currently Amended) Regarding claim 16, Gregg et al teaches wherein the

at least one gateway unit[[s]] is configured to notify ~~a~~ the controller node if a file

corresponding to the file identifier is detected in the associated user file system,

in accordance with the controller instructions (see column 2 lines 9-18).

q.   (Currently Amended) Regarding claim 17, Gregg et al teaches all the

limitations of claim 1 from which claim 17 depends on. However Gregg et al fails

to explicitly teach a housing detector as further recited in the claims. Conversely

Harvey et al teaches such a limitation; wherein at least one the tamper resistant

gateway units comprise: a housing; and a detector configured to ~~for~~ detect an

attempt to open the housing (see paragraph [0108]). Therefore it would have

been obvious to a person of ordinary skill in the art at the time the invention was

made to have combined the teachings of Gregg et al with the housing tamper

detector as taught by Harvey et al. The motivation for this would have been to enhance the security features of a network node.

r.   (Currently Amended) Regarding claim 18, Harvey et al further teaches wherein the <u>at least one</u> gateway unit <u>is further configured to</u> notify the controller node of a detected attempt to open the housing ~~after a user-initiated event~~ <u>, in accordance with the controller instructions</u> (see paragraph [0108]).

s.   (Currently Amended) Regarding claim 19, Harvey et al further teaches wherein the <u>at least one</u> gateway unit[[s]] <u>further</u> comprises a storage device <u>configured to store the controller instructions,</u> and <u>a</u> ~~the~~ second processor <u>configured to</u> prevent[[s]] access to the storage device when the detector detects an attempt to open the housing<u>, in accordance with the controller instructions</u> (see paragraph [0108]).

t.   (Currently Amended) Regarding claim 20, Gregg et al teaches wherein the gateway units comprises a second processor <u>configured to</u> ~~that enters~~ <u>enter a corresponding gateway unit into</u> a user-controlled operational mode after receiving permission from the controller node<u>, in accordance with the controller instructions</u> (see column 26 lines 50-66).

u.   (Currently Amended) Regarding claim 23, Gregg et al teaches wherein <u>at least one of the gateway units comprises</u> ~~the~~ <u>a</u> second processor <u>configured to</u> cause[[s]] the <u>at least one</u> gateway unit to access a predetermined network site upon initiation of network browser software <u>on a coupled subscriber terminal</u>, in accordance with the controller instructions (see Fig. 1 and Fig. 2).

v.   (Currently Amended) Regarding claim 24, Gregg et al teaches wherein the second processor is configured to select[[s]] the predetermined network site from a list of predetermined network sites, in accordance with received via the controller instructions (see Fig. 1 and Fig. 2 and column 5 lines 32-55).

w.   (Currently Amended) Regarding claim 25, Gregg et al teaches wherein the second processor is configured to select[[s]] the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions (see Fig. 1 and Fig. 2 and column 5 lines 32-55).

x.   (Currently Amended) Regarding claim 26, Gregg et al teaches wherein at least one of the gateway units comprises a user interface and a second network interface configured to: receive registration information from a user of a coupled subscriber terminal via the user interface; and receive initial operating parameters from the controller node via the second network interface; wherein both receive operations are in accordance with controller instructions (see Fig. 2).

y.   (Currently Amended) Regarding claim 27, Gregg et al teaches wherein at least one of the gateway units comprises a user interface and a second network interface configured to: receive registration information from a user of a coupled subscriber terminal via the user interface; and receive software updates from the controller node via the second network interface; wherein both receive operations are in accordance with the controller instructions (see Fig. 2).

z.   (Currently Amended) Regarding claim 31, Gregg et al teaches wherein <u>at</u>

<u>least one of </u>the gateway units <u>comprises a second network interface and a</u>

<u>second processor configured to </u>receive software via the second network

interface for execution on the second processor, the software enabling at least

one of a fee-based network service, network video calling, and network gaming

<u>in accordance with the controller instructions </u>(see Fig. 24 and blocks 332 and

336).

aa.   (Currently Amended) Regarding claim 32, Gregg et al teaches wherein <u>at</u>

<u>least one of the gateway units comprises</u> ~~the~~ <u>a </u>second processor <u>configured to</u>

detect[[s]] a denial-of-service attack<u>, in accordance with the controller instructions</u>

(see Fig. 18 block 176).

bb.   (Currently Amended) Regarding claim 33, Gregg et al teaches wherein the

second processor <u>is configured to </u>detect[[s]] a denial-of-service attack initiated

by a virus (see Fig. 18 block 176).

cc.   (Currently Amended) Regarding claim 34, Gregg et al teaches wherein <u>at</u>

<u>least one of </u>the gateway units <u>is configured to </u>selectively transmit to law

enforcement terminals information describing at least one of incoming data and

outgoing data to the <u>at least one of the </u>gateway units<u>, in accordance with the</u>

<u>controller instructions </u>(see fig 18 blocks 168 and 170, and Fig. 23 steps 310, 324

and 326).

dd.   (Currently Amended) Regarding claim 35, Gregg et al teaches the system

of claim 1, wherein <u>at least one of </u>the gateway units<u> is configured to</u>: detect a

user attempt to <u>access</u> at least one of transmit and receive voice traffic; and

selectively block the detected attempt; <u>wherein the detect and selective block are</u>

in accordance with the controller instructions (see Fig. 24 blocks 330, 332 and

Fig. 18 block 176).

ee.   (Currently Amended) Regarding claim 37 Gregg et al teaches the system

of claim 1, wherein <u>at least one of</u> the gateway units <u>is configured to</u>: detect a

user attempt to <u>access</u> at least one of transmit and receive at least one of audio

~~and~~ <u>or</u> video traffic; and selectively block the detected attempt<u>; wherein the</u>

<u>detect and selective block are</u> in accordance with the controller instructions (see

Fig. 24 blocks 330, 332 and Fig. 18 block 176).

ff.   (Currently Amended) Regarding claim 39, Gregg et al teaches the system

of claim 1, wherein <u>at least one of</u> the gateway units <u>comprises a second network</u>

<u>interface configured to</u>: detect at least one of audio and video traffic flowing

through the second network interface (see Fig. 12 and Fig. 24 blocks 330 and

332); and selectively reduce the quality of service of the at least one of audio and

video traffic<u>; wherein the detect and selective reduction are</u> in accordance with

the controller instructions , wherein reduction of quality of service comprises at

least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one

of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and

video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video

traffic (see fig. 21 block 268).

gg.   (Currently Amended) Regarding claim 40, Gregg et al teaches further

comprising a plurality of access nodes (see subscriber software 36 and Fig. 2),

wherein the ~~controller node comprises a~~ first processor is further configured ~~for~~

~~generating~~ generate authorization instructions and transmit~~ting~~ the authorization

instructions ~~over the network~~ to the access nodes (see Subscription Host 34 and

Fig. 2), and the access nodes are configured to : receive the authorization

instructions from the controller node (see Fig. 1); and selectively permit the

gateway units to access the network in accordance with the authorization

instructions (see Fig.2).

hh.   (Currently Amended) Regarding claim 41, Gregg et al teaches the system

of claim 1, wherein at least one of the gateway units comprise data storage units

partitioned into a network portion and a user portion, and the at least one ~~of a~~

~~first group~~ of gateway units is configured to selectively share[[s]] data stored in

the network partition with at least one of another ~~second group of~~ gateway units,

via a ~~the~~ second network interface of the at least one gateway unit, in

accordance with the controller instructions (see column 8 lines 20-67).

ii.   (Currently Amended) Regarding claim 42, Gregg et al teaches the system

of claim 1, wherein at least one of the gateway unit comprises a second

processor, and the second processor ~~in at least a first one of the gateway units~~ is

configured to selectively forward~~s~~ content data received from ~~at least a second~~

~~one of the~~ first other gateway units to ~~at least a third one of the~~ second other

gateway units in accordance with the controller instructions (see Fig. 2 and

column 6 lines 17-32).

jj.   (Currently Amended) Regarding claim 43, Gregg et al teaches the system

of claim 42 wherein <u>at least one of the gateway units comprises a second</u>

<u>processor and a user interface, and</u> the second processor <s>in at least a first one of</s>

<s>the gateway units:</s> <u>is further configured to:</u> receive[[s]] portions of a content data

file from a group of <u>other</u> gateway units <s>in accordance with the controller</s>

<s>instructions</s> (see fig. 2 and column 6 lines 27-30); and assemble[[s]] a data file

based on the received portions for transmission to <s>the</s> <u>a</u> user <u>of a coupled</u>

<u>subscriber terminal</u> via the user interface<u>; wherein the receive and assemble are</u>

<u>in accordance with the controller instructions</u> (See fig. 2).

kk.   (Currently Amended) Regarding claim 44, Gregg et al teaches the system

of claim 1, further comprising an intervention node,<u>wherein</u> the intervention node

<u>includes</u> <s>comprising</s>: an operator interface <u>configured to</u> <s>for</s> receiv<u>e</u><s>ing</s> operator-

entered spoofing attack instructions; and a <s>third</s> <u>second</u> network interface

<u>configured to</u> <s>for</s> transmitt<s>ing</s> at least one substitute file pointer to addresses in

the network in accordance with the spoofing attack instructions (see Fig. 18).

<s>ll.</s>   (Currently Amended) Regarding claim 82, Gregg et al teaches a gateway

unit for regulating access to <s>a service provider network</s> <u>content provided by a</u>

<u>content server</u> (see column 4 lines 44-59) comprising: a network interface <s>for</s>

<u>configured to</u> <s>providing access to the service provider network and for receiving</s>

<u>receive</u> controller instructions from <s>the service provider network</s> <u>a controller</u>

node, the gateway unit remotely disposed from the controller node and the

content server, and coupled to the controller node and the content server via a

network (see column 5 lines 3-6 and administration software 32); ~~a user interface~~

~~for transferring, with the service provider network, content transmitted directly to~~

~~or received directly from a subscriber terminal associated with a user (see~~

~~column 26 lines 43-66 and Fig. 30 and webservers 69); and a processor for~~

~~connecting to a predetermined network site upon initiation of network browser~~

~~software, in accordance with the received controller instructions (see column 25~~

~~lines 47-61).~~ configured to execute the controller instructions to regulate access

by subscriber terminals selectively coupled to the gateway unit of the content

provided by the content server (see column 5 lines 44-59), including distributedly

implementing a digital rights management service on behalf of the controller

node (see column 26 lines 43-66). However Gregg et al fails to explicitly teach a

housing detector as further recited in the claims. Conversely Harvey et al

teaches such a limitation; wherein the gateway unit is further configured to be

tamper resistant with respect to access of the controller node provided controller

instructions by the subscriber terminals (see paragraph [0108]). Therefore it

would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined the teachings of Gregg et al with the

housing tamper detector as taught by Harvey et al. The motivation for this would

have been to enhance the security features of a network node.

2.   Claims 21, 22, 28, 36 and 38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gregg et al US (6,516,416) and in further view of Cooper et al. US

(20010051966).

mm.   (Currently Amended) Regarding claim 21, Gregg et al teaches all the

limitations of claim 1 from which claim 21 depends on. However Gregg fails to

explicitly teach a copyright registry as further recited in the claim. Conversely

Cooper et al teaches such a limitation; wherein the controller node comprises a

copyright registry for configured to track copyright status of content data files

distributed to subscriber terminals, via one or more of the gateway units in the

system (see Fig. 2, copyright registry 234 and paragraph [0094]). Therefore it

would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined the teachings of Gregg et al with the

copyright registry as taught by Cooper et al. The motivation for this would have

been to allow users to register their copyrighted content for tracking purposes.

nn.   (Currently Amended) Regarding claim 22, Cooper et al further teaches

wherein at least one of the gateway units comprises the an user interface

configured to transmit copyright receives registrations of the content data files for

transmission to the copyright registry, in accordance with the controller

instructions (see Fig. 2, copyright registry 234 and paragraphs [0094]-[0099]).

oo.   (Currently Amended) Regarding claim 28, Gregg et al teaches the

limitations of claim 1 from which claim 28 depends on. However Gregg et al fails

to explicitly teach customized advertising as further recited in the claim.

Conversely Cooper teaches such a limitation; wherein: at least one of the

gateway units comprises a user interface and a second network interface

configured to transmit advertisements via the user interface to a user display of a

coupled subscriber terminal, wherein the advertisements being are customized in

accordance with information content received via at least one of the second

network interface and the user interface in accordance with the controller

instructions (see paragraph [0177]). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Gregg et al with the customized advertisements as

taught by Cooper et al. The motivation for this would have been to target the user

with advertisements that would be of interest.

pp.   (Currently Amended) Regarding claim 36, Gregg et al teaches the

limitations of claim 1 from which claim 36 depends on. However Gregg et al fails

to explicitly teach customized advertising as further recited in the claim.

Conversely Cooper teaches such a limitation; wherein at least one of the

gateway units comprises an interface configured to transmit, via the user

interface, an advertisement offering voice transmission services, in accordance

with the controller instructions (see paragraph [0177]). Therefore it would have

been obvious to a person of ordinary skill in the art at the time the invention was

made to have combined the teachings of Gregg et al with the customized

advertisements as taught by Cooper et al. The motivation for this would have

been to target the user with advertisements that would be of interest.

qq.   (Currently Amended) Regarding claim 38, Gregg et al teaches the

limitations of claim 1 from which claim 38 depends on. However Gregg et al fails

to explicitly teach customized advertising as further recited in the claim.

Conversely Cooper teaches such a limitation; wherein <u>at least one of </u>the

gateway units <u>comprises an interface configured to </u>transmit, via the <s>user</s>

interface, an advertisement offering at least one of audio and video traffic

services<u>, in accordance with the controller instructions</u> (see paragraph [0177]).

Therefore it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have combined the teachings of Gregg et al with

the customized advertisements as taught by Cooper et al. The motivation for this

would have been to target the user with advertisements that would be of interest.

3.   Claims 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gregg et al US (6,516,416) and in further view of Tarnoff US (20020169865).

rr.   (Original) Regarding claim 29, Gregg et al teaches all the limitations of

claim 1 from which claim 29 depends on. However Gregg et al fails to explicitly

teach pay-per-view advertising as further recited in the claim. Conversely Tarnoff

teaches such a limitation; wherein <u>at least one of </u>the gateway units <u>comprises a</u>

<u>user interfaces configured to</u>: transmit pay-per-view advertising via the user

interface <u>to a coupled subscriber terminal </u>for selective display by a user<u> of the</u>

<u>subscriber terminal</u>; and <s>generate</s> <u>report to controller node for </u>payment credits

for the user upon <u>selective </u>display of <u>an </u><s>the</s> advertisement<s>ing</s> by the user<u>;</u>

wherein the transmit and report operations are in accordance with the controller

instructions (see paragraph [0224]). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Gregg et al with the pay-per-view advertising as

taught by Tarnoff. The motivation for this would have been to induce impulse

buys for customers searching for things related to the pay-per-view content.

ss.   (Currently Amended) Regarding claim 30, Tarnoff further teaches wherein

the at least one gateway units is configured to generate one of a plurality of

viewing modes for viewing the pay-per-view advertising in response to a user

selection, in accordance with the controller instructions (see paragraph [0174]).

4.   Claims 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hans et

al US (20020120577) and in further view of Gregg et al US (6,516,416).

tt.   (Currently Amended) Regarding claim 80, Hans et al teaches a gateway

unit for regulating access to a service provider network (see Fig. 1 and content

management node 10 and content manager 11), comprising: a network interface

for providing access to the service provider network (see paragraph [0026; and a

processor processor is further configured to enters a user-controlled operational

mode after receiving permission over the service provider network from a the

controller node via the network interface (see paragraph [0028]). Although Hans

teaches the limitations above he fails to explicitly teach user-entered network

access requests as further recited in the claims. Conversely Gregg et al teaches

such a limitation; a user interface configured to receive user-entered network

access requests directly from a subscriber terminal (see column 25 lines 47-61).

Therefore it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have combined the teachings of Hans with the

receiving of user-entered access requests as taught by Gregg et al. The

motivation for this would have been to let a user have subscription access over

an untrusted network (see column 1 lines 47-51).

5.   Claims 83 and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Gregg et al US (6,516,416) and in further view of Saxena US (20020103778).

uu.   (Currently Amended) Regarding claim 83, Gregg et al teaches all the

limitations of claim 82 form which claim 83 depends on. However Gregg et al

fails to explicitly teach predetermined network sites as further recited in the claim.

Conversely Saxena teaches such a limitation; wherein the processor is further

configured to select[[s]] the a predetermined network site from a list of

predetermined network sites, in accordance with the controller instructions (see

paragraph [0049]). Therefore it would have been obvious to a person of ordinary

skill in the art at the time the invention was made to have combined the teachings

of Gregg et al with the predetermined websites as taught by Saxena. The

motivation for this would have been to provide a user specific websites to see

which are related to the content that they are requesting.

vv.   (Currently Amended) Regarding claim 84, Saxena further teaches wherein

the processor is further configured to select[[s]] from the list of predetermined

network sites according to a weighting function such that at least a portion of the

predetermined network sites are selected more often than others<u>, in accordance</u>

<u>with the controller instructions</u> (see paragraph [0006]).

Remarks

<u>The Applicant Argues:</u>

Gregg fails to teach the amended portions of claim 1 and;

Thus, Gregg teaches that regulation of content occurs at (and in

conjunction with) the element providing the content (e.g. web server or content server)

in the network. In contrast, in the present embodiment, there is no need for a content

provider or content server to regulate "processing of the received content," or

"implement a digital rights management service," because "a plurality of gateway units,"

that are "remotely disposed from the controller node and the content server ....regulate

access of the content provided by the content provider ...including distributedly

implementing a digital rights management service on behalf of the controller node of the

service provider network."

In Response, the Examiner respectfully submits:

The rejection is maintained because Gregg does in fact teach the argued

limitations. In regards to the amended portions please see action above. Column 4 lines 44-50

teach exactly what the clearing house 30 is "The clearinghouse 30 is the entity that

hosts all of the subscription information and the subscriber information. It provides a

secure interface to the subscription access servers 34 which enables the subscription

access servers to authenticate subscribers and to send subscriber's usage data and

universal resource locator (URL) tracking data to the clearinghouse 30." The term

"controller node" is very broad as anything which implements any kind of control on a

network can be considered a controller node, in this instance the clearinghouse 30

enables subscription servers to authenticate subscribers, hence controlling who has

access and who does not. Further in Fig. 30 it shows that clearinghouse 30 can be

located anywhere (Chicago and Omaha are given as examples) and it is apparent that

these would lie in a service provider network.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL K. KHAJURIA whose telephone number is

(571)270-5662. The examiner can normally be reached on Monday - Thursday Alt.

Friday, 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. K./
Examiner, Art Unit 2478

/Kenny S Lin/
Primary Examiner, Art Unit 2478

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	**Art Unit**
	SHRIPAL K KHAJURIA	2446

SEARCHED

Class	Subclass	Date	Examiner
709	225	10/22/09	skk
709	225	8/13/10	skk
709	225	4/7/11	skk

SEARCH NOTES

Search Notes	Date	Examiner
Inventor Search	10/22/09	skk
East search - see attached	10/22/09	skk
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent, IBM_TDB) and Inventor search.	8/13/10	skk
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent, IBM_TDB) and Inventor search.	4/7/11	skk

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner

	Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
		10989023	BURKE ET AL.
		Examiner	Art Unit
		SHRIPAL K KHAJURIA	2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011					
	1	✓	÷	✓	✓					
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	36	✓	÷	✓	✓					

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Index of Claims		10989023	BURKE ET AL.
		Examiner	**Art Unit**
		SHRIPAL K KHAJURIA	2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ **Claims renumbered in the same order as presented by applicant**   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
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	71	✓	÷	✓	-					
	72	✓	÷	N						

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Index of Claims		10989023	BURKE ET AL.
		Examiner	**Art Unit**
		SHRIPAL K KHAJURIA	2446

✓	Rejected		-	Cancelled		N	Non-Elected		A	Appeal
=	Allowed		÷	Restricted		I	Interference		O	Objected

☐ Claims renumbered in the same order as presented by applicant　　　☐ CPA　　☐ T.D.　　☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011					
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	107	✓	÷	N						
	108	✓	÷	N						

	Index of Claims	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
		Examiner SHRIPAL K KHAJURIA	Art Unit 2446

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011					
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	110	✓	÷	N						
	111	✓	÷	N						
	112	✓	-	N						
	113	✓	-	N						
	114	✓	-	N						
	115	✓	÷	✓	✓					

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	6107	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
L2	651	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
L3	1	(L1 L2) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
L4	5364	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
L7	1	"6516416".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:46
S1	5488	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S2	585	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S3	1	(S1 S2) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:59
S4	3886	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 12:11
S5	0	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S6	0	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S7	709	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15

S8	7462681	network same partition $3 and user near (portion or part) and network (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S9	119	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:16
S10	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:18
S11	9	("6516416" "20010051996" "20020169865" "20020120577" "6694429" "20020059440" "20020145981" "20030204602" "20030233281").pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:21
S12	11	predetermined near website same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:51
S13	9	predetermined near websites same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:52
S14	4	predetermined near websites and weight same website	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:01
S15	16	predetermined near sites and weight same site and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:04
S16	20	predetermined near web and weight same web and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:06
S17	0	gateway and storage and autheticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
S18	836	gateway and storage and authenticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
S19	125	gateway and storage and pay near3 pay near3 view	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:23

S20	73	gateway and storage and pay near3 pay near3 view and modes	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S21	73	gateway and storage and pay near3 pay near3 view and modes and display	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S22	1	"20050033990".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:25
S23	1	"6516416".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 16:38
S24	5893	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S25	626	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S26	1	(S24 S25) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S27	4846	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S28	1	"20020120577".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S29	136	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 18:23
S30	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 18:23

EAST Search History (Interference)

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4/7/2011 10:09:53 PM
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

60172   7590   07/01/2011
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2478	

MAIL DATE	DELIVERY MODE
07/01/2011	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.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Interview Summary	10/989,023	BURKE ET AL.
	Examiner	**Art Unit**	
	SHRIPAL KHAJURIA	2478	

All participants (applicant, applicant's representative, PTO personnel):

(1) *SHRIPAL KHAJURIA*.   (3) _____.

(2) *Linda Zachariah (Reg. No. 48057)*.   (4) _____.

Date of Interview: *29 June 2011*.

Type: a)☒ Telephonic   b)☐ Video Conference
       c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
   If Yes, brief description: _____.

Claim(s) discussed: *1*.

Identification of prior art discussed: *Gregg*.

Agreement with respect to the claims f)☐ was reached.   g)☐ was not reached.   h)☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicant narrowed down claims to overcome some of the limitations taught by Gregg. Examiner will schedule interview before sending out next action.*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Kenny S Lin/ Primary Examiner, Art Unit 2478	

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

_____

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
– Application Number (Series Code and Serial Number)
– Name of applicant
– Name of examiner
– Date of interview
– Type of interview (telephonic, video-conference, or personal)
– Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
– An indication whether or not an exhibit was shown or a demonstration conducted
– An identification of the specific prior art discussed
– An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
– The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.
A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.
Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:	Examiner: Shripal K. Khajuria
Robert M. Burke II, et al.	
Application No.: 10/989,023	
Filed: November 16, 2004	
Confirmation No.: 1874	
For: SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK	

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

AMENDMENT

Sir/Madam:

In response to the Non-Final Office Action mailed April 12, 2011, please enter the following amendments and consider the following remarks.

Amendments to the Claims begin on page **2** of this paper.

Remarks begin on page **23** of this paper.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

      1.   (Currently Amended) A system for regulating access to content provided by a content server, the system comprising:

      a controller node configured to control access to the content provided by the content server, the controller node comprising:

          a first processor configured to generate controller instructions <u>to allow access to one or more particular content files provided by the content server,</u> wherein the controller instructions are configured to be executed by a plurality of gateway units, remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network, to regulate access ~~of the~~<u>to the one or more particular</u> content <u>files</u> provided by the content server<u>,</u> by subscriber terminals selectively coupled to the gateway units, including distributedly implementing a digital rights management service on behalf of the controller node ~~of the service provider network~~; and

          a first network interface coupled to the first processor, and configured to transmit the controller instructions to the gateway units over the network<u>, wherein subsequent to receipt of the controller instructions, the gateway units to receive a user request for the one or more particular content files and in response, to provide the one or more particular content files to the user prior to further input or instruction from the controller node</u>;

          wherein each of the plurality of gateway units is<u> located at a subscriber location and is</u> further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminals.

      2.   (Previously Presented) The system of claim 1 wherein:

      at least one of the gateway units further comprises a storage device configured to store the controller instructions; and

<div align="center">2</div>

the at least one gateway unit further comprises an identifier uniquely associating the corresponding gateway unit with a user; wherein the corresponding storage device is further configured to store information associated with the user, in accordance with the controller instructions.

3.   (Previously Presented) The system of claim 1, wherein:

at least one of the gateway units comprises an interface configured to receive requests to transmit data for a coupled subscriber terminal; and

the at least one gateway unit further comprises a second processor configured to inspect the data to selectively transmit none, some or all of the data for the requesting subscriber terminal, in accordance with the controller instructions.

4.   (Currently Amended) The system of claim 1, wherein:

at least one of the gateway units comprises an interface

configured to receive requests to retrieve ~~data~~ the content files for

a coupled subscriber terminal; and

the at least one gateway unit further comprises a second processor configured to inspect the data to selectively provide none, some or all of the retrieved ~~data~~ content files to the requesting subscriber terminal, in accordance with the controller instructions.

5.   (Previously Presented) The system of claim 1, wherein the first processor is configured to generate the controller instructions automatically.

6.   (Previously Presented) The system of claim 1, wherein the first processor is configured to generate the controller instructions in response to an operator-entered request.

7.   (Previously Presented) The system of claim 1, wherein the controller node is included in a plurality of controller nodes, and wherein the controller node comprising the first processor is configured to generate the controller instructions by operator-controlled network crawling.

8.   (Previously Presented) The system of claim 1, wherein the controller instructions are configured to deny users of the subscriber terminals access to one or more other content servers, in accordance with the controller instructions.

9.   (Previously Presented) The system of claim 8, wherein at least one of the gateway units comprises a second processor configured to generate a notification to the controller node in response to a network access request to access one of the one or more

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other content servers by a coupled subscriber terminal, in accordance with the controller instructions.

10. (Previously Presented) The system of claim 8, wherein at least one of the plurality of gateway units comprises a second processor configured to:

detect a network access request to access one of the one or more other content servers by a coupled subscriber terminal; and

re-direct the network access request to one or more other content servers;

wherein the detect and re-direct are performed in accordance with the controller instructions.

11. (Previously Presented) The system of claim 1, wherein:

the controller instructions are configured to include a file identifier; and

at least one of the plurality of gateway units is configured to be associated with a user file system, and the at least one gateway units comprises a second processor configured to detect a file in the user file system corresponding to the file identifier, in accordance with the controller instructions.

12. (Previously Presented) The system of claim 11, wherein the at least one gateway unit is configured to be operable between an active state and an inactive state.

13. (Previously Presented) The system of claim 12, wherein the second processor is configured to notify the controller node in response to the at least one gateway unit entering an inactive state, in accordance with the controller instructions.

14. (Previously Presented) The system of claim 12, wherein the second processor is configured to delete the detected file from the user file system, in accordance with the controller instructions.

15. (Currently Amended) The system of claim 14, wherein the second processor is configured to delete the detected file from a the user file system during the inactive state.

16. (Previously Presented) The system of claim 11, wherein the at least one gateway unit is configured to notify the controller node if a file corresponding to the file identifier is detected in the associated user file system, in accordance with the controller instructions.

17. (Previously Presented) The system of claim 1, wherein at least one of the tamper resistant gateway units comprise:

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a housing; and

a detector configured to detect an attempt to open the housing.

18.   (Previously Presented) The system of claim 17, wherein the at least one gateway unit is further configured to notify the controller node of a detected attempt to open the housing, in accordance with the controller instructions.

19.   (Previously Presented) The system of claim 17, wherein the at least one gateway unit further comprises a storage device configured to store the controller instructions, and a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

20.   (Previously Presented) The system of claim 1, wherein each of the gateway units comprises a second processor configured to enter a corresponding gateway unit into a user-controlled operational mode after receiving permission from the controller node, in accordance with the controller instructions.

21.   (Currently Amended) The system of claim 1, wherein the controller node comprises a copyright registry configured to track copyright status of content data files distributed to subscriber terminals, via one or more of the gateway units.

22.   (Previously Presented) The system of claim 21, wherein at least one of the gateway units comprises an interface configured to transmit copyright registrations of content data files to the copyright registry, in accordance with the controller instructions.

23.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a second processor configured to cause the at least one gateway unit to access a predetermined network site upon initiation of network browser software on a coupled subscriber terminal, in accordance with the controller instructions.

24.   (Previously Presented) The system of claim 23, wherein the second processor is configured to select the predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

25.   (Previously Presented) The system of claim 24, wherein the second processor is configured to select the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

26. (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled subscriber terminal via the user interface; and

receive initial operating parameters from the controller node via the second network interface;

wherein both receive operations are in accordance with the controller instructions.

27. (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled subscriber terminal via the user interface; and

receive software updates from the controller node via the second network interface;

wherein both receive operations are in accordance with the controller instructions.

28. (Previously Presented) The system of claim 1, wherein:

at least one of the gateway units comprises a user interface and a second network interface configured to transmit advertisements via the user interface to a user display of a coupled subscriber terminal, wherein the advertisements are customized in accordance with content received via the second network interface, in accordance with the controller instructions.

29. (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface configured to:

transmit pay-per-view advertising via the user interface to a coupled subscriber terminal for selective display by a user of the subscriber terminal; and

report to the controller node for payment credits for the user upon selective display of an advertisement by the user;

wherein the transmit and report operations are in accordance with the controller instructions.

30. (Previously Presented) The system of claim 29, wherein the at least one

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gateway units is configured to generate one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection, in accordance with the controller instructions.

31.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a second network interface and a second processor configured to receive software via the second network interface for execution on the second processor, the software to enable at least one of a fee-based network service, network video calling, and network gaming, in accordance with the controller instructions.

32.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a second processor configured to detect a denial-of-service attack, in accordance with the controller instructions.

33.   (Previously Presented) The system of claim 32, wherein the second processor is configured to detect a denial-of-service attack initiated by a virus.

34.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units is configured to selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the at least one of the gateway units, in accordance with the controller instructions.

35.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units is configured to:

    detect a user attempt to access at least one of transmit and receive voice traffic; and
    selectively block the detected attempt;
    wherein the detect and selective block are in accordance with the controller
instructions.

36.   (Previously Presented) The system of claim 35 wherein at least one the gateway units comprises an interface configured to transmit, via the interface, an advertisement offering voice transmission services, in accordance with the controller instructions.

37.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units is configured to:

    detect a user attempt to access at least one of transmit and receive at least one of audio or video traffic; and

selectively block the detected attempt;

wherein the detect and selective block are in accordance with the controller instructions.

38. (Previously Presented) The system of claim 37, wherein at least one of the gateway units comprises an interface configured to transmit, via the interface, an advertisement offering at least one of audio and video traffic services, in accordance with the controller instructions.

39. (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a second network interface configured to:

detect at least one of audio and video traffic flowing through the second network interface; and

selectively reduce the quality of service of the at least one of audio and video traffic;

wherein the detect and selective reduction are in accordance with the controller instructions; and

wherein reduction of quality of service comprises at least one of:

reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

40. (Previously Presented) The system of claim 1, further comprising a plurality of access nodes, wherein the first processor is further configured to generate authorization instructions and transmit the authorization instructions to the access nodes, and the access nodes are configured to:

receive the authorization instructions from the controller node; and

selectively permit the gateway units to access the network in accordance with the authorization instructions.

41. (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises data storage units partitioned into a network portion and a user portion, and the at least one gateway units is configured to selectively share data stored in the network partition with at least one of another gateway unit, via a second network interface of the at least one gateway unit, in accordance with the controller instructions.

42. (Currently Amended) The system of claim 1, wherein at least one of the

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gateway unit comprises a second processor, and the second processor is configured to selectively forward content data received from a first other gateway unit to a ~~a~~ second other gateway unit, in accordance with the controller instructions.

43.   (Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises a second processor and a user interface, and the second processor is further configured to:

receive portions of a content ~~data~~ file from a group of other gateway units; and

assemble a ~~data~~ content file based on the received portions for transmission to a user of a coupled subscriber terminal, via the user interface;

wherein the receive and assemble are in accordance with the controller instructions.

44.   (Previously Presented) The system of claim 1, further comprising an intervention node, wherein the intervention node includes:

an operator interface configured to receive operator-entered spoofing attack instructions; and

a second network interface configured to transmit at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions.

45. – 48. (Canceled).

49.   (Withdrawn – Previously Presented) A system for regulating access to a service provider network that is accessed by a plurality of users, the system comprising:

a controller node located in the service provider network, the controller node comprising:

a first processor for generating controller instructions, the controller instructions configured to be executed by a plurality of network units to regulate processing of received content data; and

a first network interface for transmitting the controller instructions over the service provider network; and

the plurality of network units associated with a first group of users, the network units comprising:

a second network interface coupled to the service provider network and

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receiving the controller instructions from the controller node; and

a second processor, the second processor inhibiting access for a second group of users to content accessible from the service provider network in accordance with the controller instructions.

50.   (Withdrawn) The system of claim 49, wherein the second processor in the network units inhibits access for a second group of users by performing denial of service attacks in accordance with the controller instructions.

51.   (Withdrawn) The system of claim 50, wherein the second processor performs attacks based on a schedule comprising at least one of:

a schedule based on duration of the attacks; real time response to controller instructions; and

in response to an event.

52.   (Withdrawn) The system of claim 49, wherein at least a portion of the network units comprise gateway units uniquely associated with a user.

53.   (Withdrawn) The system of claim 52, wherein the gateway units:

are operable between an active state and an inactive state; and

perform denial of service attacks, in accordance with the controller instructions, during the inactive state.

54.   (Withdrawn) The system of claim 49, wherein the second processor detects a denial-of-service attack.

55.   (Withdrawn) The system of claim 54, wherein the second processor detects a denial-of-service attack initiated by a virus.

56.   (Withdrawn) The system of claim 54, wherein the second processor prevents a denial-of-service attack upon detection.

57.   (Withdrawn) The system of claim 49, wherein the network units selectively transmit to law enforcement terminals information describing at least one of incoming data and outgoing data to the gateway units.

58.   (Withdrawn) A system for distributing content over a network, the system comprising:

a controller node coupled to the network, the controller node comprising:

a first processor for generating controller instructions; and

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a first network interface for transmitting the controller instructions over the network; and

a plurality of network units, the network units comprising:

a second network interface coupled to the network, the second network interface in at least a first one of the network units receiving the controller instructions from the network and receiving a first portion of a content data file from at least a second one of the network units; and

a second processor, the second processor in the at least a first one of the network units selectively forwarding the received first portion of the content data file to at least a third one of the network units in accordance with the controller instructions.

59. (Withdrawn) The system of claim 58, wherein: the second network interface receives a plurality of portions of a content data file from a group of network units in accordance with the controller instructions; and

the second processor assembles a data file based on the received portions for transmission to the user via the user interface.

60. (Withdrawn) The system of claim 58, wherein:

the second network interface of the second network unit receives a portion of a content data file from a content server; and

the second processor of the second network unit forwards the portion of the content data file to the at least first one of the network units in accordance with the controller instructions.

61. (Withdrawn) The system of claim 58, wherein the second processor deletes portions of content data in accordance with a predetermined deletion date associated with the content data.

62. (Withdrawn) The system of claim 58, wherein the second processor deletes portions of content data when new content data is delivered.

63. (Withdrawn) The system of claim 58, wherein the second processor deletes portions of content data when insufficient storage space remains, deleting oldest content data first.

64. (Withdrawn) The system of claim 58, wherein the second processor deletes

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portions of content data in accordance with an associated user's selections.

65.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a user interface configured to receive requests directly from a subscriber terminal, wherein the requests are to transmit data;

a network interface configured to receive controller instructions from the service provider network; and

a processor configured to inspect the data and to selectively transmit the data in accordance with the received controller instructions.

66.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a user interface configured to receive requests directly from a subscriber terminal, wherein the requests are to receive data;

a network interface configured to receive controller instructions from the service provider network; and

a processor configured to inspect the data and selectively receive the data in accordance with the received controller instructions.

67.   (Withdrawn – Previously Presented) A controller node for regulating access to a service provider network, the controller node comprising:

a processor configured to generate controller instructions for causing a plurality of gateway units to selectively transfer user-entered network access requests over the service provider network, the processor generating the controller instructions by at least one of automatically generating instructions and generating instructions in response to an operator-entered request; and

a network interface configured to transmit the controller instructions over the service provider network to the plurality of gateway units.

68.   (Withdrawn) The controller node of claim 67, comprising a processor to generate the controller instructions by operator-controlled network crawling.

69. – 71 (Canceled)

72.   (Withdrawn - Previously Presented) A system for regulating file access in a service provider network, the system comprising:

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a controller node located in the service provider network, the controller node comprising:

a first processor for generating controller instructions, the controller instructions configured to be executed by a plurality of gateway units to regulate processing of received content data and including a file identifier; and

a first network interface for transmitting the controller instructions over the service provider network; and

the plurality of gateway units, each coupled between the service provider network and at least one of a plurality of subscriber terminals, and associated with user file systems, the gateway units comprising:

a second network interface configured to receive the controller instructions from the service provider network; and

a second processor configured to detect files in the user file systems corresponding to the file identifier.

73.   (Withdrawn) The system of claim 72, comprising a plurality of gateway units operable between an active state and an inactive state.

74.   (Withdrawn) The system of claim 73, wherein the gateway units notify a controller node upon entering the inactive state.

75.   (Withdrawn) The system of claim 73, wherein the gateway units comprise a processor to delete the detected files during the inactive state.

76.   (Withdrawn) The system of claim 72, wherein the plurality of gateway units notify a controller node if at least one file matching the list of file identifiers is detected.

77.   (Withdrawn) A gateway unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests;

a network interface for transmitting the network access requests to the network;

a housing; and

a detector for detecting a user attempt to open the housing.

78.   (Withdrawn) The gateway unit of claim 77, wherein the detector notifies the controller node of a detected attempt to open the housing after a subsequent user-initiated event.

79.   (Withdrawn) The gateway unit of claim 77 further comprising a storage

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device and an interlock to prevent access to the storage device when the detector detects an attempt to open the housing.

80.　(Previously Presented) The gateway unit of claim 82, wherein the processor is further configured to enter a user-controlled operational mode after receiving permission from the controller node.

81.　(Withdrawn - Previously Presented) A controller node for regulating file access in a network, comprising:

a processor configured to:

generate controller instructions for causing a plurality of gateway units to selectively transfer user-entered network access requests over the service provider network;

receive registrations of content data files distributed to the plurality of gateway units; and

track copyright status of the content data files.

82.　(Currently Amended) A gateway unit for regulating access to content provided by a content server, comprising:

a network interface configured to receive controller instructions from a controller node, the gateway unit remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network; and

a processor configured to execute the controller instructions to regulate access by subscriber terminals selectively coupled to the gateway unit of the content files provided by the content server, including distributedly implementing a digital rights management service on behalf of the controller node, wherein subsequent to receipt of the controller instructions, the network interface to receive a user request for one or more of the content files and in response, to provide the one or more content files to the user prior to receiving further input or instruction from the controller node;

wherein the gateway unit is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminals.

83.　(Previously Presented) The gateway unit of claim 82, wherein the processor is further configured to select a predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

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84. (Previously Presented) The gateway unit of claim 83, wherein the processor is further configured to select from the list of predetermined network sites according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

85. – 86. (Canceled).

87. (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to receive information from the service provider network;

a user interface configured to receive information directly from a subscriber terminal associated with a user; and

a processor configured to transmit advertising via the user interface to a user display, wherein the advertising is customized in accordance with information received via at least one of the network interface and the user interface.

88. (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to provide access to the service provider network and to receive pay-per-view advertising from the network;

a user interface to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to transmit the pay-per-view advertising via the user interface for selective display by a user and to generate payment credits to the user upon display of the advertising by the user.

89. (Withdrawn) The gateway unit of claim 88, wherein the processor generates one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection.

90. (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to provide access to the service provider network and to receive software from the network;

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a user interface configured to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to execute the software to enable the user to use, via the user interface, at least one of a fee-based network service, network video calling, and network gaming.

91.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network;

a user interface to receive network access requests from a user; and

a processor to detect a denial-of-service attack received from the user interface and transmitted to the network via the network interface.

92.   (Withdrawn) The plurality of gateway units of claim 91, wherein the processor detects a denial-of-service attack initiated by a virus.

93.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising: a network interface configured to provide access to the service provider network and to receive controller instructions;

a user interface configured to transfer, with the network interface, incoming data and outgoing data transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to selectively transmit to law enforcement terminals information describing at least one of the incoming data and the outgoing data in accordance with the received controller instructions.

94.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network comprising:

a network interface configured to provide access to the service provider network and to receive controller instructions;

a user interface configured to transfer, with the service provider network, content transmitted directly to or received directly from a subscriber terminal associated with a user; and

a processor configured to detect a user attempt to at least one of transmit and receive voice traffic over the service provider network, the processor selectively blocking the

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detected attempt in accordance with the received controller instructions and transmitting, via the user interface, an advertisement offering voice transmission services.

95. (Withdrawn) A gateway unit for regulating access to a network comprising: a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect a user attempt to at least one of transmit and receive at least one of audio and video traffic over the network, the processor selectively blocking the detected attempt in accordance with the received controller instructions and transmitting, via the user interface, an advertisement offering at least one of audio and video traffic services.

96. (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a user interface to transfer traffic between the network and a user; and

a processor to detect at least one of audio and video traffic flowing through the user interface, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions, wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-OnlX-Off pairs in the at least one of audio and video traffic.

97. (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect voice traffic over the network, the processor selectively blocking the traffic in accordance with the received controller instructions.

98. (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic over the network, the processor selectively blocking the traffic in accordance with the received controller

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instructions.

99.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions and network traffic; and

a processor to detect at least one of audio and video traffic, the processor selectively reducing the quality of service of the detected at least one of audio and video traffic in accordance with the received controller instructions, wherein reduction of quality of service comprises at least one of: reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

100.   (Withdrawn) A controller node for regulating subscriber access to a network comprising: a processor to generate authentication instructions on behalf of an authenticated subscriber; and

a network interface to transmit the authentication instructions to an access node coupled to the network, wherein the access node selectively permits subscriber access to the network in accordance with the authentication instructions.

101.   (Withdrawn) A gateway unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions;

a data storage unit partitioned into a network portion and a user portion; and

a processor to selectively transmit data stored in the network partition, via the network interface, in accordance with the received controller instructions.

102.   (Withdrawn) A network unit for regulating access to a network, comprising:

a user interface receiving user-entered network access requests; a network interface coupled to the network and receiving controller instructions from the network; and

a processor, the processor selectively transmitting at least some of the network access requests over the network in accordance with the controller instructions, and transferring content data responsive to the transmitted network access requests over the network via the network interface;

wherein the network unit selectively forwards content data received from a first associated network unit to at least a second associated unit in accordance with the controller

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instructions.

103.   (Withdrawn) The network unit claim 102, wherein the processor receives portions of a content data file from a group of third associated network units in accordance with the controller instructions; and

assembles a data file based on the received portions for transmission to a user via the user interface.

104.   (Withdrawn) The network unit of claim 102, wherein the processor:

receives a portion of a content data file from a content server; and

forwards the portion of the content data file to the first associated network unit in accordance with the controller instructions.

105.   (Withdrawn) A network unit for regulating access to a network comprising:

a network interface to provide access to the network and to receive controller instructions; and

a processor to perform denial of service attacks in accordance with the received controller instructions.

106.   (Withdrawn) A method for regulating access to a network, the method comprising:

receiving controller instructions from a network at a gateway unit associated with a user;

receiving a network access request at the gateway unit from a user;

selectively transmitting the network access request over the network in accordance with the controller instructions; and

receiving content data responsive to the transmitted network access request from the network.

107.   (Withdrawn) A method for regulating access to a plurality of content servers, the method comprising:

receiving controller instructions from the network at a network unit associated with a first group of users; and

selectively inhibiting access to a portion of the content servers by a second group of users in accordance with the controller instructions.

108.   (Withdrawn) The method of claim 107, wherein inhibiting access for a second

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group of users comprises performing denial of service attacks.

109.   (Withdrawn) A method for distributing content data over a network, the method comprising:

receiving content distribution instructions from the network;

storing a first portion of content data from the network at a first network unit;

initiating a request over the network, in accordance with the content distribution instructions and in response to a user request, for the remainder of the content data;

receiving the remainder of the content data from the network;

assembling the first portion of content data with the remainder of the content data; and

supplying the assembled content data to the user.

110.   (Withdrawn) The method of claim 109, further comprising selectively forwarding the first portion of content data to a second network unit in accordance with the content distribution instructions.

111.   (Withdrawn – Previously Presented) A gateway unit for regulating access to a service provider network, the gateway unit comprising:

a user interface configured to receive user-entered network access requests directly from a subscriber terminal;

a network interface configured to receive controller instructions from a controller node in the service provider network; and

a processor configured to selectively transmit at least some of the network access requests over the service provider network in accordance with the controller instructions, and to transfer content data responsive to the transmitted network access requests over the service provider network via the network interface.

112-114 (Canceled).

115.   (Canceled).

116.   (New) An apparatus, comprising:

means for generating controller instructions to allow access to one or more particular content files provided by a content server, wherein the controller instructions are configured

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to be executed by a gateway unit, the gateway unit remotely disposed from the means for generating the controller instructions and the content server, and coupled to a controller node including the means for generating controller instructions and the content server via a network, the controller instructions to regulate access to the one or more particular content files provided by the content server to a subscriber terminal selectively coupled to the gateway unit, including distributedly implementing a digital rights management service on behalf of the controller node; and

means to transmit the controller instructions to the gateway unit over the network, wherein subsequent to receipt of the controller instructions, the gateway unit to receive a subscriber request for the one or more particular content files and in response, to provide the one or more particular content files to the subscriber prior to further input or instruction from the controller node;

wherein the gateway unit is located at a subscriber location and is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminal.

117.   (New) An apparatus, comprising:

first means for receiving controller instructions from a controller node, the apparatus remotely coupled to the controller node and a content server via a network;

second means configured to execute the controller instructions to regulate access by subscriber terminals of content provided by the content server, including distributedly implementing a digital rights management service on behalf of the controller node, wherein subsequent to receipt of the controller instructions by the first means, the first means to receive a user request for one or more particular content files and in response, to provide the one or more particular content files to a subscriber terminal prior to further input or instruction from the controller node;

wherein the apparatus including the first means and the second means is located at a subscriber location and is further configured to be tamper resistant with respect to access by the subscriber terminal of the controller node provided controller instructions.

118. (New) The system of claim 1 wherein the controller instructions are further configured to cause the plurality of gateway units to inhibit access by a second plurality of

subscriber terminals to content provided by the content server.

119. (New) The gateway unit of claim 82 wherein the controller instructions are configured to regulate processing by network units of the content files provided by the content server.

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Remarks

SUMMARY

Claims 49-68, 72-79, 81, and 87-114 were withdrawn in response to the Restriction Requirements of May 17, 2010 and June 26, 2009. Claims 1-44, 69, 70, 80, 82-84 and 115 which were provisionally elected in the Response filed June 8, 2010, presently stand rejected. Claims 69, 70, and 115 are canceled herein. Claims 116 - 119 are added herein. Thus, with the filing of this paper, claims 1-44, 49-68, 72-84, 87-111, and 116-119 remain pending. Various claims are amended as shown. Entry of the amendments and reconsideration of the application view of the above amendments and the following remarks is respectfully requested.

Examiner Interview

A telephonic interview between Linda S. Zachariah, Reg. No. 48, 057, and Examiner Khajuria was held on Wednesday, June 29, 2011. During the interview, it was agreed that, "wherein subsequent to receipt of the controller instructions, the gateway units to receive a user request for the one or more particular media files and in response, to provide the one or more particular media content files to the user prior to further input or instruction from the controller node," and "wherein each of the plurality of gateway units is located at a subscriber location," substantially similar to presently-amended claim 1 are not taught or suggested by Gregg. The Examiner is thanked for the opportunity to discuss the claims.

Claim Rejections – 35 U.S.C. § 112 (Second Paragraph)

Claims 1 and 115 were rejected under 35 U.S.C. § 112, second paragraph, as having insufficient antecedent basis for "service provider network." Claim 115 has been canceled, thus rendering the rejection of claim 115 moot. Regarding claim 1, "service provider network" has been deleted from the claim. Accordingly, it is respectfully requested that the rejections be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Claims 69-70 and 115 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,516,416 to Gregg et al. ("Gregg"). As noted above, claims 69, 70, and 115 have been canceled. Accordingly, the rejections of claims 69, 70, and 115 are rendered moot.

Claim Rejections – 35 U.S.C. § 103

Claims 1-20, 23-27, 31-35, 39-48, and 82 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gregg et al (US 6,516,416) and in further view of Harvey et al. (US 20050033990 ("Harvey")). Claims 21, 22, 28, 36, and 38 stand rejected over Gregg in further view of Cooper et al. (US 20010051966 ("Cooper")). Claims 29 and 30 stand rejected over Gregg in view of Tarnoff (US 2002169865). Claim 80 stands rejected over Hans et al. (US20020120577 ("Hans")) in view of Gregg. Finally, claims 83 and 84 stand rejected over Gregg in view of Saxena (US 20020103778).

The rejections are respectfully traversed. It is respectfully submitted that the references, taken either separately or in combination, do not teach or suggest each and every element of the claims.

For example, amended claim 1, recites, in pertinent part, "wherein subsequent to receipt of the controller instructions, the gateway units to receive a user request for the one or more particular content files and in response, to provide the one or more particular content files to the user prior to further input or instruction from the controller node." Claim 1 further recites, "wherein each of the plurality of gateway units is located at a subscriber location."

As set forth above, during the Examiner Interview, it was agreed that Gregg fails to disclose, teach, or suggest, at least, the above recitations of amended claim 1.

Nor do Harvey, Cooper, Tarnoff, Hans, or Saxena teach or suggest, "wherein subsequent to receipt of the controller instructions, the gateway units to receive a user request for the one or more particular media files and in response, to provide the one or more particular media content files to the user prior to further input or instruction from the controller node," nor "wherein each of the plurality of gateway units is located at a subscriber location."

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Thus, since none of the references, taken separately or in combination, teach or suggest each and every element of claim 1. Claim 1 is therefore allowable over the references. Amended independent claim 82 includes at least one or more similar non-obvious elements as independent claim 1. Thus for at least the same reasons that claim 1 is allowable over the references, claims 82 is also allowable over the references.

Accordingly, it is requested that the instant §103 rejections of claims 1 and 82 be withdrawn. With respect to claims 2-44, 80, and 83-84, which depend directly or indirectly from one of claims 1 and 82, each claim recites, based on independent claim 1 or 82, at least one element not shown in either of the references for the reasons discussed above. Dependent claims 2-44, 80, and 83-84 as well as new dependent claim 119 are therefore allowable over the references as well. It is requested that the rejections of claims 2-44, 80, and 83-84 under 35 U.S.C. § 103(a) be withdrawn and that the claims be allowed.

New Independent Claims

New independent claims 116 and 117 contain one or more similar unobvious recitations as contained in above-discussed claim 1. Thus, it is respectfully submitted that the claims are patentable for at least the same reasons that claim 1 is allowable. Accordingly, Applicants respectfully request allowance of the claims.

Conclusion

In view of the foregoing, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 622-1711 if the Examiner believes that an interview might be useful for any reason.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a).

If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1542. If any fees are due in

connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

Date: __July 12, 2011__ by: _____/Linda S. Zachariah/_____

Linda S. Zachariah

Reg. No.: 48,057

Electronic Acknowledgement Receipt

EFS ID:	10503265
Application Number:	10989023
International Application Number:	
Confirmation Number:	1874
Title of Invention:	System for regulating access to and distributing content in a network
First Named Inventor/Applicant Name:	Robert M. Burke
Customer Number:	60172
Filer:	Linda S. Zachariah/Allyson Dahmen
Filer Authorized By:	Linda S. Zachariah
Attorney Docket Number:	123205-179926
Receipt Date:	12-JUL-2011
Filing Date:	16-NOV-2004
Time Stamp:	18:53:59
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		BC_P001_Response_OA.pdf	1094594 868fbb883da84719de4482e114c0b4437551e1d4	yes	26

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	22
Applicant Arguments/Remarks Made in an Amendment	23	26

Warnings:

Information:

Total Files Size (in bytes):	1094594

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.

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	
10/989,023	11/16/2004	☐ To be Mailed

APPLICATION AS FILED – PART I

OTHER THAN

SMALL ENTITY ☒ OR SMALL ENTITY

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
			TOTAL			TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II

OTHER THAN

SMALL ENTITY OR SMALL ENTITY

AMENDMENT

07/12/2011

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT	(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 105	Minus ** 115	= 0	X $26 =	0	OR	X $ =	
Independent (37 CFR 1.16(h))	* 31	Minus ***36	= 0	X $110 =	0	OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))								
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
				TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT	(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus **	=	X $ =		OR	X $ =	
Independent (37 CFR 1.16(h))	*	Minus ***	=	X $ =		OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))								
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/WANDA MITCHELL/

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	
10/989,023	11/16/2004	☐ To be Mailed

APPLICATION AS FILED – PART I

SMALL ENTITY ☒   OR   OTHER THAN SMALL ENTITY

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		OR	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =			X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
			TOTAL			TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II

SMALL ENTITY   OR   OTHER THAN SMALL ENTITY

AMENDMENT

09/30/2011	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 50	Minus	** 115	=	X $ =		OR	X $ =	
Independent (37 CFR 1.16(h))	* 4	Minus	*** 36	=	X $ =		OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/JEFFERY L. OLSEN/

	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	10/989,023	BURKE ET AL.
	Examiner	**Art Unit**	
	SHRIPAL KHAJURIA	2478	

All participants (applicant, applicant's representative, PTO personnel):

(1) *SHRIPAL KHAJURIA.*   (3)_____.

(2) *Linda Zachariah (Reg. No.48057)* .   (4)_____.

    Date of Interview: *23 September 2011*.

    Type: ☒ Telephonic   ☐ Video Conference
             ☐ Personal [copy given to: ☐ applicant   ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes   ☒ No.
    If Yes, brief description: _____.

Issues Discussed   ☐101 ☐112 ☐102 ☐103 ☒Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *all*.

Identification of prior art discussed: *Gregg*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Agreement was reached to allow application if elements from dependent claim 19 was incorporated into each independent claim.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/S. K./ Examiner, Art Unit 2478	

UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

60172	7590	10/14/2011

SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2478	

DATE MAILED: 10/14/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

TITLE OF INVENTION: SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$870	$300	$0	$1170	01/17/2012

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 02/11)

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u> Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

60172   7590   10/14/2011
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

TITLE OF INVENTION: SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$870	$300	$0	$1170	01/17/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
KHAJURIA, SHRIPAL K	2478	709-225000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:
☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PTOL-85 (Rev. 02/11) Approved for use through 08/31/2013.   OMB 0651-0033   U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

60172   7590   10/14/2011
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2478	

DATE MAILED: 10/14/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1115 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1115 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 02/11)

Privacy Act Statement

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No.	Applicant(s)
Notice of Allowability	10/989,023	BURKE ET AL.
	Examiner	Art Unit	
	SHRIPAL KHAJURIA	2478	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendments filed 7/17/11*.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are *1-16, 18, 20-44, 80, 82-84 and 116-119 (Renumbered 1-50)*.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
        Paper No./Mail Date _____.
    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)
1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *9/30/11* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/S. K./
Examiner, Art Unit 2478

DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Linda Zachariah (Reg. No. on 9/23/11.

1.   (Currently Amended) A system for regulating access to content provided by a
content server, the system comprising:

a controller node configured to control access to the content provided by the content
server, the controller node comprising:

a first processor configured to generate controller instructions to allow access to
one or more particular content files provided by the content server, wherein the
controller instructions are configured to be executed by a plurality of gateway units,
remotely disposed from the controller node and the content server, and coupled to the
controller node and the content server via a network, to regulate access to the one or
more particular content files provided by the content server, by subscriber terminals
selectively coupled to the gateway units, including distributedly implementing a digital
rights management service on behalf of the controller node; and

a first network interface coupled to the first processor, and configured to transmit
the controller instructions to the gateway units over the network, wherein subsequent to
receipt of the controller instructions, the gateway units to receive a user request for the
one or more particular content files and in response, to provide the one or more particular
content files to the user prior to further input or instruction from the controller node;

wherein each of the plurality of gateway units is located at a subscriber location

and is further configured to be tamper resistant with respect to access of the controller

node provided controller instructions by the subscriber terminals, <u>wherein at least one of</u>

<u>the tamper resistant gateway units comprise:</u>

<u>a housing;</u>

<u>a detector configured to detect an attempt to open the housing; and</u>

<u>a storage device configured to store the controller instructions; and</u>

<u>a second processor configured to prevent access to the storage device</u>

<u>when the detector detects an attempt to open the housing, in accordance with the</u>

<u>controller instructions.</u>

2.   (Currently Amended) The system of claim 1 wherein:

at least one gateway unit further comprises an identifier uniquely associating the

corresponding gateway unit with a user; wherein the corresponding storage device is further

configured to store information associated with the user, in accordance with the controller

instructions.

3.   (Previously Presented) The system of claim 1, wherein:

at least one of the gateway units comprises an interface configured to receive requests to

transmit data for a coupled subscriber terminal; and

the at least one gateway unit further comprises a second processor configured to inspect

the data to selectively transmit none, some or all of the data for the requesting subscriber

terminal, in accordance with the controller instructions.

4.   (Currently Amended) The system of claim 1, wherein:

at least one of the gateway units comprises an interface configured to

receive requests to retrieve the content files for a coupled subscriber

terminal; and

<u>the</u> second processor <u>is</u> configured to inspect the <u>content files</u> to selectively provide

none, some or all of the retrieved content files to the requesting subscriber terminal, in

accordance with the controller instructions.

     5.   (Previously Presented) The system of claim 1, wherein the first processor is configured to generate the controller instructions automatically.

     6.   (Previously Presented) The system of claim 1, wherein the first processor is configured to generate the controller instructions in response to an operator-entered request.

     7.   (Previously Presented) The system of claim 1, wherein the controller node is included in a plurality of controller nodes, and wherein the controller node comprising the first processor is configured to generate the controller instructions by operator-controlled network crawling.

     8.   (Previously Presented) The system of claim 1, wherein the controller instructions are configured to deny users of the subscriber terminals access to one or more other content servers, in accordance with the controller instructions.

     9.   (Currently Amended) The system of claim 8, wherein at least one of the gateway units comprises an additional processor configured to generate a notification to the controller node in response to a network access request to access one of the one or more other content servers by a coupled subscriber terminal, in accordance with the controller instructions.

     10.   (Currently Amended) The system of claim 8, wherein at least one of the plurality of gateway units comprises an additional processor configured to:

     detect a network access request to access one of the one or more other content servers by a coupled subscriber terminal; and

     re-direct the network access request to one or more other content servers;

     wherein the detect and re-direct are performed in accordance with the controller instructions.

     11.   (Currently Amended) The system of claim 1, wherein:

     the controller instructions are configured to include a file identifier; and

     at least one of the plurality of gateway units is configured to be associated with a user file system, and the at least one gateway units comprises an additional processor configured to detect a file in the user file system corresponding to the file identifier, in accordance with the controller instructions.

     12.   (Previously Presented) The system of claim 11, wherein the at least one gateway

unit is configured to be operable between an active state and an inactive state.

13.   (Currently Amended) The system of claim 12, wherein the <u>additional</u> processor is configured to notify the controller node in response to the at least one gateway unit entering an inactive state, in accordance with the controller instructions.

14.   (Currently Amended) The system of claim 12, wherein the <u>additional</u> processor is configured to delete the detected file from the user file system, in accordance with the controller instructions.

15.   (Currently Amended) The system of claim 14, wherein the <u>additional</u> processor is configured to delete the detected file from the user file system during the inactive state.

16.   (Previously Presented) The system of claim 11, wherein the at least one gateway unit is configured to notify the controller node if a file corresponding to the file identifier is detected in the associated user file system, in accordance with the controller instructions.

17.   (Canceled)

18.   (Currently Amended) The system of claim ~~17~~1, wherein the at least one gateway unit is further configured to notify the controller node of a detected attempt to open the housing, in accordance with the controller instructions.

19.   (Canceled)

20.   (Currently Amended) The system of claim 1, wherein <u>the</u> second processor <u>is</u> configured to enter a corresponding gateway unit into a user-controlled operational mode after receiving permission from the controller node, in accordance with the controller instructions.

21.   (Previously Presented) The system of claim 1, wherein the controller node comprises a copyright registry configured to track copyright status of content files distributed to subscriber terminals, via one or more of the gateway units.

22.   (Previously Presented) The system of claim 21, wherein at least one of the gateway units comprises an interface configured to transmit copyright registrations of content data files to the copyright registry, in accordance with the controller instructions.

23.   (Currently Amended) The system of claim 1, wherein at least one of the gateway units comprises <u>an additional</u> processor configured to cause the at least one gateway unit to access a predetermined network site upon initiation of network browser software on a coupled subscriber terminal, in accordance with the controller instructions.

24.   (Currently Amended) The system of claim 23, wherein the <u>additional</u> processor is configured to select the predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

25.   (Currently Amended) The system of claim 24, wherein the <u>additional</u> processor is configured to select the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

26.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled subscriber terminal via the user interface; and

receive initial operating parameters from the controller node via the second network interface;

wherein both receive operations are in accordance with the controller instructions.

27.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled subscriber terminal via the user interface; and

receive software updates from the controller node via the second network interface;

wherein both receive operations are in accordance with the controller instructions.

28.   (Previously Presented) The system of claim 1, wherein:

at least one of the gateway units comprises a user interface and a second network interface configured to transmit advertisements via the user interface to a user display of a coupled subscriber terminal, wherein the advertisements are customized in accordance with content received via the second network interface, in accordance with the controller instructions.

29.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface configured to:

transmit pay-per-view advertising via the user interface to a coupled subscriber terminal

for selective display by a user of the subscriber terminal; and

report to the controller node for payment credits for the user upon selective display of an

advertisement by the user;

wherein the transmit and report operations are in accordance with the controller

instructions.

30.   (Previously Presented) The system of claim 29, wherein the at least one gateway

units is configured to generate one of a plurality of viewing modes for viewing the pay-per-view

advertising in response to a user selection, in accordance with the controller instructions.

31.   (Currently Amended) The system of claim 1, wherein at least one of the gateway

units comprises a second network interface configured to receive software via the second

network interface for execution on the second processor, the software to enable at least one of a

fee-based network service, network video calling, and network gaming, in accordance with the

controller instructions.

32.   (Currently Amended) The system of claim 1, wherein the second processor is

configured to detect a denial-of-service attack, in accordance with the controller instructions.

33.   (Previously Presented) The system of claim 32, wherein the second processor is

configured to detect a denial-of-service attack initiated by a virus.

34.   (Previously Presented) The system of claim 1, wherein at least one of the gateway

units is configured to selectively transmit to law enforcement terminals information describing at

least one of incoming data and outgoing data to the at least one of the gateway units, in

accordance with the controller instructions.

35.   (Previously Presented) The system of claim 1, wherein at least one of the gateway

units is configured to:

detect a user attempt to access at least one of transmit and receive voice traffic; and

selectively block the detected attempt;

wherein the detect and selective block are in accordance with the controller

instructions.

36.   (Previously Presented) The system of claim 35 wherein at least one the gateway

units comprises an interface configured to transmit, via the interface, an advertisement offering

voice transmission services, in accordance with the controller instructions.

37.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units is configured to:

detect a user attempt to access at least one of transmit and receive at least one of audio or video traffic; and

selectively block the detected attempt;

wherein the detect and selective block are in accordance with the controller instructions.

38.   (Previously Presented) The system of claim 37, wherein at least one of the gateway units comprises an interface configured to transmit, via the interface, an advertisement offering at least one of audio and video traffic services, in accordance with the controller instructions.

39.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a second network interface configured to:

detect at least one of audio and video traffic flowing through the second network interface; and

selectively reduce the quality of service of the at least one of audio and video traffic;

wherein the detect and selective reduction are in accordance with the controller instructions; and

wherein reduction of quality of service comprises at least one of:

reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

40.   (Previously Presented) The system of claim 1, further comprising a plurality of access nodes, wherein the first processor is further configured to generate authorization instructions and transmit the authorization instructions to the access nodes, and the access nodes are configured to:

receive the authorization instructions from the controller node; and

selectively permit the gateway units to access the network in accordance with the authorization instructions.

41.   (Previously Presented) The system of claim 1, wherein at least one of the

gateway units comprises data storage units partitioned into a network portion and a user portion, and the at least one gateway units is configured to selectively share data stored in the network partition with at least one of another gateway unit, via a second network interface of the at least one gateway unit, in accordance with the controller instructions.

42.   (Currently Amended) The system of claim 1, wherein the second processor is configured to selectively forward content data received from a first other gateway unit to a second other gateway unit, in accordance with the controller instructions.

43.   (Currently Amended) The system of claim 1, wherein the second processor is further configured to:

receive portions of a content file from a group of other gateway units; and

assemble a content file based on the received portions for transmission to a user of a coupled subscriber terminal, via the user interface;

wherein the receive and assemble are in accordance with the controller instructions.

44.   (Previously Presented) The system of claim 1, further comprising an intervention node, wherein the intervention node includes:

an operator interface configured to receive operator-entered spoofing attack instructions; and

a second network interface configured to transmit at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions.

45. – 48. (Canceled).

49. – 68 (Canceled)

69. – 71 (Canceled)

72. – 79 (Canceled)

80.   (Previously Presented) The gateway unit of claim 82, wherein the

processor is further configured to enter a user-controlled operational mode after receiving permission from the controller node.

81.   (Canceled).

82.   (Currently Amended) A gateway unit for regulating access to content provided by

a content server, comprising:

a network interface configured to receive controller instructions from a controller node, the gateway unit remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network; and

a processor configured to execute the controller instructions to regulate access by subscriber terminals selectively coupled to the gateway unit of content files provided by the content server, including distributedly implementing a digital rights management service on behalf of the controller node, wherein subsequent to receipt of the controller instructions, the network interface to receive a user request for one or more of the content files and in response, to provide the one or more content files to the user prior to receiving further input or instruction from the controller node;

wherein the gateway unit is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminals, the gateway unit comprising:

a housing;

a detector configured to detect an attempt to open the housing;

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

83.   (Previously Presented) The gateway unit of claim 82, wherein the processor is further configured to select a predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

84.   (Previously Presented) The gateway unit of claim 83, wherein the processor is further configured to select from the list of predetermined network sites according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

85. – 86. (Canceled).

87. – 111 (Canceled).

112-114 (Canceled).

115.   (Canceled).

116.   (Previously Presented) An apparatus, comprising:

means for generating controller instructions to allow access to one or more particular content files provided by a content server, wherein the controller instructions are configured to be executed by a gateway unit, the gateway unit remotely disposed from the means for generating the controller instructions and the content server, and coupled to a controller node including the means for generating controller instructions and the content server via a network, the controller instructions to regulate access to the one or more particular content files provided by the content server to a subscriber terminal selectively coupled to the gateway unit, including distributedly implementing a digital rights management service on behalf of the controller node; and

means to transmit the controller instructions to the gateway unit over the network, wherein subsequent to receipt of the controller instructions, the gateway unit to receive a subscriber request for the one or more particular content files and in response, to provide the one or more particular content files to the subscriber prior to further input or instruction from the controller node;

wherein the gateway unit is located at a subscriber location and is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminal, the gateway unit comprising:

a housing;

a detector configured to detect an attempt to open the housing;

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

117.   (Previously Presented) An apparatus, comprising:

first means for receiving controller instructions from a controller node, the apparatus remotely coupled to the controller node and a content server via a network;

second means configured to execute the controller instructions to regulate access by subscriber terminals of content provided by the content server, including distributedly implementing a digital rights management service on behalf of the controller node, wherein subsequent to receipt of the controller instructions by the first means, the first means to receive a user request for one or more particular content files and in response, to provide the one or more particular content files to a subscriber terminal prior to further input or instruction from the controller node;

wherein the apparatus including the first means and the second means is located at a subscriber location and is further configured to be tamper resistant with respect to access by the subscriber terminal of the controller node provided controller instructions, the apparatus further comprising:

a housing;

a detector configured to detect an attempt to open the housing;

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

118. (Previously Presented) The system of claim 1 wherein the controller instructions are further configured to cause the plurality of gateway units to inhibit access by a second plurality of subscriber terminals to content provided by the content server.

119. (Previously Presented) The gateway unit of claim 82 wherein the controller instructions are configured to regulate processing by network units of the content files provided by the content server.

2.   Claims 1-16, 18, 20-44, 80, 82-84 and 116-119 are allowed (Renumbered 1-50).

3.   The following is an examiner's statement of reasons for allowance: In interpreting

the currently amended claims, in light of the specification. the Examiner find the claimed

invention to be patentably distinct from the prior arts of record. The prior arts of records

fail to render obvious A system for regulating access to content provided by a content

server, the system comprising: a controller node configured to control access to the

content provided by the content server, the controller node comprising:

a first processor configured to generate controller instructions to allow access to one or

more particular content files provided by the content server, wherein the controller

instructions are configured to be executed by a plurality of gateway units, remotely

disposed from the controller node and the content server, and coupled to the controller

node and the content server via a network, to regulate access to the one or more

particular content files provided by the content server, by subscriber terminals

selectively coupled to the gateway units, including distributedly implementing a digital

rights management service on behalf of the controller node; and a first network interface

coupled to the first processor, and configured to transmit the controller instructions to

the gateway units over the network, wherein subsequent to receipt of the controller

instructions, the gateway units to receive a user request for the one or more particular

content files and in response, to provide the one or more particular content files to the

user prior to further input or instruction from the controller node; wherein each of the

plurality of gateway units is located at a subscriber location and is further configured to

be tamper resistant with respect to access of the controller node provided controller

instructions by the subscriber terminals, wherein at least one of the tamper resistant

gateway units comprise: a housing; a detector configured to detect an attempt to open

the housing; and a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the

detector detects an attempt to open the housing, in accordance with the controller

instructions.

4.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHRIPAL KHAJURIA whose telephone number is

(571)270-5662. The examiner can normally be reached on Monday - Friday, 10:00AM-

6:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571)272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K./
Examiner, Art Unit 2478

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2478

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	6258	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 16:52
L2	668	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 16:52
L3	1	(L1 L2) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 16:52
L4	5816	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 16:52
L5	175	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 17:02
L6	6	predetermined near websites and weight same website	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 17:02
L7	85	gateway and storage and pay near3 pay near3 view and modes and display	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 17:02
L10	0	("L8" "L9") and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/09/30 17:03
S1	5488	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S2	585	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:58
S3	1	(S1 S2) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 11:59
S4	3886	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/04/27 12:11

S5	0	network same parition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S6	0	network same paritition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S7	709	network same partition $3 and user near (portion or part)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S8	7462681	network same partition $3 and user near (portion or part) and network (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:15
S9	119	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:16
S10	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:18
S11	9	("6516416" "20010051996" "20020169865" "20020120577" "6694429" "20020059440" "20020145981" "20030204602" "20030233281").pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:21
S12	11	predetermined near website same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:51
S13	9	predetermined near websites same list	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 14:52
S14	4	predetermined near websites and weight same website	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:01
S15	16	predetermined near sites and weight same site and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:04
S16	20	predetermined near web and weight same web and network and internet	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 15:06

S17	0	gateway and storage and autheticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
S18	836	gateway and storage and authenticator	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:22
S19	125	gateway and storage and pay near3 pay near3 view	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:23
S20	73	gateway and storage and pay near3 pay near3 view and modes	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S21	73	gateway and storage and pay near3 pay near3 view and modes and display	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:24
S22	1	"20050033990".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/10/23 16:25
S23	1	"6516416".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 16:38
S24	5893	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S25	626	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S26	1	(S24 S25) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S27	4846	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S28	1	"20020120577".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 17:16
S29	136	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 18:23
S30	6	network same partition $3 and user near (portion or part) same network near (part or portion)	US-PGPUB; USPAT; USOCR	OR	OFF	2010/08/13 18:23

S31	6107	burke.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
S32	651	carman.in.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
S33	1	(S31 S32) and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
S34	5364	(709/225).CCLS.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:12
S35	1	"6516416".pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/04/07 20:46

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L8	5169	burke.in.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:02
L9	535	carman.in.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:02
L11	0	("L8" "L9") and (regulating same node same network same processor).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:03
L12	6	predetermined near websites and weight same website	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:03
L13	181	network same partition $3 and user near (portion or part) and network near (part or portion)	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:03
L14	85	gateway and storage and pay near3 pay near3 view and modes and display	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:03
L15	28	predetermined near web and weight same web and network and internet	US-PGPUB; USPAT; UPAD	OR	OFF	2011/09/30 17:04

9/30/2011 5:04:38 PM
C:\ Documents and Settings\ skhajuria\ My Documents\ EAST\ Workspaces\ 10989023.wsp

Issue Classification

Application/Control No.	Applicant(s)/Patent Under Reexamination
10989023	BURKE ET AL.
Examiner	**Art Unit**
SHRIPAL KHAJURIA	2478

ORIGINAL		INTERNATIONAL CLASSIFICATION	
CLASS	**SUBCLASS**	**CLAIMED**	**NON-CLAIMED**
709	225	G 0 6 F 15 / 173 (2006.0)	

CROSS REFERENCE(S)

CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	17	18	33	35		52		69		86		103		
2	2		19	34	36		53		70		87		104		
3	3	18	20	35	37		54		71		88		105		
4	4	19	21	36	38		55		72		89		106		
5	5	20	22	37	39		56		73		90		107		
6	6	21	23	38	40		57		74		91		108		
7	7	22	24	39	41		58		75		92		109		
8	8	23	25	40	42		59		76		93		110		
9	9	24	26	41	43		60		77		94		111		
10	10	25	27	42	44		61		78		95		112		
11	11	26	28		45		62		79		96		113		
12	12	27	29		46		63	44	80		97		114		
13	13	28	30		47		64		81		98		115		
14	14	29	31		48		65	43	82		99	47	116		
15	15	30	32		49		66	45	83		100	48	117		
16	16	31	33		50		67	46	84		101	49	118		

/SHRIPAL KHAJURIA/
Examiner.Art Unit 2478

(Assistant Examiner)

/JEFFREY PWU/
Supervisory Patent Examiner.Art Unit 2478

(Primary Examiner)

(Date)   09/30/2011

Total Claims Allowed: 50

O.G. Print Claim(s)	O.G. Print Figure
1	1

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	**Art Unit**
	SHRIPAL KHAJURIA	2478

| ☐ | Claims renumbered in the same order as presented by applicant | | ☐ | CPA | ☐ | T.D. | ☐ | R.1.47 |

17	32	34		51		68		85		102	50	119		

/SHRIPAL KHAJURIA/ Examiner.Art Unit 2478		**Total Claims Allowed:**
(Assistant Examiner)	(Date)	50
/JEFFREY PWU/ Supervisory Patent Examiner.Art Unit 2478	09/30/2011	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

	Index of Claims	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
		Examiner SHRIPAL KHAJURIA	Art Unit 2478

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011	09/30/2011				
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5	5	✓	÷	✓	✓	=				
6	6	✓	÷	✓	✓	=				
7	7	✓	÷	✓	✓	=				
8	8	✓	÷	✓	✓	=				
9	9	✓	÷	✓	✓	=				
10	10	✓	÷	✓	✓	=				
11	11	✓	÷	✓	✓	=				
12	12	✓	÷	✓	✓	=				
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14	14	✓	÷	✓	✓	=				
15	15	✓	÷	✓	✓	=				
16	16	✓	÷	✓	✓	=				
	17	✓	÷	✓	✓	-				
17	18	✓	÷	✓	✓	=				
	19	✓	÷	✓	✓	-				
18	20	✓	÷	✓	✓	=				
19	21	✓	÷	✓	✓	=				
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21	23	✓	÷	✓	✓	=				
22	24	✓	÷	✓	✓	=				
23	25	✓	÷	✓	✓	=				
24	26	✓	÷	✓	✓	=				
25	27	✓	÷	✓	✓	=				
26	28	✓	÷	✓	✓	=				
27	29	✓	÷	✓	✓	=				
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33	35	✓	÷	✓	✓	=				
34	36	✓	÷	✓	✓	=				

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	Art Unit
	SHRIPAL KHAJURIA	2478

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011	09/30/2011				
35	37	✓	÷	✓	✓	=				
36	38	✓	÷	✓	✓	=				
37	39	✓	÷	✓	✓	=				
38	40	✓	÷	✓	✓	=				
39	41	✓	÷	✓	✓	=				
40	42	✓	÷	✓	✓	=				
41	43	✓	÷	✓	✓	=				
42	44	✓	÷	✓	✓	=				
	45	✓	÷	✓	-					
	46	✓	÷	✓	-					
	47	✓	÷	✓	-					
	48	✓	÷	✓	-					
	49	✓	÷	N						
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	69	✓	÷	✓	✓	-				
	70	✓	÷	✓	✓	-				
	71	✓	÷	✓	-					
	72	✓	÷	N						

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	**Art Unit**
	SHRIPAL KHAJURIA	2478

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011	09/30/2011				
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	79	N	N	N						
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43	82	✓	÷	✓	✓	=				
45	83	✓	÷	✓	✓	=				
46	84	✓	÷	✓	✓	=				
	85	✓	÷	✓	-					
	86	✓	÷	✓	-					
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	89	✓	÷	N						
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	104	✓	÷	N						
	105	✓	÷	N						
	106	✓	÷	N						
	107	✓	÷	N						
	108	✓	÷	N						

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10989023	BURKE ET AL.
	Examiner	Art Unit
	SHRIPAL KHAJURIA	2478

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	10/23/2009	04/23/2010	08/13/2010	04/07/2011	09/30/2011				
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	112	✓	-	N						
	113	✓	-	N						
	114	✓	-	N						
	115	✓	÷	✓	✓	-				
47	116					=				
48	117					=				
49	118					=				
50	119					=				

Search Notes	Application/Control No. 10989023	Applicant(s)/Patent Under Reexamination BURKE ET AL.
	Examiner SHRIPAL K KHAJURIA	Art Unit 2446

SEARCHED

Class	Subclass	Date	Examiner
709	225	10/22/09	skk
709	225	8/13/10	skk
709	225	4/7/11	skk
709	225	9/30/2011	skk

SEARCH NOTES

Search Notes	Date	Examiner
Inventor Search	10/22/09	skk
East search - see attached	10/22/09	skk
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent, IBM_TDB) and Inventor search.	8/13/10	skk
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent, IBM_TDB) and Inventor search.	4/7/11	skk
Consulted Jeff Pwu on Allowable subject matter	9/21/2011	skk
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent, IBM_TDB) and Inventor search.	9/30/2011	skk

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner
PgPub and UnPub	see attached East search history	9/30/2011	skk

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: __Mail__ Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or __Fax__ (571)-273-2885

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

60172   7590   10/14/2011

SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

TITLE OF INVENTION: SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$870	$300	$0	$1170	01/17/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
KHAJURIA, SHRIPAL K	2478	709-225000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Schwabe, Williamson & Wyatt, P.C.

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 500393 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Linda S. Zachariah/   Date January 12, 2012

Typed or printed name Linda S. Zachariah   Registration No. 48,057

PTOL-85 (Rev. 02/11) Approved for use through 08/31/2013.   OMB 0651-0033   U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Robert M. Burke II, et al.

Application No.: 10/989,023

Filed: November 16, 2004

Confirmation No.: 1874

For: SYSTEM FOR REGULATING
       ACCESS TO AND
       DISTRIBUTING CONTENT IN A
       NETWORK

Examiner: Shripal K. Khajuria

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER ALLOWANCE UNDER 37 CFR 1.312

Commissioner for Patents:

 In response to the Notice of Allowance mailed October 14, 2011, please amend the application as follows:

 Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

 Remarks begin on page 14 of this paper.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.   (Previously Presented) A system for regulating access to content provided by a content server, the system comprising:

a controller node configured to control access to the content provided by the content server, the controller node comprising:

a first processor configured to generate controller instructions to allow access to one or more particular content files provided by the content server, wherein the controller instructions are configured to be executed by a plurality of gateway units, remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network, to regulate access to the one or more particular content files provided by the content server, by subscriber terminals selectively coupled to the gateway units, including distributedly implementing a digital rights management service on behalf of the controller node; and

a first network interface coupled to the first processor, and configured to transmit the controller instructions to the gateway units over the network, wherein subsequent to receipt of the controller instructions, the gateway units to receive a user request for the one or more particular content files and in response, to provide the one or more particular content files to the user prior to further input or instruction from the controller node;

wherein each of the plurality of gateway units is located at a subscriber location and is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminals, wherein

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at least one of the tamper resistant gateway units comprise

a housing;

a detector configured to detect an attempt to open the housing; and

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when
the detector detects an attempt to open the housing, in accordance with the controller
instructions.

2.   (Previously Presented) The system of claim 1 wherein:

at least one gateway unit further comprises an identifier uniquely associating the
corresponding gateway unit with a user; wherein the corresponding storage device is further
configured to store information associated with the user, in accordance with the controller
instructions.

3.   (Previously Presented) The system of claim 1, wherein:

at least one of the gateway units comprises an interface configured to receive requests
to transmit data for a coupled subscriber terminal; and

the at least one gateway unit further comprises a second processor configured to
inspect the data to selectively transmit none, some or all of the data for the requesting
subscriber terminal, in accordance with the controller instructions.

4.   (Previously Presented) The system of claim 1, wherein:

at least one of the gateway units comprises an interface
configured to receive requests to retrieve the content files for a coupled
subscriber terminal; and

the second processor is configured to inspect the content files to selectively provide
none, some or all of the retrieved content files to the requesting subscriber terminal, in
accordance with the controller instructions.

5.   (Previously Presented) The system of claim 1, wherein the first processor is
configured to generate the controller instructions automatically.

6. (Previously Presented) The system of claim 1, wherein the first processor is configured to generate the controller instructions in response to an operator-entered request.

7. (Previously Presented) The system of claim 1, wherein the controller node is included in a plurality of controller nodes, and wherein the controller node comprising the first processor is configured to generate the controller instructions by operator-controlled network crawling.

8. (Previously Presented) The system of claim 1, wherein the controller instructions are configured to deny users of the subscriber terminals access to one or more other content servers, in accordance with the controller instructions.

9. (Previously Presented) The system of claim 8, wherein at least one of the gateway units comprises an additional processor configured to generate a notification to the controller node in response to a network access request to access one of the one or more other content servers by a coupled subscriber terminal, in accordance with the controller instructions.

10. (Previously Presented) The system of claim 8, wherein at least one of the plurality of gateway units comprises an additional processor configured to:
    detect a network access request to access one of the one or more other content servers by a coupled subscriber terminal; and
    re-direct the network access request to one or more other content servers;
    wherein the detect and re-direct are performed in accordance with the controller instructions.

11. (Previously Presented) The system of claim 1, wherein:
    the controller instructions are configured to include a file identifier; and
    at least one of the plurality of gateway units is configured to be associated with a user file system, and the at least one gateway units comprises an additional processor configured to detect a file in the user file system corresponding to the file identifier, in

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accordance with the controller instructions.

12.   (Previously Presented) The system of claim 11, wherein the at least one gateway unit is configured to be operable between an active state and an inactive state.

13.   (Previously Presented) The system of claim 12, wherein the second processor is configured to notify the controller node in response to the at least one gateway unit entering an inactive state, in accordance with the controller instructions.

14.   (Previously Presented) The system of claim 12, wherein the second processor is configured to delete the detected file from the user file system, in accordance with the controller instructions.

15.   (Previously Presented). The system of claim 14, wherein the additional processor is configured to delete the detected file from the user file system during the inactive state.

16.   (Previously Presented) The system of claim 11, wherein the at least one gateway unit is configured to notify the controller node if a file corresponding to the file identifier is detected in the associated user file system, in accordance with the controller instructions.

17.   (Canceled).

18.   (Previously Presented) The system of claim 1, wherein the at least one gateway unit is further configured to notify the controller node of a detected attempt to open the housing, in accordance with the controller instructions.

19.   (Canceled).

20.   (Previously Presented) The system of claim 1, wherein the second processor is configured to enter a corresponding gateway unit into a user-controlled operational mode

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after receiving permission from the controller node, in accordance with the controller instructions.

21.   (Previously Presented) The system of claim 1, wherein the controller node comprises a copyright registry configured to track copyright status of content files distributed to subscriber terminals, via one or more of the gateway units.

22.   (Previously Presented) The system of claim 21, wherein at least one of the gateway units comprises an interface configured to transmit copyright registrations of content data files to the copyright registry, in accordance with the controller instructions.

23.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises an additional processor configured to cause the at least one gateway unit to access a predetermined network site upon initiation of network browser software on a coupled subscriber terminal, in accordance with the controller instructions.

24.   (Previously Presented) The system of claim 23, wherein the second processor is configured to select the predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

25.   (Previously Presented) The system of claim 24, wherein the additional processor is configured to select the predetermined network site according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

26.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

        receive registration information from a user of a coupled subscriber terminal via the user interface; and

        receive initial operating parameters from the controller node via the second network interface;

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wherein both receive operations are in accordance with the controller instructions.

27.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface and a second network interface configured to:

receive registration information from a user of a coupled
subscriber terminal via the user interface; and
receive software updates from the controller node via the second
network interface;
wherein both receive operations are in accordance with the
controller instructions.

28.   (Previously Presented) The system of claim 1, wherein:
at least one of the gateway units comprises a user interface and a second network interface configured to transmit advertisements via the user interface to a user display of a coupled subscriber terminal, wherein the advertisements are customized in accordance with content received via the second network interface, in accordance with the controller instructions.

29.   (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a user interface configured to:
transmit pay-per-view advertising via the user interface to a coupled subscriber terminal for selective display by a user of the subscriber terminal; and
report to the controller node for payment credits for the user upon selective display of an advertisement by the user;
wherein the transmit and report operations are in accordance with the controller instructions.

30.   (Previously Presented) The system of claim 29, wherein the at least one gateway units is configured to generate one of a plurality of viewing modes for viewing the pay-per-view advertising in response to a user selection, in accordance with the controller instructions.

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31. (Previously Presented) The system of claim 1, wherein at least one of the gateway units comprises a second network interface configured to receive software via the second network interface for execution on the second processor, the software to enable at least one of a fee-based network service, network video calling, and network gaming, in accordance with the controller instructions.

32. (Previously Presented) The system of claim 1, wherein the second processor is configured to detect a denial-of-service attack, in accordance with the controller instructions.

33. (Previously Presented) The system of claim 32, wherein the second processor is configured to detect a denial-of-service attack initiated by a virus.

34. (Currently Amended) The system of claim 1, wherein at least one of the gateway units is configured to selectively transmit to law enforcement terminals information describing at least one of incoming data to and outgoing data to from the at least one of the gateway units, in accordance with the controller instructions.

35. (Previously Presented) The system of claim 1, wherein at least one of the gateway units is configured to:
    detect a user attempt to access at least one of transmit and receive voice traffic; and
    selectively block the detected attempt;
    wherein the detect and selective block are in accordance with the controller
instructions.

36. (Currently Amended) The system of claim 35 wherein at least one of the gateway units comprises an interface configured to transmit, via the interface, an advertisement offering voice transmission services, in accordance with the controller instructions.

37. (Previously Presented) The system of claim 1, wherein at least one of the gateway units is configured to:

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detect a user attempt to access at least one of transmit and receive at least one of audio or video traffic; and

selectively block the detected attempt;

wherein the detect and selective block are in accordance with the controller instructions.

38.   (Previously Presented) The system of claim 37, wherein at least one of the gateway units comprises an interface configured to transmit, via the interface, an advertisement offering at least one of audio and video traffic services, in accordance with the controller instructions.

39.   (Previously Presented) The system of claim 1,wherein at least one of the gateway units comprises a second network interface configured to:

detect at least one of audio and video traffic flowing through the second network interface; and

selectively reduce the quality of service of the at least one of audio and video traffic;

wherein the detect and selective reduction are in accordance with the controller instructions; and

wherein reduction of quality of service comprises at least one of:

reducing a duty cycle, inserting TCP/IP messages in the at least one of audio and video traffic, inserting Nak/Ack pairs in the at least one of audio and video traffic, and inserting X-On/X-Off pairs in the at least one of audio and video traffic.

40.   (Previously Presented) The system of claim 1, further comprising a plurality of access nodes, wherein the first processor is further configured to generate authorization instructions and transmit the authorization instructions to the access nodes, and the access nodes are configured to:

receive the authorization instructions from the controller node; and

selectively permit the gateway units to access the network in accordance with the authorization instructions.

41.   (Previously Presented) The system of claim 1, wherein at least one of the

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gateway units comprises data storage units partitioned into a network portion and a user portion, and the at least one gateway units is configured to selectively share data stored in the network partition with at least one of another gateway unit, via a second network interface of the at least one gateway unit, in accordance with the controller instructions.

42.   (Previously Presented) The system of claim 1, wherein the second processor is configured to selectively forward content data received from a first other gateway unit to a second other gateway unit, in accordance with the controller instructions.

43.   (Previously Presented) The system of claim 1, wherein the second processor is further configured to:

receive portions of a content file from a group of other gateway units; and

assemble a content file based on the received portions for transmission to a user of a coupled subscriber terminal, via the user interface;

wherein the receive and assemble are in accordance with the controller instructions.

44.   (Previously Presented) The system of claim 1, further comprising an intervention node, wherein the intervention node includes:

an operator interface configured to receive operator-entered spoofing attack instructions; and

a second network interface configured to transmit at least one substitute file pointer to addresses in the network in accordance with the spoofing attack instructions.

45. – 79.   (Canceled)

80.   (Previously Presented) The gateway unit of claim 82, wherein the

processor is further configured to enter a user-controlled operational mode after receiving permission from the controller node.

81.   (Canceled).

82.   (Previously Presented) A gateway unit for regulating access to content

provided by a content server, comprising:

a network interface configured to receive controller instructions from a controller node, the gateway unit remotely disposed from the controller node and the content server, and coupled to the controller node and the content server via a network; and

a processor configured to execute the controller instructions to regulate access by subscriber terminals selectively coupled to the gateway unit of content files provided by the content server, including distributedly implementing a digital rights management service on behalf of the controller node, wherein subsequent to receipt of the controller instructions, the network interface to receive a user request for one or more of the content files and in response, to provide the one or more content files to the user prior to receiving further input or instruction from the controller node;

wherein the gateway unit is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminals, the gateway unit comprising:

a housing;

a detector configured to detect an attempt to open the housing;

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

83.   (Previously Presented) The gateway unit of claim 82, wherein the processor is further configured to select a predetermined network site from a list of predetermined network sites, in accordance with the controller instructions.

84.   (Previously Presented) The gateway unit of claim 83, wherein the processor is further configured to select from the list of predetermined network sites according to a weighting function such that at least a portion of the predetermined network sites are selected more often than others, in accordance with the controller instructions.

85. – 115 (Canceled).

116.   (Previously Presented) An apparatus, comprising:

means for generating controller instructions to allow access to one or more particular content files provided by a content server, wherein the controller instructions are configured to be executed by a gateway unit, the gateway unit remotely disposed from the means for generating the controller instructions and the content server, and coupled to a controller node including the means for generating controller instructions and the content server via a network, the controller instructions to regulate access to the one or more particular content files provided by the content server to a subscriber terminal selectively coupled to the gateway unit, including distributedly implementing a digital rights management service on behalf of the controller node; and

means to transmit the controller instructions to the gateway unit over the network, wherein subsequent to receipt of the controller instructions, the gateway unit to receive a subscriber request for the one or more particular content files and in response, to provide the one or more particular content files to the subscriber prior to further input or instruction from the controller node;

wherein the gateway unit is located at a subscriber location and is further configured to be tamper resistant with respect to access of the controller node provided controller instructions by the subscriber terminal, the gateway unit comprising:

a housing;

a detector configured to detect an attempt to open the housing;

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

117.   (Previously Presented) An apparatus, comprising:

first means for receiving controller instructions from a controller node, the apparatus remotely coupled to the controller node and a content server via a network;

second means configured to execute the controller instructions to regulate access by subscriber terminals of content provided by the content server, including distributedly

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implementing a digital rights management service on behalf of the controller node, wherein subsequent to receipt of the controller instructions by the first means, the first means to receive a user request for one or more particular content files and in response, to provide the one or more particular content files to a subscriber terminal prior to further input or instruction from the controller node;

wherein the apparatus including the first means and the second means is located at a subscriber location and is further configured to be tamper resistant with respect to access by the subscriber terminal of the controller node provided controller instructions, the apparatus further comprising:

a housing;

a detector configured to detect an attempt to open the housing;

a storage device configured to store the controller instructions; and

a second processor configured to prevent access to the storage device when the detector detects an attempt to open the housing, in accordance with the controller instructions.

118. (Previously Presented) The system of claim 1 wherein the controller instructions are further configured to cause the plurality of gateway units to inhibit access by a second plurality of subscriber terminals to content provided by the content server.

119. (Previously Presented) The gateway unit of claim 82 wherein the controller instructions are configured to regulate processing by network units of the content files provided by the content server.

Remarks

SUMMARY

This amendment under 37 CFR 1.312 is being filed in response to the Notice of Allowance dated October 14, 2011. The Examiner is thanked for allowing claims 1-16, 18, 20-44, 80, 82-84, and 116-119. Claims 34 and 36 are amended to correct minor typographical errors. No new matter is added. Entry of the Amendment is respectfully requested.

Conclusion

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a).

If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1542. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

Date: 1/12/12 by: /Linda S. Zachariah/

Linda S. Zachariah

Reg. No.: 48,057

Electronic Patent Application Fee Transmittal

Application Number:	10989023
Filing Date:	16-Nov-2004
Title of Invention:	SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK
First Named Inventor/Applicant Name:	Robert M. Burke
Filer:	Linda S. Zachariah/Allyson Dahmen
Attorney Docket Number:	123205-179926

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	870	870
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
	Total in USD ($)			**1170**

Electronic Acknowledgement Receipt

EFS ID:	11822689
Application Number:	10989023
International Application Number:	
Confirmation Number:	1874
Title of Invention:	SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK
First Named Inventor/Applicant Name:	Robert M. Burke
Customer Number:	60172
Filer:	Linda S. Zachariah/Allyson Dahmen
Filer Authorized By:	Linda S. Zachariah
Attorney Docket Number:	123205-179926
Receipt Date:	12-JAN-2012
Filing Date:	16-NOV-2004
Time Stamp:	15:40:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$1170
RAM confirmation Number	2207
Deposit Account	500393
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

| 1 | Issue Fee Payment (PTO-85B) | BC_P001_IssueFee.pdf | 787564 | no | 1 |
| | | | 9b935fd32a2f738b7104d9f346f448b09df78014 | | |

Warnings:

Information:

| 2 | Amendment after Notice of Allowance (Rule 312) | BC_P001_312Amendment.pdf | 515045 | no | 14 |
| | | | 1a3f4797cfc5380a544004ad90b2406c9c7bda83 | | |

Warnings:

Information:

| 3 | Fee Worksheet (SB06) | fee-info.pdf | 32113 | no | 2 |
| | | | 44664176de228477925c934424e79da4549a8d37 | | |

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Information:

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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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	11/16/2004	Robert M. Burke II	123205-179926	1874

60172   7590   01/25/2012
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
KHAJURIA, SHRIPAL K

ART UNIT	PAPER NUMBER
2478	

MAIL DATE	DELIVERY MODE
01/25/2012	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.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/989,023	16 November 2004	BURKE ET AL.	123205-179926

EXAMINER
SHRIPAL KHAJURIA

SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

ART UNIT	PAPER
2478	20120120

DATE MAILED:

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Commissioner for Patents

Amendments filed on 1/12/12 to fix minor typographical errors are ok to enter.

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2478

/S. K./
Examiner, Art Unit 2478

PTO-90C (Rev.04-03)

Serial: 10/989,023   Our Reference No. 123205-179926
Art Unit: 2478

<div align="center">

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

</div>

In Application of: Examiner: Shripal K. Khajuria

Robert M. Burke II, et al.

Application No.: 10/989,023

Filed: November 16, 2004

Confirmation No.: 1874

For: SYSTEM FOR REGULATING
       ACCESS TO AND
       DISTRIBUTING CONTENT IN A
       NETWORK

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<div align="center">

AMENDMENT AFTER ALLOWANCE UNDER 37 CFR 1.312

</div>

Commissioner for Patents:

In response to the Notice of Allowance mailed October 14, 2011, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 14 of this paper.

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CONFIRMATION NO. 1874

Bib Data Sheet

SERIAL NUMBER 10/989,023	FILING OR 371(c) DATE 11/16/2004 RULE	CLASS 709	GROUP ART UNIT 2478	ATTORNEY DOCKET NO. 123205-179926

APPLICANTS

Robert M. Burke II, Los Gatos, CA;
David Z. Carman, San Jose, CA;

** CONTINUING DATA ***************************

** FOREIGN APPLICATIONS *********************

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY **
** 12/16/2004

Foreign Priority claimed ☐ yes ☑ no	STATE OR COUNTRY CA	SHEETS DRAWING 7	TOTAL CLAIMS 115	INDEPENDENT CLAIMS 36
35 USC 119 (a-d) conditions met ☐ yes ☑ no ☐ Met after Allowance				
Verified and Acknowledged _____ Examiner's Signature _____ Initials				

ADDRESS
60172

TITLE

SYSTEM FOR REGULATING ACCESS TO AND DISTRIBUTING CONTENT IN A NETWORK

FILING FEE RECEIVED 2767	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	☐ All Fees
		☐ 1.16 Fees (Filing)
		☐ 1.17 Fees (Processing Ext. of time)
		☐ 1.18 Fees (Issue)
		☐ Other_____
		☐ Credit

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/989,023	02/21/2012	8122128	123205-179926	1874

60172   7590   02/01/2012

SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 1727 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Robert M. Burke II, Los Gatos, CA;
David Z. Carman, San Jose, CA;

IR103 (Rev. 10/09)

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

EPAS ID: PAT4644070

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
CATONIAN IP MANAGEMENT	10/17/2017

RECEIVING PARTY DATA

Name:	MULTIMEDIA CONTENT MANAGEMENT LLC
Street Address:	10025 HYDE PLACE
City:	NEW ORLEANS
State/Country:	LOUISIANA
Postal Code:	70123

PROPERTY NUMBERS Total: 4

Property Type	Number
Patent Number:	8122128
Patent Number:	8799468
Patent Number:	9465925
Application Number:	15258991

CORRESPONDENCE DATA

Fax Number:

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.

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NAME OF SUBMITTER:	JASON BOURGEOIS
SIGNATURE:	/Jason Bourgeois/
DATE SIGNED:	10/17/2017
	This document serves as an Oath/Declaration (37 CFR 1.63).

Total Attachments: 2
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source=ASSIGNMENT TO MCM#page2.tif

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Patent or Application No.	Country	Filing Date	Title of Patent and First Named Inventor
8,122,128	U.S.	11/16/2004	System for regulating access to and distributing content in a network; Burke
8,799,468	U.S.	02/08/2012	System for regulating access to and distributing content in a network; Burke
9,465,925	U.S.	07/22/2014	System for regulating access to and distributing content in a network; Burke
15/258,991	U.S.	09/07/2016	System for regulating access to and distributing content in a network; Burke

      (b)   all patents and patent applications (i) to which the Patent directly or indirectly claims priority, (ii) for which the Patent directly or indirectly forms a basis for priority, and/or (iii) that were co-owned applications that directly or indirectly incorporate by reference, or were incorporated by reference into, the Patent;

      (c)   all reissues, reexaminations, extensions, continuations, continuations in part, continuing prosecution applications, requests for continuing examinations, divisions, registrations of any item in any of the foregoing categories (a) and (b);

      (d)   all inventions, invention disclosures, and discoveries described in any item in any of the foregoing categories (a) through (c) and all other rights arising out of such inventions, invention disclosures, and discoveries;

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      (g)   all rights to collect royalties and other payments under or on account of the Patent and/or any item in any of the foregoing categories (a) through (f).

Assignor represents, warrants and covenants that:

      (1)   Assignor has the full power and authority, and has obtained all third party consents, approvals and/or other authorizations required to enter into the Letter Agreement and to carry out its obligations hereunder, including the assignment of the Patent Rights to Assignee; and

(2)   Assignor owns, and by this document assigns to Assignee, all right, title, and interest to the Patent Rights, including, without limitation, all right, title, and interest to sue for infringement of the Patent Rights. Assignor has obtained and properly recorded previously executed assignments for the Patent Rights as necessary to fully perfect its rights and title therein in accordance with governing law and regulations in each respective jurisdiction. The Patent Rights are free and clear of all liens, claims, mortgages, security interests or other encumbrances, and restrictions. There are no actions, suits, investigations, claims or proceedings threatened, pending or in progress relating in any way to the Patent Rights. There are no existing contracts, agreements, options, commitments, proposals, bids, offers, or rights with, to, or in any person to acquire any of the Patent Rights.

Assignor hereby authorizes the respective patent office or governmental agency in each jurisdiction to issue any and all patents, certificates of invention, utility models or other governmental grants or issuances that may be granted upon any of the Patent Rights in the name of Assignee, as the assignee to the entire interest therein.

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ASSIGNOR:

By: _Jason Bourgeois_

Catorian IP Management LLC

Jason Bourgeois, Member

Date: 10/17/2017

AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court   Western District of Texas, Waco Division   on the following

☐ Trademarks or   ☑ Patents.   (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 6:18-cv-207	DATE FILED 7/25/2018	U.S. DISTRICT COURT Western District of Texas, Waco Division
PLAINTIFF MULTIMEDIA CONTENT MANAGEMENT LLC,		**DEFENDANT** DISH NETWORK CORPORATION

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 SEE ATTACHED		
2 6122128		
3 5799468		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Jeannette J. Clack	(E	DATE 7/25/2018

Copy 1—Upon initiation of action, mail this copy to Director   Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director   Copy 4—Case file copy