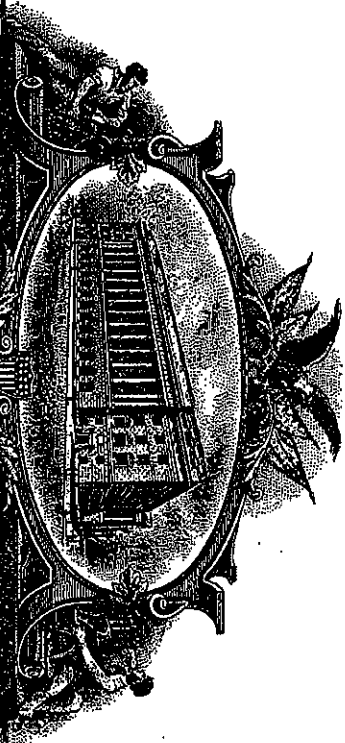


# **EXHIBIT L**

IN 7108718



# TRUE UNRECORDED SIGNATURE

TO WHOM THESE PRESENTS SHALL COME

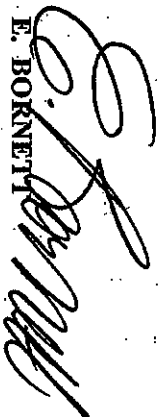
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

February 07, 2008

THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE  
RECORDS OF THIS OFFICE OF THE FILE WRAPPER AND CONTENTS  
OF:

APPLICATION NUMBER: 09/480,303  
FILING DATE: January 10, 2000  
PATENT NUMBER: 6,446,045  
ISSUE DATE: September 03, 2002

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
E. BORNETT  
Certifying Officer



D064583



GP 2167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
FEB 06 2002  
Technology Center 2100

In re application of: Stone et al  
Serial No: 09/480,303  
Filed: Jan 10, 2000  
Entitled: A METHOD FOR USING COMPUTERS TO  
FACILITATE AND CONTROL THE CREATING OF A  
PLUARLITY OF FUNCTIONS.  
Group Art Unit: 2167  
Examiners: B. Jaketic  
R. P. Olszewski

Assistant Commissioner of Patents  
Washington, D. C. 20231

Amendment

Gentlemen:

This amendment is being filed in response to the office action, mailed on Nov. 8, 2001 wherein all claims of record, claims 1 through 23 were rejected. Of the original claims 1 through 31, claims 24 through 31 had been withdrawn from consideration under verbal restriction requirement. Applicants' attorney verbally elected claims 1 through 23 with the traverse. Applicants hereby affirms said election.

This amendment is further in response to the courteous interview extended to the inventors on Dec. 13, 2001. Please amend the above-identified application as set forth below.

### **In The Specification**

Responding to the examiner's objection to the disclosure, on page 10 line 6 the "4g" should be ...4h.... This amended shall be made by substituting the following paragraph on page 10 lines 6 and 7;

"Fig. 4a through 4h is a block diagram showing the Seller's use of the invention. This Example Embodiment is configured for delivery of tickets or reservation confirmation."

This amended line 6 and 7 is in replacement of the erroneous lines 6 and 7, page 10.

### **In The Claims**

In response to the restriction requirement; applicants formally cancel claims 24 through 31 without prejudice.

Please substitute the following amended claims for the pending claims with the same numbers.

1 (Amended) A method of using a network of computers to contract for, facilitate and control the creating and publishing of presentations, by a seller, to a plurality of media venues owned or controlled by other than the seller, comprising:

- a) providing a media database having a list of available media venues;
- b) providing means for applying corresponding guidelines of the media venues;

- c) providing means for transmitting said presentations to a selected media venue of the media venues;
  - d) providing means for a seller to select the media venues; and
  - e) providing means for the seller to input information;  
whereby the seller may select one or more of the media venues, create a presentation that complies with said guidelines of the media venues selected, and transmit the presentation to the selected media venues for publication.
- 2) (Amended) The method of claim 1 further providing a seller database having a list of sellers.
  - 3) (Amended) The method of claim 1 further providing a means for creating structured presentations from the sellers information.
  - 4) (Amended) The method of claim 3 further providing a means for transferring said created presentations to the media venues for publishing.
  - 5) (Amended) The method of claim 1 further providing a means for said media venues to input said guidelines and information.
  - 6) (Amended) The method of claim 1 further providing means for said media venues to receive the sellers presentations.
  - 7) (Amended) The method of claim 1 further providing a media buyers database having a list of media buyers.
  - 8) (Amended) The method of claim 1 further providing a media transactions database having a list of media transactions.
  - 9) (Amended) The method of claim 1 further providing a media inventory database having a list of media inventory.

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"wherein" should presumably be ~~comprising~~." Applicants have amended claims 3 and 4 to read "further providing" in place of "wherein" and in place of "comprising" as suggested by the examiner. The reason for not using "comprising" as suggested by the examiner is that the claims as amended use the term "further providing".

Claim 5 was objected to because of the following informality: "in line 1 of the claim, "inputs" should presumably be ~~input~~." Applicants have amended claim 5 as suggested by the examiner.

#### **Claims Rejections – 35 USC Section 112**

Claim 15 stands rejected for insufficient antecedent basis for phrase "the goods or services" in line 1. Applicants' amended claims now presents the amended claim 15 as dependent on claim 13:

#### **Claims Rejection 35 USC Section 102**

The examiners office action of November 8, 2001 made the following claim rejections under 35 USC Section 102 which are respectfully traversed for reasons subsequently set forth herein;

"Claims 1-6, 10, 13, 15, 16, 18-20 rejected under 35 U.S.C. 102(e) as being anticipated by Mandeberg et al." The examiner maintains that Mandeberg disclosed a method of "...control the creating and publishing of presentations to a plurality of media venues ...". This is incorrect. For example, Mandeberg et al do not contain a method for the creating and publishing of presentations to a plurality of media venues. Mandeberg et al present only an Internal Management Model while the present invention teaches a Business to Business Model, which teach in different directions. Mandeberg et al in col. 5 lines 48-53 teach:

"As shown in Fig. 1, system 100 includes an apparatus and/or a step for assembling at a central location, digital multimedia presentations for the plurality of stores. This apparatus or step is indicated in Fig. 1 as "content development" 102. Digital multimedia presentations which are developed are stored in a presentation database 104 at the central location..."

Mandeberg et al discuss venues i.e. as "wholesale or retail stores". The Mandeberg et al reference does not use the term "Media Venues" as taught by the present invention.

In the SUMMARY OF THE INVENTION of Mandeberg et al, in col. 1 lines 47-52 states:

"The present invention includes methods, systems and computer program products for generating store displays for a plurality of stores. Digital multimedia presentations are assembled at a central location for the plurality of stores. Start and end times are assigned to the digital multimedia presentations for the stores."

Further the Mandeberg et al reference continues in the SUMMARY OF THE INVENTION, in col. 2 lines 57-60:

"The present invention is particularly applicable for generating menu boards for an enterprise such as a restaurant chain, which includes a plurality of sites such as restaurant sites."

The incorrect equating by the examiner of media venues (sites) is well established by the reference itself. Please note the definition of "Media Venues" as found on page 16 of the glossary of the present invention.

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Turning now to the examiners' reference to Mandeberg et al. (col. 6 lines 4-16), the "presentation database 104" contains completed presentations, this content is not the equivalent of the "presentation rules database" of the present invention.

The term "Sellers" is not taught directly or indirectly by the Mandeberg et al reference. An Internal Management Model does not include a second party seller or sellers as does the Business To Business model presented by the present invention. In the claims as amended the term seller is properly used as supported by the specification. In addition the term "contract for" that is now found in the amended claim 1 preamble clearly supports a Business to Business model i.e., by definition, contract for, is between two or more parties. Such a concept is not contemplated by the Mandeberg et al reference. As defined by Webster's Third New International Dictionary, copyright 1971 by G. & C. Merriam Co. the term contract means:

"an agreement between two or more persons or parties to do or not to do something"

In addition the examiner states "...create a presentation that apply with the guidelines...". Mandeberg et al does not contain a method to create the presentations. Note Mandeberg et al first sentence of the ABSTRACT and col. 7 lines 44-46, which states:

"These digital multimedia presentations are generally developed by creative professionals at advertising agencies or clients."

The examiner's attention is also directed to col. 10 lines 21-26 of Mandeberg et al which states:

"Accordingly, in order to assemble a package of digital multimedia presentations for the plurality of stores, an operator at the control and monitoring station 108 selects one or more programs from the presentation

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### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The present invention comprises a method for using a network of computers to contract for, facilitate and control the creating and publishing of presentations, by a seller, to a plurality of media venues owned or controlled by other than the seller comprising the steps of providing a database of available media venues, providing means for applying corresponding guidelines, and providing means for the seller to select one or more media venues. The closest prior art, Mandeberg et al. (US 6,038,545) shows a system for central location to develop multimedia displays and transmit the displays to store locations. Mandeberg et al discloses an "in-house" system, and do not disclose a system for selecting media venues owned by other than the seller and creating a presentation that complies with proper guidelines. This distinct and non-obvious feature is included in the sole independent claim and renders it allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eldering discloses an advertisement auction system that

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Art Unit: 2167

Page 3


determines demographics. Daimon discloses a system for generating different publications. *Advertising Age* describes recommended banner ad sizes. *NewsInc* describes an ad agency that creates a plan, selects a newspaper, and sends the ad. Hamblen describes an ad agency that selects the correct print size for advertisements based on the type of media venue.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 306-1396 for regular communications and (703) 306-1396 for After Final communications.

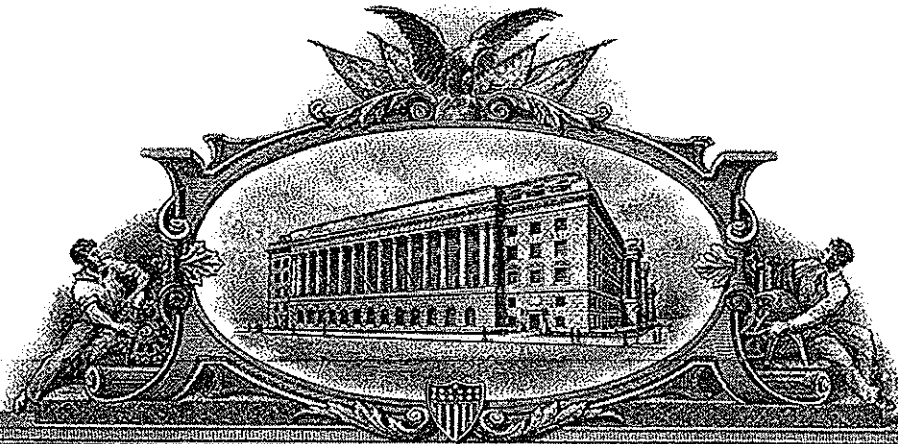
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

bj  
January 31, 2002

  
ROBERT P. OLSZEWSKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600 2100

D064772

7108718



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

*January 22, 2008*

**THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE RECORDS OF THIS OFFICE OF THE FILE WRAPPER AND CONTENTS OF:**

**APPLICATION NUMBER: 10/193,465**  
**FILING DATE: July 11, 2002**  
**PATENT NUMBER: 7249059**  
**ISSUE DATE: July 24, 2007**

**D066080**



Certified by

Under Secretary of Commerce  
for Intellectual Property  
and Director of the United States  
Patent and Trademark Office

09-06-06

AF 2/11/06



Appl. No. 10/193,465  
Amdt. Dated September 5, 2006  
Response to Final Office Action mailed July 7, 2006 requiring a response by September 7, 2006  
in order to comply with the "TWO MONTHS from mailing date" of the Final Office Action.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/193,465  
Applicant : Michael A. Dean et al.  
Filed : July 11, 2002  
Title :  
  
METHOD FOR USING COMPUTERS TO FACILITATE AND  
CONTROL THE CREATING OF A PLURALITY OF  
FUNCTIONS  
  
TC/A.U. : 3627  
Examiner : Ade, Oger Garcia  
  
Docket No. : Stone CIP

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Request For Reconsideration**

Gentlemen:

This Request for Reconsideration is filed in response to the Final Office Action mailed on July 7, 2006 and requiring a response by September 7, 2006, in order to comply with the "TWO MONTHS from mailing date" of the Final Office Action.

Applicants wish to acknowledge and thank Alexander Kalinowski, Supervisory Patent Examiner, and Garcia Ade, Examiner, for the courteous interview extended to Applicants and their undersigned counsel on August 16, 2006. A copy of the Interview Summary is attached.

Sparks' Fig. 1, the "client" personal computer 12, and the menu-driven interface detailed in the subsequent figures for the store to create the advertisement), Sparks does not disclose the claimed "first interface" through which one or more internet media venues "owned or controlled by other than the seller and the third party professional" (the claimed "internet media venues") are prompted to enter their presentation rules so that a seller's advertisement can be automatically modified by the claimed internet advertising system for publication/display at each such internet media venue in compliance with the presentation rules for that internet media venue. Sparks does not disclose any such "internet media venues" and the print media venues that are disclosed (see Sparks' Fig. 1, commercial production facility or vendor 44 for publication of ads as inserts in "newspapers") have no interface prompting them to enter their presentation rules. Thus, the "newspapers" disclosed in Sparks for publishing the client-created advertisements exercise no control over the advertisement's "look and feel" or other aspects of the advertisement. The communication path from the advertising system's ad server (image server 28 in Fig. 1) for serving a client-created advertisement to production facility or vendor 44 for inclusion in "newspapers" points only in one direction, that is, towards the production facility for printing the ads for insertion in those "newspapers" (and there is no disclosure otherwise). In addition, Sparks does not disclose the claimed "third interface" that allows a third party professional (such as an advertising agency) to create an advertisement on behalf of one or more sellers (the client/McDonald's store owner) and select one or more "internet media venues" for publication of that advertisement.