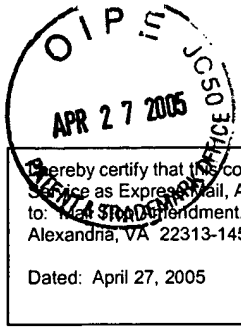


EXHIBIT 5



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
(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.

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.”

CONCLUSION

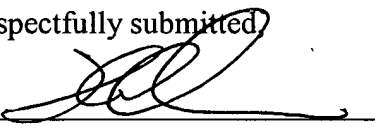
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that 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: April 27, 2005

Respectfully submitted,

By


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Registration No.: 51,543

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