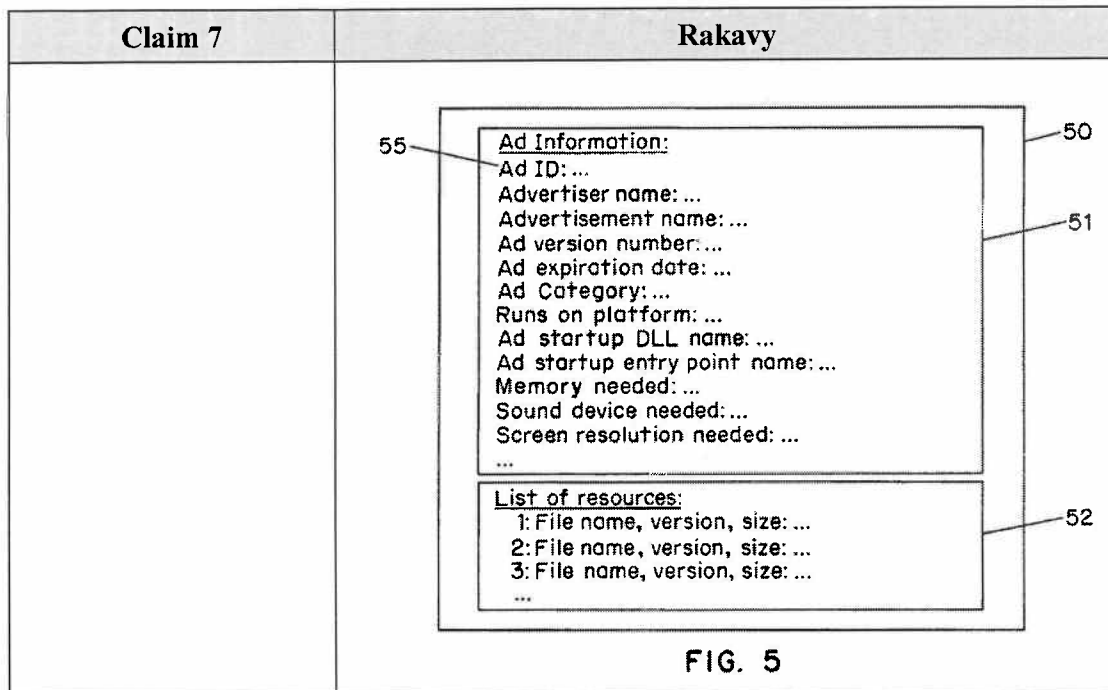


EXHIBIT H

PART 4

Claim 7	Rakavy
	(Rakavy, 11:33-44.)
<p>wherein the set of content data is selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides its content data to the content display system independently of each other content provider and without the content data being aggregated at a common physical location remote from the content display system prior to being provided to the content display system, and</p>	<p>"In an alternate embodiment of the present invention, the selected advertisement may be stored on any one of the plurality of advertising system servers connected to the Network 700." (Rakavy, 5:54-57)</p> <p>"The main roles of the Advertising System Server 600 are to store Advertisements 50, transfer the Advertisements 50 to the Local Computer 500, and collect user feedback." (Rakavy, 5:33-35)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p>
<p>wherein for each set the respective content provider may provide scheduling instructions tailored to the set of content data to control at least one of the duration, sequencing, and timing of the display of said image or images generated from the set of content data.</p>	<p>"FIG. 5 shows a schematic representation of an Advertisement 50. Each Advertisement 50 in the Server Database 730 comprises an Advertisement Information Record 51 and a Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and multimedia requirements. The Resource List 52 contains a list of resources (bitmaps, animations, digitized audio segments, executable code, etc.) that must exist on the Local Computer 500 or associated local LAN in order to present the advertisement. The Resource List 52 includes a unique resource-ID, a resource type, and a resource pointer. The resource pointer identifies a file, a database record, a block of data, or other means of identifying the resource. In this manner, resources can be shared by various Advertisements 50." (Rakavy, 7:13-29)</p>



5. Claim 9

Claim 9 is unpatentable under 35 U.S.C. § 102(e) as being anticipated by Rakavy.

The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy.

Claim 9	
<p>A system as in claim 7, wherein: a link control option enables the user to establish a link with an information location; and the system control device establishes the link with the information location in response to selection of the link control option.</p>	<p>"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)</p>

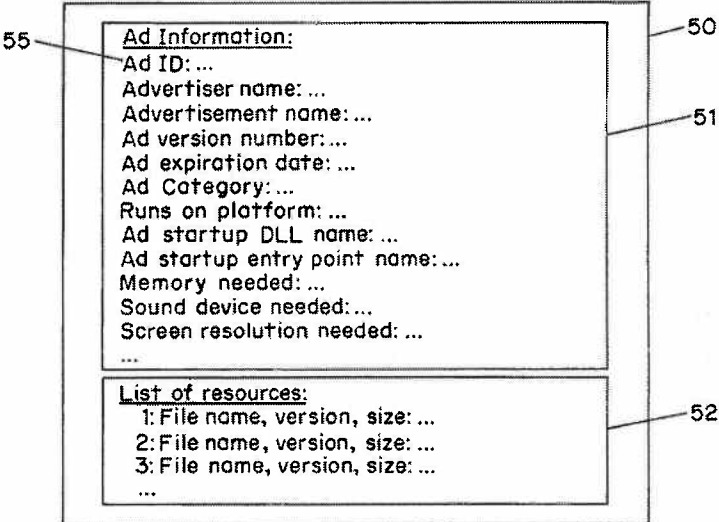
6. Claim 10

Claim 10 is unpatentable under 35 U.S.C. § 102(e) as being anticipated by Rakavy. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy.

Claim 10	Rakavy
A method for engaging the peripheral attention of a person in the vicinity of a display device, comprising the steps of:	"This invention relates generally to advertisement computer display systems and more particularly to a method and system for displaying advertisements and other information on a computer based on general user selected criteria and transmitting such information from a remote network to the local computer" (Rakavy, 1:7-12.)
acquiring a set of content data from a content providing system;	<p>"The User Preference and Advertisement Database 230 contains various information needed by the system. The primary data stored is the advertisement information (including executable code modules, bitmaps, video clips and sound clips). The database also stores display statistics, configuration information and user preference data." (Rakavy, 8:62-67)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
selectively displaying on the display device, in an unobtrusive manner that does not distract a user of the display device or an apparatus associated	<p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p> <p>"The Screen Saver Subsystem 220 tracks user interaction with</p>

Claim 10	Rakavy
<p>with the display device from a primary interaction with the display device or apparatus, an image or images generated from the set of content data;</p>	<p>the system. When the Screen Saver Subsystem 220 detects that the system has been idle, for example, when there has been no user interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device), for a preconfigured time, it activates the Advertisements Display Manager 210 which will select an advertisement and display it." (Rakavy, 7:63-7:3)</p> <p>"By utilizing on-line communications, the screen saver of the present invention provides a wide variety of potential content themes which may be personalized and modified on a timely basis in accordance with user preferences." (Rakavy, 7:9-13)</p> <p>"The Advertisement Display Manager 210 selects and displays Advertisements 50 from the User Preference and Advertisements Database 230. The Advertisement Display Manager 210 is typically activated by the Screen Saver Subsystem 220 when the user has not entered input for a predetermined time, or from the Scheduler 265." (Rakavy, 10:43-48)</p> <p>"Other techniques for displaying the advertisement, such as periodic audio-only messages, screen background wallpaper, cursor modifications, and display in a window on the user's computer display are also available." (Rakavy, 3:30-33)</p>
<p>enabling selection by a user of one or more control options during the selective display of the image or images generated from the set of content data; and</p>	<p>"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)</p> <p>During prosecution, the Patent Owner admitted that the "<i>means for selecting a displayed control option,</i>" ... was embodied by the content display computer and a conventional computer mouse or keyboard operating in accordance with conventional software for controlling operation of such devices (as known to those skilled in the art)." (Reply to Final Office Action, p. 25)</p> <p>The keyboard and/or pointing device of the local computer</p>

Claim 10	Rakavy
	<p>500 meets this limitation.</p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
<p>controlling aspects of the operation of the system in accordance with a selected control option;</p>	<p>"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)</p>
<p>wherein the set of content data is selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides its content data to the content display system independently of each other content provider and without the content data being aggregated at a common physical location remote from the content display system prior to being</p>	<p>"In an alternate embodiment of the present invention, the selected advertisement may be stored on any one of the plurality of advertising system servers connected to the Network 700." (Rakavy, 5:54-57)</p> <p>"The main roles of the Advertising System Server 600 are to store Advertisements 50, transfer the Advertisements 50 to the Local Computer 500, and collect user feedback." (Rakavy, 5:33-35)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p>

Claim 10	Rakavy
provided to the content display system, and	
<p>wherein for each set the respective content provider may provide scheduling instructions tailored to the set of content data to control at least one of the duration, sequencing, and timing of the display of said image or images generated from the set of content data.</p>	<p>"FIG. 5 shows a schematic representation of an Advertisement 50. Each Advertisement 50 in the Server Database 730 comprises an Advertisement Information Record 51 and a Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and multimedia requirements. The Resource List 52 contains a list of resources (bitmaps, animations, digitized audio segments, executable code, etc.) that must exist on the Local Computer 500 or associated local LAN in order to present the advertisement. The Resource List 52 includes a unique resource-ID, a resource type, and a resource pointer. The resource pointer identifies a file, a database record, a block of data, or other means of identifying the resource. In this manner, resources can be shared by various Advertisements 50." (Rakavy, 7:13-29)</p>  <p style="text-align: center;">FIG. 5</p>

7. Claim 12

Claim 12 is unpatentable under 35 U.S.C. § 102(e) as being anticipated by Rakavy. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy.

Claim 12	Rakavy
A method as in claim 10, wherein a link control option enables the user to establish a link with a information location, the step of controlling aspects of the operation of the system further comprising the step of establishing the link with the information location in response to selection of the link control option.	"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)

8. Claim 13

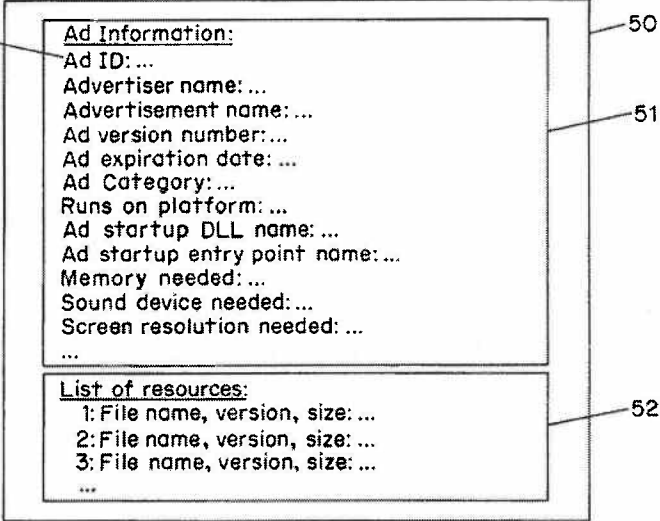
Claim 13 is unpatentable under 35 U.S.C. § 102(e) as being anticipated by Rakavy. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy.

Claim 13	Rakavy
A computer readable medium encoded with one or more computer programs for enabling engagement of the peripheral attention of a person in the vicinity of a display device, comprising:	"This invention relates generally to advertisement computer display systems and more particularly to a method and system for displaying advertisements and other information on a computer based on general user selected criteria and transmitting such information from a remote network to the local computer" (Rakavy, 1:7-12.)
instructions for acquiring a set of	"The User Preference and Advertisement Database 230 contains various information needed by the system. The

Claim 13	Rakavy
<p>content data from a content providing system;</p>	<p>primary data stored is the advertisement information (including executable code modules, bitmaps, video clips and sound clips). The database also stores display statistics, configuration information and user preference data." (Rakavy, 8:62-67)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
<p>instructions for selectively displaying on the display device, in an unobtrusive manner that does not distract a user of the display device or an apparatus associated with the display device from a primary interaction with the display device or apparatus, an image or images generated from the set of content data;</p>	<p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p> <p>"The Screen Saver Subsystem 220 tracks user interaction with the system. When the Screen Saver Subsystem 220 detects that the system has been idle, for example, when there has been no user interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device), for a preconfigured time, it activates the Advertisements Display Manager 210 which will select an advertisement and display it." (Rakavy, 7:63-7:3)</p> <p>"By utilizing on-line communications, the screen saver of the present invention provides a wide variety of potential content themes which may be personalized and modified on a timely basis in accordance with user preferences." (Rakavy, 7:9-13)</p> <p>"The Advertisement Display Manager 210 selects and displays Advertisements 50 from the User Preference and Advertisements Database 230. The Advertisement Display Manager 210 is typically activated by the Screen Saver Subsystem 220 when the user has not entered input for a</p>

Claim 13	Rakavy
	<p>predetermined time, or from the Scheduler 265." (Rakavy, 10:43-48)</p> <p>"Other techniques for displaying the advertisement, such as periodic audio-only messages, screen background wallpaper, cursor modifications, and display in a window on the user's computer display are also available." (Rakavy, 3:30-33)</p>
<p>instructions for enabling selection by a user of one or more control options during the selective display of the image or images generated from the set of content data; and</p>	<p>"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)</p> <p>During prosecution, the Patent Owner admitted that the <i>"means for selecting a displayed control option,"</i> ... was embodied by the content display computer and a conventional computer mouse or keyboard operating in accordance with conventional software for controlling operation of such devices (as known to those skilled in the art)." (Reply to Final Office Action, p. 25)</p> <p>The keyboard and/or pointing device of the local computer 500 meets this limitation.</p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
<p>instructions for controlling aspects of the operation of the system in accordance with a selected control option;</p>	<p>"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a</p>

Claim 13	Rakavy
	<p>WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)</p>
<p>wherein the set of content data is selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides its content data to the content display system independently of each other content provider and without the content data being aggregated at a common physical location remote from the content display system prior to being provided to the content display system, and</p>	<p>"In an alternate embodiment of the present invention, the selected advertisement may be stored on any one of the plurality of advertising system servers connected to the Network 700." (Rakavy, 5:54-57)</p> <p>"The main roles of the Advertising System Server 600 are to store Advertisements 50, transfer the Advertisements 50 to the Local Computer 500, and collect user feedback." (Rakavy, 5:33-35)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p>
<p>wherein for each set the respective content provider may provide scheduling instructions tailored to the set of content data to control at least one of the duration, sequencing, and timing of the display of said image or images generated from the set of content data.</p>	<p>"FIG. 5 shows a schematic representation of an Advertisement 50. Each Advertisement 50 in the Server Database 730 comprises an Advertisement Information Record 51 and a Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and multimedia requirements. The Resource List 52 contains a list of resources (bitmaps, animations, digitized audio segments, executable code, etc.) that must exist on the Local Computer 500 or associated local LAN in order to present the advertisement. The Resource List 52 includes a unique resource-ID, a resource type, and a resource pointer. The resource pointer identifies a file, a</p>

Claim 13	Rakavy
	<p>database record, a block of data, or other means of identifying the resource. In this manner, resources can be shared by various Advertisements 50." (Rakavy, 7:13-29)</p>  <p>The diagram shows a rectangular box representing an advertisement. It is divided into two sections. The top section is titled "Ad Information:" and lists the following fields: Ad ID: ..., Advertiser name: ..., Advertisement name: ..., Ad version number: ..., Ad expiration date: ..., Ad Category: ..., Runs on platform: ..., Ad startup DLL name: ..., Ad startup entry point name: ..., Memory needed: ..., Sound device needed: ..., Screen resolution needed: ..., and an ellipsis (...). The bottom section is titled "List of resources:" and lists three items: 1: File name, version, size: ..., 2: File name, version, size: ..., 3: File name, version, size: ..., and an ellipsis (...). Reference numerals 50, 51, 52, and 55 are used to identify parts of the diagram: 50 points to the outer box, 51 to the right side of the box, 52 to the bottom section, and 55 to the top section.</p> <p style="text-align: center;">FIG. 5</p>

9. Claim 15

Claim 15 is unpatentable under 35 U.S.C. § 102(e) as being anticipated by Kjorsvik. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Kjorsvik.

Claim 15	Rakavy
<p>A computer readable medium as in claim 13, wherein a link control option enables the user to establish a link with an information location, the instructions for controlling aspects of the operation of the system further comprising instructions for establishing the link with the information location</p>	<p>"When the Advertisement Display Manager 210 is active, all user input is routed directly to the Advertisement Display Manager 210, thus allowing for user interaction with Advertisements 50. The Advertisement Display Manager 210 selectively forwards certain keys to the default operating system routine, which will typically terminate the Advertisement Display Manager 210. The user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)</p>

Claim 15	Rakavy
in response to selection of the link control.	

D. U.S. Patent No. 5,913,040 to Rakavy and Salm

Claims 2, 4, 6, 8, 11, and 14 are unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Salm as discussed below. Each of claims 2, 4, 6, 8, 11, and 14 recite that the display device comprises a television. During prosecution, the Examiner took Official Notice that:

Televisions were well know [sic] when the invention was made, the examiner takes official notice of this fact, to be one of the many types of display devices that may be used as a computer monitor.

(Final Office Action dated 2/14/03, p. 9).

The Patent Owner did not traverse the Examiner's assertion of Official Notice. Therefore, the Official Notice statement by the Examiner should be taken as admitted prior art.

Salm provides evidence in support of the Official Notice taken by the Examiner. A person of skill in the art would have been motivated to combine Rakavy and Salm because Rakavy discloses a computer having a display screen and Salm discloses that a television could be used as a computer display. Furthermore, a person of skill in the art could have combined the elements taught by Rakavy and Salm by known methods and would have recognized that the results of the combination were predictable

1. Claim 2

Claim 2 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Salm. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Salm.

Claim 2	Rakavy and Salm
A method as in claim 1, wherein the display device comprises a television.	"If your computer has been sharing the family's TV set, it's time to get it a monitor of its own." (Salm, p. 102.)

2. *Claim 4*

Claim 4 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Kjorsvik and Salm. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Salm.

Claim 4	Rakavy and Salm
A computer readable medium as in claim 3, wherein the one or more computer programs enable display of an image or images on a display device comprising a television	"If your computer has been sharing the family's TV set, it's time to get it a monitor of its own." (Salm, p. 102.)

3. *Claim 6*

Claim 6 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Salm. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Salm.

Claim 6	Rakavy and Salm
A computer readable medium as in claim 5, wherein the one or more computer programs enable display of an image or images on a display device comprising a television.	"If your computer has been sharing the family's TV set, it's time to get it a monitor of its own." (Salm, p. 102.)

4. *Claim 8*

Claim 8 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Salm. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Salm.

Claim 8	Rakavy and Salm
A system as in claim 7, wherein the display device comprises a television.	"If your computer has been sharing the family's TV set, it's time to get it a monitor of its own." (Salm, p. 102.)

5. *Claim 11*

Claim 11 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Salm. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Salm.

Claim 11	Rakavy and Salm
A method as in claim 10, wherein the display device comprises a television.	"If your computer has been sharing the family's TV set, it's time to get it a monitor of its own." (Salm, p. 102.)

6. *Claim 14*

Claim 14 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Salm. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Salm.

Claim 14	Rakavy and Salm
A computer readable medium as in claim 13, wherein the one or more computer programs enable display of an image or images on a display device comprising a television.	"If your computer has been sharing the family's TV set, it's time to get it a monitor of its own." (Salm, p. 102.)

E. U.S. Patent No. 5,913,040 to Rakavy and U.S. Patent No. 5,748,190 to Kjorsvik

Claims 1, 3, 5, 7, 9, 10, 12, 13, and 15 are unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Kjorsvik as discussed below. As described above, Rakavy and Kjorsvik individually disclose all of the limitations of claims 1, 3, 5, 7, 9, 10, 12, 13, and 15. However, to the extent the Examiner determines that Rakavy is missing a limitation, Kjorsvik provides the missing feature. Additionally, to the extent the Examiner determines that Kjorsvik is missing a limitation, Rakavy provides the missing feature.

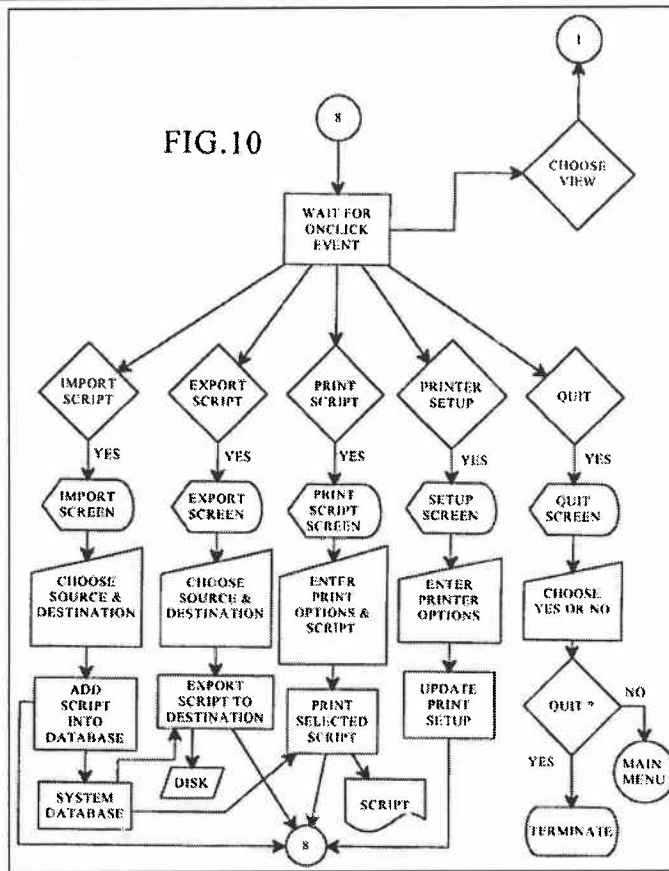
A person of ordinary skill in the art would have been motivated to combine Rakavy and Kjorsvik because both are related to the display of content to a user during idle periods. Furthermore, a person of ordinary skill in the art could have combined the elements taught by Rakavy and Kjorsvik by known methods and would have recognized that the results of the combination were predictable.

1. Claim 1

Claim 1 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Kjorsvik. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Kjorsvik.

Claim 1	Rakavy and Kjorsvik
A method for engaging the peripheral attention of a person in the vicinity of a display device, comprising the steps of:	<i>Kjorsvik</i> "The presentation is displayed on the screens of the individual PCs in the network by the action of a messenger software module present in each PC, following passage of a selected amount of time during which the PC is on but is not used." (Kjorsvik, Abstract)

Claim 1	Rakavy and Kjorsvik
	<p>The messenger module maintains control over the presentation of the images in the particular presentation sequence following interruptions of actual use by the PC. A PC user has the capability of returning the PC to its conventional use, but also has the capability of controlling the presentation to an extent, or even changing to an entirely different presentation among the several which may be available to that specific user." (Kjorsvik, Abstract)</p>
<p>providing one or more sets of content data to a content display system associated with the display device and located entirely in the same physical location as the display device;</p>	<p><i>Kjorsvik</i></p> <p>"The system also includes an administration software module 26 which can be loaded into and executed from any PC in the network." (Kjorsvik, 2:50-52)</p> <p>"Administration module 26 also has the capability of communicating with external sources, including other network servers with databases having presentation information, as well as other outside sources of data and images." (Kjorsvik, 2:58-62)</p> <p>"Lastly, presentations may be obtained or provided to external systems and/or other outside sources over external communication lines. This enables the one administration module for the system to obtain or provide presentations directly from or to external sources, so as to eliminate the need for composing them within the system." (Kjorsvik, 4:19-24)</p> <p>"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)</p>



Rakavy

"The User Preference and Advertisement Database 230 contains various information needed by the system. The primary data stored is the advertisement information (including executable code modules, bitmaps, video clips and sound clips). The database also stores display statistics, configuration information and user preference data." (Rakavy, 8:62-67)

"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)

"the Local Computer 500 preferably includes a Central

Claim 1	Rakavy and Kjorsvik
	<p>Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
<p>providing to the content display system a set of instructions for enabling the content display system to selectively display, in an unobtrusive manner that does not distract a user of the display device or an apparatus associated with the display device from a primary interaction with the display device or apparatus, an image or images generated from a set of content data; and</p>	<p><i>Kjorsvik</i></p> <p>"The presentation is displayed on the screens of the individual PCs in the network by the action of a messenger software module present in each PC, following passage of a selected amount of time during which the PC is on but is not used. The messenger module maintains control over the presentation of the images in the particular presentation sequence following interruptions of actual use by the PC." (Kjorsvik, Abstract)</p> <p>"The messenger modules 22--22 communicate with system database 24 on the network server 18 and provide a certain amount of local control over the presentation at its associated PC. The messenger module can be loaded into a network PC from any external source, including the hard disk on the server." (Kjorsvik, 2:45-50)</p> <p>"When a personal computer is in its "ON" state but not in use, its computer screen is still lit, which will ultimately lead to damage or degradation of the screen. "Screen saver" techniques are frequently used in such situations, in which a selected image appears on the screen. Such screen saver images, however, serve no other useful purpose. Accordingly, it would be desirable that useful information or other presentation material be made available to the user on his/her computer screen at selected times when the computer is not being used, as an alternative to conventional screen saver images." (Kjorsvik, 1:26-36)</p> <p>"As discussed above, personal computers (PCs), particularly when they are used in a business context, are typically left in an "ON" state during the entire work day, even when they are not actually being used. Such PCs may have a conventional "screen saver" module, which produces certain images on the screen when the computer is not in use, in order to extend the life of the computer screen." (Kjorsvik, 1:66-2:5)</p> <p>"The present invention, which is for use in a computer network, in basic overview includes a repertoire of presentations, each of which typically takes the form of a series of successive slides or screen images. These presentations are stored in a system database located on a network server PC, and in operation of the system are</p>

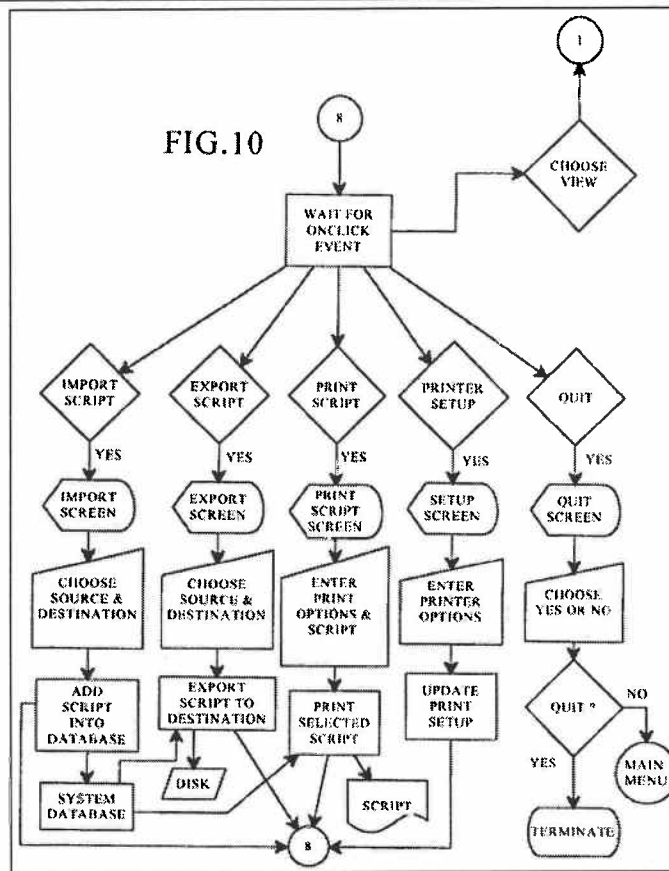
Claim 1	Rakavy and Kjorsvik
	<p>provided to the individual network PCs for display on their computer screens. The presentations are initiated for each PC in the network following a selected amount of time during which each PC has been in an "on" state but has not been in use. These presentations in effect replace the conventional screen saver, but in addition, provide information in visual form which is intended to be beneficial to the user of the PC." (Kjorsvik, 2:13-18)</p> <p>"When a network PC has not been in use for the specific period of time established for that particular PC, the messenger module, in coordination with the database, will automatically begin the assigned presentation on the PC's screen." (Kjorsvik, 5:4-8)</p> <p><i>Rakavy</i></p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p> <p>"The Screen Saver Subsystem 220 tracks user interaction with the system. When the Screen Saver Subsystem 220 detects that the system has been idle, for example, when there has been no user interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device), for a preconfigured time, it activates the Advertisements Display Manager 210 which will select an advertisement and display it." (Rakavy, 7:63-8:3)</p> <p>"By utilizing on-line communications, the screen saver of the present invention provides a wide variety of potential content themes which may be personalized and modified on a timely basis in accordance with user preferences." (Rakavy, 7:9-13)</p> <p>"The Advertisement Display Manager 210 selects and displays Advertisements 50 from the User Preference and Advertisements Database 230. The Advertisement Display Manager 210 is typically activated by the Screen Saver Subsystem 220 when the user has not entered input for a predetermined time, or from the Scheduler 265." (Rakavy, 10:43-48)</p> <p>"Other techniques for displaying the advertisement, such as periodic audio-only messages, screen background wallpaper, cursor modifications, and display in a window on the user's</p>

Claim 1	Rakavy and Kjorsvik
<p>auditing the display of sets of content data by the content display system;</p>	<p>computer display are also available." (Rakavy, 3:30-33)</p> <p><i>Kjorsvik</i> "The messenger module maintains control of the presentation on the screen to the extent that it has stored in its user's own setup file (a file on the PC's hard disk) the last slide which has been shown in the particular presentation then being used, even if the presentation has been interrupted by use of the PC." (Kjorsvik, 5:8-13.)</p> <p><i>Rakavy</i> "The Feedback Manager 220 is responsible for sending feedback information to the Advertising System Server 600. This information includes statistics on displayed Advertisements 50, including user ratings of specific advertisements and the time and length an advertisement was displayed. The Feedback Manager 220 also transmits information which was gathered from the user during interaction with the Advertisements 50, such as through games and questionnaires." (Rakavy, 12:61-13:2)</p>
<p>wherein the one or more sets of content data are selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider, and each content provider provides its content data to the content display system independently of each other content provider and without the content data being aggregated at a common physical location remote from the content display system prior to being</p>	<p><i>Kjorsvik</i> "Administration module 26 also has the capability of communicating with external sources, including other network servers with databases having presentation information, as well as other outside sources of data and images." (Kjorsvik, 2:58-62)</p> <p>"Lastly, presentations may be obtained or provided to external systems and/or other outside sources over external communication lines. This enables the one administration module for the system to obtain or provide presentations directly from or to external sources, so as to eliminate the need for composing them within the system." (Kjorsvik, 4:19-24)</p> <p>"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)</p>

Claim 1

Rakavy and Kjorsvik

provided to the content display system, and



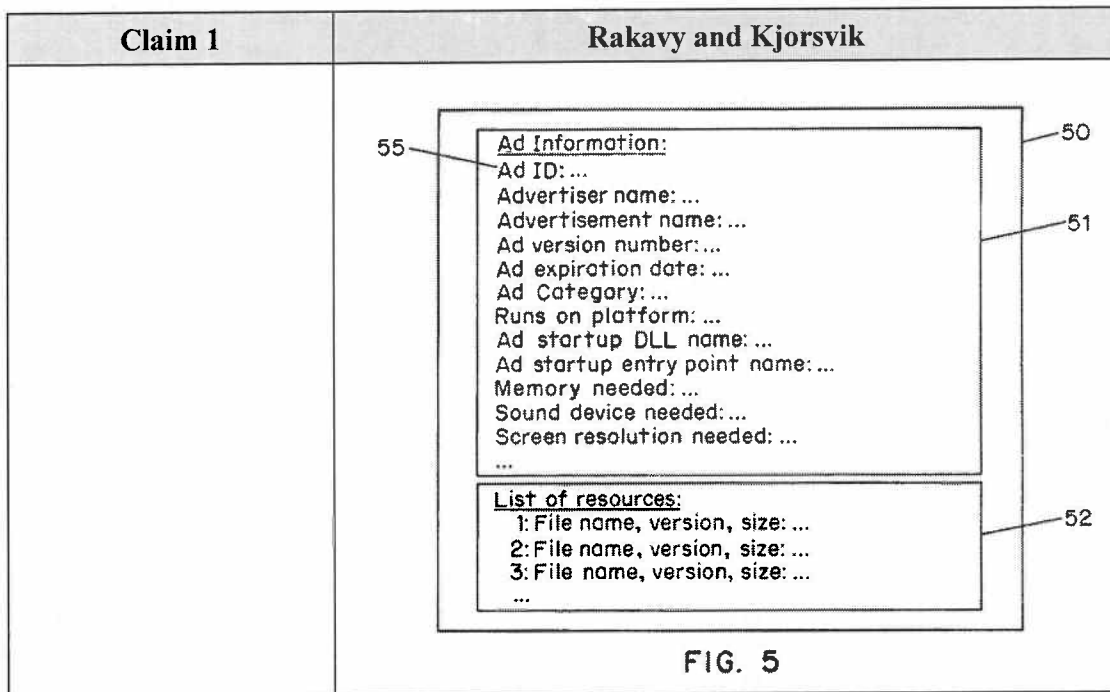
Rakavy

"In an alternate embodiment of the present invention, the selected advertisement may be stored on any one of the plurality of advertising system servers connected to the Network 700." (Rakavy, 5:54-57)

"The main roles of the Advertising System Server 600 are to store Advertisements 50, transfer the Advertisements 50 to the Local Computer 500, and collect user feedback." (Rakavy, 5:33-35)

"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)

Claim 1	Rakavy and Kjorsvik
<p>wherein for each set the respective content provider may provide scheduling instructions tailored to the set of content data to control at least one of the duration, sequencing, and timing of the display of said image or images generated from the set of content data.</p>	<p><i>Kjorsvik</i></p> <p>"Another function of administration module 26 in the embodiment shown concerns the creation of the individual presentations, which may be alternatively referred to as scripts. Each presentation or script consists of one or more individual slides or screens composed around a particular topic. ... In any event, each script comprises a series or sequence of slides ... Administration module 26 creates particular presentations by arranging individual slides in a selected sequence." (Kjorsvik, 3:30-43)</p> <p>"Each slide is shown for a preselected period of time, and then, if the PC is still not being used, the next slide in the presentation sequence is shown, again under the control of the messenger module." (Kjorsvik, 5:14-17)</p> <p>"All of the above concerns the composition or creation of individual slides. The basic capability of creating such slides is available in standard PC operating systems. One example is Powerpoint in WINDOWS software from Microsoft, Inc., of Redmond, Washington, which is now widely available. Administration module 26 is arranged to interface with such operating systems so that slides can be created and then arranged into presentations ..." (Kjorsvik, 3:58-65)</p> <p><i>Rakavy</i></p> <p>"FIG. 5 shows a schematic representation of an Advertisement 50. Each Advertisement 50 in the Server Database 730 comprises an Advertisement Information Record 51 and a Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and multimedia requirements. The Resource List 52 contains a list of resources (bitmaps, animations, digitized audio segments, executable code, etc.) that must exist on the Local Computer 500 or associated local LAN in order to present the advertisement. The Resource List 52 includes a unique resource-ID, a resource type, and a resource pointer. The resource pointer identifies a file, a database record, a block of data, or other means of identifying the resource. In this manner, resources can be shared by various Advertisements 50." (Rakavy, 7:13-29)</p>

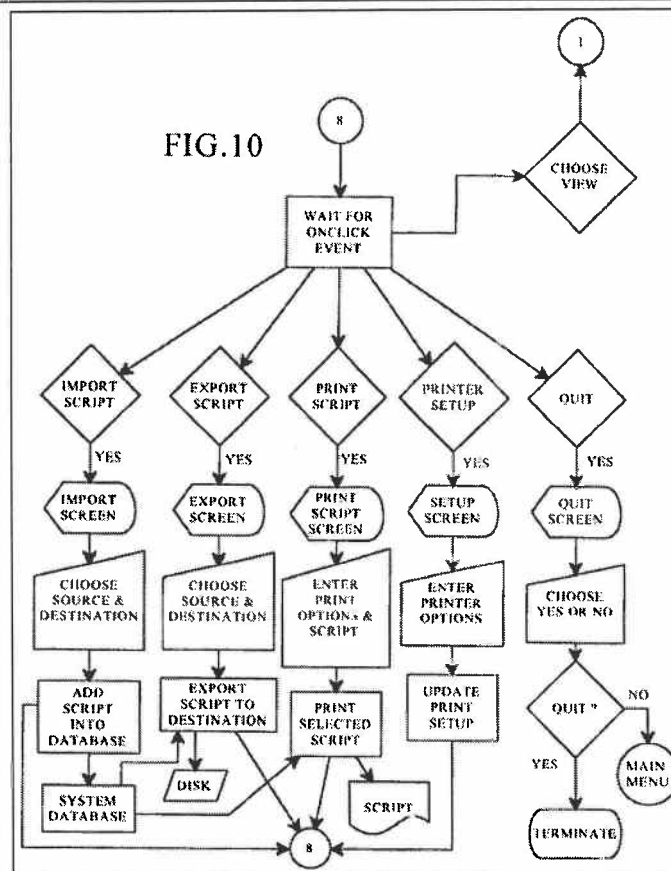


2. Claim 3

Claim 3 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Kjorsvik. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Kjorsvik.

Claim 3	Rakavy and Kjorsvik
<p>A computer readable medium encoded with one or more computer programs for enabling engagement of the peripheral attention of a person in the vicinity of a display device, comprising:</p>	<p><i>Kjorsvik</i></p> <p>"The presentation is displayed on the screens of the individual PCs in the network by the action of a messenger software module present in each PC, following passage of a selected amount of time during which the PC is on but is not used." (Kjorsvik, Abstract)</p> <p>"The messenger module maintains control over the presentation of the images in the particular presentation sequence following interruptions of actual use by the PC. A PC user has the capability of returning the PC to its conventional use, but also has the capability of controlling the presentation to an extent, or even changing to an entirely different presentation among the several which may be available to that specific user." (Kjorsvik, Abstract)</p>

Claim 3	Rakavy and Kjorsvik
<p>instructions for providing one or more sets of content data to a content display system associated with the display device and located entirely in the same physical location as the display device;</p>	<p><i>Kjorsvik</i></p> <p>"The system also includes an administration software module 26 which can be loaded into and executed from any PC in the network." (Kjorsvik, 2:50-52)</p> <p>"Administration module 26 also has the capability of communicating with external sources, including other network servers with databases having presentation information, as well as other outside sources of data and images." (Kjorsvik, 2:58-62)</p> <p>"Lastly, presentations may be obtained or provided to external systems and/or other outside sources over external communication lines. This enables the one administration module for the system to obtain or provide presentations directly from or to external sources, so as to eliminate the need for composing them within the system." (Kjorsvik, 4:19-24)</p> <p>"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)</p>



Rakavy

"The User Preference and Advertisement Database 230 contains various information needed by the system. The primary data stored is the advertisement information (including executable code modules, bitmaps, video clips and sound clips). The database also stores display statistics, configuration information and user preference data." (Rakavy, 8:62-67)

"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)

"the Local Computer 500 preferably includes a Central

Claim 3	Rakavy and Kjorsvik
	<p>Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
<p>instructions for providing to the content display system a set of instructions for enabling the content display system to selectively display, in an unobtrusive manner that does not distract a user of the display device or an apparatus associated with the display device from a primary interaction with the display device or apparatus, an image or images generated from a set of content data; and</p>	<p><i>Kjorsvik</i></p> <p>"The presentation is displayed on the screens of the individual PCs in the network by the action of a messenger software module present in each PC, following passage of a selected amount of time during which the PC is on but is not used. The messenger module maintains control over the presentation of the images in the particular presentation sequence following interruptions of actual use by the PC." (Kjorsvik, Abstract)</p> <p>"The messenger modules 22--22 communicate with system database 24 on the network server 18 and provide a certain amount of local control over the presentation at its associated PC. The messenger module can be loaded into a network PC from any external source, including the hard disk on the server." (Kjorsvik, 2:45-50)</p> <p>"When a personal computer is in its "ON" state but not in use, its computer screen is still lit, which will ultimately lead to damage or degradation of the screen. "Screen saver" techniques are frequently used in such situations, in which a selected image appears on the screen. Such screen saver images, however, serve no other useful purpose. Accordingly, it would be desirable that useful information or other presentation material be made available to the user on his/her computer screen at selected times when the computer is not being used, as an alternative to conventional screen saver images." (Kjorsvik, 1:26-36)</p> <p>"As discussed above, personal computers (PCs), particularly when they are used in a business context, are typically left in an "ON" state during the entire work day, even when they are not actually being used. Such PCs may have a conventional "screen saver" module, which produces certain images on the screen when the computer is not in use, in order to extend the life of the computer screen." (Kjorsvik, 1:66-2:5)</p> <p>"The present invention, which is for use in a computer network, in basic overview includes a repertoire of presentations, each of which typically takes the form of a series of successive slides or screen images. These presentations are stored in a system database located on a network server PC, and in operation of the system are</p>

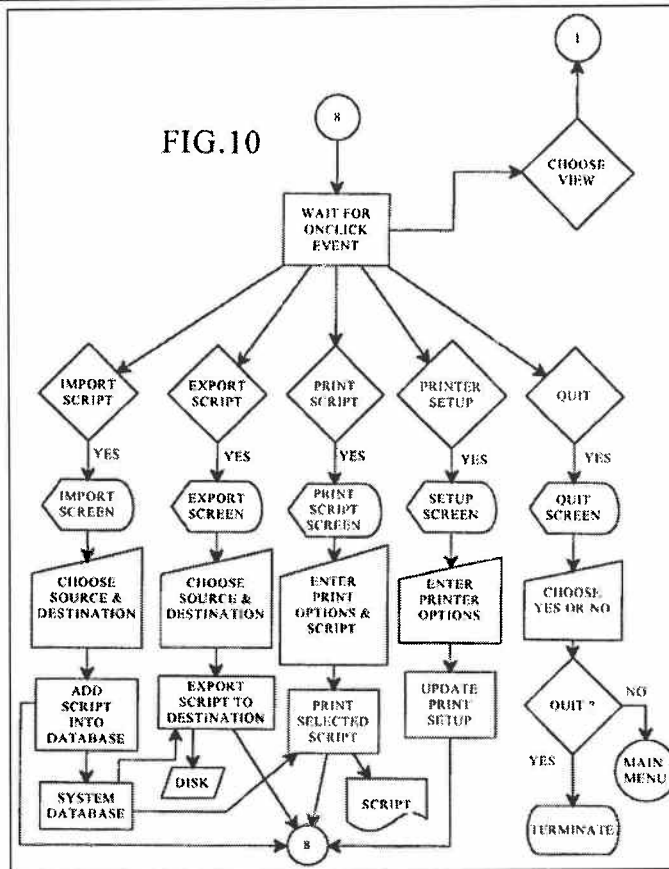
Claim 3	Rakavy and Kjorsvik
	<p>provided to the individual network PCs for display on their computer screens. The presentations are initiated for each PC in the network following a selected amount of time during which each PC has been in an "on" state but has not been in use. These presentations in effect replace the conventional screen saver, but in addition, provide information in visual form which is intended to be beneficial to the user of the PC." (Kjorsvik, 2:13-18)</p> <p>"When a network PC has not been in use for the specific period of time established for that particular PC, the messenger module, in coordination with the database, will automatically begin the assigned presentation on the PC's screen." (Kjorsvik, 5:4-8)</p> <p><i>Rakavy</i></p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p> <p>"The Screen Saver Subsystem 220 tracks user interaction with the system. When the Screen Saver Subsystem 220 detects that the system has been idle, for example, when there has been no user interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device), for a preconfigured time, it activates the Advertisements Display Manager 210 which will select an advertisement and display it." (Rakavy, 7:63-8:3)</p> <p>"By utilizing on-line communications, the screen saver of the present invention provides a wide variety of potential content themes which may be personalized and modified on a timely basis in accordance with user preferences." (Rakavy, 7:9-13)</p> <p>"The Advertisement Display Manager 210 selects and displays Advertisements 50 from the User Preference and Advertisements Database 230. The Advertisement Display Manager 210 is typically activated by the Screen Saver Subsystem 220 when the user has not entered input for a predetermined time, or from the Scheduler 265." (Rakavy, 10:43-48)</p> <p>"Other techniques for displaying the advertisement, such as periodic audio-only messages, screen background wallpaper, cursor modifications, and display in a window on the user's</p>

Claim 3	Rakavy and Kjorsvik
<p>instructions for auditing the display of sets of content data by the content display system;</p>	<p>computer display are also available." (Rakavy, 3:30-33)</p> <p><i>Kjorsvik</i> "The messenger module maintains control of the presentation on the screen to the extent that it has stored in its user's own setup file (a file on the PC's hard disk) the last slide which has been shown in the particular presentation then being used, even if the presentation has been interrupted by use of the PC." (Kjorsvik, 5:8-13.)</p> <p><i>Rakavy</i> "The Feedback Manager 220 is responsible for sending feedback information to the Advertising System Server 600. This information includes statistics on displayed Advertisements 50, including user ratings of specific advertisements and the time and length an advertisement was displayed. The Feedback Manager 220 also transmits information which was gathered from the user during interaction with the Advertisements 50, such as through games and questionnaires." (Rakavy, 12:61-13:2)</p>
<p>wherein the one or more sets of content data are selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides its content data to the content display system independently of each other content provider and without the content data being aggregated at a common physical location remote from the content display system prior to being</p>	<p><i>Kjorsvik</i> "Administration module 26 also has the capability of communicating with external sources, including other network servers with databases having presentation information, as well as other outside sources of data and images." (Kjorsvik, 2:58-62)</p> <p>"Lastly, presentations may be obtained or provided to external systems and/or other outside sources over external communication lines. This enables the one administration module for the system to obtain or provide presentations directly from or to external sources, so as to eliminate the need for composing them within the system." (Kjorsvik, 4:19-24)</p> <p>"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)</p>

Claim 3

Rakavy and Kjorsvik

provided to the content display system, and



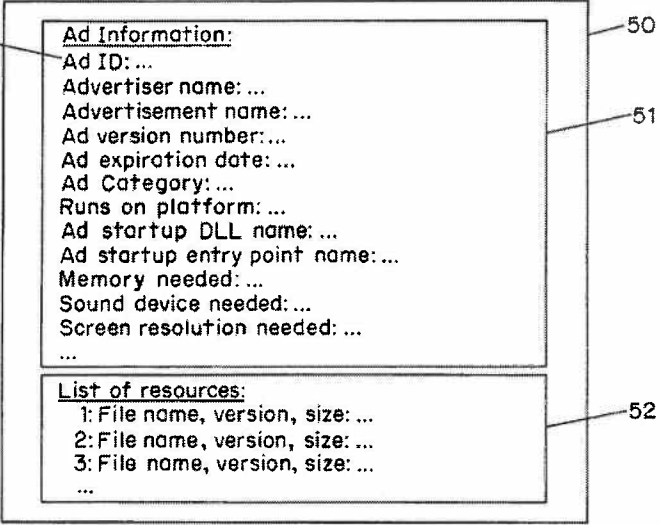
Rakavy

"In an alternate embodiment of the present invention, the selected advertisement may be stored on any one of the plurality of advertising system servers connected to the Network 700." (Rakavy, 5:54-57)

"The main roles of the Advertising System Server 600 are to store Advertisements 50, transfer the Advertisements 50 to the Local Computer 500, and collect user feedback." (Rakavy, 5:33-35)

"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)

Claim 3	Rakavy and Kjorsvik
<p>wherein for each set the respective content provider may provide scheduling instructions tailored to the set of content data to control at least one of the duration, sequencing, and timing of the display of said image or images generated from the set of content data.</p>	<p><i>Kjorsvik</i></p> <p>"Another function of administration module 26 in the embodiment shown concerns the creation of the individual presentations, which may be alternatively referred to as scripts. Each presentation or script consists of one or more individual slides or screens composed around a particular topic. ... In any event, each script comprises a series or sequence of slides ... Administration module 26 creates particular presentations by arranging individual slides in a selected sequence." (Kjorsvik, 3:30-43)</p> <p>"Each slide is shown for a preselected period of time, and then, if the PC is still not being used, the next slide in the presentation sequence is shown, again under the control of the messenger module." (Kjorsvik, 5:14-17)</p> <p>"All of the above concerns the composition or creation of individual slides. The basic capability of creating such slides is available in standard PC operating systems. One example is Powerpoint in WINDOWS software from Microsoft, Inc., of Redmond, Washington, which is now widely available. Administration module 26 is arranged to interface with such operating systems so that slides can be created and then arranged into presentations ..." (Kjorsvik, 3:58-65)</p> <p><i>Rakavy</i></p> <p>"FIG. 5 shows a schematic representation of an Advertisement 50. Each Advertisement 50 in the Server Database 730 comprises an Advertisement Information Record 51 and a Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and multimedia requirements. The Resource List 52 contains a list of resources (bitmaps, animations, digitized audio segments, executable code, etc.) that must exist on the Local Computer 500 or associated local LAN in order to present the advertisement. The Resource List 52 includes a unique resource-ID, a resource type, and a resource pointer. The resource pointer identifies a file, a database record, a block of data, or other means of identifying the resource. In this manner, resources can be shared by various Advertisements 50." (Rakavy, 7:13-29)</p>

Claim 3	Rakavy and Kjorsvik
	 <p>The diagram shows a rectangular box labeled 50. Inside this box, there are two smaller rectangular boxes. The top box is labeled 51 and contains the following text: <u>Ad Information:</u> Ad ID: ... Advertiser name: ... Advertisement name: ... Ad version number: ... Ad expiration date: ... Ad Category: ... Runs on platform: ... Ad startup DLL name: ... Ad startup entry point name: ... Memory needed: ... Sound device needed: ... Screen resolution needed: The bottom box is labeled 52 and contains the following text: <u>List of resources:</u> 1: File name, version, size: ... 2: File name, version, size: ... 3: File name, version, size: A label 55 points to the left side of the entire box 50.</p> <p style="text-align: center;">FIG. 5</p>

3. Claim 5

Claim 5 is unpatentable under 35 U.S.C. § 103 as being obvious over the combination of Rakavy and Kjorsvik. The following claim chart provides a detailed comparison of each claim limitation with the relevant teachings of Rakavy and Kjorsvik.

Claim 5	Rakavy and Kjorsvik
<p>A computer readable medium encoded with one or more computer programs for enabling engagement of the peripheral attention of a person in the vicinity of a display device, comprising:</p>	<p>"The presentation is displayed on the screens of the individual PCs in the network by the action of a messenger software module present in each PC, following passage of a selected amount of time during which the PC is on but is not used." (Kjorsvik, Abstract)</p> <p>"The messenger module maintains control over the presentation of the images in the particular presentation sequence following interruptions of actual use by the PC. A PC user has the capability of returning the PC to its conventional use, but also has the capability of controlling the presentation to an extent, or even changing to an entirely different presentation among the several which may be available to that specific user." (Kjorsvik, Abstract)</p>
<p>instructions for</p>	<p><i>Kjorsvik</i></p>

Claim 5	Rakavy and Kjorsvik
<p>acquiring a set of content data from a content providing system;</p>	<p>"The system also includes an administration software module 26 which can be loaded into and executed from any PC in the network." (Kjorsvik, 2:50-52)</p> <p>"Administration module 26 also has the capability of communicating with external sources, including other network servers with databases having presentation information, as well as other outside sources of data and images." (Kjorsvik, 2:58-62)</p> <p>"Lastly, presentations may be obtained or provided to external systems and/or other outside sources over external communication lines. This enables the one administration module for the system to obtain or provide presentations directly from or to external sources, so as to eliminate the need for composing them within the system." (Kjorsvik, 4:19-24)</p> <p>"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)</p> <div data-bbox="600 997 1274 1858" style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">FIG. 10</p> <pre> graph TD Start((8)) --> Wait[WAIT FOR ONCLICK EVENT] Wait --> Import{IMPORT SCRIPT} Wait --> Export{EXPORT SCRIPT} Wait --> Print{PRINT SCRIPT} Wait --> Printer{PRINTER SETUP} Wait --> Quit{QUIT} Import -- YES --> ImportScreen{{IMPORT SCREEN}} Export -- YES --> ExportScreen{{EXPORT SCREEN}} Print -- YES --> PrintScreen{{PRINT SCRIPT SCREEN}} Printer -- YES --> SetupScreen{{SETUP SCREEN}} Quit -- YES --> QuitScreen{{QUIT SCREEN}} ImportScreen --> ChooseSource[CHOOSE SOURCE & DESTINATION] ExportScreen --> ChooseSource PrintScreen --> EnterPrint[ENTER PRINT OPTIONS & SCRIPT] SetupScreen --> EnterPrinter[ENTER PRINTER OPTIONS] QuitScreen --> ChooseYes[CHOOSE YES OR NO] ChooseSource --> AddDB[ADD SCRIPT INTO DATABASE] AddDB --> SysDB[SYSTEM DATABASE] SysDB --> AddDB ChooseSource --> ExportDisk[EXPORT SCRIPT TO DESTINATION] ExportDisk --> Disk[DISK] EnterPrint --> PrintScript[PRINT SELECTED SCRIPT] PrintScript --> Script[SCRIPT] EnterPrinter --> UpdateSetup[UPDATE PRINTER SETUP] ChooseYes --> QuitQ{QUIT?} QuitQ -- YES --> Terminate[TERMINATE] QuitQ -- NO --> MainMenu((MAIN MENU)) MainMenu --> Start Import -- NO --> ChooseView{CHOOSE VIEW} ChooseView --> End((1)) </pre> </div>

Claim 5	Rakavy and Kjorsvik
	<p><i>Rakavy</i></p> <p>"The User Preference and Advertisement Database 230 contains various information needed by the system. The primary data stored is the advertisement information (including executable code modules, bitmaps, video clips and sound clips). The database also stores display statistics, configuration information and user preference data." (Rakavy, 8:62-67)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p>
<p>instructions for detecting an idle period of predetermined duration; and</p>	<p><i>Kjorsvik</i></p> <p>A related function of the administration module 26 concerns the particular schedule which is established for the appearance of the individual presentations at each of the network PCs. For instance, each user in the system (each network PC) will have its own unique schedule of presentations, including a particular sequence of different presentations and a specific time of nonuse required before a presentation begins. This scheduling of presentations is established through the administration module and stored in system database 24." (Kjorsvik, 4:9-18)</p> <p><i>Rakavy</i></p> <p>"The Screen Saver Subsystem 220 tracks user interaction with the system. When the Screen Saver Subsystem 220 detects that the system has been idle, for example, when there has been no user interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device), for a preconfigured time, it activates the Advertisements Display Manager 210 which will select an</p>

Claim 5	Rakavy and Kjorsvik
<p>instructions for selectively displaying on the display device, after detection of the idle period and in an unobtrusive manner that does not distract a user of the display device or an apparatus associated with the display device from a primary interaction with the display device or apparatus, an image or images generated from the set of content data;</p>	<p>advertisement and display it." (Rakavy, 7:63-8:3)</p> <p><i>Kjorsvik</i></p> <p>"The presentation is displayed on the screens of the individual PCs in the network by the action of a messenger software module present in each PC, following passage of a selected amount of time during which the PC is on but is not used. The messenger module maintains control over the presentation of the images in the particular presentation sequence following interruptions of actual use by the PC." (Kjorsvik, Abstract)</p> <p>"The messenger modules 22--22 communicate with system database 24 on the network server 18 and provide a certain amount of local control over the presentation at its associated PC. The messenger module can be loaded into a network PC from any external source, including the hard disk on the server." (Kjorsvik, 2:45-50)</p> <p>"When a personal computer is in its "ON" state but not in use, its computer screen is still lit, which will ultimately lead to damage or degradation of the screen. "Screen saver" techniques are frequently used in such situations, in which a selected image appears on the screen. Such screen saver images, however, serve no other useful purpose. Accordingly, it would be desirable that useful information or other presentation material be made available to the user on his/her computer screen at selected times when the computer is not being used, as an alternative to conventional screen saver images." (Kjorsvik, 1:26-36)</p> <p>"As discussed above, personal computers (PCs), particularly when they are used in a business context, are typically left in an "ON" state during the entire work day, even when they are not actually being used. Such PCs may have a conventional "screen saver" module, which produces certain images on the screen when the computer is not in use, in order to extend the life of the computer screen." (Kjorsvik, 1:66-2:5)</p> <p>"The present invention, which is for use in a computer network, in basic overview includes a repertoire of presentations, each of which typically takes the form of a series of successive slides or screen images. These presentations are stored in a system database located on a network server PC, and in operation of the system are provided to the individual network PCs for display on their computer screens. The presentations are initiated for each PC in the network following a selected amount of time during which each PC has been in an "on" state but has not been in</p>

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	<p>use. These presentations in effect replace the conventional screen saver, but in addition, provide information in visual form which is intended to be beneficial to the user of the PC." (Kjorsvik, 2:13-18)</p> <p>"When a network PC has not been in use for the specific period of time established for that particular PC, the messenger module, in coordination with the database, will automatically begin the assigned presentation on the PC's screen." (Kjorsvik, 5:4-8)</p> <p><i>Rakavy</i></p> <p>"the Local Computer 500 preferably includes a Central Processor 510, a Main Memory 511, an Input/Output Controller 512, a Display Device 513, input devices such as a Keyboard 514 and a Pointing Device 515 (e.g., mouse, track ball, pen, slide pointer or similar device), and a Mass Storage Device 516." (Rakavy, 4:47-52.)</p> <p>"The Screen Saver Subsystem 220 tracks user interaction with the system. When the Screen Saver Subsystem 220 detects that the system has been idle, for example, when there has been no user interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device), for a preconfigured time, it activates the Advertisements Display Manager 210 which will select an advertisement and display it." (Rakavy, 7:63-8:3)</p> <p>"By utilizing on-line communications, the screen saver of the present invention provides a wide variety of potential content themes which may be personalized and modified on a timely basis in accordance with user preferences." (Rakavy, 7:9-13)</p> <p>"The Advertisement Display Manager 210 selects and displays Advertisements 50 from the User Preference and Advertisements Database 230. The Advertisement Display Manager 210 is typically activated by the Screen Saver Subsystem 220 when the user has not entered input for a predetermined time, or from the Scheduler 265." (Rakavy, 10:43-48)</p> <p>"Other techniques for displaying the advertisement, such as periodic audio-only messages, screen background wallpaper, cursor modifications, and display in a window on the user's computer display are also available." (Rakavy, 3:30-33)</p>
<p>wherein the set of content data is selected from a plurality of sets</p>	<p><i>Kjorsvik</i></p> <p>"Administration module 26 also has the capability of</p>

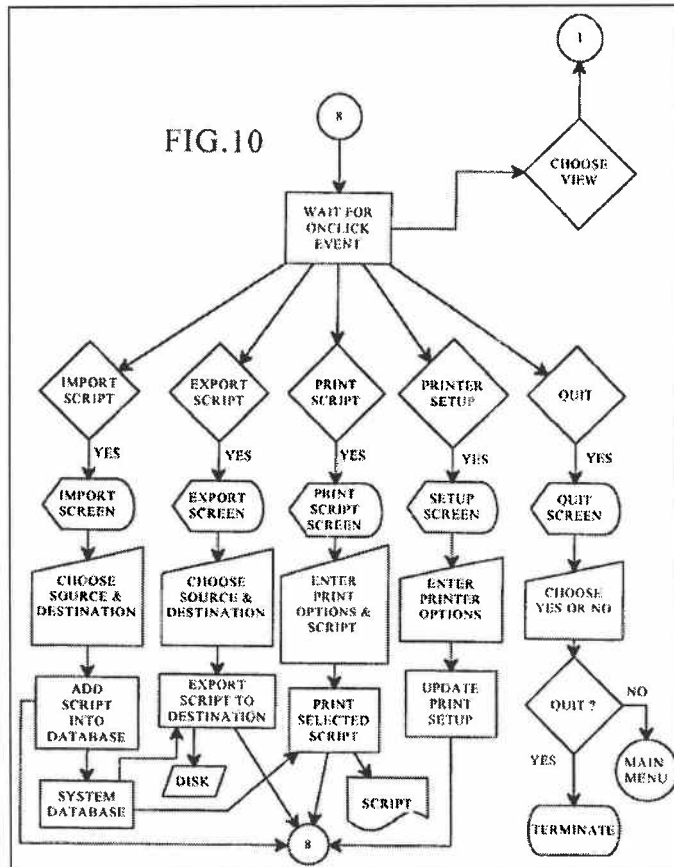
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of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides its content data to a content display system associated with the and located entirely in the same physical location as the display device independently of each other content provider and without the content data being aggregated at a common physical location remote from the content display system prior to being provided to the content display system, and

communicating with external sources, including other network servers with databases having presentation information, as well as other outside sources of data and images." (Kjorsvik, 2:58-62)

"Lastly, presentations may be obtained or provided to external systems and/or other outside sources over external communication lines. This enables the one administration module for the system to obtain or provide presentations directly from or to external sources, so as to eliminate the need for composing them within the system." (Kjorsvik, 4:19-24)

"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)



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"In an alternate embodiment of the present invention, the selected advertisement may be stored on any one of the plurality of advertising system servers connected to the

Claim 5	Rakavy and Kjorsvik
	<p>Network 700." (Rakavy, 5:54-57)</p> <p>"The main roles of the Advertising System Server 600 are to store Advertisements 50, transfer the Advertisements 50 to the Local Computer 500, and collect user feedback." (Rakavy, 5:33-35)</p> <p>"The Advertisement Feeder 250, is responsible for adding new Advertisements 50 to the User Preference and Advertisement Database 230. Advertisements 50 preferably are provided from the Internet through the Internet Feeder 270, however, the Advertisements Feeder 250 is not dependent on the type of advertisement source and may receive Advertisements 50 from other sources, such as commercial on-line services, via other feeder mechanisms and other types of polite agents." (Rakavy, 12:6-15)</p>
<p>wherein for each set the respective content provider may provide scheduling instructions tailored to the set of content data to control at least one of the duration, sequencing, and timing of the display of said image or images generated from the set of content data.</p>	<p><i>Kjorsvik</i></p> <p>"Another function of administration module 26 in the embodiment shown concerns the creation of the individual presentations, which may be alternatively referred to as scripts. Each presentation or script consists of one or more individual slides or screens composed around a particular topic. ... In any event, each script comprises a series or sequence of slides ... Administration module 26 creates particular presentations by arranging individual slides in a selected sequence." (Kjorsvik, 3:30-43)</p> <p>"Each slide is shown for a preselected period of time, and then, if the PC is still not being used, the next slide in the presentation sequence is shown, again under the control of the messenger module." (Kjorsvik, 5:14-17)</p> <p>"All of the above concerns the composition or creation of individual slides. The basic capability of creating such slides is available in standard PC operating systems. One example is Powerpoint in WINDOWS software from Microsoft, Inc., of Redmond, Washington, which is now widely available. Administration module 26 is arranged to interface with such operating systems so that slides can be created and then arranged into presentations ..." (Kjorsvik, 3:58-65)</p> <p><i>Rakavy</i></p> <p>"FIG. 5 shows a schematic representation of an Advertisement 50. Each Advertisement 50 in the Server Database 730 comprises an Advertisement Information Record 51 and a Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including</p>