

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no.: 12/272,570

Conf. no. 6547

Applicant: Ric B. Richardson

Art Unit: 2493

Filed: November 17, 2008

Examiner: Ali Shayanfar

Title: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

RESPONSE TO OFFICE ACTION

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

Dear Sir,

In response to the Office Action mailed May 5, 2011, please amend the present application as follows.

Amendments to the Claims begin on page 2.

Remarks begin on page 8.

IN THE CLAIMS:

1. (currently amended) A system for adjusting a license for a digital product over time, the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product, comprising:

a communication module for receiving a request for authorization to use the digital product from a given device;

a processor module in operative communication with the communication module;

a memory module in operative communication with the processor module and comprising executable code for the processor module to:

verify that a license data associated with the digital product is valid based at least in part on a device identity ~~associated with~~ generated by sampling physical parameters of the given device;

in response to the device identity already being on a record, allow the digital product to be used on the given device;

in response to the device identity not being on the record, set the allowed copy count to a first upper limit for a first time period, the allowed copy count corresponding to a maximum number of devices authorized to use the digital product;

calculate a device count corresponding to total number of devices already authorized for use with the digital product; and

when the calculated device count is less than the first upper limit, allow the digital product to be used on the given device.

2. (original) The system of claim 1, wherein the digital product comprises software.

3. (original) The system of claim 1, wherein the license data comprises information that may be used to verify whether the license for the digital product is valid.
4. (original) The system of claim 1, wherein the record comprises an authorization database.
5. (original) The system of claim 1, wherein the first time period comprises a defined number of days after an initial authorization of the digital product.
6. (original) The system of claim 5, wherein the defined number of days comprises six days since the initial authorization, and wherein the first upper limit comprises five authorized devices.
7. (original) The system of claim 1, wherein the processor module is adapted to, in response to the calculated device count equaling the first upper limit, send a warning regarding the allowed copy count to the given device.
8. (original) The system of claim 1, wherein the processor module is adapted to, in response to the calculated device count exceeding the first upper limit, deny the request for authorization.
9. (original) The system of claim 1, wherein the processor module is adapted to:
 - in response to the device identity not being on the record, after the first time period has expired, set the allowed copy count to a second upper limit for a second time period;
 - recalculate the device count; and
 - when the recalculated device count is less than the second upper limit, allow the digital product to be used on the given device.
10. (original) The system of claim 9, wherein the second time period comprises a defined number of days since the initial authorization.

11. (original) The system of claim 10, wherein the defined number of days comprises thirty-one days since the initial authorization, and wherein the second upper limit comprises seven authorized devices.
12. (original) The system of claim 9, wherein the processor module is adapted to, in response to the calculated device count equaling the second upper limit, send a warning regarding the allowed copy count to the given device.
13. (original) The system of claim 9, wherein the processor module is adapted to, in response to the calculated device count exceeding the second upper limit, deny the request for authorization.
14. (original) The system of claim 9, wherein the processor module is adapted to:
in response to the device identity not being on the record, after the second time period has expired, set the allowed copy count to a third upper limit;
recalculate the device count; and
when the recalculated device count is less than the third upper limit, allow the digital product to be used on the given device.
15. (original) The system of claim 14, wherein the third upper limit comprises eleven authorized devices.
16. (original) The system of claim 14, wherein the processor module is adapted to, in response to the calculated device count equaling the third upper limit, send a warning regarding the allowed copy count to the given device.
17. (original) The system of claim 14, wherein the processor module is adapted to, in response to the calculated device count exceeding the third upper limit, deny the request for authorization.

18. (original) The system of claim 1, wherein the device identity comprises unique device identifying information.
19. (original) The system of claim 18, wherein the unique device identifying information comprises at least one user-configurable parameter and at least one non-user-configurable parameter of the given device.
20. (original) The system of claim 18, wherein the device identity is generated by utilizing at least one irreversible transformation of the at least one user-configurable and the at least one non-user-configurable parameters of the given device.
21. (original) The system of claim 18, wherein the device identity is generated by utilizing a cryptographic hash function on the at least one user-configurable and the at least one non-user-configurable parameters of the given device.
22. (currently amended) A method for adjusting a license for a digital product over time, the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product, comprising:
- receiving a request for authorization to use the digital product on a given device;
 - verifying that a license data associated with the digital product is valid based at least in part on a device identity ~~associated with~~ generated by sampling physical parameters of the given device;
 - in response to the device identity already being on a record, allowing the digital product to be used on the given device;
 - in response to the device identity not being on the record, setting the allowed copy count to a first upper limit for a first time period, the allowed copy count corresponding to a maximum number of devices authorized to use the digital product;

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