

EXHIBIT 12

**RECEIVED
CENTRAL FAX CENTER**

JAN 31 2005

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TO: Examiner Andrew J. Rudy	FROM: Angelica Maloney for Christopher J. Palermo
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RE: Reply to Office Action mailed October 29, 2004 for U.S. Serial No. 10/438,727	YOUR REFERENCE NUMBER: Group Art Unit No.: 3627 Confirmation No. 7297

NOTES/COMMENTS:

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Attorney Docket No. 56055-0019

Patent
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CENTRAL FAX CENTER
JAN 31 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 3627
W. Reed HASTINGS, et al.)	Examiner: Andrew J. Rudy
Application No. 10/438,727)	
Filed: May 14, 2003)	
For: APPROACH FOR RENTING ITEMS TO CUSTOMERS)	

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

REPLY TO OFFICE ACTION

In reply to the Office Action mailed on October 29, 2004, for which the shortened statutory period for response runs until January 31, 2005, please reconsider this application in light of the amendments and remarks herein.

Amendments to the claims are reflected in the listing of claims starting at page 2.

Remarks are presented starting at page 11.

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LISTING OF CLAIMS

1 - 54. (CANCELED)

55. (CURRENTLY AMENDED) A computer-implemented method for renting movies to customers, the method comprising:
providing electronic digital information that causes one or more attributes of movies to be displayed;
establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer;
causing to be delivered to the customer up to a specified number of movies based upon [[the movie rental queue]] ~~the order of the list;~~
in response to [[receipt of a movie previously delivered to the customer]] ~~one or more delivery criteria being satisfied,~~ selecting [[a]] ~~another~~ movie based upon ~~the order of the list~~ and causing the selected movie to be delivered to the customer;
and
in response to other electronic digital information received from the customer over the Internet, electronically updating the movie rental queue.
56. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein updating the movie rental queue comprises changing the order of the two or more movies for renting to the customer.
57. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein updating the movie rental queue comprises indicating an additional movie in the ordered list.
58. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein updating the movie rental queue comprises removing an indication of one or more of the movies from the ordered list.

59. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein the two or more movies for renting to the customer are selected by the customer.
60. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, further comprising determining the order of the two or more movies based upon one or more preferences of the customer.
61. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein the delivery of the selected movie comprises delivery by mail.
62. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein the delivery of the selected movie comprises delivery by mail on one or more optical media.
63. (CURRENTLY AMENDED) A computer-implemented method as recited in Claim 55, wherein the [[receipt of the movie previously delivered to the customer]] delivery criteria comprises receipt of the movie by mail.
64. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 55, wherein a number of movies delivered to the customer and not yet returned does not exceed the specified number.
65. (CURRENTLY AMENDED) A computer-implemented method for renting movies to customers, the method comprising:
providing electronic digital information that causes one or more attributes of movies to be displayed;
establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer;

causing to be delivered to the customer up to a specified number of movies based upon ~~[[the movie rental queue]]~~ the order of the list, wherein the customer is not required to return the movies within a specified time associated with delivery; in response to ~~[[receipt of a movie previously delivered to the customer]]~~ one or more delivery criteria being satisfied, selecting ~~[[a]]~~ another movie based upon the order of the list and causing the selected movie to be delivered to the customer; and in response to other electronic digital information received from the customer over the Internet, electronically updating the movie rental queue.

66. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein updating the movie rental queue comprises changing the order of the two or more movies for renting to the customer.
67. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein updating the movie rental queue comprises indicating an additional movie in the ordered list.
68. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein updating the movie rental queue comprises removing an indication of one or more of the movies from the ordered list.
69. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein the two or more movies for renting to the customer are selected by the customer.
70. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, further comprising determining the order of the two or more movies based upon one or more preferences of the customer.

71. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein the delivery of the selected movie comprises delivery by mail.
72. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein the delivery of the selected movie comprises delivery by mail on one or more optical media.
73. (CURRENTLY AMENDED) A computer-implemented method as recited in Claim 65, wherein the [[receipt of the movie previously delivered to the customer]] delivery criteria comprises receipt of the movie by mail.
74. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 65, wherein a number of movies delivered to the customer and not yet returned does not exceed the specified number.
75. (CURRENTLY AMENDED) A computer-implemented method for renting movies to customers, the method comprising:
providing electronic digital information that causes one or more attributes of movies to be displayed;
establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer;
causing to be delivered to the customer up to a specified number of movies based upon [[the movie rental queue]] the order of the list, wherein the customer is not charged a fee for retaining one or more movies beyond a specified time associated with delivery;
in response to [[receipt of a movie previously delivered to the customer]] one or more delivery criteria being satisfied, selecting [[a]] another movie based upon the order of the list and causing the selected movie to be delivered to the customer;
and

in response to other electronic digital information received from the customer over the Internet, electronically updating the movie rental queue.

76. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein updating the movie rental queue comprises changing the order of the two or more movies for renting to the customer.
77. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein updating the movie rental queue comprises indicating an additional movie in the ordered list.
78. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein updating the movie rental queue comprises removing an indication of one or more of the movies from the ordered list.
79. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein the two or more movies for renting to the customer are selected by the customer.
80. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, further comprising determining the order of the two or more movies based upon one or more preferences of the customer.
81. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein the delivery of the selected movie comprises delivery by mail.
82. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein the delivery of the selected movie comprises delivery by mail on one or more optical media.

83. (CURRENTLY AMENDED) A computer-implemented method as recited in Claim 75, wherein the ~~[[receipt of the movie previously delivered to the customer]]~~ delivery criteria comprises receipt of the movie by mail.
84. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 75, wherein a number of movies delivered to the customer and not yet returned does not exceed the specified number.
85. (CURRENTLY AMENDED) A computer-implemented method for renting movies to customers, the method comprising:
establishing over the Internet a rental agreement with a customer that provides for
charging the customer a periodic fee;
providing electronic digital information that causes one or more attributes of movies to be displayed;
establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer;
causing to be delivered to the customer up to a specified number of movies based upon ~~[[the movie rental queue]]~~ the order of the list;
in response to ~~[[receipt of a movie previously delivered to the customer]]~~ one or more delivery criteria being satisfied, if the customer is current on the periodic fee, selecting ~~[[a]]~~ another movie based upon the order of the list and causing the selected movie to be delivered to the customer; and
in response to other electronic digital information received from the customer over the Internet, electronically updating the movie rental queue.
86. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein updating the movie rental queue comprises changing the order of the two or more movies for renting to the customer.

87. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein updating the movie rental queue comprises indicating an additional movie in the ordered list.
88. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein updating the movie rental queue comprises removing an indication of one or more of the movies from the ordered list.
89. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein the two or more movies for renting to the customer are selected by the customer.
90. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, further comprising determining the order of the two or more movies indicated by the movie rental queue based upon preferences of the customer.
91. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein the delivery of the selected movie comprises delivery by mail.
92. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein the delivery of the selected movie comprises delivery by mail on one or more optical media.
93. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein the receipt of the movie previously delivered to the customer comprises receipt by mail.
94. (PREVIOUSLY PRESENTED) A computer-implemented method as recited in Claim 85, wherein a number of movies delivered to the customer and not yet returned does not exceed the specified number.

95. (NEW) A computer system for renting movies to customers, comprising:
a computer that is coupled to a digital telecommunications network by a digital telecommunications link;
an electronic digital memory in the computer;
one or more sequences of computer program instructions stored in the electronic digital memory which, when executed, cause the computer to perform the steps of:
providing electronic digital information that causes one or more attributes of movies to be displayed;
establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer;
causing to be delivered to the customer up to a specified number of movies based upon the order of the list;
in response to one or more delivery criteria being satisfied, selecting another movie based upon the order of the list and causing the selected movie to be delivered to the customer; and
in response to other electronic digital information received from the customer over the Internet, electronically updating the movie rental queue.
96. (NEW) A computer system as recited in Claim 95, wherein the other electronic digital information specifies changing the order of the two or more movies for renting to the customer.
97. (NEW) A computer system as recited in Claim 95, wherein the other electronic digital information specifies an additional movie to add to the ordered list.
98. (NEW) A computer system as recited in Claim 95, wherein the other electronic digital information specifies removing an indication of one or more of the movies from the ordered list.

99. (NEW) A computer system as recited in Claim 95, wherein the delivery of the selected movie comprises delivery by mail.
100. (NEW) A computer system as recited in Claim 95, wherein the delivery of the selected movie comprises delivery by mail on one or more optical media.
101. (NEW) A computer system as recited in Claim 95, wherein the delivery criteria comprise receipt by mail.
102. (NEW) A computer system as recited in Claim 95, wherein a number of movies delivered to the customer and not yet returned does not exceed the specified number.
103. (NEW) A method as recited in Claim 55, wherein the other electronic digital information indicates one or more delivery criteria being satisfied.
104. (NEW) A method as recited in Claim 55, wherein the other electronic digital information comprises one or more selection criteria.
105. (NEW) A method as recited in Claim 55, wherein the movies comprise any of motion pictures, television series, documentaries, cartoons, music videos, video recordings of concert performances, instructional programs, and educational programs.

REMARKS

Applicants thank the Examiner for extending the courtesy of a personal interview with their undersigned representative on December 14, 2004. Claims 55, 63, 65, 73, 75, 83 and 85 have been amended in this reply, and Claims 95-105 are new. Hence, Claims 55-105 are pending in this application. All issues raised in the Office Action mailed October 29, 2004 are addressed hereinafter.

I. CLAIMS 55-94—ISSUES UNDER 35 U.S.C. § 101

The Office Action rejects Claims 55-94 under 35 U.S.C. § 101 because the claimed invention allegedly is directed to non-statutory subject matter. The Office Action contends that the claimed invention does not satisfy the two-prong test of: (1) whether the invention is within the technological arts; and (2) whether the invention produces a useful, concrete and tangible result.

Applicants disagree. Claims 55-94 are directed to a novel, computerized method and system for renting movies to customers over the Internet, a-including an ordered list or "queue" of movies to be rented ("the movie rental queue") maintained in electronic digital form that expresses the delivery preferences of the customer, updating of the queue order in response to certain delivery parameters being satisfied and in response to electronic information received from the customer over the Internet, and an electronic method and system for causing delivery of movies to the customer based upon the order of the queue. The method includes providing electronic digital information that causes one or more attributes of movies to be displayed, processing and storing in electronic digital form information received over the Internet, maintaining in electronic digital form an ordered list that indicates movies to be rented to the customer, the delivery of a specified number of movies to the customer based upon the order of

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PAGE 12/20 * RCVD AT 1/31/2005 6:59:24 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/3 * DNIS:8729306 * CSID:4084141076 * DURATION (mm-ss):05-30

the list in response to certain delivery criteria being satisfied, and automatically selecting another movie based upon the order of the list to be delivered to the customer either in response to receiving electronic information from the customer over the Internet, or in response to other delivery criteria being satisfied, and the electronic updating of the movie rental queue either in response to receiving electronic information from the customer over the Internet, or in response to other delivery criteria being satisfied. The specification provides examples of changes that can be made to the movie rental queue using electronic digital signals received over the Internet, which changes are implemented electronically. Updates may include changing item selection criteria (see paragraph [0022]), changing the order or priority of movies in the queue ([0042]), adding a movie to the queue by providing electronic information that specifies item selection criteria ([0050]), or changing the number of movies in the queue ([0056]), etc.

Thus, using computer technology and the Internet, an enterprise can remotely engage in the periodic renting of multiple movies to a customer in the order of customer preference. Technology is used to provide electronic digital information that causes attributes of movies to be displayed to the user, to establish multiple, electronic movie rental queues each associated with a particular customer, to store the movie rental queue information, to update the movie rental queue, and to cause the selection of movies to be delivered to the customer, all without any human mediation on the part of the renting enterprise. Each of the independent claims, as amended, recites that the movie rental queue is established, maintained, and updated in digital electronic form (in the computer memory or hard drive). Further, certain steps in the claimed method operate based upon the order of the list comprising the electronic movie rental queue; thus each step of the method involves interacting with technical elements. Therefore, Claims 55-94 recite subject matter within the technological arts.

The Office Action asserts "all of the recited steps can be performed in the mind of the user or by user of a pencil and paper," that the "steps only constitute an idea of how to rent a movie," and that "the computer need not be present to execute any of the steps, and if executed may merely be given by hand (digital data) or orally." This is incorrect. The claims recite steps that are directed to computer-implemented functionality that cannot be performed in the mind of the user or by hand. For example, the claims recite "providing electronic digital information that causes one or more attributes of movies to be displayed," "establishing, in digital electronic form from electronic digital information received over the Internet, a movie rental queue associated with a customer," and "in response to other electronic digital information received from the customer over the Internet, electronically updating the movie rental queue," which cannot be performed in the mind of the user or by hand.

The methods of Claims 55-94 also produce a useful, concrete and tangible result. First, practicing the claimed methods results in permitting the establishment and management of a dynamic movie queue over the Internet. This approach is useful because it can permit convenient storage and management of a movie rental queue, allowing a customer to change the preferred order of movies that are delivered.

The Office Action ignores the terms "computer-implemented" and "Internet" in the claims, but no rationale is given. These terms bring the recited methods within the technological arts, and establish that the recited methods provide a useful result that involves concrete and tangible elements. Ignoring these terms is unsupported in the statutory language cited in the Office Action or in case law.

Reconsideration and withdrawal of the rejection of Claims 55-94 under 35 U.S.C. § 101 is respectfully requested.

II. CLAIMS 55-94—ISSUES UNDER 35 U.S.C. § 103(a)

The Office Action rejects Claims 55-94 under 35 U.S.C. § 103(a) as allegedly unpatentable over *Kleiman*, U.S. Patent No. 5,959,945. The rejection is respectfully traversed.

A. INDEPENDENT CLAIMS 55, 65, 75 AND 85

Independent Claims 55, 65, 75 and 85 all recite “in response to one or more delivery criteria being satisfied, selecting another movie based upon the order of the list and causing the selected movie to be delivered to the customer.” In these claims, the selection and delivery to the customer of another movie is performed “in response to one or more delivery criteria being satisfied,” such as receipt of a movie previously delivered to the customer. Further, the independent claims all recite updating the queue in response to information received from the customer over the Internet—that is, the queue is dynamic. In contrast, *Kleiman* does not teach or suggest the use of a queue mechanism, delivery in response to receiving previous music back or satisfying any other delivery criteria, or a dynamic queue.

In the approach of Claims 55-94, renting movies to customers involves providing an initial set of movies to a customer, and movies are then replenished, for example, in response to movies that are returned. Unlike *Kleiman*, in Claims 55-94 the selection and delivery of a replacement movie is performed in response to receiving a movie previously delivered to a customer. In the music distribution system of *Kleiman*, music is not selected and delivered in response to receiving music previously delivered to a customer. Rather, in *Kleiman* (Col. 6, lines 45-47) the jukeboxes request selected music from regional distribution platforms, which forward the requests to the global distribution platform, which in turn up-links the requests to the satellite. The satellite transmits the requested music to the satellite receiver connected to the jukebox (Col. 7, lines 38-45). Songs that are not accessed frequently are deleted from jukeboxes;

new songs are uploaded (Col. 10, lines 3-8), but there is no teaching or suggestion in *Kleiman* that songs are ever returned from a jukebox to a regional distribution platform, or that the return of a song or any other delivery criteria triggers the selection and delivery of a another song from a queue. There is no indication in *Kleiman* that the selection and delivery of songs depends in any way upon receiving a song previously delivered to a jukebox. Therefore, the feature noted above—"in response to one or more delivery criteria being satisfied, selecting another movie based upon the movie rental queue and causing the selected movie to be delivered to the customer"—recited in independent Claims 55, 65, 75 and 85 is not taught or suggested by *Kleiman*.

Kleiman also lacks an ordered queue or list. Claims 55, 65, 75 and 85 also all feature "establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer." Thus, the movie rental queue for the customer is both based on information received over the Internet and comprises an ordered list. The movie rental queue for a customer is used to manage multiple requests that are processed over time as movies are returned. However, *Kleiman* does not teach or suggest using a queue mechanism. Music requests are received and processed one at a time, and there is no mention or suggestion of queuing up music requests and fulfilling those requests over time, or managing a queue, let alone in response to return of a song previously delivered, as discussed above.

Kleiman has no teaching that a receiving customer or jukebox can update a song list to add songs, delete songs, or re-order songs. Thus, *Kleiman* lacks anything corresponding to the "updating" feature of all the independent claims. For all the foregoing reasons, the claims are patentably distinct from *Kleiman*.

The Office Action took Official Notice that "selecting a movie/book based upon a rental queue was common knowledge in the library art ..." No reference is cited. Official Notice is proper only in "limited circumstances," for facts that are "capable of such instant and unquestionable determination as to defy dispute." MPEP 2144.03, citing *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970). The subject matter of Official Notice in the Office Action is not the kind of fact that qualifies for Official Notice. First, the Official Notice does not consider the complete claimed combination, and ignores specific features in the claims that are discussed above. Further, the library art presently of record does not support the substance of the Official Notice. The library art of record does not teach or suggest establishing a movie rental queue based upon information received over the Internet. To the extent that the library art teaches or suggests rental queues, the art only provides a written list of books that an individual desires to borrow; the list cannot be updated, is not electronic, is not established over the Internet, and is not ordered.

In the references of record, the written lists used by libraries identify book titles that an individual desires to borrow, but the written lists are not ordered lists. None of the library references teach delivery according to the order of a list, or updating a list over the Internet. The libraries would lend available items from the lists as the items became available, but no reference teaches adhering to the order of a list, or updating the list. Therefore, the feature noted above—"establishing, in electronic digital form, from electronic digital information received over the Internet, a movie rental queue associated with a customer comprising an ordered list indicating two or more movies for renting to the customer"—as recited in independent Claims 55, 65, 75 and 85, is not taught or suggested by the library art of record, alone or in combination with *Kleiman*.

Even the "reserve lists" offered by some contemporary libraries do not support a rejection of the claims. These lists are unordered, and are not established in electronic digital memory over the Internet. Libraries also do not "rent" movies or other items under the common, ordinary meaning of "rent," which involves some form of payment based on the rented article.

The library art also does not teach any way for a patron to self-manage a book list. Only a librarian could change a reserve list in a library. In contrast, the approach of the independent claims supports electronic self-management of a movie rental queue by a customer. The approach of the independent claims permits a computer electronically, and automatically, to change the order of a customer's list in response to electronic information received from the customer requesting such a change.

Claims 55, 65, 75 and 85 recite one or more features that are not taught or suggested by *Kleiman* or the library art of record. Therefore, Claims 55, 65, 75 and 85 are patentable over *Kleiman* and the library art of record. Further, the subject matter of the Official Notice is capable of reasonable disagreement, and has been traversed by Applicants' foregoing remarks. Applicants request citation of documentary evidence or other recognized authority, and suggest that any subsequent Office Action relying on the Official Notice cannot be made final. MPEP 2144.03(D).

B. DEPENDENT CLAIMS 56-64, 66-74, 76-84 AND 86-94

Claims 56-64, 66-74, 76-84 and 86-94 depend from independent Claims 55, 65, 75 and 85 and include all of the features of Claims 55, 65, 75 and 85, respectively. Therefore, Claims 56-64, 66-74, 76-84 and 86-94 are patentable over *Kleiman* and the library art of record for at least the reasons set forth above with respect to Claims 55, 65, 75 and 85. Furthermore, Claims 56-64, 66-74, 76-84 and 86-94 recite additional limitations that independently render them

patentable over *Kleiman* and the library art of record. Reconsideration and withdrawal of the rejection of Claims 55-94 under 35 U.S.C. § 103(a) is respectfully requested.

III. INFORMATION DISCLOSURE STATEMENT

The Office Action referred to the Information Disclosure Statement (IDS) filed on October 6, 2004 that identified one issued patent and three pending patent applications. The Office Action requested that the Applicant disclose which of these have substantially similar claim language to avoid double patenting. Applicants suggest that the Examiner review the identified patent, but Applicants do not believe that any of the identified patent applications have claims that are sufficiently similar to the claims of the present application so as to establish grounds for a double patenting rejection. Applicants have filed the IDS so that the Examiner has sufficient information to independently consider the issue.

IV. CONCLUSION

Applicants respectfully submit that all of the pending claims are in condition for allowance, and issuance of a formal notice of allowance is respectfully requested. No fees are believed to be due at this time. If the Applicant is in error, the Commissioner is hereby authorized to charge any applicable fees to our Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would assist in advancing prosecution of this application. Please direct any telephone calls to the undersigned at (408) 414-1080, extension 202.

Respectfully submitted,

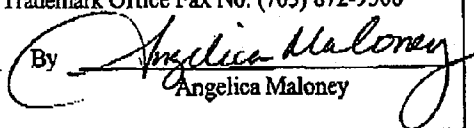
HICKMAN PALERMO TRUONG & BECKER LLP

Dated: January 31, 2005



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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9306	
On <u>January 31, 2005</u>	By  Angelica Maloney