

EXHIBIT B

Hello Brian,

There was work on a CIP, but apparently it was not filed. The attorney who was overseeing the work is no longer with the firm and we are attempting to contact him. He is apparently in trial this week. We should know more in the next few days.

The 4/30/2001 invoice was, as best I can determine, the last invoice sent to NutraBuy. Of the six invoices, it appears that the first two were paid, a portion of the third was paid, and none of the last three was paid.

It appears that all the invoices were sent to NutraBuy.

Best regards,
David

David N. Slone

Townsend and Townsend and Crew LLP
379 Lytton Avenue
Palo Alto, CA 94301

Direct line (650) 324-6305
Fax (650) 326-2422
dns@townsend.com

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Offices in:
San Francisco | Palo Alto | Walnut Creek | San Diego | Denver | Seattle | Washington, DC |
Tokyo

EXHIBIT C

Please type a plus sign (+) inside this box →

PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

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.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	Not Yet Assigned
	Filing Date	Not Yet Assigned
	First Named Inventor	Dilip Chopra
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	19374-000300US

I hereby appoint:

Practitioners at Customer Number →

Place Customer Number Bar Code Label here

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.
OR

Firm or Individual Name

Address

Address

City State ZIP

Country

Telephone Fax

I am the:

Applicant/Inventor

Assignee of record of the entire interest. See 37 CFR 3.71. Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Dilip Chopra
Signature	<i>Dilip Chopra</i>
Date	3/08/2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

*Total of One (1) form is submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
DE 7034823 v1

EXHIBIT

D

Please type a plus sign (+) inside this box



PTO/SB/83 (03-02)

Approved for use through 10/31/2002. OMB 0651-0035
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.

REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT	Application Number	09/801,017
	Filing Date	March 6, 2001
	First Named Inventor	Dilip Chopra
	Group Art Unit	2163
	Examiner Name	Not Yet Known
	Attorney Docket Number	019374-000300US

To: Assistant Commissioner for Patents
Washington, DC 20231

I hereby apply to withdraw as attorney or agent for the above identified application.

The reasons for this request are: **Non-payment of attorney fees**

- The correspondence address is NOT affected by this withdrawal.
- Change the correspondence address and direct all future correspondence to:

CORRESPONDENCE ADDRESS

Customer Number → Place Customer Number
Bar Code Label here

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Dilip Chopra NutraBuy				
Address	6005 East Evans Avenue				
Address	Suite 101				
City	Denver	State	CO	ZIP	80222
Country	USA				
Telephone	(303) 756-7531	Fax	(303) 757-8751		

- This request is made on behalf of myself and
- all the attorneys/agents of record,
- the attorneys/agents (with registration numbers) listed on the attached paper(s), or
- the attorneys/agents associated with Customer Number 20350

Name	Chad S. Hillyard, Reg. No. 40,647 Townsend and Townsend and Crew LLP
Signature	
Date	May 31, 2002

*NOTE: Withdrawal is effective when approved rather than when received
Unless there are at least 30 days between approval of withdrawal and the expiration date of a time
period for response or possible extension period, the request to withdraw is normally disapproved.*

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXHIBIT

E

Inventor Information

Inventor One Given Name:: Dilip
Family Name:: Chopra
Name Suffix::
Postal Address Line One:: 19702 E. Dorado Avenue
City:: Aurora
State or Province:: CO
Postal or Zip Code:: 80015
Citizenship Country:: US

Correspondence Information

Correspondence Customer Number:: 20350

Application Information

Title Line One:: System and Method for Providing Lowest
Title Line Two:: Costs Purchasing
Total Drawing Sheets:: 3
Formal Drawings?:: Yes
Application Type:: Utility
Docket Number:: 19374000300
Secrecy Order in Patent Appl.?:: No

Representative Information

Representative Customer Number:: 20350

EXHIBIT

F

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. _____

DILIP CHOPRA, an individual,

Plaintiff,

v.

TOWNSEND, TOWNSEND AND CREW LLP, a California limited partnership;
DARIN GIBBY, an individual and CHAD HILYARD, an individual;

Defendants.

DECLARATION OF DILIP CHOPRA

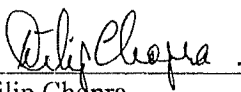
I, Dilip Chopra, hereby declare and state under oath:

1. I am the Plaintiff in the captioned case.
2. I have resided at 19702 E. Dorado Avenue, Aurora, Colorado 80015 continuously from October, 1999 to the present.
3. My home telephone number, 303-766-3445, has been in continuous use from October, 1998 to the present, has never been unlisted and has been published in the local phone directory every year it has been in use.
4. The only personal email address I've ever had is DIL95@aol.com and I have used this email address continuously from 1995 to the present.

I hereby declare that all statements made herein of my own knowledge are true and statements made on information and belief are believed to be true and correct and

further that these statements were made with the knowledge that willful false statements
and the like so made are punishable by fine or imprisonment or both.

Executed at Denver, CO on November 21, 2007



Dilip Chopra

EXHIBIT G



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

219374-20020505

JUL 18 2002

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

REC'D
AUG 11 2002

MAILED
JUL 18 2002
OFFICE OF THE DIRECTOR
TC 3600

In re Application of
Dilip Chopra
Serial No. 09/801,017
Filed March 6, 2001
For: SYSTEM AND METHOD FOR
PROVIDING LOWEST COSTS
PURCHASING

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the request filed on January 26, 2001, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.


The request is **NOT APPROVED**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;
- D) The applicant or patent owner must have been notified of the withdrawal as provided for in 37 CFR 1.36.

The request to withdraw as attorney is not accepted in the above-identified application because the request lacks conditions A) and D) above. The form submitted did not contain an X in the box next to "This request is made on behalf of myself and", although it did correctly have an X in the box next to "the attorneys/agents associated with Customer Number 20350 "

In summary, the request is **NOT APPROVED**.


Kenneth Dorner
Special Programs Examiner
Technology Center 3600
(703) 308-0866
dw. 07/015/02

EXHIBIT

H

Subj: **Re: NutraBuy Patent**
Date: 7/11/00 4:49.34 PM Central Daylight Time
From: cshilyard@townsend.com (Chad Hilyard)
To: DIL95@aol.com

Dilip,

This email is just to give you an update on the progress of your patent matters. I am currently working on the CIP patent application as we discussed. As I get further into it, I probably will be contacting you clarification of certain issues. Otherwise, I would say things are moving forward as scheduled.

With regard to Lee Meyer, I think he now is with the firm of Snell & Wilmer, which is also located in our building. As far as filing the application incorrectly, the transmittal form he submitted stated that the application was a design application, not a utility application. However, I believe the patent office figured out the error and granted the application utility application status. I think the bigger issue is that he charged you twice as much as he quoted you for the application. Anyway, if you have any other questions, please let me know.

Chad

>>> <DIL95@aol.com> 07/06 2:43 PM >>>

Chad:

Thanks for the information on the Trademark issue. Just wanted to check with you about the status of our Patent application. Do you need any feedback from us or is everything going as scheduled?

Also, I got a call from Lee Meyer from Patton Boggs the other day and, I was trying to explain to him that our application had not been filed properly by them but I could not quite explain it. Could you please let me know what that was or if you think it is appropriate I can have him call you directly(??).

Please advise.

Sincerely,

Dilip Chopra
President & COO
NutraBuy, Inc.
303 756 7531

----- Headers -----

Return-Path: <cshilyard@townsend.com>

Received: from rly-yd04.mx.aol.com (rly-yd04.mail.aol.com [172.18.150.4]) by air-yd05.mail.aol.com (v75.18) with ESMTP; Tue, 11 Jul 2000 17:49:34 -0400

Received: from wss.townsend.com (wss.townsend.com [199.35.124.150]) by rly-yd04.mx.aol.com (v75.18) with ESMTP; Tue, 11 Jul 2000 17:49:16 -0400

Received: from 10.1.31.201 by wss.townsend.com with SMTP (WorldSecure Server SMTP Relay(WSS) v4.3); Tue, 11 Jul 00 14:48:08 -0700

X-Server-Uuid: 75d82ad2-e57d-11d3-a48c-0050dac9cb97

Received: from townsend-Message_Server by townsend.com with Novell_GroupWise; Tue, 11 Jul 2000 14:49:14 -0700

Message-ID: <.s96b33ea.016@townsend.com>

X-Mailer: Novell GroupWise 5.2

Date: Tue, 11 Jul 2000 14:48:52 -0700

From: "Chad Hilyard" <cshilyard@townsend.com>

To: DIL95@aol.com

Subject: Re: NutraBuy Patent

MIME-Version: 1.0

EXHIBIT

I

REC'D

APR 05 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

019374-000300US DJG

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,017	03/06/2001	Dilip Chopra	19374-000300US	4065
20350	7590	03/29/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			AKERS GEOFFREY R	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 03/29/2004

Response Due 6/29/04 53P

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

Office Action Summary

Application No

5780617

Applicant(s)

Cheng

Examiner

Akers, G

Art Unit

2625

-- 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 2 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) [x] Responsive to communication(s) filed on 3/6/01
2a) [] This action is FINAL. 2b) [x] 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) [x] Claim(s) 1-44 is/are pending in the application
4a) Of the above, claim(s) is/are withdrawn from consideration.
5) [] Claim(s) is/are allowed.
6) [x] Claim(s) 1-44 is/are rejected
7) [] Claim(s) is/are objected to
8) [] Claims 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).
11) [] The proposed drawing correction filed on is: a) [] approved b) [] disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
12) [] The oath or declaration is objected to by the Examiner

Priority under 35 U.S.C. §§ 119 and 120

- 13) [] Acknowledgement 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

- 14) [] Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) [] The translation of the foreign language provisional application has been received.
15) [] Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121

Attachment(s)

- 1) [x] Notice of References Cited (PTO 892)
2) [] Notice of Draftsperson's Patent Drawing Review (PTO 948)
3) [] Information Disclosure Statement(s) (PTO-1449) Paper No(s)
4) [] Interview Summary (PTO-413) Paper No(s)
5) [] Notice of Informal Patent Application (PTO-152)
6) [] Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-44 are rejected under 35 USC 103(a) as unpatentable over Hicks(US Pat. No: 6,615,184) in view of Tayama(US Pat. No: 6,625,580).

2. As per claims 1-44 Hicks teaches a method for providing products or services from one or more sources(Abstract)(Fig 4)(Fig 6) for lowest cost(Fig 4/IV). Hicks teaches a computer network (Fig 1/34). Hicks teaches that the supplier offers a discount(Fig 3/58) to compete for lowest price as well as the locations where the discount is offered for optimum delivery(Fig 3/60) as well as the dates when the discount is in effect(Fig 3/62). Hicks further teaches supplier information with dates and discounts for a plurality of products(Fig 4). Hicks further teaches that the customer enters specific product and service requests where discounts are sought(Fig 5/76) as well as the minimum discount acceptable(Fig 5/78). Hicks further teaches that the customer set constraints on locations to go to get products or shipping requests(Fig 5/80) as well as the customer being informed of future sales(Fig 5/82). Hicks further teaches delineating a list of vendors or suppliers that meet the criteria set by the customer(Fig 6) including discounts offered, name(Fig 6/90) address, phone, e-mail address and mail order information. In addition to that taught by Hicks, Tayama teaches an order and delivery system for products(Abstract) which includes bar code identification of products(Fig 4/S2). Tayama further teaches displaying the name of the goods and it unit price for comparison purposes(Fig 4/S3). Tayama also teaches displaying the numerical

quantity, subtotal and store goods codes, unit price and quantity for evaluation purposes(Fig 4/S4) to enable the lowest cost supplier to be determined.Tayama also teaches confirmation of the order(Fig 5/S5). Tayama further teaches calculating the total cost of all goods purchased considering unit costs(Fig 5/S8). Tayama teaches purchasing quantities of goods(Fig 6/S11). Tayama determines a total for all discounted goods(Fig 7) and issues a receipt(Fig 7/S16). It would have been obvious to one skilled in the art at the time of the invention to combine Hicks in view of Tayama to teach the disclosure. The motivation to combine is to teach a system for providing customers with a lowest cost purchasing capability and which reduces waiting time as enunciated by Tayama(col 2 lines 8-12).

Conclusion

3. **THIS ACTION IS MADE NON-FINAL.**

4. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

GRA

March 22,2004

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER

EXHIBIT

J

TOWNSEND
and
TOWNSEND
and
CREW
LLP

San Francisco, California
Tel 415 576-0200

Palo Alto, California
Tel 650 326-2400

Walnut Creek, California
Tel 925 472-5000

San Diego, California
Tel 858-350-6100

Seattle, Washington
Tel 206 467-9600

Denver

1200 Seventeenth Street
Suite 2700
Denver
Colorado 80202-5827
Tel 303 571-4000
Fax 303 571-4321

April 6, 2004

Dilip Chopra
NutraBuy LLC
13750 East Rice Road
Aurora, CO 80015

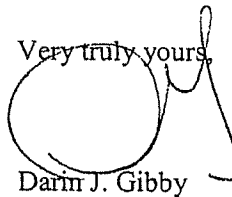
Re: U.S. Patent Appl. No. 09/801,017
SYSTEM AND METHOD FOR PROVIDING
LOWEST COSTS PURCHASING
Filed: March 6, 2001
Our Ref. No. 019374-000300US

Dear Mr. Chopra:

Enclosed is a copy of the first Office Action that we received for the above-identified patent application. If you would like us to prepare a response prior to the deadline of **June 29, 2004**, we will need to receive a retainer of \$2,000 before we will proceed. If we do not hear from you, we **will not** proceed with preparing a response. This will be the only reminder sent.

Please call me if you have any questions or comments.

Very truly yours,



Darin J. Gibby

DJG/nlm
Enclosure

47083243 v1