

**RECEIVED  
CENTRAL FAX CENTER**

09/08/2005 16:26 FAX 650 813 5993

MOFO PA #SEVEN

SEP 08 2005 001

**MORRISON | FOERSTER**755 PAGE MILL ROAD  
PALO ALTO  
CALIFORNIA 94304-1018

TELEPHONE: 650.813.5600

FACSIMILE: 650.494.0792

WWW.MOFO.COM

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITYTOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS**To:**

NAME:	FACSIMILE:	TELEPHONE:
MS AF Commissioner for Patents 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**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**Comments:**

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

pa-1008350

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

PTO/SB/21 (09-04)

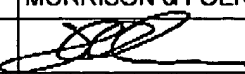
Approved for use through 07/31/2008. OMB 0651-0031

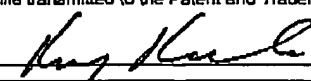
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p>(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	9	Attorney Docket Number	588582000120

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

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Thomas Chan		
Date	September 8, 2005	Reg. No.	51,543

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: September 8, 2005	Signature:  (Kerry C. Kaehan)

pa-1008344

**RECEIVED  
CENTRAL FAX CENTER**

SEP 08 2005

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: September 8, 2005

Signature:

  
(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.

pa-997650

Application No.: 10/082,596

2

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).**

pa-997650

Application No.: 10/082,596

3

Docket No.: 588582000120

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.

pa-997650

Application No.: 10/082,596

4

Docket No.: 588582000120

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.

pa-997650

Application No.: 10/082,596

5

Docket No.: 588582000120

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

pa-997650

Application No.: 10/082,596

6

Docket No.: 588582000120

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.

pa-997650



Application No.: 10/082,596

7

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 Coles 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.

pa-997650

Application No.: 10/082,596

8

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 &amp; FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-5616

pa-997650