

# EXHIBIT D

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CENTRAL REEXAMINATION UNIT **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Stone, et al

Reexamination Control No.: 95/001,069

U.S. Patent No.: 7,249,059

Reexamination Request Filed: July 21, 2008

For: **INTERNET ADVERTISING SYSTEM  
AND METHOD**

Examiner: Jeffrey L. Gellner

Technology Center/Art Unit: 3993

**REQUEST FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.956**

Attn: Mail Stop "Inter Partes Reexam"  
Central Reexamination Unit  
Office of Patent Legal Administration  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.956, the patent owner respectfully requests an extension of time of one month to respond to the Office Action mailed October 17, 2008. The current deadline for response is December 17, 2008. A one-month extension would extend the deadline to January 17, 2009.

The reason for the requested one month extension of time arises because of the complexity and breadth of the Office Action rejection, as follows:

1. In the Reexamination Request, the Requester identified 11 different prior art references and/or combinations as raising a substantial new question (SNQ) of patentability. The 11 prior art references and/or combinations raised 676 new grounds of rejection.

2. The Reexamination Request was 81 pages long, with Appendices A-1 – A-6 spanning another 634 pages. Thus, the Request for Reexamination spanned approximately 715 pages.
3. The Reexamination Request was filed on July 21, 2008. Approximately three months after the Reexamination Request was filed, the PTO confirmed that a SNQ of patentability existed as to all of the claims of the '059 patent. The PTO adopted without modification 45 of the 676 grounds of rejection proposed by the Requester, and adopted with modification 163 grounds of rejection. Thus the current Office Action adopted 208 grounds of rejection proposed by the Requester.
4. In addition, the PTO identified 5 more prior art combinations as raising a substantial new question (SNQ) of patentability as to claim 24 and claim 50, and added 10 additional grounds of rejection based on these combinations. As a result, there are a total 218 grounds of rejection for this patent. The October 17, 2008 Office Action is 261 pages in length.
5. The Patent Owner is currently involved in a lawsuit in the Eastern District of Texas involving this patent, the '025, the '059 and the '587 patent. All of these patents are involved in reexamination proceedings instituted by the Requester in this Reexamination.

The patent owner requests the one month extension to permit analysis and rebuttal to the unusually lengthy Reexamination Request and Office Action. Absent the additional time to respond, it will be extremely difficult for Patent Owner to fully address the numerous rejections that have been presented in this matter. Unlike Requester, Patent Owner is a much smaller

enterprise, with far fewer resources at its disposal to address the various reexaminations and litigation that are all active at this time.

In view of the reasons stated above, an extension of time of one month is requested to allow the patent owner a fair opportunity to respond to the present Office Action.

Respectfully submitted,

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Date: November 18, 2008