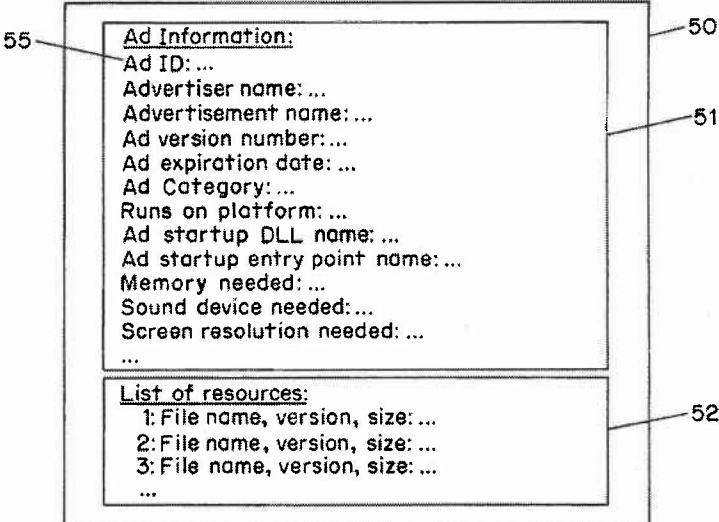


EXHIBIT H

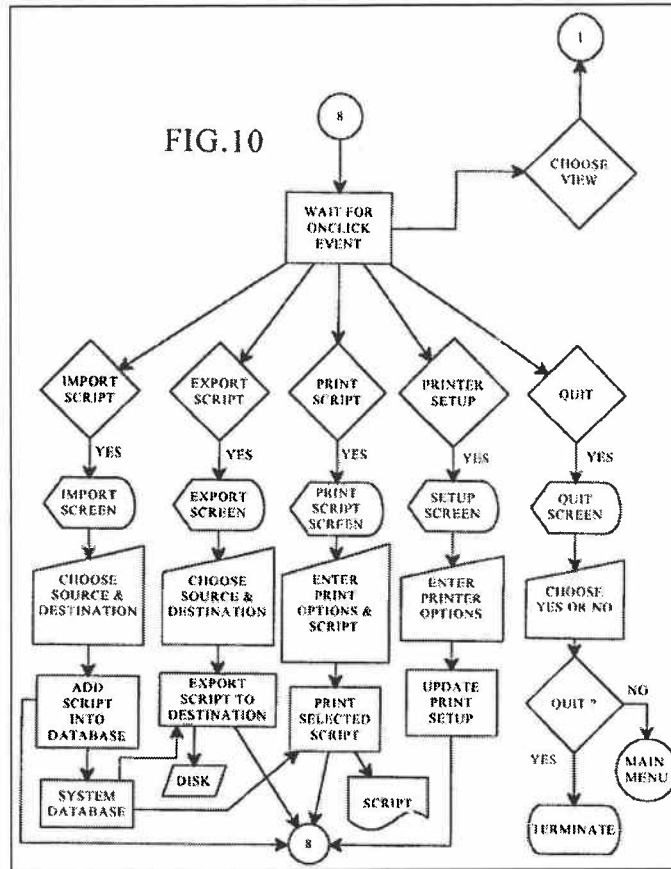
PART 5

Claim 5	Rakavy and Kjorsvik
	<p>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>The diagram shows a rectangular box representing Advertisement-ID 55. It is divided into two main sections. The top section is labeled 'Ad Information:' and contains a list of 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 labeled 'List of resources:' and contains a list of three items: 1: File name, version, size: ..., 2: File name, version, size: ..., 3: File name, version, size: ..., and an ellipsis. Reference numerals 50, 51, and 52 are placed to the right of the diagram, pointing to the overall advertisement structure, the Ad Information section, and the List of resources section, respectively. Reference numeral 55 is placed to the left of the diagram, pointing to the entire advertisement structure.</p> <p style="text-align: center;">FIG. 5</p>

4. Claim 7

Claim 7 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 7	Rakavy and Kjorsvik
<p>A content display system for engaging the peripheral attention of a person in the vicinity of a display device located in the same physical location as the content display system, 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>data acquisition apparatus that enables acquisition of a set of content data;</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 7	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>display apparatus that effects selective display 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, of an image or images generated from the set of content data;</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 7	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, 7:63-7:3)</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</p>

Claim 7	Rakavy and Kjorsvik
<p>user input apparatus that enables 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>computer display are also available." (Rakavy, 3:30-33)</p> <p><i>Kjorsvik</i></p> <p>"At any point in the presentation, the user may begin use of the PC, such as for work-in-progress, by simply pushing any key on the PC keyboard except for a designated key which is for manual control of the presentation." (Kjorsvik, 3:6-10)</p> <p>"By pushing an eject button or other designated key, the user will also be able to go to another selected presentation among the several available to it through the administration module. The newly selected presentation will remain the "current" presentation until the broadcast schedule previously established in the administration module for that PC indicates that another presentation is due." (Kjorsvik, 5:33-39)</p> <p><i>Rakavy</i></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>

Claim 7	Rakavy and Kjorsvik
<p>a system control device that controls aspects of the operation of the system in accordance with a selected control option;</p>	<p><i>Kjorsvik</i></p> <p>"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>"Each messenger module is controlled to some extent by the individual PC with which it is associated." (Kjorsvik, 5:23-24)</p> <p>"For instance, by pressing a designated key on the PC keyboard (or the correct mouse button), when a presentation is in progress, a control menu will appear on the user's screen over the current slide. This menu gives the user various possibilities by which to control the presentation. It is possible, for example, to reverse the presentation slide by slide, or the presentation may be fast-forwarded, slide by slide." (Kjorsvik, 5:25-32)</p> <p>"FIG. 16 shows the 'quit' sequence for the messenger module, terminating current operation of its associated network PC in the presentation network. This sequence permits the PCs to return to their previous tasks." (Kjorsvik, 5:48-51)</p> <p>"For instance, by pressing a designated key on the PC keyboard (or the correct mouse button), when a presentation is in progress, a control menu will appear on the user's screen over the current slide. This menu gives the user various possibilities by which to control the presentation. It is possible, for example, to reverse the presentation slide by slide, or the presentation may be fast-forwarded, slide by slide." (Kjorsvik, 5:25-32)</p> <p><i>Rakavy</i></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 7

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

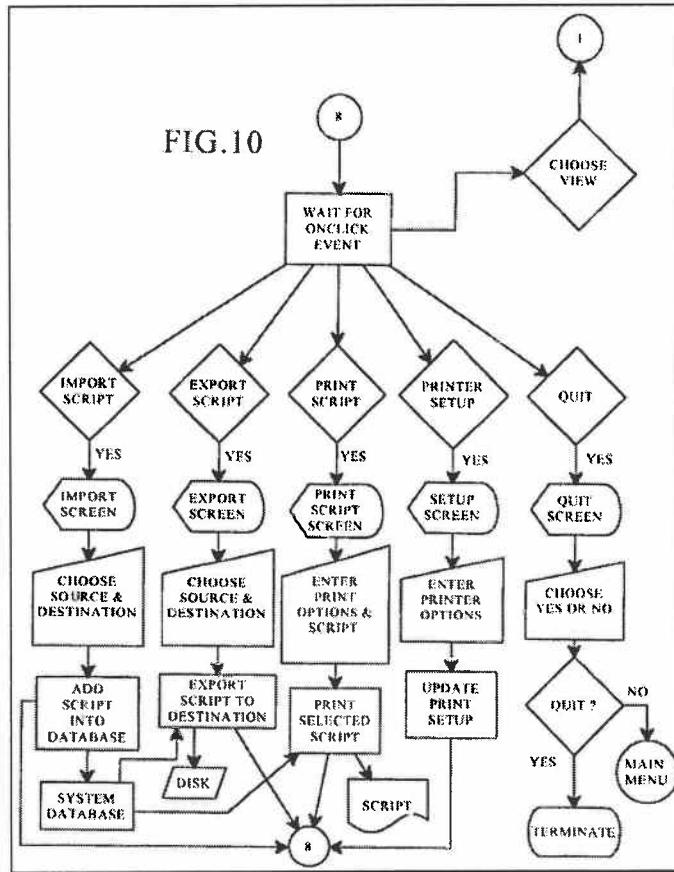
Rakavy and Kjorsvik

Kjorsvik

"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)

"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)



Rakavy

"In an alternate embodiment of the present invention, the

Claim 7	Rakavy and Kjorsvik
	<p>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><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</p>

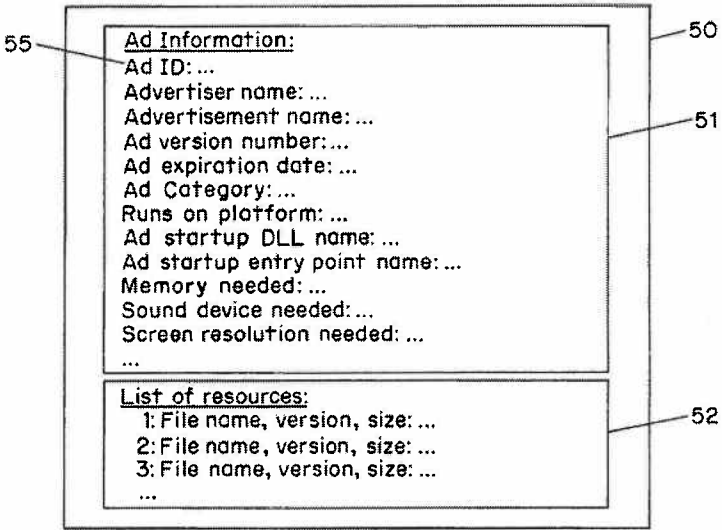
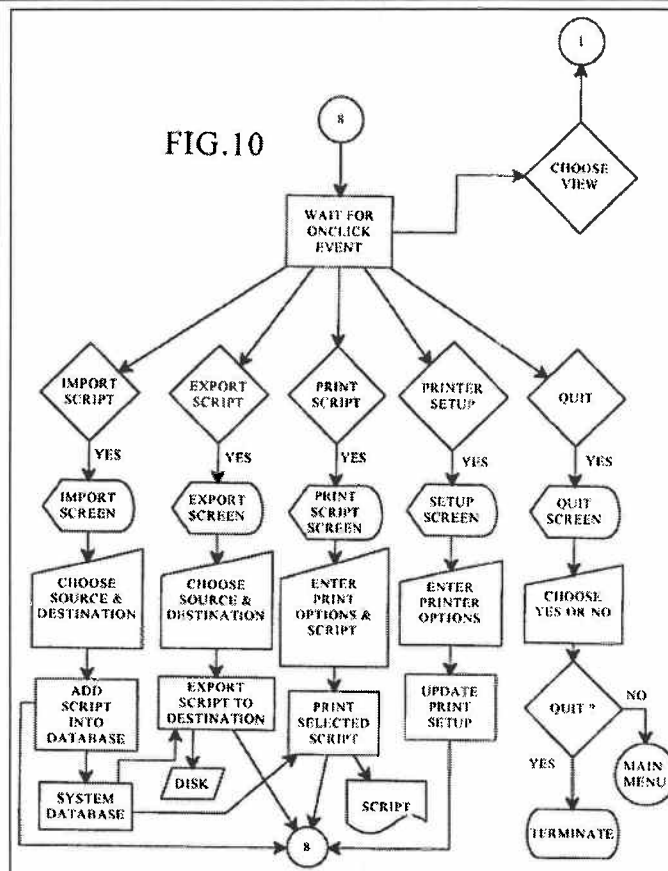
Claim 7	Rakavy and Kjorsvik
	<p>Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and 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>The diagram shows a rectangular box representing the Advertisement Information Record 51. Inside this box, there is a section labeled 'Ad Information:' which lists various fields: Ad ID: ..., Advertiser 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: ..., and Screen resolution needed: ... Below this section is another section labeled 'List of resources:' which lists three items: 1: File name, version, size: ..., 2: File name, version, size: ..., and 3: File name, version, size: ... The entire box is labeled 50 on the right side. A pointer labeled 55 points to the 'Ad ID: ...' field. A pointer labeled 51 points to the right side of the box. A pointer labeled 52 points to the 'List of resources:' section.</p>

FIG. 5

5. Claim 9

Claim 9 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 9	Rakavy and Kjorsvik
<p>A system as in claim 7, wherein: a link control option enables the user to establish a link with an information location; and</p>	<p><i>Kjorsvik</i></p> <p>Kjorsvik discloses two different types of control options. One type of control option allows a user to import presentations. A second type of control option allows the user to interact with the presentation.</p> <p><i>importing presentations from external sources</i></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>To obtain a presentation from an external source, in Kjorsvik, a main pulldown menu is presented to a user. (See Kjorsvik, FIG. 3.) If a user selects the file menu (FIG. 9), the user can select a control option to import or export scripts (presentations) from an external source. (See Kjorsvik, FIGs. 9, 10.)</p> <p>The external destination is "<i>an information location</i>"</p>



presentation control options

As depicted in FIG. 15, when a user selects one of the "SKIP, FIRST/LAST, NEXT/PREV" the messenger module links to the user's setup file and/or the system database to obtain the proper slide to display. Similarly, when a user selects the "EJECT" options, the messenger module also interacts with the system database to obtain the proper script (presentation) to display.

Each of "user's setup file" and "the system database" is "an information location"

Rakavy

"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

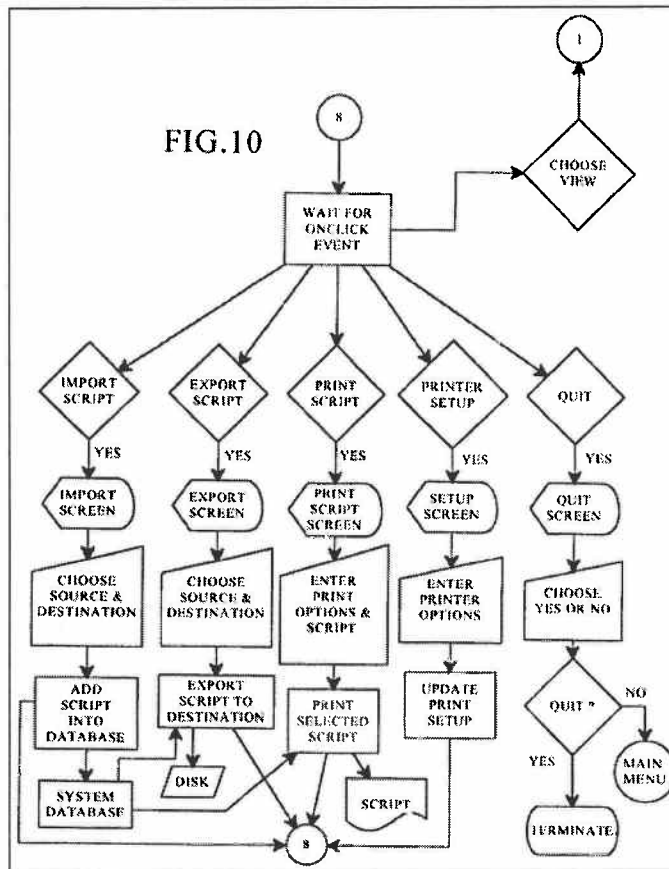
Claim 9	Rakavy and Kjorsvik
	user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)
the system control device establishes the link with the information location in response to selection of the link control option.	<p><i>importing presentations from external sources</i></p> <p>"Thus, as can be seen from the above basic explanation, the present invention comprises a system database 24 located on the network server, an administration module 26 which communicates with database 24 on server 18, as well as external sources, and a plurality of messenger modules, with one messenger module being present in each network PC. The messenger modules also communicate with the database 24." (Kjorsvik, 3:11-18)</p> <p><i>presentation control options</i></p> <p>See also FIG. 15 illustrating establishing links to the "user's setup file" and the "system database"</p>

6. Claim 10

Claim 10 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 10	Rakavy and Kjorsvik
A method for engaging the peripheral attention of a person in the vicinity of a display device, comprising the steps of:	<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</p>

Claim 10	Rakavy and Kjorsvik
	available to that specific user." (Kjorsvik, Abstract)
<p>acquiring a set of content data from a content providing system;</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 10	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>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><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 10	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, 7:63-7:3)</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</p>

Claim 10	Rakavy and Kjorsvik
<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>computer display are also available." (Rakavy, 3:30-33)</p> <p><i>Kjorsvik</i></p> <p>"At any point in the presentation, the user may begin use of the PC, such as for work-in-progress, by simply pushing any key on the PC keyboard except for a designated key which is for manual control of the presentation." (Kjorsvik, 3:6-10)</p> <p>"By pushing an eject button or other designated key, the user will also be able to go to another selected presentation among the several available to it through the administration module. The newly selected presentation will remain the "current" presentation until the broadcast schedule previously established in the administration module for that PC indicates that another presentation is due." (Kjorsvik, 5:33-39)</p> <p><i>Rakavy</i></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>

Claim 10	Rakavy and Kjorsvik
<p>controlling aspects of the operation of the system in accordance with a selected control option;</p>	<p><i>Kjorsvik</i></p> <p>"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>"Each messenger module is controlled to some extent by the individual PC with which it is associated." (Kjorsvik, 5:23-24)</p> <p>"For instance, by pressing a designated key on the PC keyboard (or the correct mouse button), when a presentation is in progress, a control menu will appear on the user's screen over the current slide. This menu gives the user various possibilities by which to control the presentation. It is possible, for example, to reverse the presentation slide by slide, or the presentation may be fast-forwarded, slide by slide." (Kjorsvik, 5:25-32)</p> <p>"FIG. 16 shows the 'quit' sequence for the messenger module, terminating current operation of its associated network PC in the presentation network. This sequence permits the PCs to return to their previous tasks." (Kjorsvik, 5:48-51)</p> <p>"For instance, by pressing a designated key on the PC keyboard (or the correct mouse button), when a presentation is in progress, a control menu will appear on the user's screen over the current slide. This menu gives the user various possibilities by which to control the presentation. It is possible, for example, to reverse the presentation slide by slide, or the presentation may be fast-forwarded, slide by slide." (Kjorsvik, 5:25-32)</p> <p><i>Rakavy</i></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 10

Rakavy and Kjorsvik

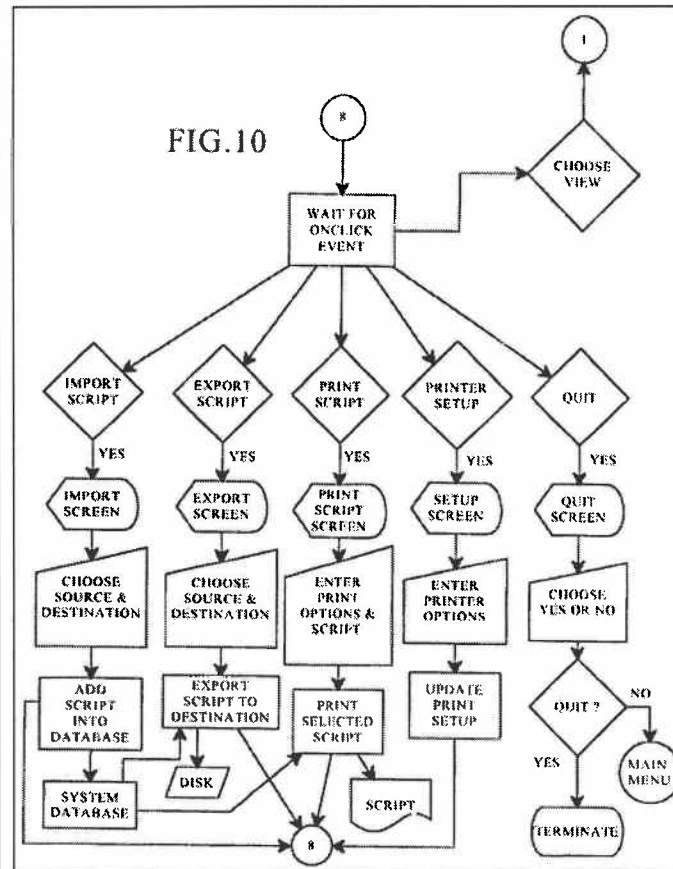
wherein the set of content data is selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides 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

Kjorsvik

"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)

"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)



Rakavy

"In an alternate embodiment of the present invention, the

Claim 10	Rakavy and Kjorsvik
	<p>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><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</p>

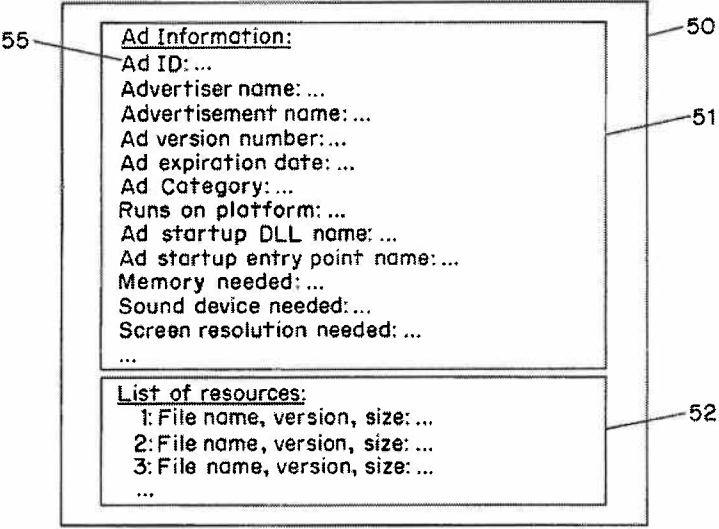
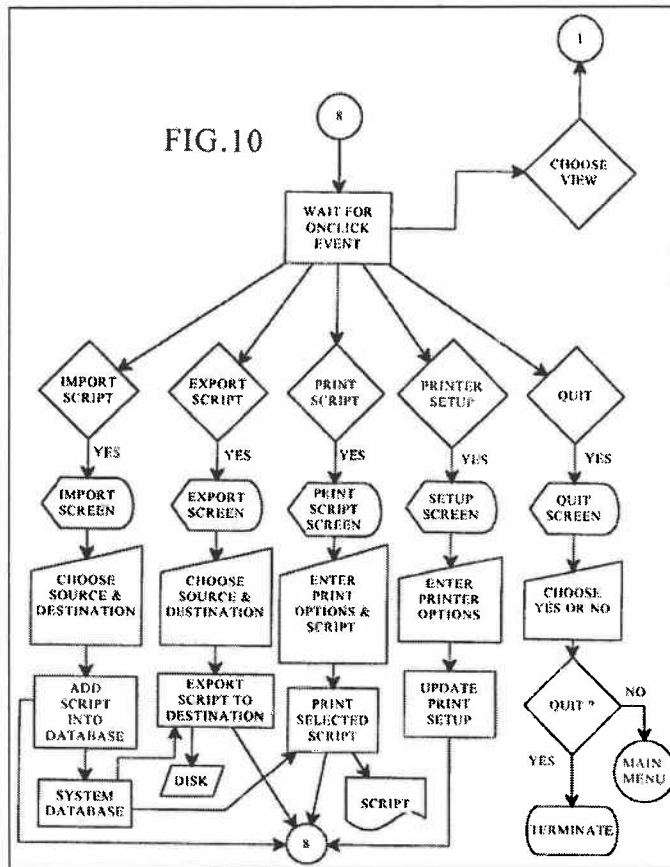
Claim 10	Rakavy and Kjorsvik
	<p>Resource List 52. The Advertisement Information Record 51 contains information identifying the advertisement (including the Advertisement-ID 55), its category, its size, and the hardware required to display the advertisement, such as sound boards, screen resolution and 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>The diagram shows a rectangular box representing the Advertisement Information Record 51. Inside this box, there is a section labeled 'Ad Information:' which lists various 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. Below this section is another section labeled 'List of resources:' which lists three items: 1: File name, version, size: ..., 2: File name, version, size: ..., 3: File name, version, size: ..., and an ellipsis. The entire box is labeled 50 on the right side. A pointer labeled 55 points to the 'Ad ID: ...' field. A pointer labeled 51 points to the right side of the box. A pointer labeled 52 points to the 'List of resources:' section.</p>

FIG. 5

7. *Claim 12*

Claim 12 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 12	Rakavy and Kjorsvik
<p>A method as in claim 10, wherein a link control option enables the user to establish a link with a information location,</p>	<p><i>Kjorsvik</i></p> <p>Kjorsvik discloses two different types of control options. One type of control option allows a user to import presentations. A second type of control option allows the user to interact with the presentation.</p> <p><i>importing presentations from external sources</i></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>To obtain a presentation from an external source, in Kjorsvik, a main pulldown menu is presented to a user. (See Kjorsvik, FIG. 3.) If a user selects the file menu (FIG. 9), the user can select a control option to import or export scripts (presentations) from an external source. (See Kjorsvik, FIGs. 9, 10.)</p> <p>The external destination is "<i>an information location</i>"</p>



presentation control options

As depicted in FIG. 15, when a user selects one of the "SKIP, FIRST/LAST, NEXT/PREV" the messenger module links to the user's setup file and/or the system database to obtain the proper slide to display. Similarly, when a user selects the "EJECT" options, the messenger module also interacts with the system database to obtain the proper script (presentation) to display.

Each of "user's setup file" and "the system database" is "an information location"

Rakavy

"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

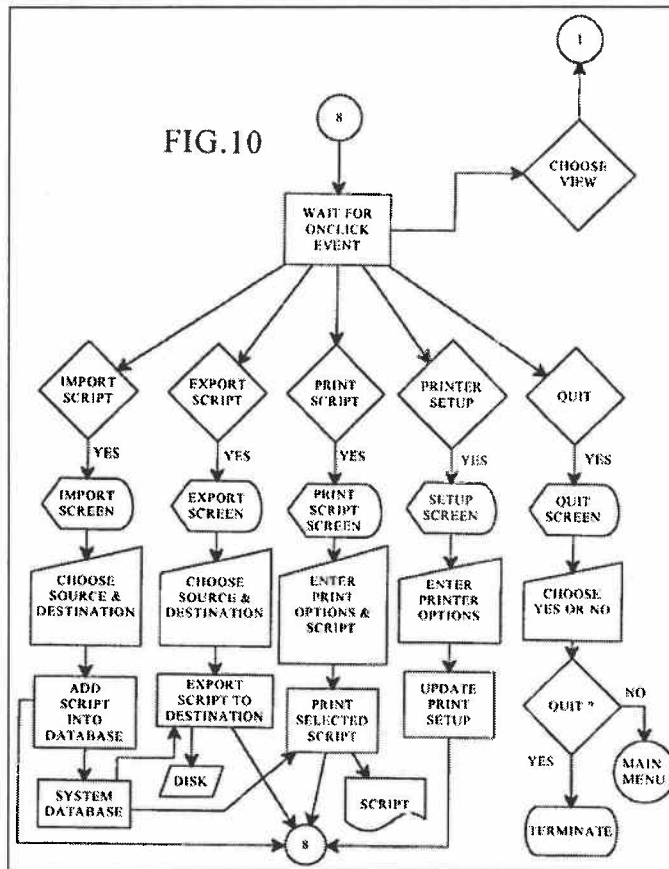
Claim 12	Rakavy and Kjorsvik
	user may interact with the Advertisement Display Manager 210 through a number of ways, including answering questioners, initiating a WEB browser to connect directly to an advertiser WEB page on the Network 700, or automatically initiating a voice connection through the Modem 520 to the advertiser." (Rakavy, 11:33-44.)
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.	<p><i>importing presentations from external sources</i></p> <p>"Thus, as can be seen from the above basic explanation, the present invention comprises a system database 24 located on the network server, an administration module 26 which communicates with database 24 on server 18, as well as external sources, and a plurality of messenger modules, with one messenger module being present in each network PC. The messenger modules also communicate with the database 24." (Kjorsvik, 3:11-18)</p> <p><i>presentation control options</i></p> <p>See also FIG. 15 illustrating establishing links to the "user's setup file" and the "system database"</p>

8. Claim 13

Claim 13 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 13	Rakavy and Kjorsvik
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>"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</p>

Claim 13	Rakavy and Kjorsvik
<p>instructions for acquiring a set of content data from a content providing system;</p>	<p>available to that specific user." (Kjorsvik, Abstract)</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 13	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 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><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 13	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, 7:63-7:3)</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</p>

Claim 13	Rakavy and Kjorsvik
<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>computer display are also available." (Rakavy, 3:30-33)</p> <p><i>Kjorsvik</i></p> <p>"At any point in the presentation, the user may begin use of the PC, such as for work-in-progress, by simply pushing any key on the PC keyboard except for a designated key which is for manual control of the presentation." (Kjorsvik, 3:6-10)</p> <p>"By pushing an eject button or other designated key, the user will also be able to go to another selected presentation among the several available to it through the administration module. The newly selected presentation will remain the "current" presentation until the broadcast schedule previously established in the administration module for that PC indicates that another presentation is due." (Kjorsvik, 5:33-39)</p> <p><i>Rakavy</i></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>

Claim 13	Rakavy and Kjorsvik
<p>instructions for controlling aspects of the operation of the system in accordance with a selected control option;</p>	<p><i>Kjorsvik</i></p> <p>"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>"Each messenger module is controlled to some extent by the individual PC with which it is associated." (Kjorsvik, 5:23-24)</p> <p>"For instance, by pressing a designated key on the PC keyboard (or the correct mouse button), when a presentation is in progress, a control menu will appear on the user's screen over the current slide. This menu gives the user various possibilities by which to control the presentation. It is possible, for example, to reverse the presentation slide by slide, or the presentation may be fast-forwarded, slide by slide." (Kjorsvik, 5:25-32)</p> <p>"FIG. 16 shows the 'quit' sequence for the messenger module, terminating current operation of its associated network PC in the presentation network. This sequence permits the PCs to return to their previous tasks." (Kjorsvik, 5:48-51)</p> <p>"For instance, by pressing a designated key on the PC keyboard (or the correct mouse button), when a presentation is in progress, a control menu will appear on the user's screen over the current slide. This menu gives the user various possibilities by which to control the presentation. It is possible, for example, to reverse the presentation slide by slide, or the presentation may be fast-forwarded, slide by slide." (Kjorsvik, 5:25-32)</p> <p><i>Rakavy</i></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 13

Rakavy and Kjorsvik

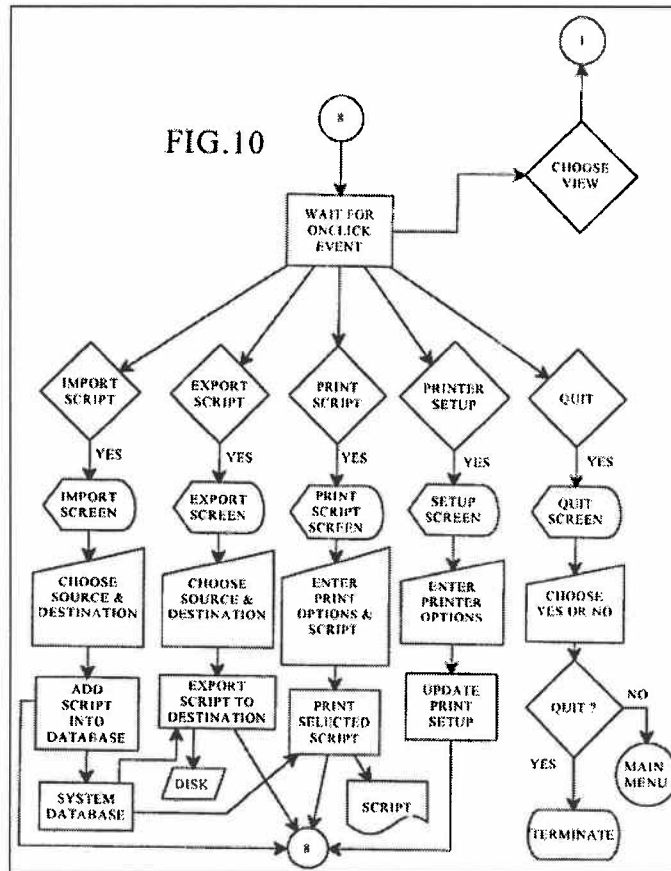
wherein the set of content data is selected from a plurality of sets of content data, each set being provided by an associated content provider, wherein each associated content provider is located in a different physical location than at least one other content provider and each content provider provides 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

Kjorsvik

"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)

"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)

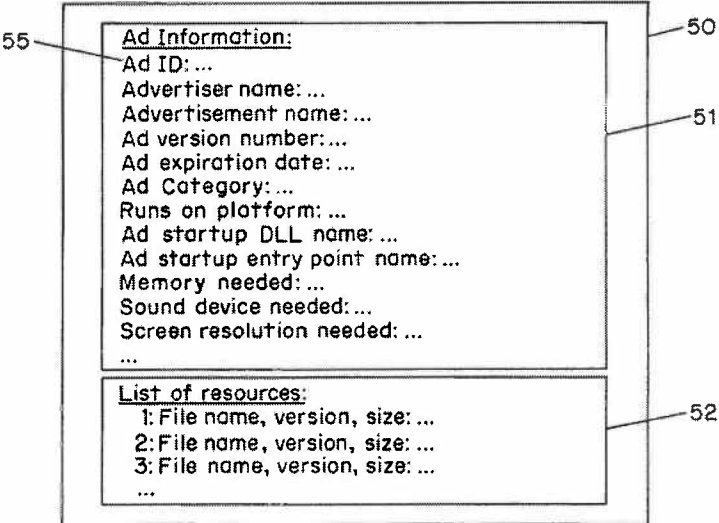
"In FIG. 10, control is provided over the importing and exporting of presentations (scripts) and over the options available for printing the text and the visual information." (Kjorsvik, 4:57-60)



Rakavy

"In an alternate embodiment of the present invention, the

Claim 13	Rakavy and Kjorsvik
	<p>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><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</p>

Claim 13	Rakavy and Kjorsvik
	<p>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>

9. Claim 15

Claim 15 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 15

Rakavy and Kjorsvik

A computer readable medium as in claim 13, wherein a link control option enables the user to establish a link with an information location,

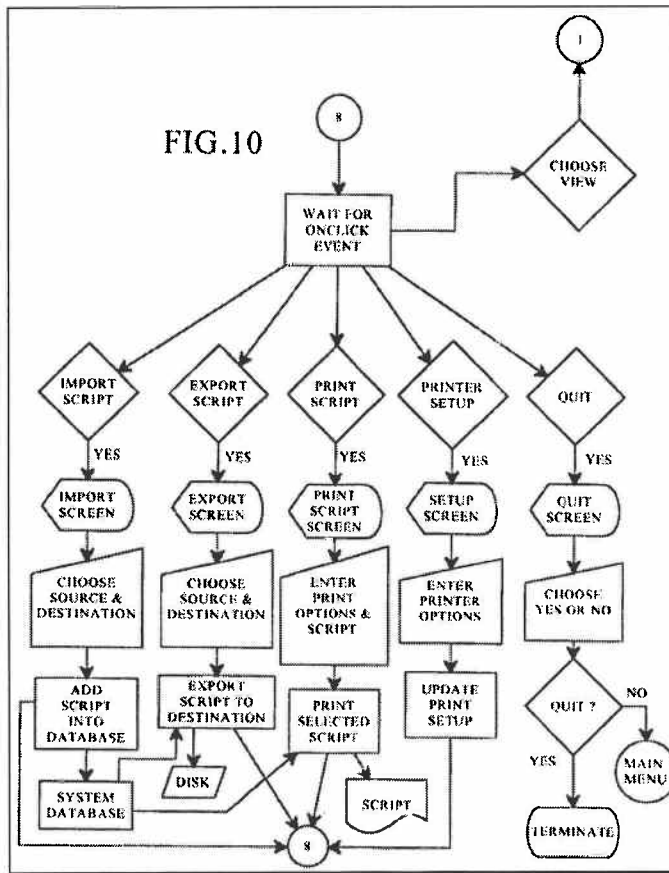
Kjorsvik

importing presentations from external sources

"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)

To obtain a presentation from an external source, in Kjorsvik, a main pulldown menu is presented to a user. (See Kjorsvik, FIG. 3.) If a user selects the file menu (FIG. 9), the user can select a control option to import or export scripts (presentations) from an external source. (See Kjorsvik, FIGS. 9, 10.)

The external destination is "an information location"



Claim 15	Rakavy and Kjorsvik
	<p><i>presentation control options</i></p> <p>As depicted in FIG. 15, when a user selects one of the "SKIP, FIRST/LAST, NEXT/PREV" the messenger module links to the user's setup file and/or the system database to obtain the proper slide to display. Similarly, when a user selects the "EJECT" options, the messenger module also interacts with the system database to obtain the proper script (presentation) to display.</p> <p>Each of "user's setup file" and "the system database" is "<i>an information location</i>"</p> <p><i>Rakavy</i></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>the instructions for controlling aspects of the operation of the system further comprising instructions for establishing the link with the information location in response to selection of the link control.</p>	<p><i>importing presentations from external sources</i></p> <p>"Thus, as can be seen from the above basic explanation, the present invention comprises a system database 24 located on the network server, an administration module 26 which communicates with database 24 on server 18, as well as external sources, and a plurality of messenger modules, with one messenger module being present in each network PC. The messenger modules also communicate with the database 24." (Kjorsvik, 3:11-18)</p> <p><i>presentation control options</i></p> <p>See also FIG. 15 illustrating establishing links to the "user's setup file" and the "system database"</p>

VII. STATEMENT IDENTIFYING THE REAL PARTY IN INTEREST (37 C.F.R. §1.915(B)(8))

The real party in interest is Apple Inc. with its principal place of business at 1 Infinite Loop, Cupertino, CA 95014.

REQUESTER'S CORRESPONDENCE ADDRESS

Michael B. Ray, Esq.
Lori A. Gordon, Esq.
Sterne Kessler Goldstein & Fox, PLLC
1100 New York Ave, N.W.
Washington D.C. 20005

VIII. DISCLOSURE OF CONCURRENT LITIGATION

On August 27, 2010, Interval Licensing LLC, filed a lawsuit in the U.S. District Court for the Western District Of Washington alleging infringement of the '314 patent by AOL, Inc.; Apple, Inc.; Ebay, Inc.; Facebook, Inc.; Google Inc.; Netflix, Inc.; Office Depot, Inc.; Officemax Inc.; Staples, Inc.; Yahoo! Inc.; and Youtube, LLC (see Civ. Case No. 2:10-Cv-01385). That lawsuit is currently pending.

IX. CERTIFICATION OF SERVICE ON PATENT OWNER

The undersigned hereby certifies that the above captioned **Request for *Inter Partes* Reexamination under 37. C.F.R. § 1.915** was served by First Class Mail upon:

Van Pelt, Yi & James LLP
10050 N. Foothill Blvd #200
Cupertino, CA 95014

X. CONCLUSION

For the reasons given above, reexamination of claims 1-15 of U.S. Patent 6,788,314 is requested.

RESPECTFULLY SUBMITTED,



Michael B. Ray
Attorney for Third Party Requester
Reg. No. 33,997



Lori A. Gordon
Attorneys for Third Party Requester
Reg. No. 50,633