

(12) United States Patent Baratta et al.

(54) WEB-BASED POINT OF SALE BUILDER

(71) Applicant: CLOUDOFCHANGE, LLC,

Poughkeepsie, NY (US)

Inventors: Wayne Baratta, Poughkeepsie, NY

(US); Quentin Olson, Port Townsend,

WA (US)

Assignee: Cloudofchange, LLC, Poughkeepsie,

NY (US)

(*) Notice: Subject to any disclaimer, the term of this

patent is extended or adjusted under 35

U.S.C. 154(b) by 0 days.

This patent is subject to a terminal dis-

claimer.

(21) Appl. No.: 15/827,948

(22)Filed: Nov. 30, 2017

(65)**Prior Publication Data**

> US 2018/0088909 A1 Mar. 29, 2018

Related U.S. Application Data

- Continuation of application No. 15/635,097, filed on Jun. 27, 2017, now Pat. No. 10,083,012, which is a (Continued)
- (51) **Int. Cl.** G06Q 10/00 (2012.01)G06F 8/30

(2018.01)

(Continued)

(52) U.S. Cl.

CPC G06F 8/30 (2013.01); G06F 8/34 (2013.01); G06Q 20/20 (2013.01); G06Q 20/202 (2013.01); G06Q 30/06 (2013.01); H04L 67/02 (2013.01)

US 11,226,793 B2 (10) Patent No.:

(45) **Date of Patent:**

*Jan. 18, 2022

(58) Field of Classification Search

CPC G06Q 20/20; G06Q 20/202

(Continued)

(56)References Cited

U.S. PATENT DOCUMENTS

10/1998 Eisenbrandt et al. 5,818,428 A 5,889,863 A

3/1999 Weber (Continued)

FOREIGN PATENT DOCUMENTS

1450324 A1 5/2017 2369201 2/2002

(Continued)

OTHER PUBLICATIONS

Co-pending US Patent TY06-001, U.S. Appl. No. 11/710,722, filed Feb. 26, 2007, "Point of Sale System with Web-Based Back-Office," by Quentin Olson, 25 pgs.

(Continued)

Primary Examiner - Rokib Masud

(74) Attorney, Agent, or Firm — Knobbe, Marten, Olson & Bear, LLP

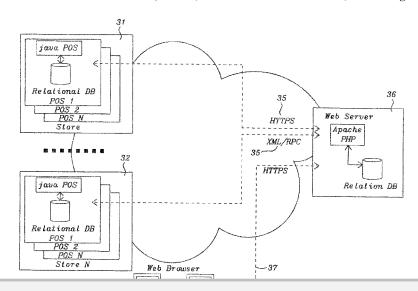
ABSTRACT

EP

GB

This invention provides a system and a method for online, web-based point of sale (POS) building and configuration, which can assist non-expert business operators in building, editing and testing a point of sale system to manage their businesses. The business operations range from a single branch to a large chain of stores or branches. The key advantages of the Web-based POS builder are that it is completely built on the foundation of the Web. The POS builder is accessible anywhere in the world. It can be used by a person of any skill level. The POS builder builds, edits, and tests new POS terminals in real time.

44 Claims, 5 Drawing Sheets





Related U.S. Application Data

continuation of application No. 15/198,117, filed on Jun. 30, 2016, now Pat. No. 9,715,371, which is a continuation of application No. 12/012,666, filed on Feb. 5, 2008, now Pat. No. 9,400,640.

(51)	Int. Cl.	
	G06Q 30/06	(2012.01)
	G06F 8/34	(2018.01)
	G06Q 20/20	(2012.01)
	H04L 29/08	(2006.01)

(58) Field of Classification Search See application file for complete search history.

(56)**References Cited**

5 020 212 4

U.S. PATENT DOCUMENTS 7/1000 Weamer

5,920,312	A	7/1999	Wagner
5,956,716	A	9/1999	Kenner et al.
5,987,426		11/1999	Goodwin, III
6,002,395	A *	12/1999	Wagner G06F 9/451
0,002,555	11	12/1/2	715/763
C 204 99C	D.I	10/2001	
6,304,886		10/2001	Bernardo et al.
6,384,850	B1 *	5/2002	McNally G06F 16/9577
			715/810
6,629,080		9/2003	Kolis
6,993,498	B1	1/2006	Deaton et al.
7,015,945	B1*	3/2006	Sullivan G08B 13/19671
			348/150
7,051,091	B1	5/2006	Cohen et al.
7,086,584		8/2006	Stoutenburg et al.
9.317.844		4/2016	Richelson et al.
, ,			
2001/0037245		11/2001	Ranganath
2002/0194074	A1*	12/2002	Jacobs G07G 1/145
			705/16
2003/0041330	A1	2/2003	Smith
2003/0078849	A1	4/2003	Snyder
2003/0120546	A1	6/2003	Cusack et al.
2003/0236755	A1	12/2003	Dagelet
2004/0128199	A1*	7/2004	Cusack G06Q 20/20
200 1 0120199		., 200	705/16
2004/0143512	A1	7/2004	Sturr
		9/2004	
2004/0181454	A1 *	9/2004	Manno G06Q 20/202
			705/21
2005/0021409	A1*	1/2005	Michaud, Jr G07G 1/14
			705/16
2005/0049921	A1*	3/2005	Tengler G06Q 10/087
			705/15
2005/0182680	A1	8/2005	Jones et al.
2006/0026502	A1	2/2006	Dutta
2006/0026362		10/2006	Mueller G06Q 30/06
2000/0233733	Δ1	10/2000	
2005/0005505		1/2007	705/15
2007/0005685	A1	1/2007	Chau et al.
2007/0175992	A1	8/2007	Brown
2007/0265935	A1*	11/2007	Woycik G07F 9/002
			705/65
2007/0276763	A1	11/2007	Kleinman et al.
2008/0077872	A1*	3/2008	Zeevi G06F 8/38
			715/762
2008/0208698	A1	8/2008	Olson et al.
2009/0182630		7/2009	Otto et al.
2011/0218872		9/2011	Richelson et al.
2016/0253645		9/2016	Ciabarra et al.
2017/0300301	A1	10/2017	Baratta et al.

FOREIGN PATENT DOCUMENTS

WO WO2001018629 3/2001 WO2001065427 9/2001

OTHER PUBLICATIONS

Co-pending US Patent TY06-002, U.S. Appl. No. 11/710,723, filed Feb. 26, 2007, "Point of sale Video Server Processing System," by Quentin Olson et al., 24 pgs.

Co-pending US Patent TY06-003, U.S. Appl. No. 12/012,393, filed Feb. 1, 2008, "Hand-Held Web Browser Inventory Checking System," by Quentin Olson et al., 24 pgs.

Localsoft Tech, db2k e-Store Builder 3.00 details, 3 pgs, found Feb. 8, 2008, http://www.soft32donwload.com/software/dbk-e-STore-Builder-download-details.html.

IBM 4690 ASTRA—Graphical User Interface (GUI)— Specifications, 1 pg., found Feb. 8, 2008, http://www.03.ibm.com/ products/retail/products/software/gui/astra/specs.html.

Defendant's Invalidity Contentions in Case No. 6:19-CV-00513-ADA, CloudofChange, LLC, v. NCR Corporation, dated Feb. 24, 2020 in 27 pages.

Exhibit A1: Invalidity of U.S. Pat. No. 9,400,640 based on US2007265935 ("Woycik") in 10 pages.

Exhibit A2: Invalidity of U.S. Pat. No. 10,083,012 based on US2007265935 ("Woycik") in 10 pages.

Exhibit A3: Invalidity of U.S. Pat. No. 9,400,640 based on US20070175992 ("Brown") in 9 pages.

Exhibit A4: Invalidity of U.S. Pat. No. 10,083,012 based on US20070175992 ("Brown") in 11 pages.

Exhibit A5: Invalidity of U.S. Pat. No. 9,400,640 based on U.S. Pat. No. 5,920,312 ("Wagner") in 6 pages.

Exhibit A6: Invalidity of U.S. Pat. No. 10,083,012 based on U.S. Pat. No. 5,920,312 ("Wagner") in 7 pages.

Exhibit A7: Invalidity of U.S. Pat. No. 9,400,640 based on

US20020194074 ("Jacobs") in 6 pages. Exhibit A8: Invalidity of U.S. Pat. No. 10,083,012 based on US20020194074 ("Jacobs") in 6 pages.

Exhibit A9: Invalidity of U.S. Pat. No. 9,400,640 based on

US20060235755 ("Mueller") in 8 pages. Exhibit A10: Invalidity of U.S. Pat. No. 10,083,012 based on

US20060235755 ("Mueller") in 8 pages. Exhibit A11: Invalidity of U.S. Pat. No. 9,400,640 based on

US20050049921 ("Tengler") in 9 pages. Exhibit A12: Invalidity of U.S. Pat. No. 10,083,012 based on

US20050049921 ("Tengler") in 9 pages. Exhibit B1: Invalidity of U.S. Pat. No. 9,400,640 based on

US20050021409 ("Michaud") in 6 pages. Exhibit B2: Invalidity of U.S. Pat. No. 10,083,012 based on

US20050021409 ("Michaud") in 6 pages. Exhibit B3: Invalidity of U.S. Pat. No. 9,400,640 based on

US20040143512 ("Sturr") in 6 pages. Exhibit B4: Invalidity of U.S. Pat. No. 10,083,012 based on

US20040143512 ("Sturr") in 6 pages. Exhibit B5: Invalidity of U.S. Pat. No. 9,400,640 based on EP1450324

("Yamada") in 6 pages. Exhibit B6: Invalidity of U.S. Pat. No. 10,083,012 based on

EP1450324 ("Yamada") in 7 pages.

Exhibit B7: Invalidity of U.S. Pat. No. 9,400,640 based on U.S. Pat.

No. 6,384,850 ("McNally") in 7 pages. Exhibit B9: Invalidity Claims of U.S. Pat. No. 9,400,640 based on ACS Back Office Options, R6.0 in 9 pages.

Exhibit B9: Invalidity of U.S. Pat. No. 10,083,012 based on U.S. Pat. No. 6,384,850 ("McNally") in 7 pages.

Exhibit B10: Invalidity of U.S. Pat. No. 10,083,012 based on ACS

Back Office Options, R6.0 in 10 pages. Exhibit C1: Invalidity of U.S. Pat. No. 9,400,640 under 35 U.S.C.

§112 in 4 pages Exhibit C2: Invalidity of U.S. Pat. No. 10,083,012 under 35 U.S.C.

§112 in 3 pages.

Exhibit D1: Claims 1-14 of the '640 Patent Are Invalid Under 35 U.S.C. §101 in 2 pages.

Exhibit D2: Claims 1-13 of the '012 Patent Are Invalid Under 35 U.S.C. §101 in 3 pages.



(56) References Cited

OTHER PUBLICATIONS

DynaKey 5953, NCR Real POSTM 5953 USB DynaKeyTM User's Guide, Release 2.3, NCR, 2002.

DynaKey 5954. DynaKey Real POS 5954 Next Generation R1.2, NCR, 2006.

DynaKey 80c, NCR Real POSTM 80c Hardware User's Guide, Release 1.1, NCR, 2002.

ACS Trng 6.0, Advanced Checkout Solution Operator, Training Guide, R6.0, NCR, 2003.

ACS 6.0, Advanced Checkout Solution BackOffice Options, R6.0, NCR, 2000.

ACS 6.2, Advanced Checkout Solution BackOffice Options, R6.2, NCR, 2008.

ACS Brochure, NCR Advanced Checkout Solution, NCR, 2003.

ACS Buehler, NCR ACS Buehler's Success Story, NCR, 2004.

ACS Heinen, NCR ACS Heinen's Success Story, NCR, 2004.

ACS Lund, NCR ACS Lund's Success Story, NCR, 2005.

LIPOS, NCR Retail Controls 3 x UPOS Users Guide, Issue H. No.

UPOS, NCR Retail Controls 3.x UPOS Users Guide, Issue H, NCR, 2007.

RSM Win, NCR Retail Platform Software for Windows, Release 4.0, NCR, 2009.

Van der Vlugt, Michel, and Sambasivam, Samuel. "Redesign of Stand-Alone Applications into Thin-Client/Server Architecture". Retrieved from: http://proceedings.informingscience.org/InSITE2005/157f13Vulg.pdf. (2005).

CloudofChange, LLC v. NCR Corporation, Defendant's First Amended Invalidity Contentions, Aug. 19, 2020.

Cloudo/Change, LLC v. NCR Corporation, Defendant's Final Invalidity Contentions, Aug. 31, 2020.

Exhibit A1: Invalidity of U.S. Pat. No. 9,400,640 based on US2007265935 ("Woycik")(First Supplement).

Exhibit A2: Invalidity of U.S. Pat. No. 10,083,012 based on US2007265935 ("Woycik")(First Supplement).

Exhibit A3: Invalidity of U.S. Pat. No. 9,400,640 based on US20070175992 ("Brown")(First Supplement).

Exhibit A3: Invalidity of U.S. Pat. No. 9,400,640 based on US20070175992 ("Brown")(Second Supplement).

Exhibit A4: Invalidity of U.S. Pat. No. 10,083,012 based on US20070175992 ("Brown")(First Supplement).

Exhibit A4: Invalidity of U.S. Pat. No. 10,083,012 based on US20070175992 ("Brown")(Second Supplement).

Exhibit A5: Invalidity of U.S. Pat. No. 9,400,640 based on U.S. Pat. No. 5,920,312 ("Wagner")(First Supplement).

Appendix A6: Invalidity of U.S. Pat. No. 10,083,012 based on U.S. Pat. No. 5,920,312 ("Wagner")(First Supplement).

Exhibit A7: Invalidity of U.S. Pat. No. 9,400,640 based on US20020194074 ("Jacobs")(First Supplement).

Exhibit A8: Invalidity of U.S. Pat. No. 10,083,012 based on US20020194074 ("Jacobs")(First Supplement).

Exhibit A9: Invalidity of U.S. Pat. No. 9,400,640 based on US20060235755 ("Mueller")(First Supplement).

Exhibit A10: Invalidity of U.S. Pat. No. 10,083,012 based on US20060235755 ("Mueller")(First Supplement).

Exhibit A11: Invalidity of U.S. Pat. No. 9,400,640 based on US20050049921 ("Tengler")(First Supplement).

Exhibit A12: Invalidity of U.S. Pat. No. 10,083,012 based on US20050049921 ("Tengler")(First Supplement).

Exhibit A13: Invalidity of U.S. Pat. No. 9,400,640 based on the Cybertill System (First Supplement).

Exhibit A13: Invalidity of U.S. Pat. No. 9,400,640 based on the Cybertill System.

Exhibit A14: Invalidity of U.S. Pat. No. 10,083,012 based on the Cybertill System (First Supplement).

Exhibit A14: Invalidity of U.S. Pat. No. 10,083,012 based on the Cybertill System.

Exhibit B7: Invalidity of U.S. Pat. No. 9,400,640 based on U.S. Pat. No. 6,384,850 ("McNally")(First Supplement).

Exhibit B8: Invalidity of U.S. Pat. No. 10,083,012 based on U.S. Pat. No. 6,384,850 ("McNally")(First Supplement).

MICROS SimphonyTM, http://www.micros.com:80/Products/Simphony/, dated 2006, in 1 page.

MICROS mymicros.net, http://www.micros.com:80/Products/

Simphony/, dated 2006, in 1 page.
MICROS Restaurants, http://www.micros.com:80/Products/

Simphony, dated 2006, in 2 pages.

MICROS Delivers Harmony to POS Technology with Simphony(TM). The Industry's First True Enterprise POS Solution, Featuring Service Oriented Architecture, Debuts at FS/TEC, Oct. 10, 2007, 3 pp.

* cited by examiner



Qty	Descr	·iption	Amount			AND THE RESERVE THE PERSON NAMED IN COLUMN	***************************************	***************************************
*****************		***************************************		PRETZELS	DRINKS	Bridge Br		
		reneral de la composició de la composici		11	12	na-philadeless services (-
		XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		Caramel Crunch Preizel	Cinnamon Sugar Pretzel	Garlic	Original Pretzel	Parmesa Pretzel
			13					
			AND	Pretzet Dog	Sour Cream	Pretzet Sticks	Caramel	Cheddar Cheese
	*************************	***************************************	13		& Onion Pretzet			
	Total			Honey Mustard	Nacho Cheese	Pizza Sauce		MINES 41/10 NINGARANANANANANANANANANANANANANANANANANAN
UP		DOWN	14				· · · · · · · · · · · · · · · · · · ·	
7	8	9	QTY		SOLD I TEM	COIN SALE	OPEN DRAWER	
4	5	6	ENTER		***************************************	***************************************		**********************
www.				CASH	RETURN LAST RECEIPT	MISC		
1	2	3				NEUS IT I		
OI BAD	0	00		FUNCTION	\$ 5	\$10	\$20	\$ 50
CLEAR		00		CONTRACTOR				
***************************************	<u> </u>					TWANA KANANANANANANANANANANANANANANANANANA		

FIG. 1



Qty	Desci	ription	Amount		allinharananan new www.		****************	alla di di di di di mangio escripti sa manta escripti di mangio di sensi
	garlic		2.29	HOME	DRINKS	SMALL	MEDIUM	LARGE
pizza sauce cranberry g		sance	0.59					And Andrews Property
		ry grape	1.49					
	large sprite		1.50	СОКЕ	DIETCOKE	PUNCH	N. Marian	SPRITE
	****************	**************************************						
	AND	TREE PRIVING AND		APPLE JUICE	CRANBERRY APPLE RASPBERRY	CRAPE	DANNON SPRING WATER	MINUTE MAID ORANGE JUICE
Total		*************************	-COLUMBIAN		VANILLA	MUT	MACADAMIA NUT	
UP		DOWN						
7	8	9	QTY		Geseki Abasahanansanan negeri	Modern Annual Commission Commissi	4 1 2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	######################################
4	5	6	ENTER	AND THE REAL PROPERTY OF THE PERSON OF THE P	C4001	DEGG (D) (3/10/3	
1	2	3	The state of the s		CASH	RETURN LAST RECEIPT	MISC	
				FUNCTION	\$ 5	\$ 10	\$20	\$ 50
CLEAR	0	00		- warwa z Wii	**	yy a U	thor, A.	Ann
	<u></u>				NIKAN KANARARARARARARARARARARARARARARARARARARA		No. of the last of	**************************************

FIG. 2



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

