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Assistant Commissioner for Patents  
Washington, D C 20231  
on April 6, 2000

Date of Deposit

John G Rauch, Reg No 37,218

Name of applicant, assignee or  
Registered Representative



*John G Rauch*

Signature

4/6/2000

Date of Signature

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APR 12 2000  
TC 2100 MAIL ROOM

Our Case No. 9623/112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Davis, Darren, et al.	)	
	)	Examiner: Nguyen, C.
Serial No. 09/322,677	)	
	)	Group Art Unit No.: 2764
Filing Date: May 28, 1999	)	
	)	
For SYSTEM AND METHOD FOR	)	
INFLUENCING A POSITION ON A	)	
SEARCH RESULT LIST	)	
GENERATED BY A COMPUTER	)	
NETWORK SEARCH ENGINE	)	

RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This Amendment is in response to the Office Action mailed January 31, 2000, and having a response due on or before April 30, 2000.

REMARKS

Claims 1-68 are pending in the application. Reconsideration and allowance of claims 1-68 in light of the arguments herein is respectfully requested.

Claim Rejections

Claims 1-68 stand rejected under 35 U.S.C. 102(b) as being anticipated by an article published May 19, 1998 about "Goto.com announces first round of financing." This rejection is respectfully traversed.

Independent claims 1, 11, 13, 14, 15, 30, 52, and 68, as amended, contain limitations nowhere shown in any of the prior art of record, including the cited reference. For example, claim 1 was amended by the Preliminary Amendment dated January 12, 2000 to recite that each search listing is associated with "a modifiable bid amount that is independent of other components of the search listing." Independent claims 11, 13, 14, 15, 30, 52, and 68 have been amended to include similar limitations. This aspect of the invention defined by claims 1, 11, 13, 14, 15, 30, 52, and 68 is nowhere shown, described or suggested in the cited reference.

Further, each of independent claims 1, 11, 13, 14, 15, 30, 52, and 68 contains limitations not shown in the cited reference. For example, claim 1 recites "recording a retrieval request event in database corresponding to the searcher's retrieval request." Claim 11 recites "estimating the cost of a search listing for a specified time period upon receiving a request from a web site promoter." Claim 13 recites "generating a search listing activity report including information on retrieval requests received from searchers during a specified time period." Claim 14 recites "suggesting alternative search terms to the searcher for generating additional search result lists relative to the searcher's search request." Claim 15 recites "determining a position substantially in real time for the updated search listing in a search result list generated by the search engine in response to a search request received from a searcher using the computer network, where the search term of the updated search listing generates a match with the search request and the position of the updated search listing in the search result list is determined using the bid amount." Similarly, claim 30 recites "generating a search result list comprised of search listings wherein the search term for each search listing generates a match with the search request, the search listings in the search result list arranged in an order corresponding to the bid amounts of the search listing." Claim 52 recites a number of limitations not disclosed in the cited reference, including at least "providing the web site promoter with login access...." Similarly, claim 68 recites a number

of limitations not disclosed in the cited reference, including at least "programming code for providing the advertising web site promoter with login access..."

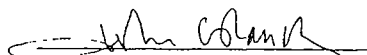
Accordingly, since the quoted limitations of independent claims 1, 11, 13, 14, 15, 30, 52, and 68 are nowhere shown, described or suggested in the cited reference, the cited reference can not anticipate any of these claims. Accordingly, each of these claims is allowable over the cited reference. Dependent claims 2-10, 12, 16-29, 31-51 and 53-67 are each allowable for the same reasons. Withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1-68 is respectfully requested.

The Drawings

The examiner notes that the application was filed with informal drawings and has required formal drawings. Formal drawings will be filed when the application is allowed.

With this Amendment, the application is in condition for allowance. Should the Examiner deem a telephone conference to be helpful in expediting allowance of this application, the Examiner is invited to call the undersigned attorney at the telephone number shown below.

Respectfully submitted,



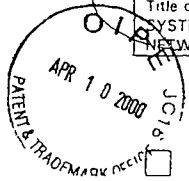
John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

April 6, 2000

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2764

Serial No. 09/322.677		Filing Date May 28, 1999		Examiner C. Nguyen		Case No. 9623/112	
Inventor(s) Davis, et al.		Title of Invention SYSTEM AND METHOD FOR INFLUENCING A POSITION ON A SEARCH RESULT LIST GENERATED BY A COMPUTER NETWORK SEARCH ENGINE		Group Art Unit 2764			



TRANSMITTAL LETTER

Transmitted herewith is Transmittal Letter in duplicate; Response; postcard evidencing receipt.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a \_\_\_\_\_ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

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	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity		Other Than Small Entity	
				Rate	Add'l Fee	Rate	Add'l Fee
Total	Minus			x \$9 =		x \$18 =	
Indep.	Minus			x \$9 =		x \$78 =	
First Presentation of Multiple Dep. Claim				+ \$130 =		+ \$260 =	
				Total add'l fee	\$	total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- The Assistant Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

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Date 4/6/2000 Signature

TRANSMITTAL LETTER			
Serial No 09/322,677	Filing Date May 28, 1999	Examiner C. Nguyen	Class. No 9623/112 Group Art Unit 2764
Inventor(s) Davis, et al			
Title of Invention SYSTEM AND METHOD FOR INFLUENCING A POSITION ON A SEARCH RESULT LIST GENERATED BY A COMPUTER NETWORK SEARCH ENGINE			

TO THE ASSISTANT COMMISSIONER FOR PATENTS

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					Rate	Add'l Fee	Rate	Add'l Fee		
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First Presentation of Multiple Dep. Claim					+ \$130 =			+ \$260 =		
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Respectfully submitted,

John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

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