

Notice of Allowability	Application No.	Applicant(s)	
	11/768,836	OWEN ET AL.	
	Examiner	Art Unit	
	MICHAEL B. HOLMES	2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 05/12/2009.
2. The allowed claim(s) is/are 16-130,132-134 and 136-385 (renumbered as claims 1-368).
3. Acknowledgment 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 the:
 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)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>04/13/2009-12/11/2008-11/04/2008</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |



UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450, Alexandria, Virginia 22313-1450 – www.uspto.gov

Examiner's Detailed Office Action

1. Claims 1-15, 131 & 135 have been canceled.
2. Claims 16-130, 132-134 & 136-385 are allowed.

REASONS FOR ALLOWANCE

3. The following is an Examiner's statement for reasons for allowance:
4. Claims 16-130, 132-134 & 136-385 are considered allowable since when reading the claims in light of the specification, as per, MPEP §2111.01 or *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claim(s).
5. The limitations recited in independent claim 16 "... an application capable of performing **logic related to decision-making**, the application including at least one application that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application; computer code for retrieving first information from a database,

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per the application; computer code for receiving second information from a user utilizing a user interface, per the application; **computer code for processing** the first information and the second information utilizing the logic; computer code for generating a display, the display including at least one display that is a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a **potential feasible hybrid theme.**”

6. The limitations recited in independent claim 125 “... computer code capable of performing **logic related to decision-making**, the computer code belonging to an application which is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application; computer code for retrieving first information from a storage; computer code for receiving second information from a user utilizing a user interface; **computer code for processing** the first information and the second information; computer code for generating a display, the display including at least one display that is a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a **potential feasible hybrid theme.**”

7. The limitations recited in independent claim 234 “... providing an application capable of performing **logic related to decision-making**, the application including at least one application that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application; retrieving first information from a database, per the application; receiving second information from a user utilizing a user interface, per the application; processing the first information and the second information utilizing the logic; generating a display, the display in-

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cluding at least one display that is a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a **potential feasible hybrid theme.**”

8. When taken in context the claim(s) as a whole was/were not uncovered in the prior art i.e., the dependent claims are allowed as they depend upon an allowable independent claim.

9. 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 regarding Statement of Reasons for Allowance.”

Correspondence Information

10. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Michael B. Holmes, who may be reached Monday through Thursday, between 5:00 a.m. and 6:00 p.m. EST. or via telephone at (571) 272-3686 or facsimile transmission (571) 273-3686 or email michael.holmesb@uspto.gov.

If you need to send an Official facsimile transmission, please send it to (571) 273-8300.

If attempts to reach the examiner are unsuccessful the Examiner’s Supervisor, David Vincent, may be reached at (571) 272-3080.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street, Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.

Finally, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Moreover, status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) toll-free @ 1-866-217-9197.

Michael B. Holmes

Primary Examiner

Artificial Intelligence

Art Unit 2129

United States Department of Commerce

Patent & Trademark Office

Saturday, July 04, 2009

MBH

/Michael B. Holmes/

Primary Examiner, Art Unit 2129

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)	
Owen et al.)	Group Art Unit: 2129
Application No. 11/768,836)	Examiner: Holmes, Michael B.
Filed: 06/26/2007)	Atty. Docket No.
)	SVIPGP019C
For: DECISION-MAKING SYSTEM,)	Date: 03/09/2009
METHOD AND COMPUTER)	
PROGRAM PRODUCT)	
_____)	

AMENDMENT A

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

Examiner:

In response to the Office Action mailed 09/09/2008, please enter the following amendments believed to place the claims in condition for allowance.

IN THE CLAIMS

Amended claims follow:

1.-15. (Cancelled)

16. (New) A computer program product embodied on a tangible computer readable medium, comprising:

an application capable of performing logic related to decision-making, the application including at least one application that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application;

computer code for retrieving first information from a database, per the application;

computer code for receiving second information from a user utilizing a user interface, per the application;

computer code for processing the first information and the second information utilizing the logic;

computer code for generating at least one of: a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a potential feasible hybrid theme.

17. (New) The computer program product as recited in claim 16, wherein at least a portion of the computer code is carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules differently.

18. (New) The computer program product as recited in claim 16, wherein the logic is performed in real-time.

19. (New) The computer program product as recited in claim 16, wherein the first information is retrieved via a network.
20. (New) The computer program product as recited in claim 19, wherein the network is the Internet.
21. (New) The computer program product as recited in claim 16, wherein the second information is received via a network.
22. (New) The computer program product as recited in claim 16, wherein the generating is based on the processing.
23. (New) The computer program product as recited in claim 16, wherein the logic is industry-independent.
24. (New) The computer program product as recited in claim 16, wherein the logic is performed by a collaborative decision platform.
25. (New) The computer program product as recited in claim 16, wherein at least a portion of the computer code is carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules to different business sectors.
26. (New) The computer program product as recited in claim 25, wherein the business sector includes at least one of a real estate-related business sector, medical-related business sector, corporate-related business sector, and financial-related business sector.
27. (New) The computer program product as recited in claim 25, wherein the universal modules include at least one of a framing module, an alternatives module, an analysis module, or a connection module.

28. (New) The computer program product as recited in claim 27, wherein the universal modules include the framing module.
29. (New) The computer program product as recited in claim 27, wherein the universal modules include the alternatives module.
30. (New) The computer program product as recited in claim 27, wherein the universal modules include the analysis module.
31. (New) The computer program product as recited in claim 27, wherein the universal modules include the connection module.
32. (New) The computer program product as recited in claim 16, wherein the universal modules include a framing module, an alternatives module, an analysis module, and a connection module.
33. (New) The computer program product as recited in claim 25, wherein the logic relates to which products or services are suitable for a business.
34. (New) The computer program product as recited in claim 16, wherein the logic relates to customer relationship management.
35. (New) The computer program product as recited in claim 34, wherein the customer includes a business.
36. (New) The computer program product as recited in claim 16, and further comprising computer code for identifying a strategy.
37. (New) The computer program product as recited in claim 16, and further comprising computer code for assessing uncertainties for analysis purposes.

38. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating at least two of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.
39. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating at least three of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.
40. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating at least four of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.
41. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the tornado diagram.
42. (New) The computer program product as recited in claim 41, wherein the tornado diagram identifies sources of risk.
43. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the decision sensitivity display.
44. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display includes a decision sensitivity table.
45. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display includes a decision sensitivity chart.

46. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display shows at least one value associated with a first strategy and at least one value associated with a second strategy.
47. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display compares at least one value associated with a strategy.
48. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display identifies sources of value.
49. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display identifies sources of value for each of a plurality of strategies.
50. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display identifies at least one aspect associated with at least one strategy.
51. (New) The computer program product as recited in claim 50, wherein the at least one aspect is associated with value.
52. (New) The computer program product as recited in claim 50, wherein the at least one strategy is pre-defined.
53. (New) The computer program product as recited in claim 50, wherein the at least one strategy is user-defined.
54. (New) The computer program product as recited in claim 53, wherein the at least one strategy is capable of being provided a strategy name.
55. (New) The computer program product as recited in claim 53, wherein the at least one strategy is capable of being defined by a plurality of selections.

56. (New) The computer program product as recited in claim 53, wherein the at least one strategy is capable of being defined by an amount of stock purchase.

57. (New) The computer program product as recited in claim 53, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.

58. (New) The computer program product as recited in claim 53, wherein the at least one strategy is capable of being modified.

59. (New) The computer program product as recited in claim 58, wherein a range associated with the at least one strategy is capable of being modified.

60. (New) The computer program product as recited in claim 50, wherein the at least one strategy is a stock purchase strategy.

61. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display identifies at least one aspect associated with a plurality of strategies.

62. (New) The computer program product as recited in claim 43, wherein the at least one application is the financial-related application.

63. (New) The computer program product as recited in claim 62, and further comprising code for displaying a stock ticker.

64. (New) The computer program product as recited in claim 43, wherein the decision sensitivity display shows at least one profit-related value associated with a first strategy and at least one profit-related value associated with a second strategy.

65. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the decision hierarchy display.

66. (New) The computer program product as recited in claim 65, wherein the decision hierarchy display identifies decisions that are within a scope of a decision making process.
67. (New) The computer program product as recited in claim 65, wherein the decision hierarchy display identifies at least one decision associated with at least one strategy.
68. (New) The computer program product as recited in claim 67, wherein the at least one strategy is pre-defined.
69. (New) The computer program product as recited in claim 67, wherein the at least one strategy is user-defined.
70. (New) The computer program product as recited in claim 69, wherein the at least one strategy is capable of being provided a strategy name.
71. (New) The computer program product as recited in claim 69, wherein the at least one strategy is capable of being defined by a plurality of selections.
72. (New) The computer program product as recited in claim 69, wherein the at least one strategy is capable of being defined by an amount of stock purchase.
73. (New) The computer program product as recited in claim 69, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.
74. (New) The computer program product as recited in claim 69, wherein the at least one strategy is capable of being modified.
75. (New) The computer program product as recited in claim 74, wherein a range associated with the at least one strategy is capable of being modified.

76. (New) The computer program product as recited in claim 67, wherein the at least one strategy is a stock purchase strategy.

77. (New) The computer program product as recited in claim 65, wherein the decision hierarchy display includes at least one of policies, decisions, or tactics.

78. (New) The computer program product as recited in claim 65, wherein the decision hierarchy display includes at least two of: policies, decisions, and tactics.

79. (New) The computer program product as recited in claim 65, wherein the decision hierarchy display includes: policies, decisions, and tactics.

80. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the decision sensitivity display.

81. (New) The computer program product as recited in claim 80, wherein the decision sensitivity display includes a decision sensitivity table.

82. (New) The computer program product as recited in claim 80, wherein the decision sensitivity display includes a decision sensitivity chart.

83. (New) The computer program product as recited in claim 80, wherein the decision sensitivity display shows at least one value associated with a first strategy and at least one value associated with a second strategy.

84. (New) The computer program product as recited in claim 80, wherein the decision sensitivity display compares at least one value associated with a strategy.

85. (New) The computer program product as recited in claim 80, wherein the decision sensitivity display identifies sources of value.
86. (New) The computer program product as recited in claim 80, wherein the at least one application is the financial-related application.
87. (New) The computer program product as recited in claim 80, and further comprising code for displaying a stock ticker.
88. (New) The computer program product as recited in claim 43, wherein the computer code for generating includes computer code for generating the potential hybrid theme.
89. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the influence diagram.
90. (New) The computer program product as recited in claim 89, wherein the influence diagram includes an information directory.
91. (New) The computer program product as recited in claim 89, wherein the influence diagram identifies a plurality of uncertainties.
92. (New) The computer program product as recited in claim 89, wherein the influence diagram identifies a plurality of risks.
93. (New) The computer program product as recited in claim 89, wherein the influence diagram identifies decisions and a plurality of values that are important to a user.

94. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the potential feasible hybrid theme.
95. (New) The computer program product as recited in claim 94, wherein the computer code for generating includes computer code for generating a plurality of the potential feasible hybrid themes.
96. (New) The computer program product as recited in claim 94, wherein the potential feasible hybrid theme includes a hybrid strategy.
97. (New) The computer program product as recited in claim 96, wherein the hybrid strategy combines a plurality of alternative strategies.
98. (New) The computer program product as recited in claim 97, wherein at least one of the plurality alternative strategies is pre-defined.
99. (New) The computer program product as recited in claim 94, wherein the potential feasible hybrid theme is associated with at least one strategy.
100. (New) The computer program product as recited in claim 99, wherein the at least one strategy is pre-defined.
101. (New) The computer program product as recited in claim 99, wherein the at least one strategy is user-defined.
102. (New) The computer program product as recited in claim 101, wherein the at least one strategy is capable of being provided a strategy name.
103. (New) The computer program product as recited in claim 101, wherein the at least one strategy is capable of being defined by a plurality of selections.

104. (New) The computer program product as recited in claim 101, wherein the at least one strategy is capable of being defined by an amount of stock purchase.

105. (New) The computer program product as recited in claim 101, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.

106. (New) The computer program product as recited in claim 101, wherein the at least one strategy is capable of being modified.

107. (New) The computer program product as recited in claim 106, wherein a range associated with the at least one strategy is capable of being modified.

108. (New) The computer program product as recited in claim 99, wherein the at least one strategy is a stock purchase strategy.

109. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating the decision sensitivity display; the decision sensitivity display capable of showing at least one value associated with a first strategy and at least one value associated with a second strategy; the at least one first strategy including a pre-defined stock-related strategy and the at least one second strategy including a user-defined stock-related strategy; the second strategy capable of being: provided a strategy name by a user, defined by a selection of a plurality of alternatives, and further modified.

110. (New) The computer program product as recited in claim 109, wherein the computer code for generating includes computer code for generating the decision hierarchy display, the decision hierarchy display identifying at least one decision associated with the second strategy.

111. (New) The computer program product as recited in claim 16, wherein the at least one application is the corporate-related application.

112. (New) The computer program product as recited in claim 16, wherein the at least one application is the real estate-related application.

113. (New) The computer program product as recited in claim 16, wherein the at least one application is the medical-related application.

114. (New) The computer program product as recited in claim 16, wherein the at least one application is the product supply-related application.

115. (New) The computer program product as recited in claim 16, wherein the at least one application is the service supply-related application.

116. (New) The computer program product as recited in claim 16, wherein the at least one application is the financial-related application.

117. (New) The computer program product as recited in claim 16, and further comprising computer code for allowing a user to modify at least one of the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

118. (New) The computer program product as recited in claim 16, wherein the logic is related to a business-to-business transaction.

119. (New) The computer program product as recited in claim 16, wherein the computer code for generating includes computer code for generating at least four of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

120. (New) The computer program product as recited in claim 109, wherein the decision sensitivity display is capable of showing the at least one value associated with the first strategy simultaneously with the at least one value associated with the second strategy.

121. (New) The computer program product as recited in claim 16, wherein the at least one application is the product supply-related application and the product supply-related application relates to marketing at least one product.

122. (New) The computer program product as recited in claim 16, wherein the at least one application is the service supply-related application and the service supply-related application relates to marketing at least one service.

123. (New) The computer program product as recited in claim 16, wherein the at least one application is the corporate-related application and the s corporate -related application relates to marketing.

124. (New) The computer program product as recited in claim 16, wherein logic supports the decision-making.

125. (New) A computer program product embodied on a tangible computer readable medium, comprising:

an application capable of performing logic related to decision-making, the application being a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application;

computer code for retrieving first information from a database, per the application;

computer code for receiving second information from a user utilizing a user interface, per the application;

computer code for processing the first information and the second information;

computer code for generating at least one of: a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a potential feasible hybrid theme.

126. (New) The computer program product as recited in claim 125, wherein at least a portion of the computer code is carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules differently.

127. (New) The computer program product as recited in claim 125, wherein the logic is performed in real-time.

128. (New) The computer program product as recited in claim 125, wherein the first information is retrieved via a network.

129. (New) The computer program product as recited in claim 128, wherein the network is the Internet.

130. (New) The computer program product as recited in claim 125, wherein the second information is received via a network.

131. (New) The computer program product as recited in claim 125, wherein the generating is based on the processing.

132. (New) The computer program product as recited in claim 125, wherein the logic is industry-independent.

133. (New) The computer program product as recited in claim 125, wherein the logic is performed by a collaborative decision platform.

134. (New) The computer program product as recited in claim 125, wherein at least a portion of the computer code is carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules to different business sectors.

135. (New) The computer program product as recited in claim 134, wherein the business sector includes at least one of a real estate-related business sector, medical-related business sector, corporate-related business sector, and financial-related business sector.

136. (New) The computer program product as recited in claim 134, wherein the universal modules include at least one of a framing module, an alternatives module, an analysis module, or a connection module.

137. (New) The computer program product as recited in claim 136, wherein the universal modules include the framing module.

138. (New) The computer program product as recited in claim 136, wherein the universal modules include the alternatives module.

139. (New) The computer program product as recited in claim 136, wherein the universal modules include the analysis module.

140. (New) The computer program product as recited in claim 136, wherein the universal modules include the connection module.

141. (New) The computer program product as recited in claim 125, wherein the universal modules include a framing module, an alternatives module, an analysis module, and a connection module.

142. (New) The computer program product as recited in claim 134, wherein the logic relates to which products or services are suitable for a business.

143. (New) The computer program product as recited in claim 125, wherein the logic relates to customer relationship management.

144. (New) The computer program product as recited in claim 143, wherein the customer includes a business.

145. (New) The computer program product as recited in claim 125, and further comprising computer code for identifying a strategy.

146. (New) The computer program product as recited in claim 125, and further comprising computer code for assessing uncertainties for analysis purposes.

147. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating at least two of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

148. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating at least three of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

149. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating at least four of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

150. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the tornado diagram.

151. (New) The computer program product as recited in claim 150, wherein the tornado diagram identifies sources of risk.

152. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the decision sensitivity display.

153. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display includes a decision sensitivity table.

154. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display includes a decision sensitivity chart.

155. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display shows at least one value associated with a first strategy and at least one value associated with a second strategy.

156. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display compares at least one value associated with a strategy.

157. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display identifies sources of value.

158. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display identifies sources of value for each of a plurality of strategies.

159. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display identifies at least one aspect associated with at least one strategy.
160. (New) The computer program product as recited in claim 159, wherein the at least one aspect is associated with value.
161. (New) The computer program product as recited in claim 159, wherein the at least one strategy is pre-defined.
162. (New) The computer program product as recited in claim 159, wherein the at least one strategy is user-defined.
163. (New) The computer program product as recited in claim 162, wherein the at least one strategy is capable of being provided a strategy name.
164. (New) The computer program product as recited in claim 162, wherein the at least one strategy is capable of being defined by a plurality of selections.
165. (New) The computer program product as recited in claim 162, wherein the at least one strategy is capable of being defined by an amount of stock purchase.
166. (New) The computer program product as recited in claim 162, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.
167. (New) The computer program product as recited in claim 162, wherein the at least one strategy is capable of being modified.
168. (New) The computer program product as recited in claim 167, wherein a range associated with the at least one strategy is capable of being modified.

169. (New) The computer program product as recited in claim 159, wherein the at least one strategy is a stock purchase strategy.

170. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display identifies at least one aspect associated with a plurality of strategies.

171. (New) The computer program product as recited in claim 152, wherein the application is the financial-related application.

172. (New) The computer program product as recited in claim 171, and further comprising code for displaying a stock ticker.

173. (New) The computer program product as recited in claim 152, wherein the decision sensitivity display shows at least one profit-related value associated with a first strategy and at least one profit-related value associated with a second strategy.

174. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the decision hierarchy display.

175. (New) The computer program product as recited in claim 174, wherein the decision hierarchy display identifies decisions that are within a scope of a decision making process.

176. (New) The computer program product as recited in claim 174, wherein the decision hierarchy display identifies at least one decision associated with at least one strategy.

177. (New) The computer program product as recited in claim 176, wherein the at least one strategy is pre-defined.

178. (New) The computer program product as recited in claim 176, wherein the at least one strategy is user-defined.

179. (New) The computer program product as recited in claim 178, wherein the at least one strategy is capable of being provided a strategy name.

180. (New) The computer program product as recited in claim 178, wherein the at least one strategy is capable of being defined by a plurality of selections.

181. (New) The computer program product as recited in claim 178, wherein the at least one strategy is capable of being defined by an amount of stock purchase.

182. (New) The computer program product as recited in claim 178, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.

183. (New) The computer program product as recited in claim 178, wherein the at least one strategy is capable of being modified.

184. (New) The computer program product as recited in claim 183, wherein a range associated with the at least one strategy is capable of being modified.

185. (New) The computer program product as recited in claim 176, wherein the at least one strategy is a stock purchase strategy.

186. (New) The computer program product as recited in claim 174, wherein the decision hierarchy display includes at least one of policies, decisions, or tactics.

187. (New) The computer program product as recited in claim 174, wherein the decision hierarchy display includes at least two of: policies, decisions, and tactics.

188. (New) The computer program product as recited in claim 174, wherein the decision hierarchy display includes: policies, decisions, and tactics.

189. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the decision sensitivity display.

190. (New) The computer program product as recited in claim 189, wherein the decision sensitivity display includes a decision sensitivity table.

191. (New) The computer program product as recited in claim 189, wherein the decision sensitivity display includes a decision sensitivity chart.

192. (New) The computer program product as recited in claim 189, wherein the decision sensitivity display shows at least one value associated with a first strategy and at least one value associated with a second strategy.

193. (New) The computer program product as recited in claim 189, wherein the decision sensitivity display compares at least one value associated with a strategy.

194. (New) The computer program product as recited in claim 189, wherein the decision sensitivity display identifies sources of value.

195. (New) The computer program product as recited in claim 189, wherein the application is the financial-related application.

196. (New) The computer program product as recited in claim 189, and further comprising code for displaying a stock ticker.

197. (New) The computer program product as recited in claim 152, wherein the computer code for generating includes computer code for generating the potential hybrid theme.

198. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the influence diagram.

199. (New) The computer program product as recited in claim 198, wherein the influence diagram includes an information directory.

200. (New) The computer program product as recited in claim 198, wherein the influence diagram identifies a plurality of uncertainties.

201. (New) The computer program product as recited in claim 198, wherein the influence diagram identifies a plurality of risks.

202. (New) The computer program product as recited in claim 198, wherein the influence diagram identifies decisions and a plurality of values that are important to a user.

203. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the potential feasible hybrid theme.

204. (New) The computer program product as recited in claim 203, wherein the computer code for generating includes computer code for generating a plurality of the potential feasible hybrid themes.

205. (New) The computer program product as recited in claim 203, wherein the potential feasible hybrid theme includes a hybrid strategy.

206. (New) The computer program product as recited in claim 205, wherein the hybrid strategy combines a plurality of alternative strategies.
207. (New) The computer program product as recited in claim 206, wherein at least one of the plurality alternative strategies is pre-defined.
208. (New) The computer program product as recited in claim 203, wherein the potential feasible hybrid theme is associated with at least one strategy.
209. (New) The computer program product as recited in claim 208, wherein the at least one strategy is pre-defined.
210. (New) The computer program product as recited in claim 208, wherein the at least one strategy is user-defined.
211. (New) The computer program product as recited in claim 210, wherein the at least one strategy is capable of being provided a strategy name.
212. (New) The computer program product as recited in claim 210, wherein the at least one strategy is capable of being defined by a plurality of selections.
213. (New) The computer program product as recited in claim 210, wherein the at least one strategy is capable of being defined by an amount of stock purchase.
214. (New) The computer program product as recited in claim 210, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.
215. (New) The computer program product as recited in claim 210, wherein the at least one strategy is capable of being modified.

216. (New) The computer program product as recited in claim 215, wherein a range associated with the at least one strategy is capable of being modified.

217. (New) The computer program product as recited in claim 208, wherein the at least one strategy is a stock purchase strategy.

218. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating the decision sensitivity display; the decision sensitivity display capable of showing at least one value associated with a first strategy and at least one value associated with a second strategy; the at least one first strategy including a pre-defined stock-related strategy and the at least one second strategy including a user-defined stock-related strategy; the second strategy capable of being: provided a strategy name by a user, defined by a selection of a plurality of alternatives, and further modified.

219. (New) The computer program product as recited in claim 218, wherein the computer code for generating includes computer code for generating the decision hierarchy display, the decision hierarchy display identifying at least one decision associated with the second strategy.

220. (New) The computer program product as recited in claim 125, wherein the application is the corporate-related application.

221. (New) The computer program product as recited in claim 125, wherein the application is the real estate-related application.

222. (New) The computer program product as recited in claim 125, wherein the application is the medical-related application.

223. (New) The computer program product as recited in claim 125, wherein the application is the product supply-related application.

224. (New) The computer program product as recited in claim 125, wherein the application is the service supply-related application.
225. (New) The computer program product as recited in claim 125, wherein the application is the financial-related application.
226. (New) The computer program product as recited in claim 125, and further comprising computer code for allowing a user to modify at least one of the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.
227. (New) The computer program product as recited in claim 125, wherein the logic is related to a business-to-business transaction.
228. (New) The computer program product as recited in claim 125, wherein the computer code for generating includes computer code for generating at least four of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.
229. (New) The computer program product as recited in claim 218, wherein the decision sensitivity display is capable of showing the at least one value associated with the first strategy simultaneously with the at least one value associated with the second strategy.
230. (New) The computer program product as recited in claim 125, wherein the application is the product supply-related application and the product supply-related application relates to marketing at least one product.

231. (New) The computer program product as recited in claim 125, wherein the application is the service supply-related application and the service supply-related application relates to marketing at least one service.
232. (New) The computer program product as recited in claim 125, wherein the application is the corporate-related application and the s corporate -related application relates to marketing.
233. (New) The computer program product as recited in claim 125, wherein logic supports the decision-making.
234. (New) A method, comprising:
 providing an application capable of performing logic related to decision-making, the application including at least one application that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application;
 retrieving first information from a database, per the application;
 receiving second information from a user utilizing a user interface, per the application;
 processing the first information and the second information utilizing the logic;
 generating at least one of: a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a potential feasible hybrid theme.
235. (New) The method as recited in claim 234, wherein at least a portion of the method is carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules differently.
236. (New) The method as recited in claim 234, wherein the logic is performed in real-time.

237. (New) The method as recited in claim 234, wherein the first information is retrieved via a network.
238. (New) The method as recited in claim 237, wherein the network is the Internet.
239. (New) The method as recited in claim 234, wherein the second information is received via a network.
240. (New) The method as recited in claim 234, wherein the generating is based on the processing.
241. (New) The method as recited in claim 234, wherein the logic is industry-independent.
242. (New) The method as recited in claim 234, wherein the logic is performed by a collaborative decision platform.
243. (New) The method as recited in claim 234, wherein at least a portion of the method is carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules to different business sectors.
244. (New) The method as recited in claim 243, wherein the business sector includes at least one of a real estate-related business sector, medical-related business sector, corporate-related business sector, and financial-related business sector.
245. (New) The method as recited in claim 243, wherein the universal modules include at least one of a framing module, an alternatives module, an analysis module, or a connection module.
246. (New) The method as recited in claim 245, wherein the universal modules include the framing module.

247. (New) The method as recited in claim 245, wherein the universal modules include the alternatives module.

248. (New) The method as recited in claim 245, wherein the universal modules include the analysis module.

249. (New) The method as recited in claim 245, wherein the universal modules include the connection module.

250. (New) The method as recited in claim 234, wherein the universal modules include a framing module, an alternatives module, an analysis module, and a connection module.

251. (New) The method as recited in claim 243, wherein the logic relates to which products or services are suitable for a business.

252. (New) The method as recited in claim 234, wherein the logic relates to customer relationship management.

253. (New) The method as recited in claim 252, wherein the customer includes a business.

254. (New) The method as recited in claim 234, and further comprising identifying a strategy.

255. (New) The method as recited in claim 234, and further comprising assessing uncertainties for analysis purposes.

256. (New) The method as recited in claim 234, wherein the generating includes generating at least three of: the tornado diagram, the decision sensitivity display, the

decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

257. (New) The method as recited in claim 234, wherein the generating includes generating at least four of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

258. (New) The method as recited in claim 234, wherein the generating includes generating at least five of: the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

259. (New) The method as recited in claim 234, wherein the generating includes generating the tornado diagram.

260. (New) The method as recited in claim 259, wherein the tornado diagram identifies sources of risk.

261. (New) The method as recited in claim 234, wherein the generating includes generating the decision sensitivity display.

262. (New) The method as recited in claim 261, wherein the decision sensitivity display includes a decision sensitivity table.

263. (New) The method as recited in claim 261, wherein the decision sensitivity display includes a decision sensitivity chart.

264. (New) The method as recited in claim 261, wherein the decision sensitivity display shows at least one value associated with a first strategy and at least one value associated with a second strategy.

265. (New) The method as recited in claim 261, wherein the decision sensitivity display compares at least one value associated with a strategy.

266. (New) The method as recited in claim 261, wherein the decision sensitivity display identifies sources of value.

267. (New) The method as recited in claim 261, wherein the decision sensitivity display identifies sources of value for each of a plurality of strategies.

268. (New) The method as recited in claim 261, wherein the decision sensitivity display identifies at least one aspect associated with at least one strategy.

269. (New) The method as recited in claim 268, wherein the at least one aspect is associated with value.

270. (New) The method as recited in claim 268, wherein the at least one strategy is pre-defined.

271. (New) The method as recited in claim 268, wherein the at least one strategy is user-defined.

272. (New) The method as recited in claim 271, wherein the at least one strategy is capable of being provided a strategy name.

273. (New) The method as recited in claim 271, wherein the at least one strategy is capable of being defined by a plurality of selections.

274. (New) The method as recited in claim 271, wherein the at least one strategy is capable of being defined by an amount of stock purchase.

275. (New) The method as recited in claim 271, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.
276. (New) The method as recited in claim 271, wherein the at least one strategy is capable of being modified.
277. (New) The method as recited in claim 276, wherein a range associated with the at least one strategy is capable of being modified.
278. (New) The method as recited in claim 268, wherein the at least one strategy is a stock purchase strategy.
279. (New) The method as recited in claim 261, wherein the decision sensitivity display identifies at least one aspect associated with a plurality of strategies.
280. (New) The method as recited in claim 261, wherein the at least one application is the financial-related application.
281. (New) The method as recited in claim 280, and further comprising code for displaying a stock ticker.
282. (New) The method as recited in claim 261, wherein the decision sensitivity display shows at least one profit-related value associated with a first strategy and at least one profit-related value associated with a second strategy.
283. (New) The method as recited in claim 234, wherein the generating includes generating the decision hierarchy display.
284. (New) The method as recited in claim 283, wherein the decision hierarchy display identifies decisions that are within a scope of a decision making process.

285. (New) The method as recited in claim 283, wherein the decision hierarchy display identifies at least one decision associated with at least one strategy.

286. (New) The method as recited in claim 285, wherein the at least one strategy is pre-defined.

287. (New) The method as recited in claim 285, wherein the at least one strategy is user-defined.

288. (New) The method as recited in claim 287, wherein the at least one strategy is capable of being provided a strategy name.

289. (New) The method as recited in claim 287, wherein the at least one strategy is capable of being defined by a plurality of selections.

290. (New) The method as recited in claim 287, wherein the at least one strategy is capable of being defined by an amount of stock purchase.

291. (New) The method as recited in claim 287, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.

292. (New) The method as recited in claim 287, wherein the at least one strategy is capable of being modified.

293. (New) The method as recited in claim 292, wherein a range associated with the at least one strategy is capable of being modified.

294. (New) The method as recited in claim 285, wherein the at least one strategy is a stock purchase strategy.

295. (New) The method as recited in claim 283, wherein the decision hierarchy display includes at least one of policies, decisions, or tactics.

296. (New) The method as recited in claim 283, wherein the decision hierarchy display includes at least two of: policies, decisions, and tactics.

297. (New) The method as recited in claim 283, wherein the decision hierarchy display includes: policies, decisions, and tactics.

298. (New) The method as recited in claim 234, wherein the generating includes generating the decision sensitivity display.

299. (New) The method as recited in claim 298, wherein the decision sensitivity display includes a decision sensitivity table.

300. (New) The method as recited in claim 298, wherein the decision sensitivity display includes a decision sensitivity chart.

301. (New) The method as recited in claim 298, wherein the decision sensitivity display shows at least one value associated with a first strategy and at least one value associated with a second strategy.

302. (New) The method as recited in claim 298, wherein the decision sensitivity display compares at least one value associated with a strategy.

303. (New) The method as recited in claim 298, wherein the decision sensitivity display identifies sources of value.

304. (New) The method as recited in claim 298, wherein the at least one application is the financial-related application.

305. (New) The method as recited in claim 298, and further displaying a stock ticker.
306. (New) The method as recited in claim 261, wherein the generating includes generating the potential hybrid theme.
307. (New) The method as recited in claim 234, wherein the generating includes generating the influence diagram.
308. (New) The method as recited in claim 307, wherein the influence diagram includes an information directory.
309. (New) The method as recited in claim 307, wherein the influence diagram identifies a plurality of uncertainties.
310. (New) The method as recited in claim 307, wherein the influence diagram identifies a plurality of risks.
311. (New) The method as recited in claim 307, wherein the influence diagram identifies decisions and a plurality of values that are important to a user.
312. (New) The method as recited in claim 234, wherein the generating includes generating the potential feasible hybrid theme.
313. (New) The method as recited in claim 312, wherein the generating includes generating a plurality of the potential feasible hybrid themes.
314. (New) The method as recited in claim 312, wherein the potential feasible hybrid theme includes a hybrid strategy.
315. (New) The method as recited in claim 314, wherein the hybrid strategy combines a plurality of alternative strategies.

316. (New) The method as recited in claim 315, wherein at least one of the plurality alternative strategies is pre-defined.

317. (New) The method as recited in claim 312, wherein the potential feasible hybrid theme is associated with at least one strategy.

318. (New) The method as recited in claim 317, wherein the at least one strategy is pre-defined.

319. (New) The method as recited in claim 317, wherein the at least one strategy is user-defined.

320. (New) The method as recited in claim 319, wherein the at least one strategy is capable of being provided a strategy name.

321. (New) The method as recited in claim 319, wherein the at least one strategy is capable of being defined by a plurality of selections.

322. (New) The method as recited in claim 319, wherein the at least one strategy is capable of being defined by an amount of stock purchase.

323. (New) The method as recited in claim 319, wherein the at least one strategy is capable of being defined by a selection of a plurality of alternatives.

324. (New) The method as recited in claim 319, wherein the at least one strategy is capable of being modified.

325. (New) The method as recited in claim 324, wherein a range associated with the at least one strategy is capable of being modified.

326. (New) The method as recited in claim 317, wherein the at least one strategy is a stock purchase strategy.

327. (New) The method as recited in claim 234, wherein the generating includes generating the decision sensitivity display; the decision sensitivity display capable of showing at least one value associated with a first strategy and at least one value associated with a second strategy; the at least one first strategy including a pre-defined stock-related strategy and the at least one second strategy including a user-defined stock-related strategy; the second strategy capable of being: provided a strategy name by a user, defined by a selection of a plurality of alternatives, and further modified.

328. (New) The method as recited in claim 327, wherein the generating includes generating the decision hierarchy display, the decision hierarchy display identifying at least one decision associated with the second strategy.

329. (New) The method as recited in claim 234, wherein the at least one application is the corporate-related application.

330. (New) The method as recited in claim 234, wherein the at least one application is the real estate-related application.

331. (New) The method as recited in claim 234, wherein the at least one application is the medical-related application.

332. (New) The method as recited in claim 234, wherein the at least one application is the product supply-related application.

333. (New) The method as recited in claim 234, wherein the at least one application is the service supply-related application.

334. (New) The method as recited in claim 234, wherein the at least one application is the financial-related application.

335. (New) The method as recited in claim 234, and further comprising allowing a user to modify at least one of the tornado diagram, the decision sensitivity display, the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

336. (New) The method as recited in claim 234, wherein the logic is related to a business-to-business transaction.

337. (New) The method as recited in claim 234, wherein the generating includes generating at least four of: the tornado diagram, the decision sensitivity display; the decision hierarchy display, the influence diagram, and the potential feasible hybrid theme.

338. (New) The method as recited in claim 327, wherein the decision sensitivity display is capable of showing the at least one value associated with the first strategy simultaneously with the at least one value associated with the second strategy.

339. (New) The method as recited in claim 234, wherein the at least one application is the product supply-related application and the product supply-related application relates to marketing at least one product.

340. (New) The method as recited in claim 234, wherein the at least one application is the service supply-related application and the service supply-related application relates to marketing at least one service.

341. (New) The method as recited in claim 234, wherein the at least one application is the corporate-related application and the s corporate -related application relates to marketing.

342. (New) The method as recited in claim 234, wherein logic supports the decision-making.

REMARKS

Per MPEP 609.02, applicant has not re-submitted any disclosures, references, etc. cited in any parent application. It assumed, however, that per such MPEP section, the Examiner has considered the same in connection with the instant application. If applicant's assumption is in error or the Examiner requires re-submission of any such references, etc., applicant requests that the Examiner contact the undersigned so that applicant can satisfy such request.

The Examiner has rejected claims under 35 U.S.C. 101 as being non-statutory subject matter. Applicant respectfully disagrees with such rejection. However, in the interest of expediting prosecution of the present application, applicant has amended the claims to further avoid such rejection. Specifically, applicant has amended each of the independent claims to require at least one application "that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application," in the context claimed.

Applicant further makes note of the double patenting rejection. Such rejection is deemed overcome by virtue of the terminal disclaimer(s) submitted herewith.

Regarding ind. Claims 16, 125, and 234, applicant asserts that such claims are similar, but not necessarily identical to those recently issued in U.S. Patent No.: 7,499,898. See the exact language below:

16. (New) A computer program product embodied on a tangible computer readable medium, comprising:

an application capable of performing logic related to decision-making, the application including at least one application that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application;

computer code for retrieving first information from a database, per the application;

computer code for receiving second information from a user utilizing a user interface, per the application;

computer code for processing the first information and the second information utilizing the logic;

computer code for generating at least one of: a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a potential feasible hybrid theme.

125. (New) A computer program product embodied on a tangible computer readable medium, comprising:

an application capable of performing logic related to decision-making, the application being a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application;

computer code for retrieving first information from a database, per the application;

computer code for receiving second information from a user utilizing a user interface, per the application;

computer code for processing the first information and the second information;

computer code for generating at least one of: a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a potential feasible hybrid theme.

234. (New) A method, comprising:

providing an application capable of performing logic related to decision-making, the application including at least one application that is a real estate-related application, a medical-related application, a corporate-related application, a product supply-related application, a service supply-related application, or a financial-related application;

retrieving first information from a database, per the application;

receiving second information from a user utilizing a user interface, per the application;

processing the first information and the second information utilizing the logic;
generating at least one of: a tornado diagram, a decision sensitivity display, a decision hierarchy display, an influence diagram, or a potential feasible hybrid theme.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims. **It should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.**

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. SVIPGP019C).

Respectfully submitted,
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Office Action Summary

Application No. 11/768,836	Applicant(s) OWEN ET AL.	
Examiner MICHAEL B. HOLMES	Art Unit 2129	

-- 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) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 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 26 June 2007.
- 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) 1-15 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) 1-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ 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 26 June 2007 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).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment 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:
- Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - 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.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/28/2007-02/25/2008</u> . | 6) <input type="checkbox"/> Other: _____ |



UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450, Alexandria, Virginia 22313-1450 – www.uspto.gov

Examiner's Detailed Office Action

1. This Office Action is responsive to communication, filed 06/26/2007.

Information Disclosure Statement

2. Applicant is respectfully remind of the Duty to disclose 37 C.F.R. 1.56 all pertinent information and material pertaining to the patentability of applicant's claimed invention, by continuing to submitting in a timely manner PTO-1449, Information Disclosure Statement (IDS) with the filing of applicant's of application or thereafter.

Drawings

3. The formal drawings submitted have been reviewed by the Office of Initial Patent Examination (OIPE) and/or the USPTO Office of Draftperson's Patent Drawings Review.

Specification

4. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Appropriate correction is required.

Art Unit: 2129

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. The invention as disclosed in claims 1-15 are rejected under 35 U.S.C. § 101 as being non-statutory subject matter. *see In re Comiskey*, Case No. 2006-1286, at 8, 16-21, (Fed. Cir., September 20, 2007). “Only if the requirements of § 101 are satisfied is the inventor allowed to pass through to the other requirements for patentability, such as novelty under § 102 and, non-obviousness under § 103.” “Moreover, ... when an abstract concept has no claimed practical application, it is not patentable.”

7. *No preemption is permitted* i.e., when a claim is so broad that it reads on both statutory and nonstatutory subject matter, *it must be amended*. A claim that recites a computer that solely calculates a mathematical formula is not statutory. In other words, one may not patent a process that comprises every “substantial practical application” of an abstract idea, because such a patent in “practical effect would be a patent on the [abstract idea] itself.” Regarding claims 1-15 i.e., “a method capable of performing **decision logic**” would in fact cover virtually all **decision logic**. Nothing is specified in the claims to limit the invention to a particular application e.g., an Accounting systems; Alliance management systems; Asset management systems; Brand management systems; Budgeting/financial planning systems; Business intelligence systems; Call management systems; Cash management systems; Channel management systems; Commodity risk management systems; Content management systems; Contract management systems; Credit-risk management system Customer relationship management systems; Data integration

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systems; Demand chain systems; Decision support systems; Document management systems; Email management systems; Employee relationship management systems; Energy risk management systems; Executive dashboard systems; Expense report processing systems; Fleet management systems; Fraud management systems; Freight management systems; Human capital management systems; Human resource management systems; Incentive management systems; Innovation management systems; Insurance management systems; Intellectual property management systems; Intelligent storage systems Interest rate risk management systems; Investor relationship management systems; Knowledge management systems; Learning management systems; Location management systems; Maintenance management systems; Material requirement planning systems; Metrics creation system; Online analytical processing systems; Ontology management systems; Partner relationship management systems; Payroll systems; Performance management systems; Price optimization systems; Process management systems; Product life-cycle management systems; Project management systems; Project portfolio management systems; Revenue management systems; Risk management information system Risk simulation systems; Sales force automation systems; Scorecard systems; Sensor grid systems; Service management systems; Six-sigma quality management systems; Strategic planning systems; Supply chain systems; Supplier relationship management systems; Support chain systems; Taxonomy development systems; Technology chain systems; Unstructured data management systems; Visitor (web site) relationship management systems; Weather risk management systems; Workforce management systems; or Yield management systems. Without clearly stating in the claim a particular application, it *preempts* all **decision logic**. Where as, the courts have also held that a claim may not preempt ideas, laws of nature or natural phenomena.

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The concern over preemption was expressed as early as 1852. See Le Roy v. Tatham, 55 U.S. (14 How.) 156, 175 (1852) (“A principle, in the abstract, is a fundamental truth; an original cause; a motive; these cannot be patented, as no one can claim in either of them an exclusive right.”); See Funk Bros. Seed Co. v. Kalo Inoculant Co., 333 U.S.127, 132, 76 USPQ 280, 282 (1948).

8. The claims fail to provide a “useful, concrete or tangible result.” Moreover, there must be a practical application, by either (1) transforming (physical thing) or (2) by having the **FINAL RESULT** (not the steps) achieve or produce a “useful” (specific, substantial, AND credible), “concrete” (substantially repeatable/non-unpredictable), AND “tangible” (real world/non-abstract) result. Moreover, the claims are directed to an abstract idea rather than a practical application of an abstract idea which would produce a “useful, concrete or tangible results.” Accordingly, the claims fail to provide a practical application and is insufficient to establish a real world “tangible” result, *see In re Warmerdam*, 31 USPQ2d, 1354.

9. Devoid of such, applicant’s claimed invention is an abstract idea e.g., a computational model or a mathematical manipulation of a function or equation. A process that merely manipulates an abstract idea or performs a purely mathematical algorithm is non-statutory despite the fact that it might inherently have some usefulness. *see In re Sarkar*, 588 F.2d at 1335, 200 USPQ at 139, wherein the court explained why this approach must be followed:

No mathematical equation can be used, as a practical matter, without establishing and substituting values for the variables expressed therein. Substitution of values dictated by the formula has thus been viewed as a form of mathematical step. If the steps of gathering and substituting values were alone sufficient, every mathematical equation, formula, or algorithm having any practical use would be per se subject to patenting as a “process” under 101. Consideration of whether the substitution of specific values is enough to convert the disembodied ideas present in the formula into an embodiment of those ideas, or into an application of the formula, is foreclosed by the current state of the law.

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10. A claim is limited to a practical application when the invention as claimed, produces a concrete, tangible and useful result; i.e., the invention recites a steps or a process or act of producing something that is concrete, tangible and useful. *See AT & T*, 172 F.3d at 1358, 50 USPQ2d at 1452. *See* MPEP § 2106(IV) The claimed invention as a whole must accomplish a practical application. That is, it must produce a “useful, concrete and tangible result.” *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02. Remember, the claims define the property rights provided by a patent, and thus require careful scrutiny. Therefore, it is not enough to set forth invention in the specification. The claims must also reflect the scope and breath of applicant’s invention. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551(CCPA 1969). The situation in this application appears to be more difficult since it does not appear that the practical application is contained within the specification.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by *McAndrew et al.* (USPN 5,517,405).

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Regarding claim 1.

McAndrew et al. describes a method, comprising: (a) executing an application capable of performing **decision logic**; (b) retrieving information from a database in accordance with the **decision logic**; (c) receiving information from a user in accordance with the **decision logic** utilizing a user interface; and (d) processing the information utilizing the **decision logic**; (e) (b)-(d) are carried out using universal modules capable of interfacing with different applications adapted for applying the universal modules to different business sectors.

[see Abstract; FIG. 1 & FIG. 2; C 5, L 50 to C 6, L 29]

Regarding claim 14.

McAndrew et al. describes a computer program product embodied on a computer readable medium, comprising: computer code for executing an application capable of performing **decision logic**; computer code retrieving information from a database in accordance with the **decision logic**; computer code for receiving information from a user in accordance with the **decision logic**; utilizing a user interface; **computer code for processing** the information utilizing the **decision logic**; and wherein collaborative decision making is carried out between the receiving business and the supplying business in real-time. [see Abstract; FIG. 1 & FIG. 2; C 5, L 50 to C 6, L 29]

Regarding claim 15.

McAndrew et al. describes a system, comprising: logic for executing an application capable of performing **decision logic**; logic for retrieving information from a database in accordance with the **decision logic**; logic for receiving information from a user in accordance with the **decision logic** utilizing a user interface; logic for processing the information utilizing the **decision logic**;

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and wherein collaborative decision making is carried out between the receiving business and the supplying business in real-time. [see Abstract; FIG. 1 & FIG. 2; C 5, L 50 to C 6, L 29]

Regarding claims 2-13.

of which, are rejected under the same rationale as their respective base claim. [see Abstract; FIG. 1 & FIG. 2; C 5, L 50 to C 6, L 29]

Double Patenting

13. Claims 1-15 of application 11/768,836 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-22 of U.S. Patent No. 6,876,991. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969). A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or

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claims an invention made as a result of activities undertaken within the scope of a joint research agreement. Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim Interpretation

14. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Moreover, limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541,550-551 (CCPA 1969)" (MPEP p 2100-8, c 2,145-48; p 2100-9, c 1,1 1-4).
15. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.
16. Examiner's Notes are/if provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the citations are self-explanatory to one skilled in the art and do not need any further explanation. Moreover, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently or obviously appropriate.

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17. Unless otherwise annotated, as aforementioned, Examiner's statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent or obviousness prima facie case or statement(s).

Correspondence Information

18. Any inquires concerning this communication or earlier communications from the examiner should be directed to Michael B. Holmes, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-3686 or facsimile transmission (571) 273-3686 or email michael.holmesb@uspto.gov.

If you need to send an Official facsimile transmission, please send it to (571) 273-8300.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, David Vincent, may be reached at (571) 272-3080.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.

Finally, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Moreover, status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more

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information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) toll-free @ 1-866-217-9197.

Michael B. Holmes

Primary Examiner

Artificial Intelligence

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United States Department of Commerce

Patent & Trademark Office

Wednesday, September 03, 2008

MBH

/Michael B. Holmes/

Primary Examiner, Art Unit 2129