EXHIBIT 24

HQ0004E

DATE DOCKETED 6/19/03

(N) Rich

2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/351,747	07/08/1999	RICHARD PRESCOTT SKILLEN	HQ0045A	1165

7590 06/11/2003

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EXAMINER
JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 06/11/2003

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

Application No. 09/351,747	Applicant(s) Skillen et al.
Examiner David Jung	Art Unit 2175

Office Action Summary

-- 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 3 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) ☒ Responsive to communication(s) filed on *Apr 9, 2003*.

2a) ☐ This action is **FINAL**. 2b) ☒ 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) ☒ Claim(s) *1-19, 29-79, and 86-113* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19, 29-79, and 86-113* 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) ☒ 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:

III. DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims claims 1-19, 29-79, 86-113 have been considered but are moot in view of the new ground(s) of rejection.

2. As is noted at pages 27-28, Appplicant asserts that Blount reference (from Pointcast) teaches all but "searching a data network based upon a search argument, correlating the search argument to a particular advertisement, displaying search resualts with the particular advertisement" within the context of other limitations.

3. That feature was already well known before the filing of the parent application of this application. Mr. Danny Sullivan (a noted commentator on commercial search engines) noted this as not merely well known but even having "caused some controversy." One may note that the controversy (which is political) is not a controversy involving technology per se. This is noted in his very first issue of "The Search Engine Report" which is dated July 23, 1996. This is fully a half year (unquestionably a long time in the era of the Internet Revolution) before the filing date of the parent application of this application.

4. Mr. Sullivan's very first issue is relied on in the new rejections. His next two issues are also cited (although not relied upon) because the first three issues are all before the filing date of the parent application of this application.

Claims Presented

5. Claims 20-28 and 80-85 have been cancelled.

6. After such cancellation of claims, claims 1-19, 29-79, 86-113 are presented for examination.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-113 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blount et al. (EP 0749081 A1, cited by Applicant in the parent case, hereinafter also referred as "Blount").

9. In regard to claim 1, Blount teaches "a method of providing advertiesments to a user searching for desired information within a data network, comprising the steps of:

receiving, from the user, a search request including a search argument corresponding to the desired information (page 9, table 1, selections);

searching, based upon the received search argument, a first database having data network related information to generate search results (page 9, table 1, selections);

... a particular advertisement in a second database having advertisement ... (page 12, table 2, database update, advertisement); and

providing the search results together with the particular advertisement (page 13, table 2, server sends requested items to client) ...."

10. These passages of Blount are not explicit about providing the results "to the user."

11. It is well known in the art to provide results (such as that sent from server to the client) to the user for the motivation of user access. It would have been obvious at the time of the claimed invention to modify Blunt to provide results "to the user" as in claim 1 for the motivatin noted above.

12. These passages of Blount are "correlating the received search argument to ... related information."

13. Sullivan teaches "correlating the received search argument to ... related information (i.e. "Open Text sells keywords .. You can have your site appear in the top listing" for the motivation of commercial profit (i.e. "for $2000 and up").

14. It would have been obvious at the time of the claimed invention to combine Blount and Sullivan to have "correlating the received search argument to ... related information"as in claim 1 for the motivatin noted above.

15. Regarding claims 2-19, 29-79, 86-113, these claimed inventions are well known in the art for the motivation of finding data for electronic commerce. For example, the anecdotal enhancements of claim 106 are well known for the motivation of enhancing electronic commerce. As another example, the search engine of claim 94 is well known for the motivation of finding data for electronic commerce.

Conclusion

16. The art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. As noted in the previous paragraphs, Mr. Sullivan's very

first issue is relied on in the new rejections. His next two issues are also cited (although not relied upon) because the first three issues are all before the filing date of the parent application of this application.

Points of Contact

18. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (703) 308-5262 or Dov Popovici whose telephone number is (703) 305-3830.

David Jung

Patent Examiner