

# **EXHIBIT C**

## **Part 2**

Continuation of 3. NOTE: the amendments to claims 1, 8, 32 and 51 would require further consideration and search.

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Dated: September 8, 2005      Signature: *Kerry C. Keehan*  
(Kerry C. Keehan)

Docket No.: 588582000120  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Lee H. GRANT et al.

Application No.: 10/082,596

Art Unit: 2167

Filed: February 22, 2002

Examiner: G. Robinson

For: METHOD OF CODING, CATEGORIZING,  
AND RETRIEVING NETWORK PAGES AND  
SITES

**AFTER FINAL, EXPEDITED  
PROCEDURE**

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

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

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the final Office Action dated July 11, 2005 (Paper No. 07072005), for which a response was due on October 11, 2005. This response is filed within two months of the issuance of the final Office Action and therefore qualifies for expedited review. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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ORANGE COUNTY, SACRAMENTO,  
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SINGAPORE, BRUSSELS

To:

| NAME:   | FACSIMILE:     | TELEPHONE:     |
|---|----------------|----------------|
| MS AF<br>Commissioner for Patents<br>US Patent and Trademark Office | (571) 273-8300 | (571) 272-4118 |

FROM: Thomas C. Chan

DATE: September 8, 2005

|                                  |    |
|----------------------------------|----|
| Number of pages with cover page: | 10 |
|----------------------------------|----|

Preparer of this slip has confirmed that facsimile number given is correct: 7122/Kerry Keehan

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**Comments:**

|  |
|--|
| Attorney Docket No.: 588582000120<br>Group Art Unit: 2167<br>Examiner: G. Robinson<br>Application No. 10/082,596<br>Filed: February 22, 2002<br>Inventor(s): Lee H. GRANT et al.<br>Title: METHOD OF CODING, CATEGORIZING, AND RETRIEVING NETWORK PAGES AND SITES<br>Papers Attached:<br><ol style="list-style-type: none"> <li>1. Transmittal Form (1 page)</li> <li>2. Amendment, After Final (8 pages)</li> </ol> |
|--|

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PAGE 1/10 \* RCVD AT 9/8/2005 7:25:37 PM [Eastern Daylight Time] \* SVR:USPTO-EFKRF-6/29 \* DNIS:2738300 \* CSID:650 813 5993 \* DURATION (mm-ss):02-40

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PYO/58/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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|  |                      |                        |              |
|--|----------------------|------------------------|--------------|
| <h2>TRANSMITTAL FORM</h2> <p><small>(to be used for all correspondence after initial filing)</small></p> | Application Number   | 10/082,596             |              |
|  | Filing Date          | February 22, 2002      |              |
|  | First Named Inventor | Lee H. GRANT           |              |
|  | Art Unit             | 2167                   |              |
|  | Examiner Name        | G. Robinson            |              |
| Total Number of Pages in This Submission   | 9                    | Attorney Docket Number | 588582000120 |

| ENCLOSURES (Check all that apply)  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final (8 pages)<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Facsimile Cover Sheet |
| Remarks  |   |  |


| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |          |        |
|--|--|----------|--------|
| Firm Name                                  | MORRISON & FOERSTER LLP (Customer No. 25228) |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Thomas Chan                                  |          |        |
| Date                                       | September 8, 2005                            | Reg. No. | 51,543 |

|   |                               |
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Dated: September 8, 2005      Signature:   
(Kerry C. Keenan)

Docket No.: 588582000120  
(PATENT)

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Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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Application No.: 10/082,596

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Docket No.: 588582000120

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (currently amended): A computer implemented method of categorizing a network page, comprising:

providing a list of categories, wherein said list of categories include a category for transacting business and a category for providing information, and wherein said list of categories include a plurality of categories based on the copyright status of material on a page; and  
assigning said network page to one or more of said list of categories.

Claim 2 (canceled).

Claim 3 (original): The method of Claim 1, wherein said categories include a plurality of categories based on subject matter.

Claim 4 (previously presented): The method of Claim 3, wherein said categories comprise categories related to government, medical, education and social science, news, sports and recreation, history, science and technology, arts and humanities, finance and business, reference, and explicit.

Claim 5 (original): The method of Claim 1, wherein said categories include a plurality of categories based on the type of files associated with a page.

Claim 6 (original): The method of Claim 5, wherein said categories comprise visual, audio, multimedia, text-only, and communication.

Claim 7 (cancelled).

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Claim 8 (currently amended): The method of Claim 1 [[7]], wherein said plurality of categories based on the copyright status of material on a page comprise categories related to public domain, fair use only, use with attribution, and permission of copyright owner needed.

Claim 9 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on subject matter.

Claim 10 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on the type of files associated with a page.

Claim 11 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on the copyright status of the material on a page.

Claim 12 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on subject matter; and  
a plurality of categories based on the copyright status of the material on a page.

Claim 13 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on subject matter; and  
a plurality of categories based on the type of files associated with a page.

Claim 14 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on subject matter; and  
a plurality of categories based on the copyright status of the material on a page.

Claim 15 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on subject matter;  
a plurality of categories based on the type of files associated with a page; and  
a plurality of categories based on the copyright status of the material on a page.

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Claim 16 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on the type of files associated with a page; and  
a plurality of categories based on the copyright status of the material on a page.

Claim 17 (previously presented): The method of Claim 1, wherein said categories include:  
a plurality of categories based on subject matter;  
a plurality of categories based on the type of files associated with a page;  
and  
a plurality of categories based on the copyright status of the material on a page.

Claim 18 (previously presented): The method of Claim 1, further comprising providing an indicium for each of said categories.

Claim 19 (original): The method of Claim 18, wherein said indicium comprises an icon.

Claim 20 (original): The method of Claim 18, wherein said indicium comprises two letters.

Claim 21 (previously presented): The method of Claim 1, further comprising providing a categorization code that can be used to label a page with a categorization label that indicates the categories to which the page is assigned.

Claim 22 (original): The method of Claim 21, wherein said categorization code comprises an indicium for each of said categories.

Claim 23 (original): The method of Claim 22, wherein said indicium comprises two letters.

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Claim 24 (original): The method of Claim 22, wherein said categorization label includes the indicia for each category to which a page is assigned.

Claim 25 (original): The method of Claim 21, wherein said categorization label denotes the level of importance of the categories to which a page is assigned.

Claim 26 (original): The method of Claim 25, wherein said categorization label is recognizable by a search engine.

Claim 27 (original): The method of Claim 21, wherein said categorization label further includes an identifier to indicate that said label is part of said categorization code.

Claim 28 (original): The method of Claim 21, wherein said categorization label can be made to apply to an entire Web site.

Claim 29 (previously presented): The method of Claim 21, further comprising making said categorization label recognizable by a search engine.

Claim 30 (previously presented): The method of Claim 1, further comprising making said categories to which a page is assigned recognizable by a search engine.

Claim 31 (original): The method of Claim 1, wherein said list of categories is provided on a graphical user interface.

Claim 32 (currently amended): A computer implemented method for categorizing a network page, comprising:

- a. providing a list of categories, wherein said list of categories include a category for transacting business and a category for providing information, and wherein said list of categories include a plurality of categories based on the copyright status of material on a page; and

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b. providing a categorization code for labeling the network page with a categorization label, wherein said categorization label indicates a set of categories and subcategories to which the network page is assigned.

Claims 33 - 50 (canceled).

Claim 51 (currently amended): A computer implemented method of categorizing a network page, comprising:

providing a list of categories, wherein said categories include a plurality of categories based on the copyright status of material on a page, and wherein the copyright status comprises categories related to public domain, fair use only, use with attribution, and permission of copyright owner needed; and

assigning said network page to one or more of a plurality of said list of categories.

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Docket No.: 588582000120

**REMARKS**

Claims 1, 3-32 and 51 stand examined and are rejected on various grounds. These objections and rejections are addressed in the appropriate sections below. By virtue of this response, claim 7 has been cancelled, claims 1, 8, 32, and 51 have been amended, and no claim has been added. Accordingly, claims 1, 3-6, 8-32, and 51 are currently under consideration. Amendment and cancellation of certain claims are not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

In view of the preceding amendments and the remarks made herein, the present application is believed to be in condition for allowance.

**Interview Summary**

During the telephonic interview on August 9, 2005, between Applicant's attorney, Thomas Chan, and Examiner Robinson, the following matter was discussed:

Claims 1, 4-8, and 52 of the pending application were discussed. Applicant discussed the novel aspects of the present invention and distinguished the present invention from the Cole reference (US Patent No. 5,933,827) cited by the Examiner in the Office Action. Specifically, Applicant explained that the Cole reference does not disclose at least the aspect of the claimed invention of categorizing based on the copyright status of materials on a web page. Applicant proposed that claim 8 will be included into claim 52 and claim 7 will be included into claim 1. There was no agreement reached, but the Examiner agreed to consider the points raised by the Applicant.

**35 U.S.C. § 101**

Claims 1, 3-32 and 51 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

In response, the preamble of claims 1, 32, and 51 are amended per the Examiner's suggestion to satisfy the requirements of 35 U.S.C. § 101.

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Docket No.: 588582000120

35 U.S.C. § 102(b)

Claims 1, 3-32 and 51 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,933,827 to Cole et al.

In response, as amended, Applicants respectfully submit that the Cole reference does not teach or disclose the claim limitation of "a plurality of categories based on the copyright status of material on a page" of the independent claims 1, 32 and 51, and their corresponding dependent claims. Therefore, with the amended claims, the rejection based on the Cole reference is moot.

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 588582000120. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 8, 2005

Respectfully submitted,

By: 

Thomas Chan

Registration No.: 51,543  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-5616

pa-997650



UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/082,596      | 02/22/2002  | Lee H. Grant         | 9119/8661           | 5734             |

25226 7590 08/12/2005  
MORRISON & FOERSTER LLP  
755 PAGE MILL RD  
PALO ALTO, CA 94304-1018

EXAMINER

ROBINSON, GRETA LEE

ART UNIT PAPER NUMBER

2167

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                          |                   |              |  |
|--------------------------|-------------------|--------------|--|
| <b>Interview Summary</b> | Application No.   | Applicant(s) |  |
|                          | 10/082,596        | GRANT ET AL. |  |
|                          | Examiner          | Art Unit     |  |
|                          | Greta L. Robinson | 2167         |  |

All participants (applicant, applicant's representative, PTO personnel):

(1) Thomas Chan registration no. 51,543. (3) \_\_\_\_\_

(2) Greta Robinson. (4) \_\_\_\_\_

Date of Interview: 09 August 2005.

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: 1,4-8 and 52.


Identification of prior art discussed: Cole et al. US patent 5,933,827.

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 discussed the novel aspects of the present invention and proposed an amendment of independent claims 1 and 52. Claim 8 will be included into claim 52 and claim 7 would be included into claim 1. Formal arguments will be submitted for review.

(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 ONE MONTH 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.

  
GRETAL ROBINSON  
PRIMARY EXAMINER 8/1/05

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

B

## 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.





UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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|---|-------------|----------------------|---------------------|------------------|
| 10/082,596  | 02/22/2002  | Lee H. Grant         | 9119/8661           | 5734             |
| 25226   | 7590        | 07/11/2005           | EXAMINER            |                  |
| MORRISON & FOERSTER LLP<br>755 PAGE MILL RD<br>PALO ALTO, CA 94304-1018 |             |                      | ROBINSON, GRETA LEE |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2167                |                  |

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

|                   |              |  |
|-------------------|--------------|--|
| Application No.   | Applicant(s) |  |
| 10/082,596        | GRANT ET AL. |  |
| Examiner          | Art Unit     |  |
| Greta L. Robinson | 2167         |  |

-- 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) 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 the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- 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 27 April 2005.
- 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, 3-32 and 51 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, 3-32 and 51 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 \_\_\_\_\_ 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-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1, 3-32 and 51 are pending in the present application.
2. Claims 2 and 33-50 have been cancelled. Claims 1, 4, 9-18, 29-30 and 32 have been amended; and new claim 51 has been added.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1, 3-32 ad 51 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would not result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Note as presently written the claim simply recites a series of steps an abstract idea that can be implemented with a pen and paper. The examiner suggest including limitation such as "a computer implemented method" to clarify that the series of steps are implemented on a computer.

***Claim Rejections - 35 USC § 102***

5. 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.

6. Claims 1, 3-32 and 51 rejected under 35 U.S.C. 102(b) as being anticipated by Cole et al. US Patent 5,933,827.

Regarding claim 1, Cole teaches a method of categorizing a network page [note: *"The system comprises a cataloging function which defines a hierarchy of subject categories, logically arranges a multitude of web pages in the categories and periodically adds web pages in the categories"* abstract], comprising the steps of:

providing a list of categories, wherein said list of categories include a category for transacting business and a category for providing information [note: "RECEIVE WEB PAGE LIST FROM CATALOGING FUNCTION" step 332 figure 7]; and

assigning said network page to one or more said list of categories [note: abstract, column 5 lines 27-59].

7. Regarding claims 3-32, "said categories comprise visual, audio .... A categorization code that can be used to label a page ..." [note: figures 3, 5 and 6; column 1 lines 1-65; column 2 lines 35-54; column 6 line 23 through column 7 line 7].

8. The limitations of claim 51 have been addressed above except for the following: wherein said categories include a plurality of categories based on the copyright status of material on a page [note: Cole et al. provides for user ability to define the category see column 4 lines 30-66; also note column 5 line 60 through column 6 line 4].

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1, 3-32 and 51 have been considered but are moot in view of the new ground(s) of rejection.

In the response Applicant argued prior art reference Cole et al. does not teach the element of a "list of categories include a category for transacting business and a category for providing information". In response to Applicant's argument the examiner respectfully maintains the rejection. Note, Cole et al. teaches a *cataloging function 20* within server 10 to build a database 35 of new entries . The entry may consist of a business category and a sports category (i.e. category for information) [see: column 3 line 65 through column 4 line 17. Cole et al. provides for a list of categories [see: column 4 lines 35-40; and figure 7 step 332; also note figures 2, 5 and 6]. Also note new citation under 35 USC 101.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 2167

§ 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.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571) 272-4118. The examiner can normally be reached on Mon.-Fri. 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2167

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).



GRETA ROBINSON  
PRIMARY EXAMINER

Greta Robinson  
Primary Examiner  
July 7, 2005





10/082, 5910

| Ref # | Hits  | Search Query                             | DBs                | Default Operator | Plurals | Time Stamp       |
|-------|-------|--|--------------------|------------------|---------|------------------|
| L1    | 9653  | (707/10-707/100-715/513).ccls.           | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:24 |
| L2    | 1414  | categoriz\$5 near5 (network page)        | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:25 |
| L3    | 12875 | category near5 (business information)    | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:25 |
| L4    | 5686  | category near5 list                      | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:26 |
| L5    | 549   | category near5 (user-defined customized) | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:26 |
| L6    | 0     | l1 and l2 and l3 and l4 and l5           | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:26 |
| L7    | 120   | l1 and l2                                | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:26 |
| L8    | 55    | l7 and (l3 l4 l5)                        | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:37 |
| L9    | 1     | l7 and (l3 l4) and l5                    | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:28 |
| L10   | 4     | l2 same l5                               | US-PGPUB;<br>USPAT | OR               | ON      | 2005/07/07 15:37 |

101082596

**PATENT APPLICATION FEE DETERMINATION RECORD**  
Effective October 1, 2001

Application or Docket Number

~~4119/1001~~

**CLAIMS AS FILED - PART I**

(Column 1) (Column 2)

|   |                 |              |
|---|-----------------|--------------|
| TOTAL CLAIMS  | 50              |              |
| FOR   | NUMBER FILED    | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS                                   | 50 minus 20 = * | 9            |
| INDEPENDENT CLAIMS  | 11 minus 3 = *  | 42           |
| MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/> |                 |              |

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

SMALL ENTITY TYPE  OR OTHER THAN SMALL ENTITY

|           |        |    |           |        |
|-----------|--------|----|-----------|--------|
| RATE      | FEE    | OR | RATE      | FEE    |
| BASIC FEE | 370.00 |    | BASIC FEE | 740.00 |
| X\$ 9=    | 334    | OR | X\$18=    |        |
| X42=      | 310    | OR | X84=      |        |
| +140=     |        | OR | +280=     |        |
| TOTAL     |        | OR | TOTAL     |        |

**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                            | * 32 | Minus ** 50                        | =             |
|   | Independent                      | * 2  | Minus *** 11                       | =             |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> |                                  |      |                                    |               |

SMALL ENTITY OR OTHER THAN SMALL ENTITY

|                  |                 |    |                  |                 |
|------------------|-----------------|----|------------------|-----------------|
| RATE             | ADDI-TIONAL FEE | OR | RATE             | ADDI-TIONAL FEE |
| X\$ 9=           |                 |    | X\$18=           |                 |
| X42=             |                 |    | X84=             |                 |
| +140=            |                 |    | +280=            |                 |
| 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 <input type="checkbox"/> |                                  |   |                                    |               |

|                  |                 |    |                  |                 |
|------------------|-----------------|----|------------------|-----------------|
| RATE             | ADDI-TIONAL FEE | OR | RATE             | ADDI-TIONAL FEE |
| X\$ 9=           |                 |    | X\$18=           |                 |
| X42=             |                 |    | X84=             |                 |
| +140=            |                 |    | +280=            |                 |
| 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 <input type="checkbox"/> |                                  |   |                                    |               |

|                  |                 |    |                  |                 |
|------------------|-----------------|----|------------------|-----------------|
| RATE             | ADDI-TIONAL FEE | OR | RATE             | ADDI-TIONAL FEE |
| X\$ 9=           |                 |    | X\$18=           |                 |
| X42=             |                 |    | X84=             |                 |
| +140=            |                 |    | +280=            |                 |
| 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.



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www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|------------------------|-----------------------|------------------------|
| 10/082,596         | 02/22/2002             | Lee H. Grant          | 9119/8661              |

25226  
MORRISON & FOERSTER LLP  
755 PAGE MILL RD  
PALO ALTO, CA 94304-1018

CONFIRMATION NO. 5734

\*OC000000015969191\*

\*OC000000015969191\*

Date Mailed: 05/09/2005

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/04/2005.

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.

  
 \_\_\_\_\_  
 DEBRA R WATT  
 2100 (571) 272-3621

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|------------------------|-----------------------|------------------------|
| 10/082,596         | 02/22/2002             | Lee H. Grant          | 9119/8661              |

Lee H. Grant  
 4849 El Cemonte Avenue, No. 169  
 Davis, CA 95616

CONFIRMATION NO. 5734

\*OC000000015969189\*

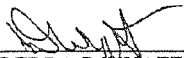
\*OC000000015969189\*

Date Mailed: 05/09/2005

## NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/04/2005.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

  
 DEBRA R. WYATT  
 2100 (571) 272-3621

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MORRISON | FOERSTER

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DENVER, NORTHEAST VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
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FROM: Thomas Chan

DATE: May 4, 2005

|                                  |   |
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| Number of pages with cover page: | 6 |
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Comments:

|   |
|---|
| Attorney Docket No.: 588582000120<br>Group Art Unit: 2167<br>Examiner: G. Robinson<br>Application No. 10/082,596<br>Filed: February 22, 2002<br>Inventor(s): Lee H. GRANT et al.<br>Title: METHOD OF CODING, CATEGORIZING, AND RETRIEVING NETWORK PAGES AND SITES<br>Papers Attached:<br><ol style="list-style-type: none"> <li>1. Transmittal Form (1 page)</li> <li>2. Power of Attorney (1 page)</li> <li>3. Statement Under 37 C.F.R. § 3.73(b) + copy of Assignment (3 pages)</li> </ol> |
|---|

ec'll

pa-976943

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|   |                      |                        |              |
|---|----------------------|------------------------|--------------|
| <h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="font-size: small; margin: 5px 0;">(to be used for all correspondence after initial filing)</p> | Application Number   | 10/082,596             |              |
|   | Filing Date          | February 22, 2002      |              |
|   | First Named Inventor | Lee H. GRANT           |              |
|   | Art Unit             | 2167                   |              |
|   | Examiner Name        | G. Robinson            |              |
| Total Number of Pages In This Submission  | 5                    | Attorney Docket Number | 688562000120 |

| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 page)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Statement Under 37 C.F.R. § 3.73(b) + copy of Assignment (3 pages)<br>Facsimile Cover Sheet |
| Remarks   |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |          |        |
|--|--|----------|--------|
| Firm Name                                  | MORRISON & FOERSTER LLP (Customer No. 25226) |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Thomas Chan                                  |          |        |
| Date                                       | May 4, 2005                                  | Reg. No. | 51,543 |

|   |                               |
|---|-------------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 672-9300, on the date shown below. |                               |
| Dated: May 4, 2005  | Signature:  (Kerry C. Keenan) |

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number: 25226  
 OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

| Name | Registration Number | Name | Registration Number |
|------|---------------------|------|---------------------|
|      |                     |      |                     |

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer Number: 25226

OR

Firm or Individual Name

Address

|         |           |     |
|---------|-----------|-----|
| City    | State     | Zip |
| Country | Telephone | Fax |

Assignee Name and Address:

IconFind, Inc.  
 1660 Drew Circle, # 27  
 Davis, California 95616

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**  
 The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

|           |                    |           |                     |
|-----------|--------------------|-----------|---------------------|
| Signature | <i>Lee H Grant</i> | Date      | <i>4/29/05</i>      |
| Name      | <i>Lee H Grant</i> | Telephone | <i>530 756-6477</i> |
| Title     | <i>President</i>   |           |                     |

Attorney Docket: 588582000120

PA-969207

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Lee H. GRANT et al.

Application No./Patent No.: 10/082,596 Filed/Issue Date: February 22, 2002

Entitled: METHOD OF CODING, CATEGORIZING, AND RETRIEVING NETWORK PAGES AND SITES

ICONFIND, INC., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1.  the assignee of the entire right, title, and interest; or
- 2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:
- A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

- 1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Lee H Grant 4/29/05  
Signature Date

Lee H Grant 530 756-6477  
Printed or Typed Name Telephone Number

President  
Title

Attorney Docket: 588582000120



ASSIGNMENT  
JOINT

**COPY**

THIS ASSIGNMENT, by Lee H. GRANT and Susan A. CAPIZZI (hereinafter referred to as the assignors), each residing at 1660 Drew Circle, # 27, Davis, California 95616, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in METHOD OF CODING, CATEGORIZING, AND RETRIEVING NETWORK PAGES AND SITES, set forth in an application for Letters Patent of the United States, bearing Serial No. 10/082,596 and filed on February 22, 2002; and

WHEREAS, IconFind, Inc., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 1660 Drew Circle, # 27, Davis, California 95616 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

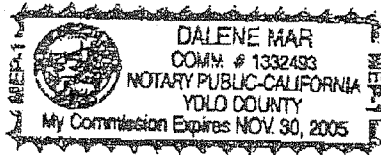
|         |                        |
|---------|------------------------|
| 4/28/05 | <u>Lee H Grant</u>     |
| Date    | Lee H. GRANT           |
| 4/28/05 | <u>Susan A Capizzi</u> |
| Date    | Susan A. CAPIZZI       |

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA }  
COUNTY OF Yolo } SS.

On April 28-05 before me, the undersigned, a Notary Public in and for said State personally appeared Lee H Grant & Susan A Capizzi  
Name(s) of Signer(s)

Personally known to me OR  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

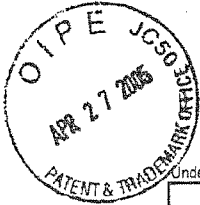
[Signature]  
Signature of Notary

Daleene Mar  
Name (Typed or Printed)

(Area above for official notarial seal)

| Capacity Claimed by Signer   | Description of Attached Document  |
|--|---|
| <input checked="" type="checkbox"/> Individual(s)<br><input type="checkbox"/> Corporate Officer(s) - Title(s) _____<br><br><input type="checkbox"/> Partner(s)<br><input type="checkbox"/> Attorney-in-Fact<br><input type="checkbox"/> Trustee(s)<br><input type="checkbox"/> Guardian/Conservator<br><input type="checkbox"/> Other: _____<br><br>Signer is Representing: Name of person(s) or Entity(ies) _____<br>_____<br>_____ | (Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)<br><br>This certificate is for attachment to the document described below:<br><br>Title or type of document <u>Joint Assignment</u><br>_____<br>_____<br>Number of pages <u>1</u><br>Date of document <u>4-28-05</u><br>Signer(s) other than named above _____<br>_____<br>_____ |

SAV-151A (7/98)



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Approved for use through 07/31/2006. OMB 0651-0031

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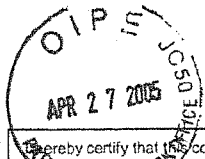
|  |                      |                        |              |
|--|----------------------|------------------------|--------------|
| <b>TRANSMITTAL FORM</b><br><small>(to be used for all correspondence after initial filing)</small> | Application Number   | 10/082,596             |              |
|  | Filing Date          | February 22, 2002      |              |
|  | First Named Inventor | Lee H. GRANT           |              |
|  | Art Unit             | 2167                   |              |
|  | Examiner Name        | G. Robinson            |              |
| Total Number of Pages in This Submission   | 11                   | Attorney Docket Number | 588582000120 |

| ENCLOSURES (Check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply (10 pages)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Receipt Postcard |
| Remarks  |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |          |        |
|--|--|----------|--------|
| Firm Name                                  | MORRISON & FOERSTER LLP (Customer No. 25226) |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Thomas Chan                                  |          |        |
| Date                                       | April 27, 2005                               | Reg. No. | 51,543 |

|  |                              |
|--|------------------------------|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV336621733US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. |                              |
| Dated: April 27, 2005  | Signature:  (Georgina Matos) |

pa-975518



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV336621733US, in an envelope addressed to: **Lee H. Grant**, Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 27, 2005

Signature:

*Georgina Matos*  
(Georgina Matos)

Docket No.: 588582000120  
(PATENT)

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

In re Patent Application of:

Lee H. GRANT et al.

Application No.: 10/082,596

Confirmation No.: 5734

Filed: February 22, 2002

Art Unit: 2167

For: METHOD OF CODING, CATEGORIZING,  
AND RETRIEVING NETWORK PAGES AND  
SITES

Examiner: G. Robinson

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

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

Dear Sir:

This is in response to the non-final Office Action dated January 27, 2005 (Part of Paper No./Mail Date 01212005), for which a response was due on April 27, 2005. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

pa-974832

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AMENDMENTS TO THE CLAIMS

Claim 1 (currently amended): A method of categorizing a network page, comprising ~~the steps of:~~

a. providing a list of categories, wherein said list of categories include a category for transacting business and a category for providing information; and

b. ~~providing the opportunity to assigning~~ [[a]] said network page to one or more of a plurality of said list of categories.

Claim 2 (canceled).

Claim 3 (original): The method of Claim 1, wherein said categories include a plurality of categories based on subject matter.

Claim 4 (currently amended): The method of Claim 3, wherein said categories comprise categories related to government, medical, education and social science, news, sports and recreation, history, science and technology, arts and humanities, finance and business, reference, and explicit, and other.

Claim 5 (original): The method of Claim 1, wherein said categories include a plurality of categories based on the type of files associated with a page.

Claim 6 (original): The method of Claim 5, wherein said categories comprise visual, audio, multimedia, text-only, and communication.

Claim 7 (original): The method of Claim 1, wherein said categories include a plurality of categories based on the copyright status of material on a page.

Claim 8 (original): The method of Claim 7, wherein said categories comprise categories related to public domain, fair use only, use with attribution, and permission of copyright owner needed.

Claim 9 (currently amended): The method of Claim 1, wherein said categories include:

- a. ~~a category for pages involved in transacting business and a category for pages involved in providing information; and~~
- b. a plurality of categories based on subject matter.

Claim 10 (currently amended): The method of Claim 1, wherein said categories include:

- a. ~~a category for pages involved in transacting business and a category for pages involved in providing information; and~~
- b. a plurality of categories based on the type of files associated with a page.

Claim 11 (currently amended): The method of Claim 1, wherein said categories include:

- a. ~~a category for pages involved in transacting business and a category for pages involved in providing information; and~~
- b. a plurality of categories based on the copyright status of the material on a page.

Claim 12 (currently amended): The method of Claim 1, wherein said categories include:

- a. ~~a category for pages involved in transacting business and a category for pages involved in providing information;~~
- b. a plurality of categories based on subject matter; and
- e. a plurality of categories based on the copyright status of the material on a page.

Claim 13 (currently amended): The method of Claim 1, wherein said categories include:

- a. a plurality of categories based on subject matter; and
- b. a plurality of categories based on the type of ~~files~~ files associated with a page.

Claim 14 (currently amended): The method of Claim 1, wherein said categories include:

- a. a plurality of categories based on subject matter; and
- b. a plurality of categories based on the copyright status of the material on a page.

Claim 15 (currently amended): The method of Claim 1, wherein said categories include:

- a- a plurality of categories based on subject matter;
- b- a plurality of categories based on the type of files associated with a page; and
- e- a plurality of categories based on the copyright status of the material on a page.

Claim 16 (currently amended): The method of Claim 1, wherein said categories include:

- a- a plurality of categories based on the type of files associated with a page; and
- b- a plurality of categories based on the copyright status of the material on a page.

Claim 17 (currently amended): The method of Claim 1, wherein said categories include:

- a- ~~a category for pages involved in transacting business and a category for pages involved in providing information;~~
- b- a plurality of categories based on subject matter;
- e- a plurality of categories based on the type of files associated with a page; and
- d- a plurality of categories based on the copyright status of the material on a page.

Claim 18 (currently amended): The method of Claim 1, further comprising ~~the step of~~ providing an indicium for each of said categories.

Claim 19 (original): The method of Claim 18, wherein said indicium comprises an icon.

Claim 20 (original): The method of Claim 18, wherein said indicium comprises two letters.

Claim 21 (currently amended): The method of Claim 1, further comprising ~~the step of~~ providing a categorization code that can be used to label a page with a categorization label that indicates the categories to which the page is assigned.

Claim 22 (original): The method of Claim 21, wherein said categorization code comprises an indicium for each of said categories.

Claim 23 (original): The method of Claim 22, wherein said indicium comprises two letters.

Claim 24 (original): The method of Claim 22, wherein said categorization label includes the indicia for each category to which a page is assigned.

Claim 25 (original): The method of Claim 21, wherein said categorization label denotes the level of importance of the categories to which a page is assigned.

Claim 26 (original): The method of Claim 25, wherein said categorization label is recognizable by a search engine.

Claim 27 (original): The method of Claim 21, wherein said categorization label further includes an identifier to indicate that said label is part of said categorization code.

Claim 28 (original): The method of Claim 21, wherein said categorization label can be made to apply to an entire Web site.

Claim 29 (currently amended): The method of Claim 21, further comprising ~~the step of~~ making said categorization label recognizable by a search engine.

Claim 30 (currently amended): The method of Claim 1, further comprising ~~the step of~~ making said categories to which a page is assigned recognizable by a search engine.



Claim 31 (original): The method of Claim 1, wherein said list of categories is provided on a graphical user interface.

Claim 32 (currently amended): A method for categorizing a network page, comprising the steps of:

- a. providing a list of categories, wherein said list of categories include a category for transacting business and a category for providing information; and
- b. providing a categorization code ~~that can be used to~~ for labeling [[a]] the network page with a categorization label, wherein said categorization label that indicates the a set of categories and subcategories to which the network page is assigned.

Claim 33 (canceled).

Claim 34 (canceled).

Claim 35 (canceled).

Claim 36 (canceled).

Claim 37 (canceled).

Claim 38 (canceled).

Claim 39 (canceled).

Claim 40 (canceled).

Claim 41 (canceled).

Claim 42 (canceled).

Claim 43 (canceled).

Claim 44 (canceled).

Claim 45 (canceled).

Claim 46 (canceled).

Claim 47 (canceled).

Claim 48 (canceled).

Claim 49 (canceled).

Claim 50 (canceled).

Claim 51 (new): A method of categorizing a network page, comprising:

providing a list of categories, wherein said categories include a plurality of categories based on the copyright status of material on a page; and

assigning said network page to one or more of a plurality of said list of categories.

**REMARKS**

Claims 1-50 were pending in the present application. By virtue of this response, claims 1, 4, 9-18, 21, 29, 30, and 32 have been amended. Claims 2 and 33-50 have been cancelled. Claim 51 has been added. Accordingly, claims 1, 3-32, and 51 are currently under consideration. Amendment and cancellation of certain of the claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

The amendments to claims indicated above are fully supported by the original specification. Therefore, no new matter is added.

**Rejections Under 35 U.S.C. § 112**

The Office has rejected claim 4 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 4 is amended to remove the vague term "and other" as indicated by the Examiner.

**Rejections Under 35 U.S.C. § 102**

The Office has rejected claims 1-32 as being anticipated by Cole et al. (U.S. Patent 5,933,827, hereinafter the Cole reference). Applicants respectfully traverse this rejection as it applies to the amended claims.

Applicants submit that the Cole reference fails to disclose each and every element recited in the amended independent claims 1. In particular, the Cole reference fails to disclose at least the element of the "list of categories include a category for transacting business and a category for providing information." The Cole reference discloses a computer system for identifying web pages. The system comprises a cataloging function which defines a hierarchy of subject categories. The system also comprises a profile building function which receives selections of categories from a

user, records the selections and responds with an identification of subcategories of each selected category. The subject categories disclosed by Cole are similar to the categories described in the second tier of the present invention. However, the Cole reference does not disclose or teach the method of categorization as described in the first tier of the present invention for transacting business (commerce) and for providing information (see Figures 1-3 of the present application).

Therefore, the present invention is novel and unobvious over the Cole reference for at least the aforementioned reasons, and accordingly the rejection of claim 1 should be withdrawn. The amended claim 32 also includes the similar claim limitation as in claim 1. For at least the aforementioned reasons regarding the novelty of the features in claim 1, the rejection of claim 32 should also be withdrawn. It is respectfully submitted that the independent claims 1 and 32 and the corresponding dependent claims 3-31 are allowable over the Cole reference.

#### **Support for New Claim 51**

The support for the newly added claim 51 are found in Figures 1-3 and their corresponding description. This claim is distinguished from the Cole reference because the Cole reference does not teach or disclose the claim element of "a plurality of categories based on the copyright status of material on a page."