

# Exhibit 1



US007831470B1

(12) **United States Patent**  
**Walker et al.**

(10) **Patent No.:** **US 7,831,470 B1**  
(45) **Date of Patent:** **\*Nov. 9, 2010**

(54) **METHOD AND APPARATUS FOR FACILITATING ELECTRONIC COMMERCE THROUGH PROVIDING CROSS-BENEFITS DURING A TRANSACTION**

(75) Inventors: **Jay S. Walker**, Ridgefield, CT (US); **Daniel E. Tedesco**, New Canaan, CT (US); **John M. Packes, Jr.**, Stamford, CT (US); **James A. Jorasch**, Stamford, CT (US)

(73) Assignee: **Walker Digital, LLC**, Stamford, CT (US)

(\* ) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **09/219,267**

(22) Filed: **Dec. 23, 1998**

**Related U.S. Application Data**

(63) Continuation-in-part of application No. 08/943,483, filed on Oct. 3, 1997, now abandoned, which is a continuation-in-part of application No. 08/923,683, filed on Sep. 4, 1997, now Pat. No. 6,553,346, which is a continuation-in-part of application No. 08/889,319, filed on Jul. 8, 1997, now Pat. No. 6,085,169, which is a continuation-in-part of application No. 08/707,660, filed on Sep. 4, 1996, now Pat. No. 5,794,207, and a continuation-in-part of application No. 09/100,684, filed on Jun. 19, 1998, now Pat. No. 6,898,570, which is a continuation-in-part of application No. 08/982,149, filed on Dec. 1, 1997, now Pat. No. 6,196,458, and a continuation-in-part of application No. 08/994,426, filed on Dec. 19, 1997, now Pat. No. 6,694,300, which is a continuation-in-part of application No. 08/920,116, filed on Aug. 26, 1997, now Pat. No. 6,119,099, which is a continuation-in-part of application No. 08/822,709, filed on Mar. 21, 1997, now Pat. No. 6,267,670.

(51) **Int. Cl.**  
**G06Q 30/00** (2006.01)

(52) **U.S. Cl.** ..... **705/14.23; 705/14.1; 705/14.11; 705/14.34; 705/14.36; 705/14.38; 705/14.39; 705/26; 705/300**

(58) **Field of Classification Search** ..... 705/14, 705/40, 14.1, 14.11, 14.23, 14.34, 14.36, 705/14.38, 14.39, 26, 300  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

3,573,747 A 4/1971 Adams et al.  
(Continued)

**FOREIGN PATENT DOCUMENTS**

EP 0 109 189 A1 5/1984  
(Continued)

**OTHER PUBLICATIONS**

Radio Shack, "www.Radioshack.com/Partners/Verizon/VerizonLanding.asp", copyright 2003, printed Apr. 11, 2003, 3 pp.\*  
buy.com, "www.buy.com/retail/w...Category=CELLUAR", copyright 1997-2003, printed Apr. 11, 2003, 2 pp.\*  
(Continued)

*Primary Examiner*—Eric W Stamber

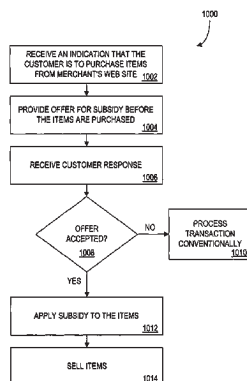
*Assistant Examiner*—Tri V Nguyen

(74) *Attorney, Agent, or Firm*—Fincham Downs, LLC; Michael Downs

(57) **ABSTRACT**

A merchant server of a first merchant receives an indication of items that a customer is to purchase via a web site. The indication may be, for example, a signal indicating that the customer is ready to "check out" his shopping cart of items on the web site. In response, the merchant server provides an offer for a subsidy from a second merchant. The offer is provided before the items are purchased, and thus the offer is not provided unless and until the customer has manifested an intent to make a purchase from the first merchant. A response is received from the customer. If the response indicates acceptance of the offer, then the subsidy is applied to the items purchased. For example, the total price paid for the items may be reduced, or the items may even be provided to the customer without charge. In exchange, the customer agrees to participate in a transaction with the second merchant. For example, the customer may be required to switch service providers (e.g. long distance telephone service) or initiate a new service agreement (e.g. sign up for a credit card account).

**22 Claims, 18 Drawing Sheets**



U.S. PATENT DOCUMENTS				
4,108,361	A	8/1978	Krause	5,353,219 A 10/1994 Mueller et al. .... 364/405
4,247,759	A	1/1981	Yuris et al.	5,361,199 A 11/1994 Shoquist et al.
4,323,770	A	4/1982	Dieulot et al.	5,367,450 A 11/1994 Pintsov ..... 364/401
4,449,186	A	5/1984	Kelly et al.	RE34,915 E 4/1995 Nichtberger et al. .... 364/401
4,484,733	A	11/1984	Loos et al. .... 270/54	5,404,291 A 4/1995 Kerr et al.
4,491,725	A	1/1985	Pritchard	RE34,954 E 5/1995 Haber et al.
4,494,197	A	1/1985	Troy et al.	5,420,914 A 5/1995 Blumhardt
4,500,880	A	2/1985	Gomersall et al. .... 340/825.35	5,426,281 A 6/1995 Abecassis
4,553,222	A	11/1985	Kurland et al.	5,459,306 A 10/1995 Stein et al. .... 235/383
4,667,292	A	5/1987	Mohlenbrock et al.	5,467,269 A 11/1995 Flaten
4,669,730	A	6/1987	Small	5,481,094 A 1/1996 Suda ..... 235/383
4,677,553	A	6/1987	Roberts et al.	5,504,475 A 4/1996 Houdou et al. .... 340/825.35
4,689,742	A	8/1987	Troy et al.	5,510,979 A 4/1996 Moderi et al. .... 364/405
4,723,212	A	2/1988	Mindrum et al. .... 364/401	5,515,270 A * 5/1996 Weinblatt ..... 705/14
4,750,119	A	6/1988	Cohen et al.	5,517,555 A 5/1996 Amadon et al.
4,751,728	A	6/1988	Treat	5,519,769 A 5/1996 Weinberger et al.
4,760,247	A	7/1988	Keane et al.	5,523,794 A 6/1996 Mankovitz et al.
4,789,928	A	12/1988	Fujisaki	5,553,131 A 9/1996 Minervino, Jr. et al.
4,799,156	A	1/1989	Shavit et al.	5,564,546 A 10/1996 Molbak et al. .... 194/216
4,815,741	A	3/1989	Small	5,572,653 A 11/1996 DeTemple et al. .... 395/501
4,839,507	A	6/1989	May	5,581,064 A 12/1996 Riley et al. .... 235/383
4,854,590	A	8/1989	Jolliff et al.	5,592,376 A 1/1997 Hodroff ..... 395/214
4,859,838	A	8/1989	Okiharu	5,602,377 A 2/1997 Beller et al. .... 235/462
4,882,473	A	11/1989	Bergeron et al.	5,606,602 A 2/1997 Johnson et al.
4,902,880	A	2/1990	Garczynski et al. .... 235/375	5,612,868 A 3/1997 Off et al.
4,903,201	A	2/1990	Wagner	5,619,558 A 4/1997 Jheeta
4,908,761	A	3/1990	Tai ..... 364/401	5,620,079 A 4/1997 Molbak ..... 194/217
4,910,672	A	3/1990	Off et al. .... 364/405	5,621,201 A 4/1997 Langhans et al. .... 235/380
4,922,522	A	5/1990	Scanlon	5,621,640 A 4/1997 Burke ..... 395/214
4,937,853	A	6/1990	Brule et al.	5,621,812 A 4/1997 Deaton et al.
4,973,952	A	11/1990	Malec et al. .... 340/825.35	5,632,010 A 5/1997 Briechle et al. .... 345/1
4,982,337	A	1/1991	Burr et al.	5,636,346 A * 6/1997 Saxe ..... 705/1
4,982,346	A	1/1991	Girouard et al.	5,638,457 A 6/1997 Deaton et al.
4,993,714	A	2/1991	Golightly	5,642,279 A 6/1997 Bloomberg et al.
5,021,953	A	6/1991	Webber	5,642,484 A 6/1997 Harrison, III et al.
5,025,372	A	6/1991	Burton et al.	5,642,485 A 6/1997 Deaton et al.
5,056,019	A	10/1991	Schultz et al.	5,644,723 A 7/1997 Deaton et al.
5,060,165	A	10/1991	Schumacher et al. .... 364/478	5,649,114 A 7/1997 Deaton et al.
5,119,295	A	6/1992	Kapur	5,652,421 A 7/1997 Venneman et al.
5,128,862	A	7/1992	Mueller ..... 364/405	5,652,784 A 7/1997 Blen et al.
5,132,914	A	7/1992	Cahlander et al. .... 364/478	5,655,007 A 8/1997 McAllister et al.
5,136,501	A	8/1992	Silverman et al.	5,655,089 A 8/1997 Bucci ..... 395/240
5,168,446	A	12/1992	Wiseman	5,664,115 A 9/1997 Fraser ..... 705/37
5,172,328	A	12/1992	Cahlander et al. .... 364/478	5,665,953 A 9/1997 Mazzamuto et al. .... 235/383
5,177,342	A	1/1993	Adams ..... 235/379	5,666,649 A * 9/1997 Dent ..... 455/445
5,189,607	A	2/1993	Shirasaki et al.	5,673,317 A * 9/1997 Cooper ..... 380/23
5,191,613	A	3/1993	Graziano et al.	5,684,965 A 11/1997 Pickering ..... 395/234
5,192,854	A	3/1993	Counts ..... 235/375	5,689,100 A 11/1997 Carrithers et al.
5,200,889	A	4/1993	Mori ..... 364/401	5,689,652 A 11/1997 Lupien et al.
5,201,010	A	4/1993	Deaton et al. .... 382/7	5,694,551 A 12/1997 Doyle et al.
5,202,826	A	4/1993	McCarthy	5,710,887 A * 1/1998 Chelliah et al. .... 705/26
5,216,595	A	6/1993	Protheroe ..... 364/412	5,715,402 A 2/1998 Popolo
5,223,698	A	6/1993	Kapur	5,717,866 A 2/1998 Naftzer
5,224,034	A	6/1993	Katz et al.	5,721,827 A * 2/1998 Logan et al. .... 709/217
5,231,569	A	7/1993	Myatt et al. .... 364/408	5,724,521 A 3/1998 Dedrick
5,239,165	A	8/1993	Novak	5,724,525 A 3/1998 Beyers, II et al. .... 395/240
RE34,380	E	9/1993	Sleeve	5,724,886 A 3/1998 Ewald et al. .... 99/374
5,243,515	A	9/1993	Lee	5,727,153 A 3/1998 Powell
5,245,533	A	9/1993	Marshall ..... 364/401	5,729,693 A 3/1998 Holda-Fleck ..... 395/214
5,256,863	A	10/1993	Ferguson et al. .... 235/383	5,732,400 A 3/1998 Mandler et al.
5,262,941	A	11/1993	Saladin et al.	5,734,838 A 3/1998 Robinson et al.
5,274,547	A	12/1993	Zoffel et al. .... 364/408	5,734,890 A 3/1998 Case et al.
5,283,731	A	2/1994	Lalonde et al.	5,745,882 A 4/1998 Bixler et al.
5,287,268	A	2/1994	McCarthy	5,752,238 A 5/1998 Dedrick
5,297,026	A	3/1994	Hoffman	5,758,328 A 5/1998 Giovannoli
5,297,031	A	3/1994	Gutterman et al.	5,759,101 A 6/1998 Von Kohorn
5,302,811	A	4/1994	Fukatsu ..... 235/381	5,761,647 A 6/1998 Boushy ..... 705/10
5,309,355	A	5/1994	Lockwood ..... 364/401	5,761,648 A 6/1998 Golden et al.
5,319,542	A	6/1994	King et al.	5,774,868 A 6/1998 Cragun et al.
5,329,589	A	7/1994	Fraser et al.	5,774,869 A 6/1998 Toader
5,333,186	A	7/1994	Gupta	5,794,207 A 8/1998 Walker et al.
				5,794,210 A 8/1998 Goldhaber et al.
				5,794,219 A 8/1998 Brown

5,794,220 A	8/1998	Hunt	WO	WO 96/31848	10/1996
5,794,221 A	8/1998	Egendorf	WO	WO 96/36926	11/1996
5,806,044 A	9/1998	Powell	WO	WO 97/20279	6/1997
5,806,045 A	9/1998	Biorge et al.	WO	WO 97/35441	9/1997
5,809,144 A	9/1998	Sirbu et al.	WO	WO 98/06050	2/1998
5,812,769 A	9/1998	Graber et al.	WO	WO 98/26363	6/1998
5,819,092 A	10/1998	Ferguson et al.	WO	WO 98/28699 A1	7/1998
5,819,241 A	10/1998	Reiter	WO	WO 98/34187	8/1998
5,822,736 A	10/1998	Hartman et al.	WO	WO 00/21400 A1	4/2000
5,825,881 A	10/1998	Colvin, Sr.			
5,826,244 A	10/1998	Huberman			
5,832,457 A	11/1998	O'Brien et al. ....			705/14
5,835,896 A	11/1998	Fisher et al.			
5,839,119 A	11/1998	Krsul et al.			
5,845,259 A	12/1998	West et al. ....			705/14
5,845,265 A	12/1998	Woolston			
5,848,396 A	12/1998	Gerace			
5,855,008 A	12/1998	Goldhaber et al.			
5,857,175 A	1/1999	Day et al.			
5,864,757 A	1/1999	Parker			
5,864,822 A	1/1999	Baker, III			
5,870,030 A	2/1999	DeLuca et al.			
5,873,068 A	2/1999	Beaumont et al.			
5,873,069 A	2/1999	Reuhl et al.			
5,884,292 A	3/1999	Baker et al.			
5,890,135 A	3/1999	Powell			
5,890,718 A	4/1999	Byon .....			273/459
5,918,211 A *	6/1999	Sloane .....			705/16
5,923,016 A	7/1999	Fredregill et al.			
5,937,037 A	8/1999	Kamel et al.			
5,946,665 A	8/1999	Suzuki et al. ....			705/26
5,970,469 A	10/1999	Scroggie et al.			
6,014,634 A	1/2000	Scroggie et al.			
6,026,370 A	2/2000	Jermyn .....			705/14
6,035,281 A	3/2000	Crosskey et al. ....			705/14
6,049,778 A	4/2000	Walker et al.			
6,052,730 A	4/2000	Felciano			
6,055,513 A	4/2000	Katz et al.			
6,059,142 A	5/2000	Wittern, Jr. et al.			
6,064,987 A	5/2000	Walker et al. ....			705/38
6,076,068 A	6/2000	DeLapa et al.			
6,076,069 A	6/2000	Laor			
6,124,799 A	9/2000	Parker			
6,138,105 A	10/2000	Walker et al. ....			705/10
6,144,948 A	11/2000	Walker et al.			
6,173,274 B1	1/2001	Ryan, Jr.			
6,178,411 B1	1/2001	Reiter			
6,185,545 B1	2/2001	Resnick et al.			
6,223,163 B1	4/2001	Van Luchene .....			705/1
6,259,908 B1	7/2001	Austin			
6,298,329 B1	10/2001	Walker et al. ....			705/14
6,298,331 B1	10/2001	Walker et al. ....			705/15
6,327,580 B1	12/2001	Pierce et al.			
6,332,128 B1	12/2001	Nicholson .....			705/14
6,336,095 B1	1/2002	Rosen			
6,336,099 B1	1/2002	Barnett et al. ....			705/14
6,349,288 B1	2/2002	Barber			
6,393,407 B1	5/2002	Middleton et al.			
6,405,174 B1	6/2002	Walker et al.			
6,456,981 B1	9/2002	Dejaeger et al.			
6,965,870 B1	11/2005	Petras et al.			
7,225,142 B1	5/2007	Apte et al.			
2001/0014868 A1	8/2001	Herz et al.			

OTHER PUBLICATIONS

Myhre, James W., "Examiner's Affidavit", Apr. 11, 2003, 1 pp.\*  
 Myhre, James W., "Examiner's Affidavit", certified Apr. 11, 2003 affidavit, Dec. 22, 2003, 1 pp.\*  
 Press Release of Oct. 16, 1996, "Radioshack Introduces Handheld Flip-style Cellular Telephone with Vibration Alert", Tandy Corporation, Copyright 1995, 2 pp.\*  
 Press Release of Aug. 21, 1996, "Fort Worth Outlet Square Offers American Airlines AAdvantage Miles", Tandy Corporation, Copyright 1995, 2 pp.\*  
 Press Release of Sep. 11, 1996, "One-Stop Telephone Shopping Returns to America! Sprint, Sprint Spectrum and Radioshack Join Forces", Tandy Corporation, Copyright 1995, 2 pp.\*  
 The Myhre Affidavit.\*  
 Tedesco, Richard. "Pactel pushes 'Net access.'" Broadcasting & Cable. Jun. 3 1996, p. 64-65.\*  
 Colman, Price. "Cross-marketing cuts cable bills." Broadcasting & Cable. Jul 15 1996, p. 44.\*  
 Fleming et al. "European Banks, Insurance Firms Cross Into Each Other's Territory." Wall Street Journal. (Europe) Feb 20, 1991, p. 9.\*  
 Anonymous ("Manufacturers shine with cross-promotional prowess." Discount Store News. New York: Aug. 5, 1996, vol. 35, Iss 15, p. 19).\*  
 Brian Donlon ("Cable industry channels its efforts in April; sampler of specials." USA Today. McLean, VA: Mar 29, 1990. p. 3D).\*  
 Brian Reilly. "Upselling strategies hit the net" Net Marketing, Dec. 1996.\*  
 Oslund ("The battle is joined // State's local long-distance business lures US West's competitor." Star Tribune, Feb 12, 1996, pp. 1-3).\*  
 Eisman, Regina. "Incentive marketing: the Energy of synergy." Incentive. Nov. 1992, p. 61.\*  
 Pogoda, Dianne M., "G.E.C.C. Offers Credit Card With Discounts, Rebates; General Electric Capital Corp." WWD (Women's Wear Daily) Sep. 3, 1992.  
 "Chemical Bank and AT&T Smart Cards form strategic alliance", (<http://www.att.com/press/1193/931117.blb.html>), Nov. 17, 1993.  
 Kristof, Kathy "Card Sharks are in Season; Be Wary of Discounts and Rebates As You Shop Around for Good Credit Deals", Chicago Tribune Nov. 23, 1993.  
 Rosenberg, Joyce M. "GE Capital Comes to Macy's Aid Again", AP Worldstream Feb. 17, 1994.  
 Block, Valerie "GM Turns up the heat with plan to cross-sell some financial products", The American Banker Nov. 18, 1994.  
 Ellis, Stephen "Credit Card firms drive down costs", Sunday Times Feb. 27, 1994.  
 "Pagers That Can Spell It All Out", Business Week Jan. 16, 1995.  
 Meece, Mickey "Big Finance Companies May Want Piece of Limited's Private-Label Card Program", The American Banker Apr. 12, 1995.  
 Schrage, Michael "Free Stuff! Predatory Pricing or Creative Cross-Promotion? You Be the Judge; The Beta Version; Industry Trend or Event" Marketing Computers, Oct. 1995.  
 Marshall, Kyle "More Phone Choices Ring in", The News and Observer Aug. 13, 1996.  
 Wessel, Harry "Rewarding Experience?; Credit Cards Offering Bonuses Not for Everyone", Chicago Tribune Nov. 4, 1996.  
 Selasky, Susan "Easy-To-Swallow Savings; Diner Credit Cards Serve Wide Menu of Discounts", Pittsburgh Post-Gazette Dec. 5, 1996.  
 "Merger Creates Alliance Data", Credit Risk Management Report Dec. 16, 1996.

FOREIGN PATENT DOCUMENTS

EP	512413 A	11/1992
EP	0 607 686 A2	7/1994
EP	809202	11/1997
EP	0 902 381 A2	3/1999
JP	05257950 A	10/1993
JP	10187318 A	7/1998
WO	WO 95/03570	2/1995

- Higgins, Stephen "Digital Phone Service on the Way" Business Date-line; New Haven Register , Jan. 7, 1997.
- Kerstetter, Jim "E-Commerce Updates Get Intelligent Agents; Electronic Commerce", PC Week Feb. 3, 1997.
- Barlow, Rick "Relationship Marketing : Coalition Marketing Is Coming Back", Brandweek Apr. 28, 1997.
- Simon, Ruth "Make Sure Your Rebate Card Still Delivers The Goods", Money Aug. 1997.
- Gilligan, Gregory J. "Credit Cards From Retail Stores A Mixed Blessing for Shoppers", The Richmond Times Dispatch, Jul. 20, 1997.
- Fitzgerald, Beth "New Jersey-Based SCA Helps Private Label Credit Cards Take Off", The Star Ledger Aug. 4, 1997.
- Sanders, Edmund "Tricky Business; The Magic of Rebate Cards Can Quickly Disappear", Chicago Tribune Aug. 18, 1997.
- Wijnen, Renee "Cendant Eyes Cross-Marketing Opportunities; CUC International-HFS Inc. Merger Expected to Yield an Additional 2 Million Club Members" DM-News Feb. 2, 1998.
- "Cardholders Think Big" Bank Marketing International Mar. 1998.
- Wald, Matthew L. "Spending It; Utying Cellular Phones From Those Annual Contracts" The New York Times Mar. 15, 1998.
- "American Eagle Outfitters, Inc. Introduces The First Clear Credit Card" PR Newswire Mar. 26, 1998.
- Ling, Teh Hooi "Prices of Handphones Dive, Thanks to Cross-Subsidies" Business Times Apr. 8, 1998.
- "Card Briefs: Beneficial, Casual Male Team Up on Card" The American Banker May 4, 1998.
- "Points Earn Little Credit As Cardholders Fail to Cash in" Birmingham Post May 9, 1998.
- "Jay Jacobs Inc. Introduces Private Label Credit Card", Business Wire May 18, 1998.
- "Wellspark Group Launches V.I.P. Rewards; The Most Comprehensive Relationship Marketing Program Ever Created by a Mall Developer", Business Wire May 19, 1998.
- "SNET Cellular Value Plans" Brochure , Jun. 12, 1998.
- "Shoppers Charge Accounts Co. To Administer Private Label Credit Card for Lew Magram, Ltd.; Program Marks SCA's Entry Into Retail Catalog/Mail Order Industry" PR Newswire Jun. 29, 1998.
- "Cell Phones At 7-11? Almost Everyone Is Selling Wireless Service These Days. Here's How to Get the Right Deal" Time Magazine Jul. 6, 1998.
- "The Savings Game; Read Fine Print in Rebate Offers by Credit Cards" The Cincinnati Enquirer Aug. 31, 1998.
- "Wal-Mart on Retail Road Less Traveled: Cobranding" The American Banker Sep. 11, 1998.
- Elkin, Tobi "Promotions: Mastercard Wins Coveted On-Pack Real Estate in Tie-In With Microsoft" Brandweek Sep. 14, 1998.
- "Clubmacy's" brochure Sep. 1998.
- "Filene's" Credit Card Application , Sep. 1998.
- "Dual-Function Cards Latest Pitch to Call in Holders", Card Marketing Nov. 1998.
- "Issuers Charge Ahead to Focus on Price vs. Brand", Card Marketing Nov. 1998.
- "Competition: First USA, With Its Microsoft Pact, Is King of the Internet", Credit Card News Nov. 1, 1998.
- "Retail Cards: Attention Kmart Card Holders: 6% Back Is Dead A New Package of Perks Is Coming" Credit Card News Nov. 1, 1998.
- "Microsoft and First USA Announces \$90 Million Online Advertising Alliance" EDP Weekly's IT Monitor Nov. 2, 1998.
- Feldman, Amy "Paying With Plastic Not Such a Smart Idea", New York Daily News Nov. 4, 1998.
- Cowell, Alan "America's Turn to Colonize; Creditcard Issuers Invade Britain, With U.S. Firepower", The New York Times Nov. 12, 1998.
- "To Business and Technology Editors" PR Newswire Nov. 27, 1998.
- Shermach, Kelly "Partnerships Help Issuers Weave Web Concepts", Card Marketing, Dec. 1998.
- "Largest Internet Ad Deal Signed", Bank Marketing International , Dec. 1998.
- "Amazon.Com and Netflix.Com Establish Promotional Relationship for the Sale and Rental of DVD Titles" Business Wire Dec. 4, 1998.
- "At Sports Superstore Online, Shoppers Get More for Their Money; 10,000 Reasons to Shop At Sports Superstore Online", Business Wire Dec. 4, 1998.
- "Credit Card Enticements" NPR Morning Edition , Dec. 23, 1998.
- "Milestone Events Making Spring History 1899-1989", undated.
- Sims, Calvin, "Centel Acquiring Cellular Phone Unit", The New York Times, May 28, 1988, Section 1, p. 33, col. 3, Financial Desk.
- Butcher, Lola, "United May Pocket Windfall With Sale of Cellular Business", Kansas City Business Journal, Jun. 6, 1988, Section: vol. 6, No. 38, Section 1, p. 8.
- Winter, Christine, "GTE to Sell Par of US Sprint Stake Deal to Shift Another 30% to Partner United Telecom", Chicago Tribune, Jul. 19, 1988, Section: Business, p. 2, Zone C.
- "United Telecommunications Announces Completion of Sale", PR Newswire, Oct. 5, 1988.
- Henze, Doug, "A Tightening in Cellular Market", Oakland Business Monthly, Aug. 1989, Section 1, vol. 7, No. 8, p. 45.
- "United Telecom halts Sprint deal as net falls", Chicago Tribune, Jul. 18, 1990, Section: Business, p. 1, Zone C.
- Connely, Joanne, "FCC gets spectrum comments; US Federal Communications Commission investigates development of personal communications networks and radio-based technologies", Chilton's Electronic News, Jan. 28, 1991, Section: No. 1845, vol. 37, p. 10, ISSN: 1054-6847.
- Manuta, Lou, "Should cellular be deregulated? Cellular radio telephones; Industry Overview", Cellular Marketing, Jan. 1992, Section: vol. 7, No. 1, p. 20, ISSN: 0890-2402.
- Rossa, James L., "Cellphones ride roller coaster; American Information Technologies Corp. to cut commission rebates to retailers", HFD-The Weekly Home Furnishings Newspaper, Feb. 3, 1992, Section: vol. 66, No. 5, p. 89, ISSN: 0746-7885.
- La Rossa, James Jr., "Ameritech policy stirs debate; executives weigh retailer rebates on eve of Cellular Telecommunications Industry Association Show; American Information Technologies Corp; Special CTIA Show Issue", HFD-The Weekly Home Furnishings Newspaper, Feb. 10, 1992, Section: vol. 66, No. 6, p. 81, ISSN: 0746-7885.
- Ziegler, Bart, "Sprint to Merge with Centel", Associated Press, May 28, 1992, Section: Business News.
- Marek, Sue, "The carrier/retailer love affair—still going strong? Cellular radio industry; Cover Story," Cellular Marketing, Jul. 1992, Section: vol. 7, No. 7, p. 18, ISSN: 0890-2402.
- "Resale Effect Debate; GAO Faults FCC on Cellular Duopoly Scheme", Communications Daily, Jul. 2, 1992, Section: vol. 12, No. 128, p. 3.
- Strandjord, Jeannine M., "Should you bundle 401k services? Employee Benefits", Financial Executive, Sep. 1992, Section: vol. 8, No. 5, p. 45, ISSN: 0895-4186.
- Brown, Bob and Wallace, Bob, "AT&T bid fro McCaw to reshape landscape; Gives dominant carrier access to rapidly evolving market and opportunity to influence, drive, change.", Network World, Nov. 9, 1992, Section: Top News, p. 1.
- Avril, Tom, "Centel Confident of Victory After Vote on Sprint Merger", Dec. 2, 1992, Section: Business News.
- Avril, Tom, "Communications; Centel Investors Vote on Sprint Merger", The Commercial Appeal, Dec. 3, 1992, Section: Business, p. B4.
- Oloroso Jr., Arsenio, "Centel holds its breath; Shareholders wait to see outcome of Sprint deal", Crain's Chicago Business, Dec. 7, 1992, Section: p. 38.
- Yates, Ronald E., "Sprint-Centel merger complete despite fears", Chicago Tribune, Mar. 10, 1993, Section: Business, p. 1, Zone N.
- Wenske, Paul, "Sprint's big deal", Ingram's, May 1993, Section: vol. 19, No. 5, Section, p. 34.
- "Petition Criticized; Fight on CPE Unbundling for IXC Resellers Launched by Major Retailers", Communications Daily, Aug. 10, 1993, Section: vol. 13, No. 153, p. 1.
- DeFebo, Carl Jr., "Sprint opens first superstore in Mechanicsburg", Central Penn Business Journal, Nov. 3, 1993, Section: vol. 9, No. 22, Section 1, p. 12.
- "Testimony Feb. 8, 1994, John V. Roach Consumer Electronics Retailers Coalition House Energy/Telecommunications and Finance Antitrust Reform Act of 1993", Federal Document Clearing House Congressional Testimony, Feb. 8, 1994.
- "Sprint—Company Data", Securities and Exchange Commission Form 10-Q, for the quarterly period ended Mar. 31, 1994.

- "Form 10-K Sprint Corp—FON", Filed Mar. 15, 1994 (period Dec. 31, 1993).
- Kraemer, Joseph S., "Local competition; Changing Ground Rules for Network Access", *Business Communications Review*, Sep. 1994, Section: vol. 24, No. 9, p. S4, ISSN: 0162-3885.
- Steward, Shawn, "Activating the masses", *Cellular Business*, Oct. 1994, Section: vol. 11, No. 10, pp. 72-80, ISSN: 0741-6520, Coden: COHE.
- "Sprint—Defining the Communications Company of the Future 1994 Annual Report to Shareholders", Document Date: Dec. 31, 1994, Filing Date: Mar. 22, 1995.
- "Inside Sprint Corporation: 1994 Competitive Market Developments", *Inside Telecom*, Jul. 17, 1995.
- "Tandy Corp—Form-Type ARS", Document Date: Dec. 31, 1995, Filing Date: Apr. 10, 1996.
- "Sprint Completes Spin-Off of It's Cellular Subsidiary", *Chicago Sun-Times*, Mar. 8, 1996, Section: Financial, p. 44.
- "Securities and Exchange Commission Form 10-K/A, 360 Degrees Communications Co Cross-Reference: Sprint Cellular Co", for the fiscal year ended Dec. 31, 1995, Filing date: Apr. 16, 1996. Press Release: "Sprint, Sprint Spectrum and Radio Shack Join Forces", *New York, NY*, Sep. 11, 1996.
- Maxon, Terry, "Tandy pairs with Sprint for venture; Companies will offer expanded offering of telecommunications products, services", *The Dallas Morning News*, Sep. 12, 1996, Section: Business; p. 1B.
- Hopper, Kathryn, "Tandy, Sprint to offer one-stop phone shopping", *Fort Worth Star-Telegram*, Sep. 12, 1996, Section: News, p. 1.
- "Tandy Corporation—Quarterly Report", For the quarterly period ended Sep. 30, 1996, Filed Nov. 12, 1996.
- Alleman, James and Cole, Larry, "The International Handbook of Telecommunications Economics, vol. III, Sprint—GTE's lost opportunity", Edward Elgar Publishers, 2002, Chapter 10.
- King, Suzanne and Hayes, David, "Sprint PCS has played key role in cell phone boom", Posted: Jan. 6, 2002.
- "Examiner's Affidavit", Affidavit of USPTO, Apr. 11, 2003. Website: "Sprint 1995 Annual Report—Notes to Consolidated Financial Statements", ([http://www.sprint.com/sprint/annual/95/finance/p\\_52a.html](http://www.sprint.com/sprint/annual/95/finance/p_52a.html)), download date Oct. 21, 2003.
- Website: "Sprint/History", ([http://www.sprint.com/sprint/ir/sd/timeline\\_02.html](http://www.sprint.com/sprint/ir/sd/timeline_02.html)), download date: Oct. 22, 2003.
- Website: "Surviving the Great Depression", (<http://www.geocities.com/Athens/Column/4735/clbrown2.html>), download date: Nov. 13, 2003.
- Website: "The Mobile: 20 Years Young", ([http://motoinfo.Motorola.com/motoinfo/20th\\_anniversary/docs/timeline.pdf](http://motoinfo.Motorola.com/motoinfo/20th_anniversary/docs/timeline.pdf)), download date: Jan. 9, 2004.
- Website: "Qualcomm About Qualcomm—History / Key Milestones", (<http://www.qualcomm.com/about/history/html>), download date: Jul. 27, 2004.
- Decision on Appeal, U.S. Appl. No. 09/540,034, Decided Mar. 26, 2007, 16 pp.
- Affidavit of Michael D. Downs dated Apr. 6, 2007, 91 pp.
- Affidavit of Michael D. Downs dated Apr. 6, 2007, 19 pp.
- International Search Report for PCT Application No. PCT/US99/21720 mailed Mar. 23, 2000, 6 pp.
- International Search Report for PCT Application No. PCT/US99/13819 mailed Oct. 21, 1999, 8 pp.
- International Search Report for PCT Application No. PCT/US99/13409 mailed Oct. 21, 1999 6 pp.
- International Search Report for PCT Application No. PCT/US99/19955 mailed Feb. 23, 2000, 2 pp.
- Written Opinion for PCT Application No. PCT/US99/13819 mailed May 16, 2000, 6 pp.
- Written Opinion for PCT Application No. PCT/US99/13409 mailed May 16, 2000, 9 pp.
- Spor, Dana L., "Selling a free phone", *Cellular Business*, Feb. 1994, vol. 11, No. 2, pp. 58-62, ISSN: 0741-6520, 3 pp.
- Crump, Stuart F. Jr., "Faith goes cellular (case study of a real estate agent's selection of a cellular phone and carrier)", *Home Office Computing*, Jun. 1994, vol. 12, No. 6, p. 110(2), 4 pp.
- Krauss, Jeffrey, "Subsidized cable modems—Their time has come", *Communications Engineering & Design—Feb. 2001*, (<http://www.cedmagazine.com/ced/2001/0201/02cc>).
- Sabatini, Patricia, "Card sharks; Lurking in the sea of offers you get from credit card companies are some nasty surprises. Unless you read the fine print, you'll be in the companies' jaws before you know it.", *Pittsburgh Post-Gazette*, Feb. 4, 1996, Section: Business, p. C1, 8 pp. Website: "Welcome to the American Airlines Internet Silent Auction", American Airlines, Inc., (<http://www.Americanair.com>), download date: Aug. 1996, 8 pp.
- Website: "Crest—Cruise/Ferry Revenue Management System", (<http://www.rtscorp.com/h2o.htm>), download date: Aug. 5, 1996, 4 pp.
- Wagner, Jim, "Cameras Tell Mall What Door You Use, How Often You Go", *Albuquerque Tribune*, Aug. 9, 1996, Section: Evening, p. A3, 2 pp.
- Nishimoto, Lisa, "Market Analysis; Travel services are first online commerce offerings to fly; Many corporations arrange flight, car rental, and hotel bookings on the Internet", *Infoworld*, Jul. 29, 1996, Section: Internet p. 44, 2 pp.
- Fickenscher, Lisa, "Amex to Start Free Rewards Program with Discounts on Merchandise", *The American Banker*, Oct. 18, 1996, Section: Credit/Debit/ATMS, p. 10, 2 pp.
- Fitzgerald, Kate, "Amex program moves loyalty to next level: Custom Extras finds a medium customers can't ignore: Billing Statements", *Advertising Age*, Nov. 4, 1996, Section: News, 2 pp.
- "World's First Real-Time Travel Auction Service to be Available Via World Wide Web; ETA to Open Bidding to Consumers, Travel Industry; Web Auction Leader eBay to Provide Technology Support", *Business Wire*, Nov. 4, 1996, 2 pp.
- Website: "Web Ventures presents Bookit!", (<http://www.webventures.com/bookit>), download date: Dec. 2, 1996, 1 pg.
- Nimmer, Raymond T., "Commercial Transactions on the Global Information Infrastructure: Electronic Contracting: Legal Issues", *The John Marshall Journal of Computer Information Law*, 14 J. Marshall J. Computer & Info. L. 211, Winter 1996, 26 pp.
- Bryant, Adam, "Shaking Up Air Fares' Status Quo; Entrepreneur Seeks Break for Last-Minute Business Fliers", *The New York Times*, Apr. 1, 1997, Section: Section D, p. 1, col. 2, Business/Financial Desk, 4 pp.
- "Dispensing the future", *Electronic Payments International*, May 1997, Section: Feature; 5 pp.
- Website: "Frequently Asked Questions about: AIRHITCH", (<http://www.isicom.fr/airhitch/ahfaq>), download date: May 6, 1997, 5 pp.
- "Industry Briefs", *Card News*, Jun. 9, 1997, Section: vol. 12, No. 11, 2 pp.
- "Internet mortgage service eliminates loan agents and passes commissions on to the consumer", *Business Wire*, Jun. 30, 1997, 2 pp.
- "The United Computer Exchange: How it All Works", *The Untied Computer Exchange Corporation*, ([www.uce.com/howitworks.html](http://www.uce.com/howitworks.html)), download date Jul. 23, 1997, 6 pp.
- "Classifieds2000 The Internet Classifieds", ([http://www.classifieds2000.com/cgi-cls/Display\\_exe?C2K+aboutus](http://www.classifieds2000.com/cgi-cls/Display_exe?C2K+aboutus)), download date: Aug. 6, 1997, 3 pp.
- Brochure: "Tired of Shopping for the Best Home Loan?", *Mortgage Loan Specialists*, Aug. 7, 1997, 2 pp.
- Website: "HomeShark Refinance Check", (<http://www.homes shark.com/homewatch/refi/refistep1.htm>), download date: Aug. 13, 1997, 6 pp.
- "General trading information and terms provided by tradingfloor.com", *Tradingfloor.com*, (<http://www.tradingfloor.com/info.htm>), download date: Aug. 14, 1997, 11 pp.
- "Nasdaq", (<http://home.axford.com/corfin/corf11.htm>), download date: Aug. 15, 1997, 3 pp.
- Website: "The Nasdaq Stock Market, Inc. ('Nasdaq') Consolidated Subscriber Agreement", ([http://www.pcquote.com/geninfo/exchange/ex\\_nasdaq.php](http://www.pcquote.com/geninfo/exchange/ex_nasdaq.php)), download date: Aug. 15, 1997, 5 pp.
- "Case-in-Point: Case Study: Bloomingdale's, Inc.", (<http://www.acion.com/cip-cs-b.htm>), download date: Sep. 23, 1997, 2 pp.
- Website: "NCR 7452 Workstation—Beyond Traditional POS", (<http://www.ncr.com/product/retail/products/catalog/7452.shtml>), download date: Sep. 23, 1997, 3 pp.
- Brochure: *OpenSite Technologies Inc.*, copyright 1998, 8 pp.
- New Partners more exciting rewards: *The Membership Rewards Program for 1998*, (<http://www.americanexpress.com/rewards/news/docs/1998newmr.shtml>), 38 pp.

- Hemsley, Steve "Research and Destroy . . ." Marketing Week, Apr. 16, 1998, Section: Point of Purchase, 3 pp.
- Website: Collector's Super Mall Information, ([http // www csmonline.com/help/aboutcsm.html](http://www.csmonline.com/help/aboutcsm.html)) Apr. 23, 1998, 4 pp.
- Amato-McCoy, Deena, "Co-Branded Acme Credit Card Rewards Loyal Users" Supermarket News, Jun. 15, 1998, Section: p. 17, ISSN: 0039-5803, 2 pp.
- "Acme Markets, U.S. Bankcorp Debut Visa Rewards Card", Card News, Jun. 22, 1998, Section: vol. 13, No. 12, 1 pg.
- Rubenstein, Ed, "Prepaid program lets Galleria guests dine a la Card", Nations Restaurant News, Jun. 29, 1998, Section: Technology, 1 pg.
- "DataCard Partners With CSI to Offer Card-Based Loyalty Solution to Merchants", Business Wire, Jul. 9, 1998, 1 pg.
- Albright, Mark, "Grocery savings via Web coupons", St. Petersburg Times, Jul. 22, 1998, Section: Business, 2 pp.
- Website: "DealDeal.com- The Best Auction Deals on the . . . ; Bid to Win", (<http://www.dealdeal.com/pxfm/bidandwin.cfm?classID=elc&cid=&cal=>), download date: Oct. 29, 1998, 2 pp.
- Mr. Pigeon "Cell Phone Hype Pigeon Family Sweats The Details", Star Tribune, Jan. 29, 1995, 5 pp.
- Parker, Penny "Cart vendors offer line-free shopping", Denver Post, Dec. 20, 1995, 2 pp.
- Website: "Amazia Endeavour Travel—TS60 Eight Day New Zealand Fly Drive Package", (<http://www.anzac.com/endvr/ts60.html>), download date: Jan. 17, 1999, 2 pp.
- Website: "The Sabre Group—Sabre Decision Technologies", (<http://www.sdt.com>), undated, 6 pp.
- Website: MasterCard—The Smart Card: News & Views, Using Smart Cards to Deliver New Value, ([http://www.mastercard.com/ourcards/smartcard/articles/ar\\_ticle4.html](http://www.mastercard.com/ourcards/smartcard/articles/ar_ticle4.html)), Copyright 1994-2000, 5 pp.
- Lacher, Lisa, "Coupon Gimmick Registers Profits", Business Record, Dec. 7, 1987, Section: vol. 83, No. 47, Sec. 1, 2 pp.
- Stevens, Lawrence, "Hypermarket challenge", Computerworld, Dec. 10, 1988, Section: Software & Services, 2 pp.
- Kuttner, Robert, "Computers May Turn the World Into One Big Commodities Pit", Business Week, Sep. 11, 1989, Section: Economic Viewpoint, No. 3123, 2 pp.
- Golden, Fran, "AAL's Riga doubts Marketel's appeal to retailers; Chris Riga of American Airlines", Travel Weekly, Nov. 13, 1989, Section: vol. 48, No. 91, 2 pp.
- "Safeway Introduces Store-Generated Coupons", PR Newswire, May 1, 1990, 1 pg.
- Ritter, Jeffrey, "Scope of the Uniform Commercial Code: Computer Contracting Cases and Electronic Commercial Practices", The Business Lawyer, Aug. 1990, Section: Survey, 20 pp.
- Pelline, Jeff, "Travelers Bidding on Airline Tickets SF firm offers chance for cut-rate fares", The San Francisco Chronicle, Aug. 19, 1991, Section: News, 5 pp.
- Blattberg, Robert C., "Interactive marketing; exploiting the age of addressability", Sloan Management Review, Sep. 22, 1991, Section: vol. 33, No. 1, 15 pp.
- Del Rosso, Laura, "Ticket-bidding firm closes its doors; Marketel International", Travel Weekly, Mar. 12, 1992, Section: vol. 51, No. 21, 3 pp.
- McDowell, Bill, "Frequency marketing builds repeat business; Management", Building Supply Home Centers, Aug. 1993, Section: No. 2, vol. 165, p. 96, ISSN: 0890-9008, 5 pp.
- Fitzgerald, Kate, "Dual-function Cards Latest Pitch to Call in Holders", Card Marketing, Nov. 1998, vol. 2, No. 10, (<http://cardmarketing.faulknergray.com>), 2 pp.
- Speidel, Richard, "Impact of Electronic Contracting on Contract Formation Under Revised UCC Article 2, Sales", The American Law Institute—ABA Course of Study, Dec. 9, 1993, 4 pp.
- "Cardbriefs: Stored-Value Card Designed for Casinos", The American Banker, Oct. 31, 1995, Section: Credit/Debit/ATMS, 1 pg.
- "Tecmark Reward Terminal", (<http://www.tecmarkinc.com/terminal.htm>), copyright, 1996 Tecmark Services, Inc., 1 pg.
- "Draft—Uniform Commercial Code Revised Article 2. Sales—Parts 2,3, and 7", The American Law Institute, Jan. 4, 1996, 24 pp.
- "MyPoints: Members Guide", (<http://www.mypoints.com/mp/dStial/show?isref=mainnonmemberguide/default>), download date: Apr. 28, 2000, 5 pp.
- Website: "Verizon Wireless at Radio Shack", (<http://www.radioshack.com/PartnersVerizon/VerizonLanding.asp?In=ve>), Copyright 2003, 3 pp.
- Website: "The Loan Process", Mortgage Loan Specialists, (<http://web.archive.org/web/1970715200608/http://www.sdtech.com/mls/process.html>), download date: Sep. 30, 2003, 3 pp.
- Website: "The Nasdaq Stock Market, Inc. ('Nasdaq') Consolidated Subscriber Agreement", ([http://www.pcquote.com/geninfo/exchange/ex\\_nasdaq.php](http://www.pcquote.com/geninfo/exchange/ex_nasdaq.php)), download date: Sep. 30, 2003, 4 pp.
- Website: "NETIS—Internet's Largest Auction Site for Auction Information", (<http://web.archive.org/web/19980703174530/http://www2.auctionweb.com/>), 9 pp.
- Website: "Phonemiser: Frequently Asked Questions", (<http://web.archive.org/web/19970601100142/http://www.phonemiser.com/faq.htm>), download date: Sep. 30, 2003, 8 pp.
- Website: "Welcome to Sotheby's", (<http://web.archive.org/web/19970101034054/http://www.sotheby.com/>), download date: Sep. 30, 2003, 2 pp.
- Website: "Welcome to Trade-direct", (<http://web.archive.org/web/19970212130834/http://www.trade-direct.com/>), download date: Sep. 30, 2003, 2 pp.
- Website: "Airhitch Your Way to Low Cost Travel!", (<http://web.archive.org/web/19970416104620/http://www.vaportrails.com/Budget/BudFeatures/Airhitch/A...>), download date: Nov. 7, 2003, 2 pp.
- Carroll, Richard, "TravelASSIST Magazine—Travel Deals—Hitch a Flight to Europe", (<http://web.archive.org/web/19970118210259/http://www.travelassist.com/mag/a69.html>), download date: Nov. 7, 2003, 1 pg.
- Rozen, Miriam, "What's New in Joint Promotions", The New York Times, Mar. 10, 1985, Section 3, Financial Desk, 1 pg.
- Katcher, P. Royall, "Getting products to consumers; The Basics of Retailing, part 2", Automotive Marketing, May 1990, Section: vol. 19, No. 5, ISSN: 0193-3264, 1 pg.
- McKinney, Jeff, "Merchant program could pay off for provident", The Cincinnati Enquirer, Mar. 24, 1996, Section: Financial, 2 pp.
- Website: "Rate Hunter", (<http://207.49.64.77/rhprodrh.htm>), download date: Jul. 14, 1996, 2 pp.
- Website: "Cathay Pacific—Cyber Traveler Auction #3—Official Rules", (<http://www.cathaypacific.com>), download date: Jul. 30, 1996, 4 pp.
- "UK's World Telecom Unveils New WorldSaver Tariffs", Newsbytes, Feb. 13, 1997, 1 pg.
- Fickenscher, Lisa, "Merchant: American Express Seeks to Mine Its Data on Cardholder Spending Patterns", The American Banker, Mar. 24, 1997, Credit/Debit/ATMS, 2 pp.
- Kelsey, John et al., "Conditional Purchase Orders", Fourth ACM Conference on Computers, Apr. 1997, 8 pp.
- "About IAO", (<http://www.iaoauction.com/about.htm>), download date: Sep. 8, 1997, 10 pp.
- "Welcome to Onsale", Onsale, Inc., (<http://www.onsale.com>), download date: Sep. 8, 1997, 15 pp.
- Hoeschen, Brad, "Brookfield Square hopes mall card strikes a chord", Business Journal-Milwaukee, Sep. 12, 1997, Section: vol. 14, No. 50, 2 pp.
- Holton, Lisa Cable Efforts Help Insurers Tune Into New Markets, Card Marketing, Jan. 1999, 2 pp.
- Shook, David "Rebate Limits Can Be a pain for Consumers", The Buffalo News, Jan. 5, 1999, 2 pp.
- Samuelson, Paul "Economics Ninth Edition", McGraw Hill Book Company, 1973, 10 pp.
- Blattberg, Robert C and Levin, Alan, "Modeling The Effectiveness and Profitability of Trade Promotions", Marketing Science, 1987, 23 pp.
- Jensen, Elizabeth, "Yaking It Up" The Wall Street Journal Europe, Apr. 28, 1998, 5 pp.
- Point.com, webpage, copyright 1998-2000, 6 pp.
- Booker, Ellis, "Checkout lines to offer more than just candy and waiting", Computer World, May 21, 1990, 1 pg.
- Shaw, Robert, "How the Smart Card is Changing Retailing", vol. 24, 1991, 4 pp.

- Travel Agent No Show Crackdown, vol. 287, No. 6, 1 pg.  
 Website: "Apollo Host Computer", ([http //www Apollo com](http://www.Apollo.com)), undated, 4 pp.  
 Brochure: "Reaching Out in New Directions", Fist Data Corporation, Merchant Services, 19 pp.  
 Sprint Opens First Store in Mechanicsburg, Central Penn Business Journal, Nov. 3, 1993, 3 pp.  
 Foster, Ed, "Can mixing 'cookies' with online marketing be a recipe for heartburn?", InfoWold, Jul. 22, 1996, 2 pp.  
 Patch, Kimberly PC Week, Sled, InterNIC debut Internet Services, May 16, 1994, 1 pg.  
 Office Action for U.S. Appl. No. 09/282,747, 23 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Feb. 27, 2007, 24 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Mar. 21, 2006, 21 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Dec. 7, 2004, 12 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Apr. 13, 2004, 14 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Nov. 19, 2002, 18 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Mar. 1, 2002, 20 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed May 21, 2001, 35 pp.  
 Office Action for U.S. Appl. No. 09/282,747 mailed Oct. 13, 2000, 34 pp.  
 Office Action for U.S. Appl. No. 09/322,351 mailed Aug. 20, 2007, 25 pp.  
 Office Action for U.S. Appl. No. 09/322,351 mailed Nov. 30, 2006, 26 pp.  
 Office Action for U.S. Appl. No. 09/332,351 mailed Mar. 13, 2006, 20 pp.  
 Office Action for U.S. Appl. No. 09/332,351 mailed Nov. 19, 2004, 22 pp.  
 Office Action for U.S. Appl. No. 09/332,351 mailed Jan. 27, 2003, 28 pp.  
 Office Action for U.S. Appl. No. 09/332,351 mailed Sep. 25, 2001, 22 pp.  
 Office Action for U.S. Appl. No. 09/332,351 mailed Oct. 12, 2000, 34 pp.  
 Board of Appeals Decision for U.S. Appl. No. 09/540,034 decided May 16, 2007, 16 pp.  
 Examiner's Answer for U.S. Appl. No. 09/540,034 mailed Jan. 23, 2006, 44 pp.  
 Office Action for U.S. Application No. 09/540,034 mailed Oct. 10, 2003, 21 pp.  
 Office Action for U.S. Application No. 09/540,034 mailed Jan. 14, 2003, 21 pp.  
 Office Action for U.S. Appl. No. 11/423,481 mailed Oct. 9, 2007, 24 pp.  
 Office Action for U.S. Appl. No. 11/423,481 mailed Jan. 25, 2007, 6 pp.  
 Office Action for U.S. Appl. No. 11/423,493 mailed Oct. 18, 2007, 21 pp.  
 Office Action for U.S. Appl. No. 11/423,493 mailed Jan. 26, 2007, 6 pp.  
 Office Action for U.S. Appl. No. 11/423,498 mailed Oct. 18, 2007, 9 pp.  
 Office Action for U.S. Appl. No. 11/423,498 mailed Jan. 26, 2007, 6 pp.  
 Office Action for U.S. Appl. No. 09/274,281 mailed Jun. 29, 2007, 5 pp.  
 Examiner's Answer for U.S. Appl. No. 09/274,281 mailed Oct. 31, 2006, 13 pp.  
 Office Action for U.S. Appl. No. 09/274,281 mailed Jul. 27, 2005, 9 pp.  
 Office Action for U.S. Appl. No. 09/274,281 mailed Apr. 10, 2003, 7 pp.  
 Office Action for U.S. Appl. No. 09/274,281 mailed Apr. 12, 2002, 9 pp.  
 Office Action for U.S. Appl. No. 09/579,215 mailed Jul. 12, 2007, 18 pp.  
 Office Action for U.S. Appl. No. 09/579,215 mailed Mar. 6, 2006, 19 pp.  
 Office Action for U.S. Appl. No. 09/579,215 mailed Dec. 17, 2004, 20 pp.  
 Office Action for U.S. Appl. No. 09/579,215 mailed Apr. 7, 2004, 32 pp.  
 Office Action for U.S. Appl. No. 09/579,215 mailed Jul. 29, 2003, 20 pp.  
 Marn, Michael, Rosiello, Robert L., Managing Price, gaining profit, Autumn 1992, 10 pp.  
 Howard, Lisa S., RM sees outsourcing challenge, National Underwriter Property & Casualty-Risk & Benefits Management, Nov. 24, 1997, 2 pp.  
 Shamrock Technology Co. Establishes No. American HQ as monitor manufacturer continues market expansion, Business Wire, Mar. 25, 1997, 2 pp.  
 Office Action for Appl. No. 09/282,747 mailed Dec. 10, 1999, 17 pp.  
 Office Action for Appl. No. 09/282,747 mailed Mar. 4, 2009, 16 pp.  
 Office Action for Appl. No. 09/282,747 mailed Jun. 12, 2008, 14 pp.  
 Office Action for Appl. No. 09/322,351 mailed Aug. 4, 2009, 20 pp.  
 Office Action for Appl. No. 09/322,351 mailed Apr. 17, 2008, 19 pp.  
 Office Action for Appl. No. 11/423,481 Mar. 5, 2009, 18 pp.  
 Office Action for Appl. No. 11/423,481 mailed Jun. 2, 2008, 18 pp.  
 Notice of Allowance for Appl. No. 09/274,281 mailed Sep. 9, 2010, 5 pp.  
 Office Action for Appl. No. 09/274,281 mailed Feb. 20, 2009, 4 pp.  
 Office Action for Appl. No. 09/274,281 mailed May 5, 2008, 7 pp.  
 "Introducing the Digital MenuBoard", Siren Technologies, Inc., ([www.sirentech.com](http://www.sirentech.com)), undated.  
 "Cape Town", Reuters, Nov. 8, 1979.  
 "Save the Mark", Financial Times London, Feb. 1, 1983, Section: Section I, Men & Matters, p. 12.  
 Cook, Louise, "ConsumerWatch: Clip, Snip, Save", Associated Press, Mar. 12, 1984, Section: Business News.  
 Greene, Jan, "Farm bills please assn; National Grocers Association", Supermarket News, Dec. 23, 1985, Section: vol. 35, p. 6, ISSN: 0039-5803.  
 "Pos spectrum: a lottery looks to POS for growth", POS News, Jan. 1989, Section: vol. 5, No. 7, p. 8, ISSN: 0896-6230, Coden: Bhorad.  
 "Let's Play the Cash Register Receipts Lottery", The New York Times, Dec. 25, 1990, Section: Section 1, p. 30, col. 4, Editorial Desk.  
 Del Rosso, Laura, "Marketel says it plans to launch air fare 'auction' in June; Marketel International", Travel Weekly, Apr. 29, 1991, Section: vol. 50, No. 34, p. 1, ISSN: 0041-2082.  
 "Philips offers customers financing through Citicorp; Philips Medical Systems North America, Citicorp North America Inc." Health Industry Today, Jun. 1991, Section: vol. 54, No. 6, p. 4, ISSN: 0745-4678.  
 "Coupons get serious; supermarkets use barcodes to prevent misredemptions", Chain Store Age Executive with Shopping Center Age, Oct. 1992, Section: vol. 68, No. 10, p. 68, ISSN: 0193-1199.  
 "Winn-Dixie/The Salvation Army Report Contributions for War Against Hunger", PR Newswire, Jun. 10, 1993, Section: Financial News.  
 Jones, Jeanne, "Data Readers Streamline Management . . .", The Houston Post, Jun. 26, 1994, Section: Business, p. D1.  
 Fiorini, Philip, "No Place For Penny?", USA Today, Jul. 29, 1994, Section: News, p. 1A.  
 Smith, Alison, "Survey of UK Consumer Credit and Asset Finance", Financial Times, Nov. 3, 1994, p. VI.  
 News Release: Linnen, Herb et al. "AT&T comments on new FCC rules to curb 'slamming'" Jun. 14, 1995.  
 Andreoli, Tom et al., "Cash Machines Offer A Whole Lotto Money . . .", Crain's Chicago Business, Jun. 19, 1995, Section: News, p. 8.  
 Knippenberg, Jim, "Will local radio empires strike back?", The Cincinnati Enquirer, Jul. 23, 1995, Section: Tempo, p. F01.  
 "Cyberbid", Net Fun Ltd., Copyright 1996.  
 Hadley, Kimberly, "Pastors praying anti-arson effort will burn bias", The Nashville Banner, Jul. 26, 1996, Section: News, p. A13.  
 Gapper, John, "NatWest reports rise in bad debt", Financial Times, Jul. 31, 1996, Section: News, UK, p. 09.



- "Lynx Technology: Lynx to provide business leasing programme through Schroder Leasing", M2 Presswire, Aug. 9, 1996.
- Taylor, Paul, "Towards a dream market", Financial Times, Sep. 4, 1996, Section: Survey -FT IT, p. 03.
- Bonnici, Joseph et al., "Consumer issues in coupon usage: An exploratory analysis", Journal of Applied Business Research, winter 1996/1997, vol. 13, No. 1, pp. 31-40, ISSN: 0892-7626, Coden: JPBEBK.
- "Happy Anniversary here's your Cashback Bonus ® Award", Private Issue by Discover, Copyright 1997, Greenwood Trust Company.
- Rehayem, Gilbert, "Opinion: X-Press Betting", La Fleur's Lottery World, Feb. 7, 1997.
- Singleary, Michelle, "Electronic World, Unchecked Problem?", The Washington Post, Mar. 4, 1997, Section: Financial, p. C01.
- "Products and Services, Checkout Direct", Catalina Marketing Corporation, (<http://catalinamktg.com/prodcdir.htm>), download date: May 29, 1997.
- Riordan, Teresa, "Patents; A novel approach to making a better spermicide harks back to some old-fashioned methods.", The New York Times, Jun. 9, 1997, Section D, p. 2, col. 1, Business/Financial Desk.
- Nairn, Geoff, "The key to your identity: Falling costs will allow fingerprint verification to be widely used", Financial Times (London), Jul. 15, 1997, Section: Technology, p. 12.
- "Switch your Chase MasterCard to a Shell MasterCard from Chase and you'll earn: Free Formula Shell Gasoline", Chase Manhattan Bank USA, N. A., Sep. 1997.
- Ross, Chuck et al., "Coke Card promotion set for '98", ([http://adage.com/news\\_and\\_features/features/19971117/article3.html](http://adage.com/news_and_features/features/19971117/article3.html)), Copyright Nov. 1997.
- "NCR 7453 PC-Based Point-of-Sale Solution", NCR Corporation, Copyright 1998.
- "For the Crew & the Customer", Olivetti, Winter, 1998.
- Krauss, Jeffrey, "Subsidized TV sets?", CED (Communications Engineering & Design), Feb. 1998.
- Goldblatt, Henry, "AT&T Finally Has an Operator . . .", Fortune, Feb. 16, 1998, Section: Features/Telcos, p. 79.
- Elstrom, Peter, "Reach Out and Pay Someone", Business Week, Mar. 23, 1998, p. 4.
- "Cross-Sell Billing Statement Acquisition System", Apr. 7-9, 1998.
- Website: "MCI Freeflex Free Video Rental Program", ([http://www.mci.com/aboutus/products/prepaid/promotional\\_shtm](http://www.mci.com/aboutus/products/prepaid/promotional_shtm)), download date: Apr. 21, 1998.
- Website: "MCI PrePaid Card Retail Promotional Opportunities", ([http://www.mci.com/aboutus/products/glossary/home/freeflex\\_shtml](http://www.mci.com/aboutus/products/glossary/home/freeflex_shtml)), download date: Apr. 21, 1998.
- Website: "Wall Street Access . . . : Active Trader Rebate Program", ([http://www.wsaccess.com/active\\_rebate\\_program.htm](http://www.wsaccess.com/active_rebate_program.htm)), download date: Apr. 22, 1998.
- "IAFC Launches NextCard(sm)—The First True Internet VISA", (<http://www.nextcard.com/release1.html>), download date: Sep. 14, 1999.
- Goldberg, Jeff, "Cellular phone information from Point.com", (<http://www.point.com/articles/489.asp>), download date: Nov. 16, 2000.
- Office Action mailed Jul. 29, 2003 for U.S. Appl. No. 09/579,215, entitled "Systems and Methods for Evaluating Information Associated With a Transaction to Determine a Subsidy Offer", filed May 26, 2000 in the name of Jay S. Walker et al.
- US 5,709,782, 01/1998, Larson et al. (withdrawn)
- \* cited by examiner

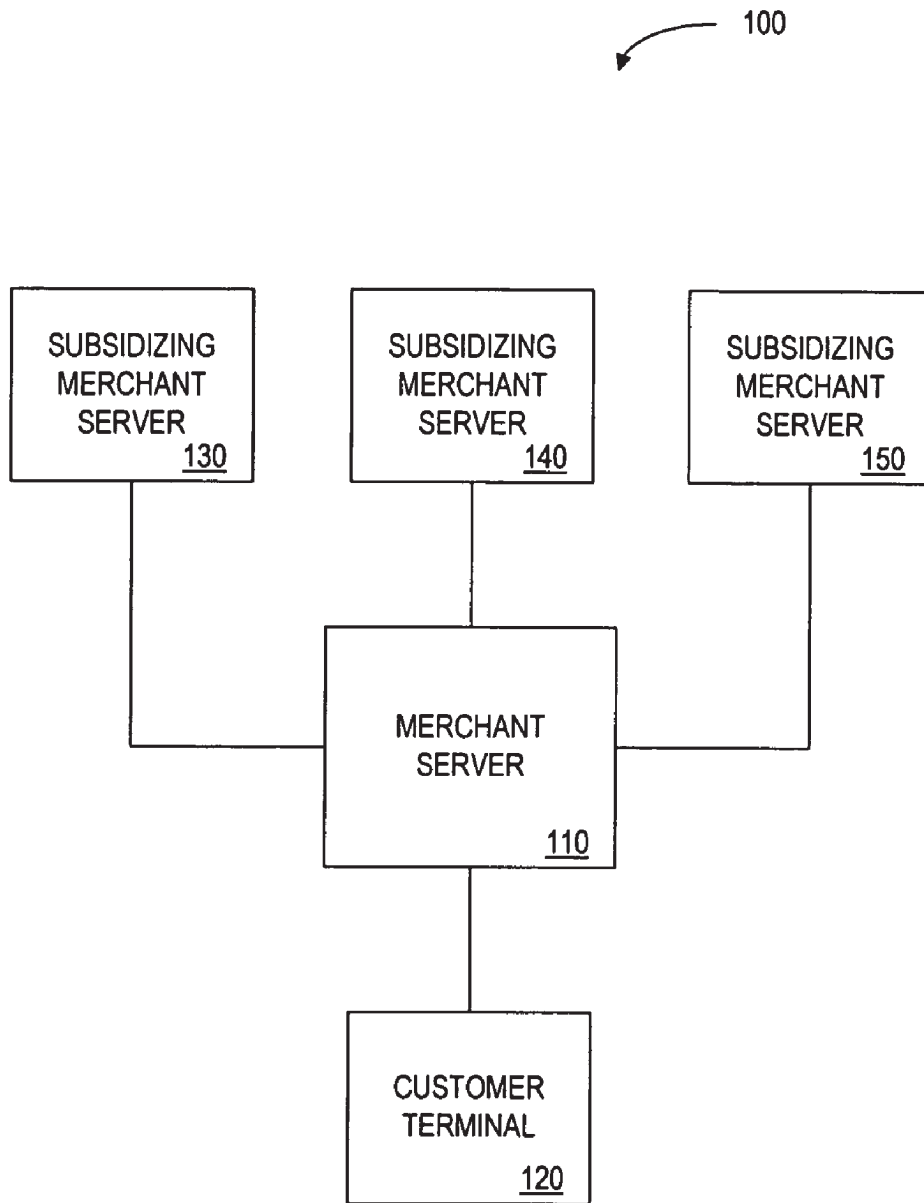


FIG. 1

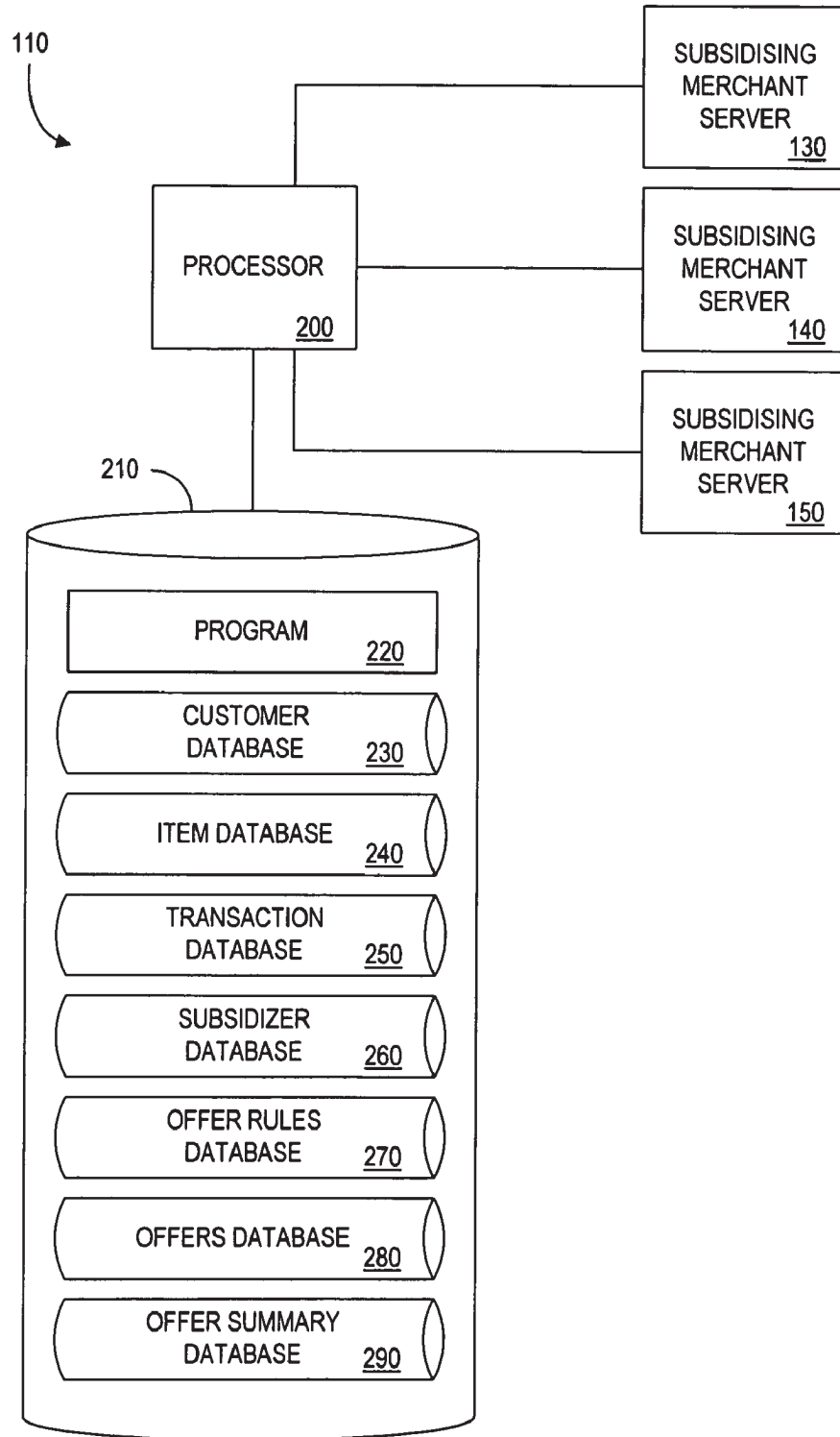


FIG. 2

300

CUSTOMER IDENTIFIER <u>320</u>	NAME <u>322</u>	BILLING ADDRESS <u>324</u>	CREDIT CARD INFORMATION <u>326</u>	E-MAIL <u>328</u>
C0001	DAN MANN	123 MAIN ST.	VISA 1111-1111-1111-1111	DMANN@ISP.COM
C0002	STEVE DAVIS	3 RIVERPLACE ROAD	AMEX 4444-5556666-3333	SDAVIS@SCHOOL.EDU
C0003	JEFF SMITH	2 THRUSH LANE	DIS 2222-33334444-7777	SMITH@WEBTV.COM
C0004	GEORGE ALAN	15 LAUREL AVENUE	VISA 1111-4444-8888-3333	ALAN@WORK.COM

302

304

306

308

FIG. 3

ITEM IDENTIFIER <u>420</u>	ITEM DESCRIPTION <u>422</u>	ITEM PRICE <u>424</u>	AVAILABILITY <u>426</u>
P001	WAR AND PEACE	\$13.95	IN STOCK
P002	SUN TZU: THE ART OF WAR	\$15.95	AVAILABLE IN 2-3 DAYS

FIG. 4

500

TRANSACTION IDENTIFIER 520	TIME OF TRANSACTION 522	ITEMS ORDERED 524	CREDIT CARD INFORMATION 526	AMOUNT CHARGED 528	DELIVERY ADDRESS 530	CUSTOMER IDENTIFIER 532
T 000 001	1/4/2001 8:07 AM	P038, P049, P812	VISA 1111-1111- 1111-1111 EXP. 3/2002	\$49.87	123 MAIN ST. TOWN, USA	NONE
T 000 002	1/9/2001 9:00 PM	P123	MASTERCARD 2222-2222- 2222-2222 EXP. 9/2002	\$0.00	9876 PARK AVE. CITY, USA	C1234
T 000 003	1/10/2001 3:02 AM	P456, P789, P789	AMEX 9999-9999- 9999-9999 EXP. 4/2005	\$0.00	24 SHADY LA. TOWN, USA	C5678

502

504

506

FIG. 5

600

SUBSIDIZING PARTY IDENTIFIER <u>620</u>	SUBSIDIZING PARTY NAME <u>622</u>	ACCOUNT <u>624</u>	AMOUNT OWED TO MERCHANT <u>626</u>
S001	CREDIT CARD COMPANY X	BANK ACCOUNT #2345678	\$855.00
S002	LONG DISTANCE TELEPHONE Y	MC 1111-2222-3333-4444	\$4,390.00
S003	SATELLITE TELEVISION Z	PREPAID BALANCE \$10,500	\$0

FIG. 6

700

OFFER RULE IDENTIFIER 720	SUBSIDIZING PARTY IDENTIFIER 722	SUBSIDY AMOUNT 724	WHEN EFFECTIVE 726	ADDITIONAL TRANSACTION REQUIRED 728
R00001	S11	UP TO \$50	ALWAYS	SIGN UP FOR CREDIT CARD ACCOUNT
R00002	S12	UP TO \$50	TOTAL PRICE > \$300	SIGN UP FOR CREDIT CARD ACCOUNT
R00003	S12	\$40	CREDIT CARD = VISA AND TOTAL PRICE > \$100	SIGN UP FOR VISA PLUS ACCOUNT
R00004	213	\$80	CUSTOMER IS FROM A NEW ENGLAND STATE	SIGN UP FOR CELLULAR TELEPHONE SERVICE
R00005	S14	\$75	CUSTOMER DOES NOT HAVE CABLE TELEVISION FROM SERVICE PROVIDER	SIGN UP FOR CABLE TELEVISION

702  
704  
706  
708  
710

FIG. 7



800

OFFER IDENTIFIER 820	TRANSACTION IDENTIFIER 822	SUBSIDIZING PARTY 824	OFFER RULE APPLIED 826	SUBSIDY AMOUNT 828	TOTAL PRICE 830	TOTAL PRICE WITH SUBSIDY 832	ACCEPTED YES/NO 834
F001	T123	S111	R1230	\$50	\$97.12	\$37.12	YES
F002	T456	S222	R4561	\$100	\$19.95	\$19.95	YES
F003	T789	S345	R7892	\$10	\$10.00	\$0	YES
F004	T109	S678	R0123	\$15	\$15.00	\$0	YES
F005	T555	S901	R3454	\$75	\$48.00	\$0	YES

802  
804  
806  
808  
810

FIG. 8

900

SUBSIDIZING PARTY IDENTIFIER: S888 <u>902</u>			
TOTAL NUMBER OF OFFERS: 1,794 <u>904</u>			
TOTAL NUMBER OF OFFERS ACCEPTED: 1,003 <u>906</u>			
TOTAL AMOUNT OF SUBSIDIES: \$52,800.00 <u>908</u>			
OFFER RULE IDENTIFIER <u>920</u>	NUMBER OF OFFERS <u>922</u>	NUMBER OF OFFERS ACCEPTED <u>924</u>	AMOUNT OF SUBSIDIES DUE <u>926</u>
R1111	1004	500	\$2,500.00
R2222	790	503	\$50,300.00

910

912

FIG. 9

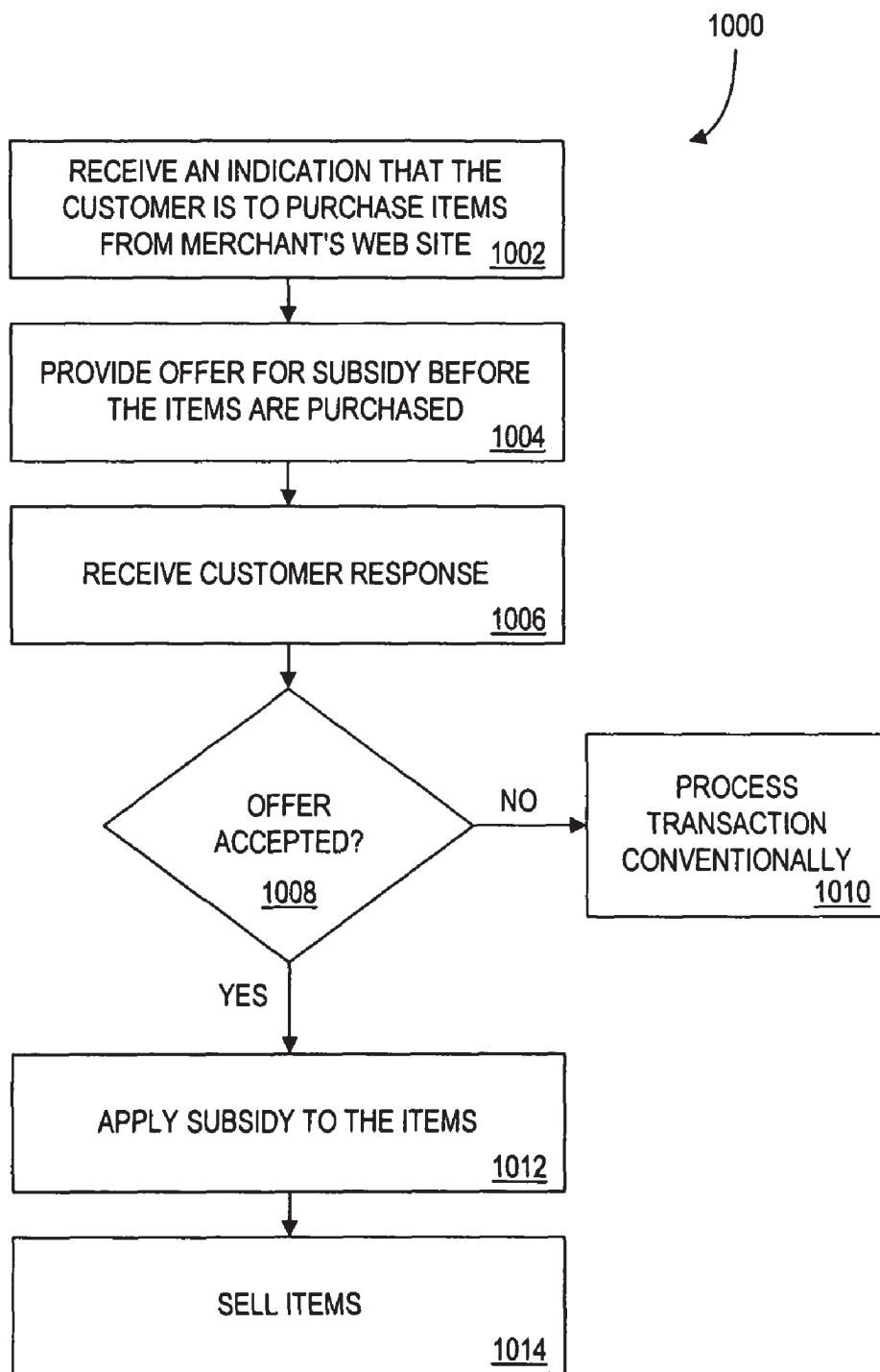


FIG. 10

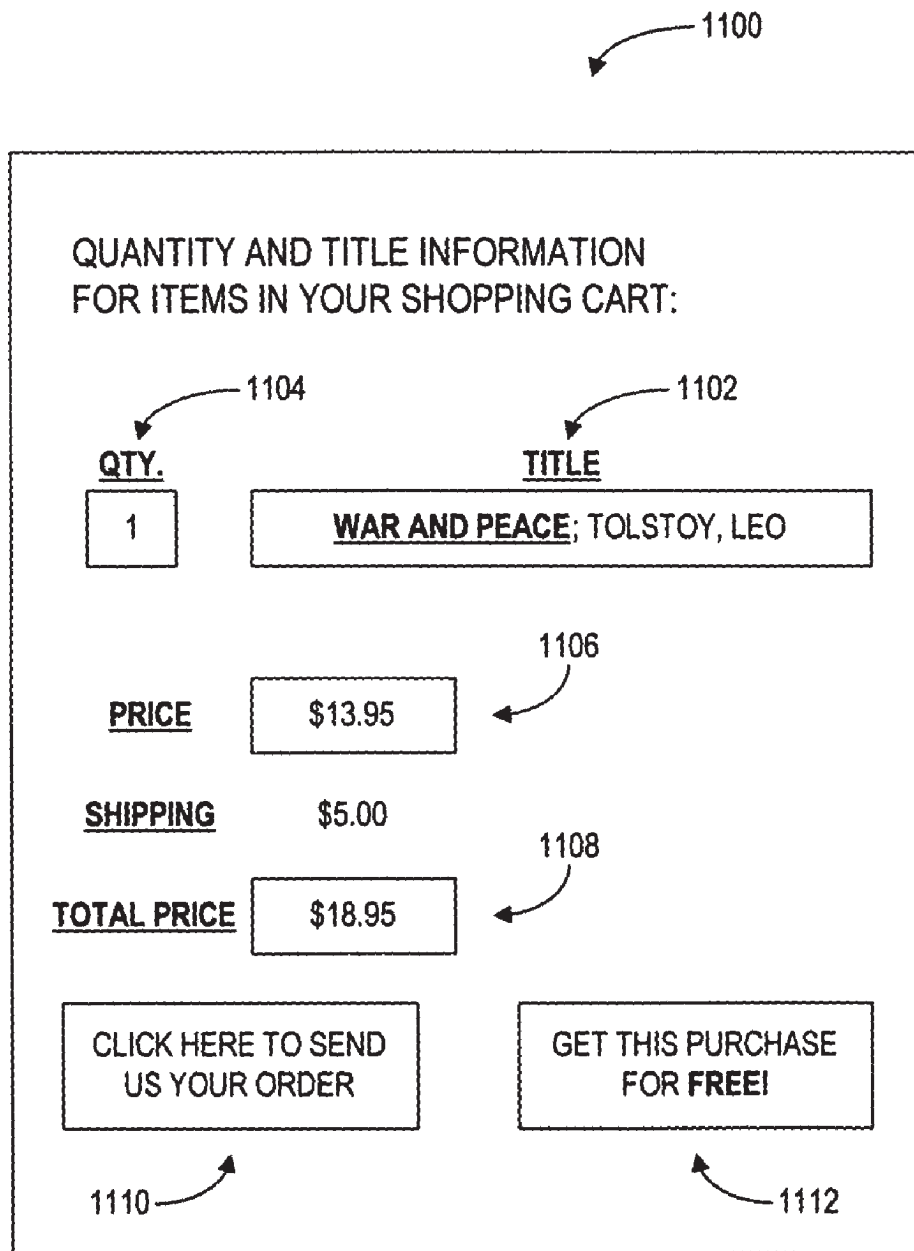


FIG. 11

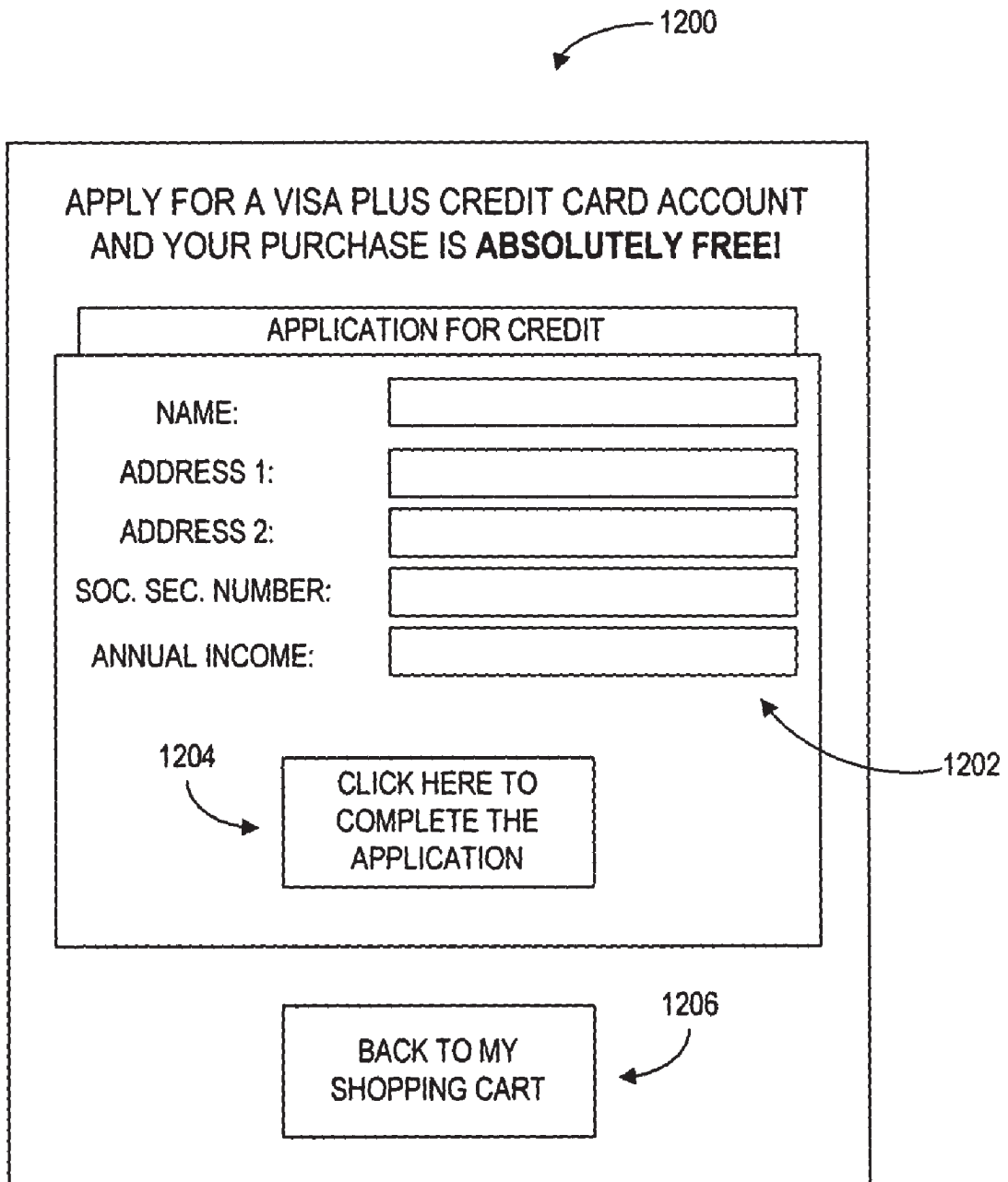


FIG. 12

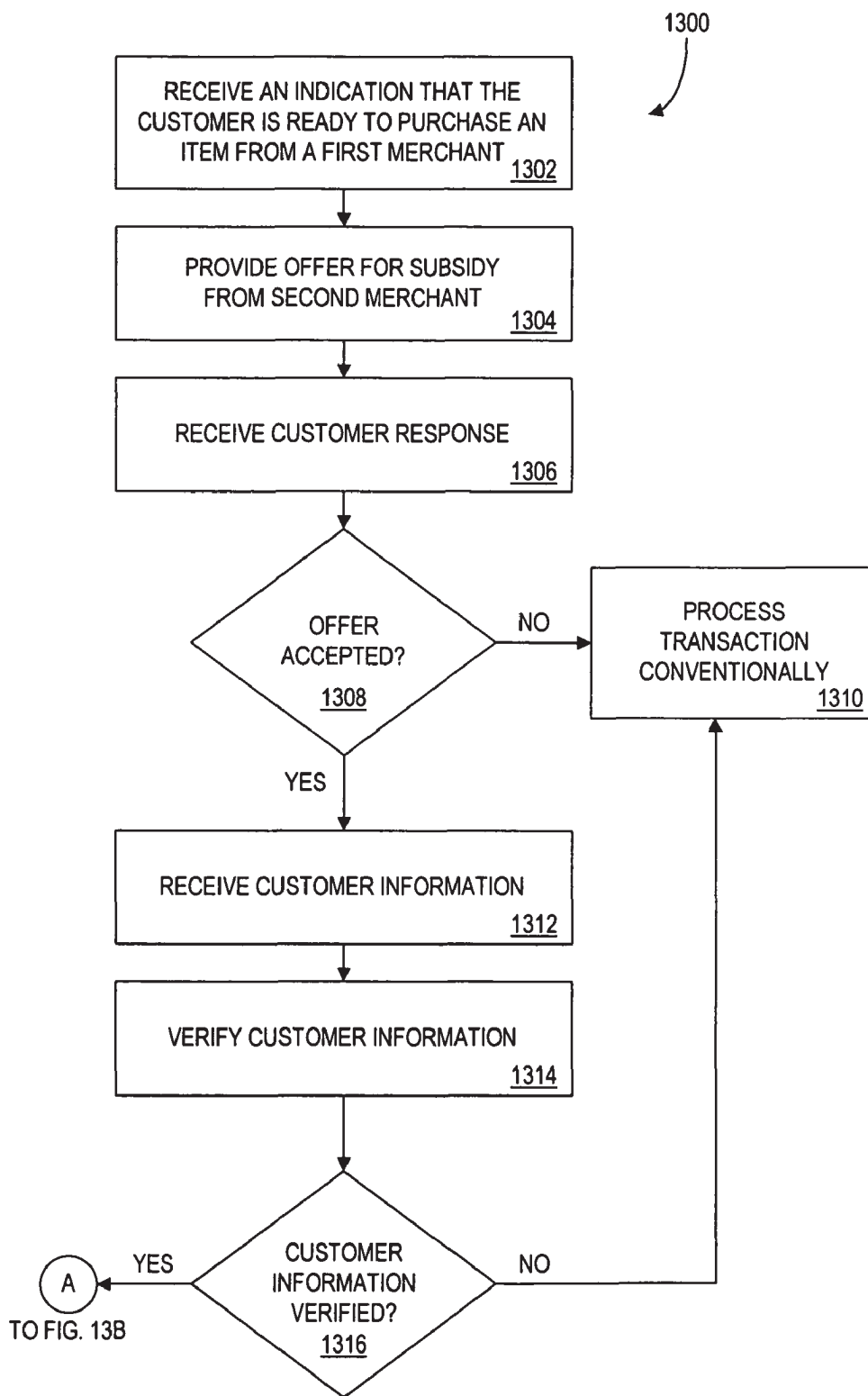


FIG. 13A

FROM FIG. 13A

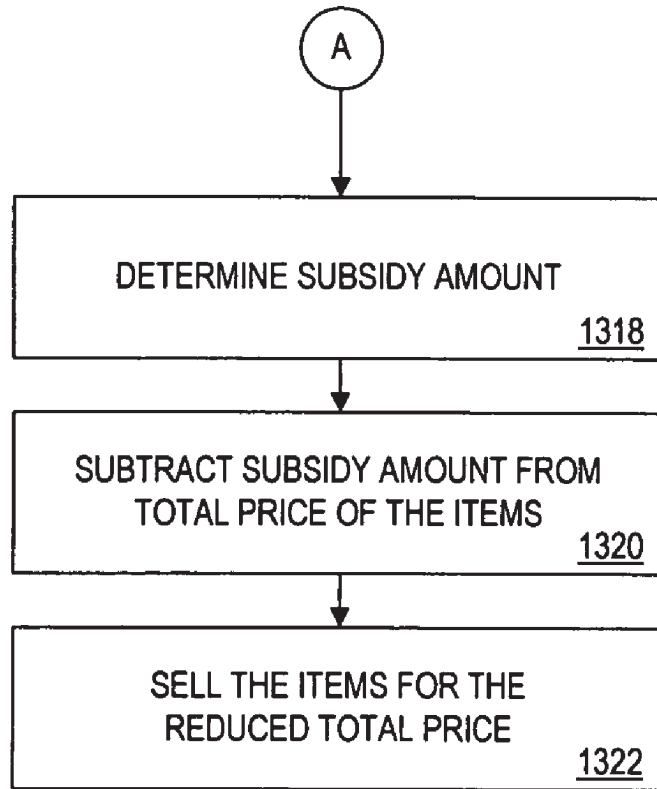


FIG. 13B

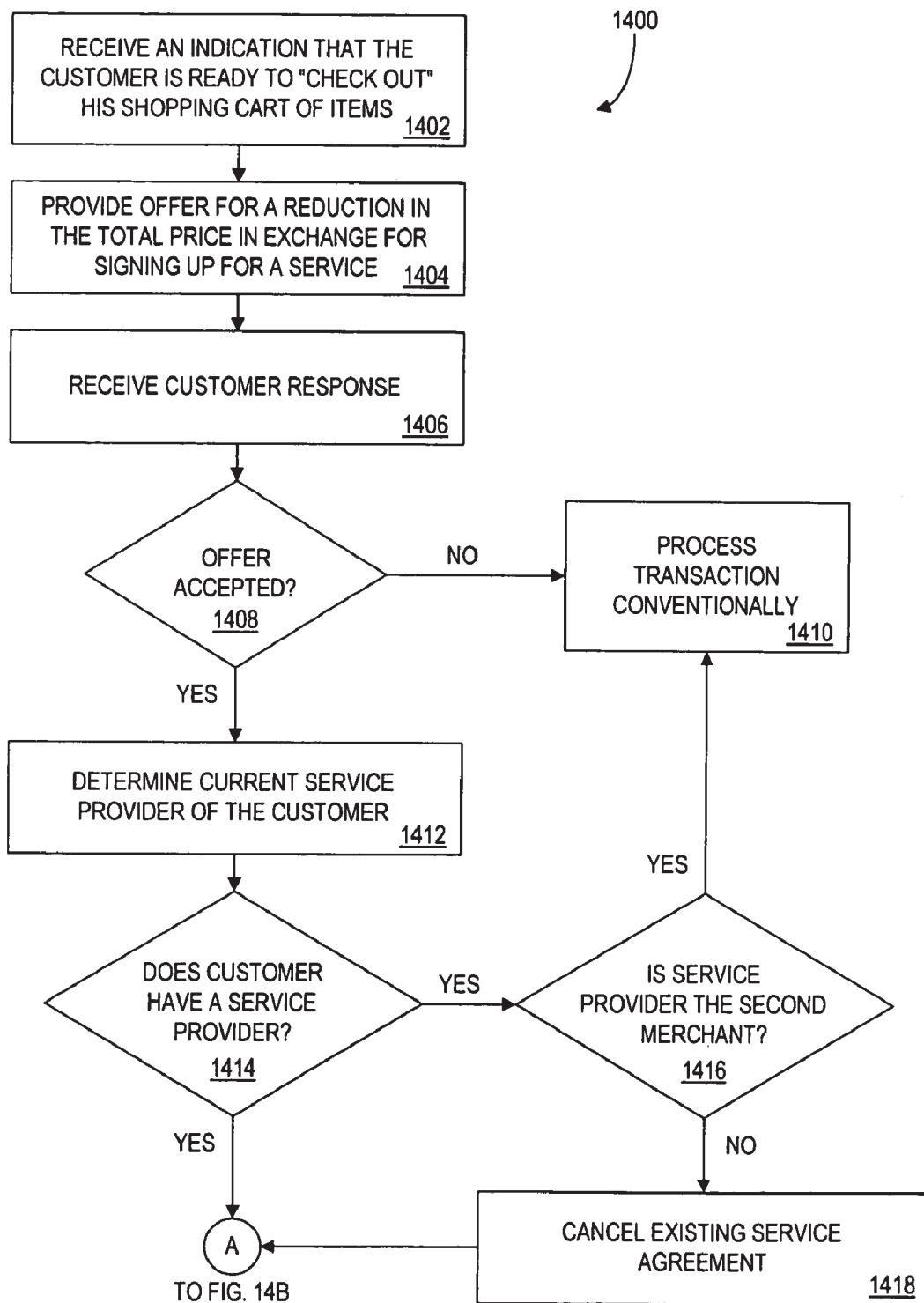


FIG. 14A



FROM FIG. 14B

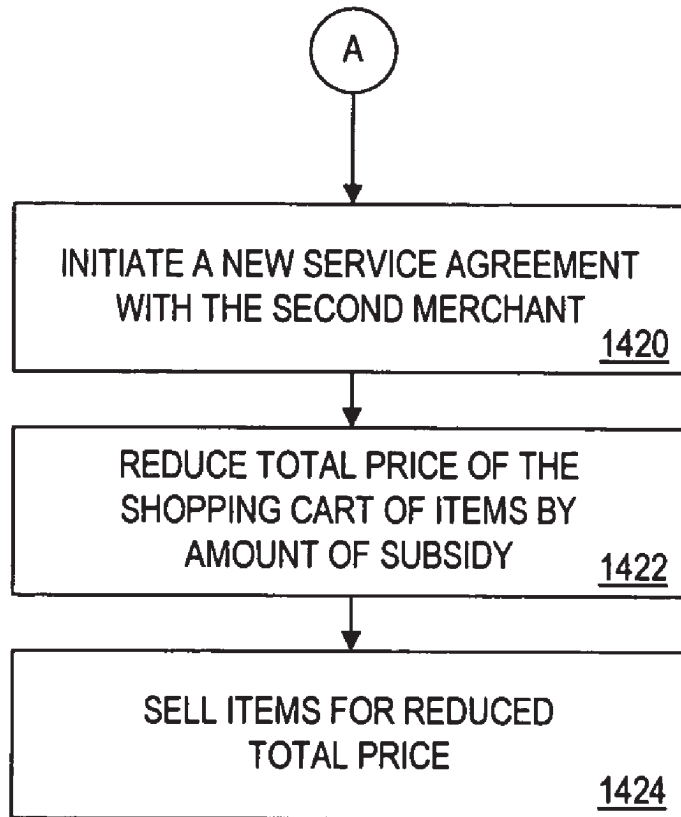


FIG. 14B

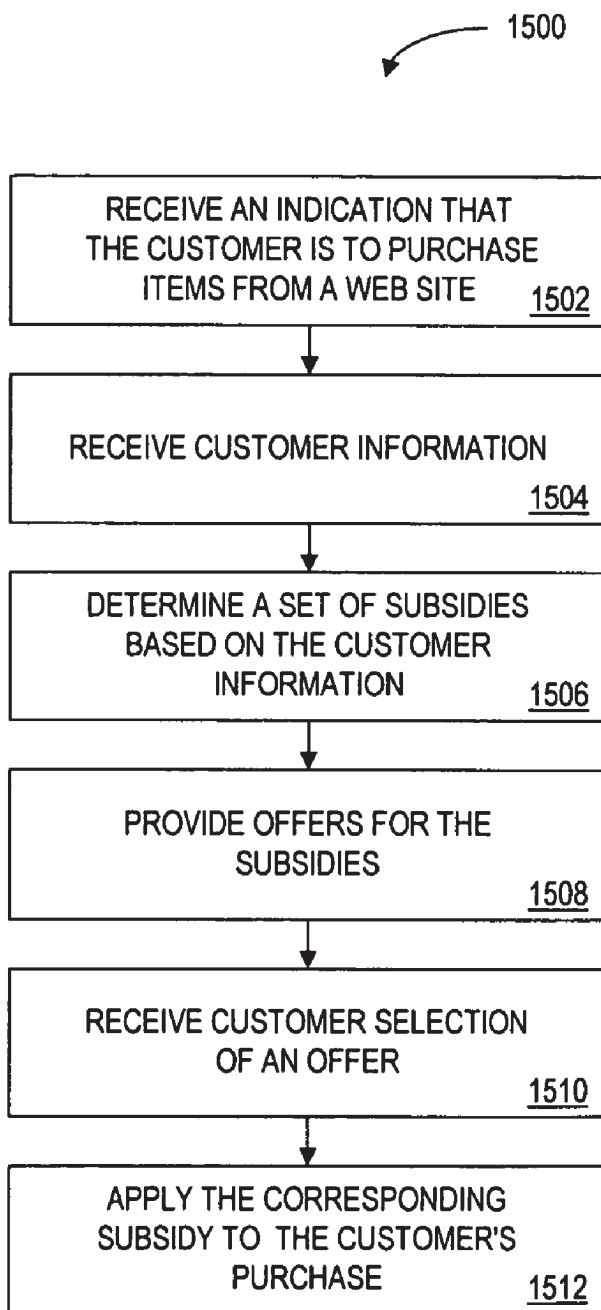



FIG. 15

1600 

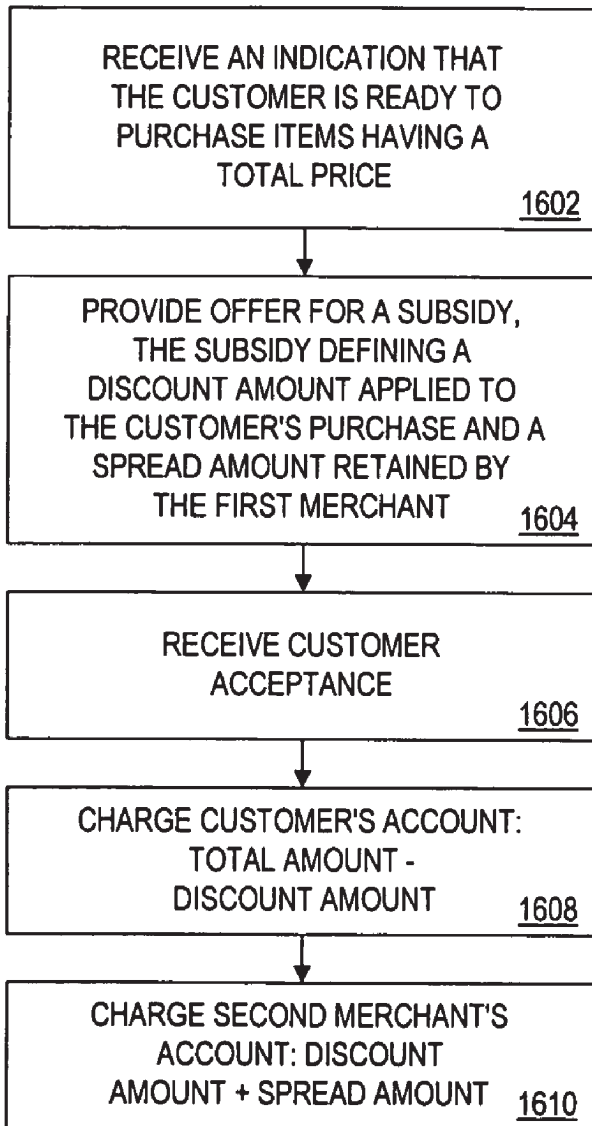


FIG. 16

**METHOD AND APPARATUS FOR  
FACILITATING ELECTRONIC COMMERCE  
THROUGH PROVIDING CROSS-BENEFITS  
DURING A TRANSACTION**

The present application is a continuation-in-part of U.S. patent application Ser. No. 08/943,483 entitled "SYSTEM AND METHOD FOR FACILITATING ACCEPTANCE OF CONDITIONAL PURCHASE OFFERS (CPOs)" to Andrew S. Van Luchene, Daniel E. Tedesco, James A. Jorasch, Jay S. Walker and Thomas M. Sparico filed Oct. 3, 1997 and now abandoned, which is a continuation-in-part of U.S. patent application Ser. No. 08/923,683 entitled "CONDITIONAL PURCHASE OFFER (CPO) MANAGEMENT SYSTEM FOR PACKAGES" to Andrew S. Van Luchene, Daniel E. Tedesco, James A. Jorasch, Jay S. Walker and T. Scott Case filed Sep. 4, 1997 and issued as U.S. Pat. No. 6,533,346 on Apr. 22, 2003; which is a continuation-in-part of U.S. patent application Ser. No. 08/889,319 entitled "CONDITIONAL PURCHASE OFFER MANAGEMENT SYSTEM" to Bruce Schneier, James A. Jorasch, Jay S. Walker and T. Scott Case filed Jul. 8, 1997 and issued as U.S. Pat. No. 6,085,169 on Jul. 4, 2000, which is a continuation-in-part of U.S. patent application Ser. No. 08/707,660 entitled "METHOD AND APPARATUS FOR A CRYPTOGRAPHICALLY ASSISTED COMMERCIAL NETWORK SYSTEM DESIGNED TO FACILITATE BUYER-DRIVEN CONDITIONAL PURCHASE OFFERS", to Bruce Schneier, James A. Jorasch and Jay S. Walker filed Sep. 4, 1996 and issued as U.S. Pat. No. 5,794,207 on Aug. 11, 1998; and a continuation-in-part of U.S. patent application Ser. No. 09/100,684 entitled "BILLING STATEMENT CUSTOMER ACQUISITION SYSTEM" to Daniel E. Tedesco, James A. Jorasch and Jay S. Walker filed Jun. 19, 1998 and issued as U.S. Pat. No. 6,898,570 on May 24, 2005; which is a continuation-in-part of U.S. patent application Ser. No. 08/982,149 entitled "METHOD AND APPARATUS FOR PRINTING A BILLING STATEMENT TO PROVIDE SUPPLEMENTARY PRODUCT SALES" to Jay S. Walker, Daniel E. Tedesco, Andrew S. Van Luchene and Dean P. Alderucci filed Dec. 1, 1997 and issued as U.S. Pat. No. 6,196,458 on Mar. 6, 2001; and a continuation-in-part of U.S. patent application Ser. No. 08/994,426 entitled "METHOD AND APPARATUS FOR PROVIDING SUPPLEMENTARY PRODUCT SALES TO A CUSTOMER AT A CUSTOMER TERMINAL" to Jay S. Walker, Andrew S. Van Luchene and Daniel E. Tedesco filed Dec. 19, 1997 and issued as U.S. Pat. No. 6,694,300 on Feb. 17, 2004; which is a continuation-in-part of U.S. patent application Ser. No. 08/920,116 entitled "METHOD AND SYSTEM FOR PROCESSING SUPPLEMENTARY PRODUCT SALES AT A POINT-OF-SALE TERMINAL" to Jay S. Walker, James A. Jorasch and Andrew S. Van Luchene filed Aug. 26, 1997 and issued as U.S. Pat. No. 6,119,099 on Sep. 12, 2000, which is a continuation-in-part of U.S. patent application Ser. No. 08/822,709 entitled "SYSTEM AND METHOD FOR PERFORMING LOTTERY TICKET TRANSACTIONS UTILIZING POINT-OF-SALE TERMINALS" to Jay S. Walker, James A. Jorasch and Sanjay K. Jindal filed Mar. 21, 1997 and

issued as U.S. Pat. No. 6,267,670 on Jul. 31, 2001. Each of the foregoing applications is incorporated herein by reference.

FIELD OF THE INVENTION

The present invention relates to methods and apparatus for facilitating electronic commerce.

BACKGROUND OF THE INVENTION

Electronic commerce is becoming more accepted as growing numbers of customers find shopping via the World Wide Web more appealing. However, electronic commerce suffers many problems that have plagued conventional commerce. For example, there is a great deal of competition among merchants to attract and retain customers that actually make purchases. Price competition is even stronger on the Internet, where customers can more readily "shop around" and determine the prices offered by various merchants.

Even when a customer has browsed a merchant's inventory, he may not make a purchase if an item's price is greater than the customer is willing to pay. One way to increase customer willingness to purchase, via the World Wide Web or otherwise, is to provide discounts on items purchased. Unfortunately, merchants must use discounts sparingly, since reducing purchase prices likewise reduces profits and the reduced profits may not be offset by increased sales.

It is known for a merchant to offer promotions to provide an incentive for customers to make purchases. For example, a merchant may offer a "buy one get one free" promotion whereby a purchase of an item yields the benefit of an additional item at no cost. Similarly, a merchant may provide a discount on a purchase in exchange for signing up for a credit card account provided by the merchant.

It is known to provide a promotion among more than one merchant. For example, a first merchant may advertise that if a product is purchased, a second product may be purchased from or given away by a second merchant.

It is also known for a promotion to be provided at the point of sale. For example, a web site of a merchant may provide a "banner advertisement" that allows a customer to go to another site to make a second purchase.

It would be advantageous to facilitate further electronic commerce in a manner that maintained an acceptable level of profits for merchants yet increased a customer's willingness to make purchases.

SUMMARY OF THE INVENTION

It is an object of the present invention to facilitate electronic commerce.

In accordance with the present invention, a merchant server of a first merchant receives an indication of items that a customer is to purchase via a web site. The indication may be, for example, a signal indicating that the customer is ready to "Check out" his shopping cart of items on the web site. In response, the merchant server provides an offer for a benefit from a second merchant, which may be referred to as a cross-benefit. The offer is provided before the items are purchased, and thus the offer is not provided unless and until the customer has manifested an intent to make a purchase from the first merchant. A response to the offer is received from the customer. If the response indicates acceptance of the offer, then the benefit is applied to the items purchased. For example, the total price paid for the items may be reduced, or the items may even be provided to the customer without charge.