

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no.:	12/272,570	Conf. no.	6547
Applicant:	Ric B. Richardson	Art Unit:	2432
Filed:	November 17, 2008	Examiner:	Gilberto Barron, Jr.
Title:	SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS		

INFORMATION DISCLOSURE STATEMENT

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

Dear Sir:

Applicant hereby submits, without admission of prior art effect thereof, form(s) PTO/SB/08 pursuant to the duty of disclosure requirements of 37 CFR §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached form(s) PTO/SB/08 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

It is respectfully requested that the Examiner initial and return a copy of the enclosed forms PTO/SB/08, and to indicate in the official file wrapper of this patent application that the documents have been considered.

This Information Disclosure Statement is being filed within three months of the U.S. filing date or before the mailing date of a first Office Action on the merits, therefore no statement under 37 CFR § 1.97(e) or fee is required.

Respectfully Submitted,

/Sean D. Burdick/

Sean D. Burdick
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
				Application Number	12/272,570	
				Filing Date	11/17/2008	
				First Named Inventor	Ric B. Richardson	
				Art Unit	2432	
				Examiner Name	Gilberto Barron Jr.	
Sheet	1	of	1	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code – Number – Kind Code				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Acknowledgement Receipt

EFS ID:	9473357
Application Number:	12272570
International Application Number:	
Confirmation Number:	6547
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Customer Number:	96051
Filer:	Sean Dylan Burdick
Filer Authorized By:	
Attorney Docket Number:	UN-NP-SA-001
Receipt Date:	22-FEB-2011
Filing Date:	17-NOV-2008
Time Stamp:	13:59:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	SA-001-IDS_transmittal.pdf	28363 <small>1930618767f162ff9643304b60624d938f7b c992</small>	no	2

Warnings:

Information:

2	Information Disclosure Statement (IDS) Filed (SB/08)	SA-001_SB08_2.pdf	40915 <small>b947f5d5715fad36143290f137ba17f06d0d417</small>	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	NPL Documents	Williams.pdf	1378703 <small>d0738b647d11e03b35a4e90b6e0fcd04b785db99cf</small>	no	35
Warnings:					
Information:					
Total Files Size (in bytes):			1447981		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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Respectfully Submitted,

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/272,570	11/17/2008	Ric B. Richardson	UN-NP-SA-001	6547
96051	7590	05/05/2011	EXAMINER	
Uniloc USA Inc. 2151 Michelson Ste. 100 Irvine, CA 92612			SHAYANEAR, ALI	
			ART UNIT	PAPER NUMBER
			2493	
			MAIL DATE	DELIVERY MODE
			05/05/2011	PAPER

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

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	12/272,570	RICHARDSON, RIC B.	
	Examiner	Art Unit	
	ALI SHAYANFAR	2493	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 November 2008.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 November 2008 is/are: a) accepted or b) objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :2/22/2011,2/11/2011, 4/13/2010, 7/8/2009, 11/17/2008, 5/6/2009.

DETAILED ACTION

1. Claims 1-25 are presented for examination.

Priority

2. Applicants' claim for the benefit of the prior-filed Provisional Application 60/988778 on November. 17, 2007 is acknowledged.

Acknowledgement Of References Cited By Applicant

3. As required by **M.P.E.P 609 (C)**, the applicants submissions of the Information Disclosure Statements dated 2/22/2011, 2/11/2011, 4/13/2010, 7/8/2009, 5/6/2009, 11,17/2008 are acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending. As required by **M.P.E.P 609 C (2)**, a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

The IDS filed on 4/13/2010, having prior art "A PAINLESS GUIDE TO CRC ERROR DETECTION ALGORITHMS", have not been considered since the applicant has not provided the exact date of the NPL.

Claim Rejections - 35 USC § 101

4. Claim 25 is rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

Claim 25 would be directed to an appropriate article of manufacture within the meaning of 35 U.S.C. 101 if the media would only reasonably be interpreted by one of ordinary skill in the art as covering embodiments which are articles produced from raw or prepared materials and which are structurally and functionally interconnected to the program in such a manner as to enable the program to act as a computer component and realize its functionality.

In the instant case, the broadest reasonable interpretation of a claim drawn to a computer medium covers forms of non-transitory tangible media and transitory propagating signals *per se* in view of ordinary and customary meaning of computer-readable media, particularly when the specification is silent. See MPEP 2111.01. When the broadest reasonable interpretation of a claim covers a signal *per se*, the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter. See *In re Nuijten*, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter) and *Interim Examination Instructions for Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101*, Aug. 24, 2009; p. 2. A claim drawn to such a computer medium that covers both transitory and non-transitory embodiments may be amended to narrow the claim to cover only statutory embodiments to avoid a

rejection under 35 U.S.C. § 101 by adding the limitation "non-transitory" to the claim.

Such an amendment would typically not raise the issue of new matter, even when the specification is silent because the broadest reasonable interpretation relies on the ordinary and customary meaning that includes signals *per se*.

Applicants are advised to amend the claim as discussed above (see underlined text) to recite "A non-transitory computer medium" that would render claim 25 statutory under 35 U.S.C. based on the latest guidance available to the examiner.

Claim Rejections - 35 USC § 103

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

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

6. Claims 1-4 and 7-9 and 12-24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad (U.S. Patent No. 5,925,127, hereinafter Ahmad) in view of Takano et al (U.S. Publication No. 2006/0282511 A1, hereinafter Takano)

As to claim 1, Ahmad discloses a system for adjusting a license for a digital product over time (**Ahmad, Col. 2, lines 33-36, use of the computer program may be terminated after the elapse of the licensed use. The step of tracking the use of the computer program during the licensed time of use may include preventing**

unauthorized copying of the computer program), comprising: a communication module for receiving a request for authorization to use the digital product from a given device (**Ahmad, Col. 9, lines 37-44, the CICO module 120 contains required licensing information for the program module requested by the user. CICO module is interpreted as a communication module by the examiner**); a processor module in operative communication with the communication module (**Ahmad, Col. 5, lines 33-43**); a memory module in operative communication with the processor module and comprising executable code for the processor (**Ahmad, Col. 5, lines 33-36**) 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 the given device (**Ahmad, Col. 10, lines 50-67, each CICO module has a CICO module identification number (CID). The CID preferably has two parts separated by a "-". The first part of the CID is a unique identification number generated and encode into the CICO module by the Software Monitor module 140, and the second part is the identification number unique to the user's computer 20**); in response to the device identity already being on a record, allow the digital product to be used on the given device (**Ahmad, Col. 10, lines 59-67, the Software Monitor module 140 verifies the CICO module 120 has not been used before and then issues a randomly generated unique CID to the CICO module 120. After the CICO module 120 provides the Software Monitor module 140 with the licensing information for the rented program module 100**); set the allowed copy count to a first upper limit for a first time period (**Ahmad, Col. 9, lines 3-11, alternatively, a usage count rate may be used where the user rents the**

program module for a fixed number of uses. For example, the user may pay for ten uses of a particular program module where a single use is consumed each time the program module is run on the user's computer. It should be understood that under the latter scheme, a maximum run time will be prescribed for each use to prevent the user from running the program module indefinitely under a single use) Ahmad does not disclose in response to the device identity not being on the record and the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product; and 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. Takano discloses in response to the device identity not being on the record **(Takano, Paragraph [0058], when there is no registration of this terminal identifier)** and the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product **(Takano, Paragraph [0057], when the number of terminals which is allowed to play the content is limited until five terminals by a content provider, there is need to prepare free space to register five terminal identifiers)**; and calculate a device count corresponding to total number of devices already authorized for use with the digital product **(Takano, Paragraph [0058], the memory device 106 judges whether there is a space area able to additionally register a new identifier in the identifier registering area of the license 300 or not)**; and when the calculated device count is less than the first upper

limit, allow the digital product to be used on the given device (**Takano, Paragraph [0058], when a space area exists in the identifier registering area, the memory device 106 records this terminal identifier to the identifier registering area of the license 300 (603), and executes the license transfer processing (604)**) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by showing the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product; and 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 as taught by Takano in order to records the terminal identifier to the identifier registering area of the license and executes the license (**Takano, Paragraph [0058]**)

As to claim 2, Ahmad in view of Takano discloses the digital product comprises software (**Ahmad, Col. 8, lines 41-46, the invention allows a software program module rental service provider monitor use of rented software program downloaded onto a user's computer**)

As to claim 3, Ahmad in view of Takano discloses the license data comprises information that may be used to verify whether the license for the digital product is valid (**Ahmad, Col. 4, lines 2-8, the Software Monitor module verifies the CICO module**)

has not been previously used and receives licensing information from the CICO module for the computer program. The Software Monitor module verifies the license to use the computer program and issues an authorization message to the computer program)

As to claim 4, Ahmad in view of Takano discloses the record comprises an authorization database **(Ahmad, Col. 5, lines 36-40, these processes and operations may utilize conventional computer components in a heterogeneous distributed computing environment, including remote file servers, computer servers, and memory storage devices)**

As to claim 7, Ahmad in view of Takano discloses 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 **(Ahmad, Col. 14, lines 43-48, If usage time remains, the method follows the "YES" branch, at step 690, and allows the user to continue use of the program module 100. If the licensed usage time has expired, the method follows the "NO" branch to step 700, and use of the program module 100 is terminated. If desired, a termination message may be sent to the user prior to termination of use of the program module 100)**

As to claim 8, Ahmad in view of Takano discloses the processor module is adapted to, in response to the calculated device count exceeding the first upper limit, deny the request for authorization **(Ahmad, Col. 9, lines 3-11, alternatively, a usage count rate may be used where the user rents the program module for a fixed number of uses. For example, the user may pay for ten uses of a particular program module where a single use is consumed each time the program module is run on the user's computer. It should be understood that under the latter scheme, a maximum run time will be prescribed for each use to prevent the user from running the program module indefinitely under a single use)**

As to claim 9, Ahmad discloses the processor module is adapted to: after the first time period has expired, set the allowed copy count to a second upper limit for a second time period **(Ahmad, Figure. 4, Col. 11, lines 43-54, Col. 12, lines 43-60)**; 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 **(Ahmad, Figure. 4, Col. 10, lines 54-62)** Ahmad does not disclose in response to the device identity not being on the record. Takano discloses in response to the device identity not being on the record **(Takano, Paragraph [0058], when there is no registration of this terminal identifier)** It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by showing that in response to the device identity not being on the record as taught by Takano in order to stop the transfer processing of license **(Takano, Paragraph [0058])**

As to claim 12, Ahmad in view of Takano discloses 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 (**Ahmad, Col. 14, lines 43-48, If usage time remains, the method follows the "YES" branch, at step 690, and allows the user to continue use of the program module 100. If the licensed usage time has expired, the method follows the "NO" branch to step 700, and use of the program module 100 is terminated. If desired, a termination message may be sent to the user prior to termination of use of the program module 100)**)

As to claim 13, Ahmad in view of Takano discloses the processor module is adapted to, in response to the calculated device count exceeding the second upper limit, deny the request for authorization (**Ahmad, Col. 9, lines 3-11, alternatively, a usage count rate may be used where the user rents the program module for a fixed number of uses. For example, the user may pay for ten uses of a particular program module where a single use is consumed each time the program module is run on the user's computer. It should be understood that under the latter scheme, a maximum run time will be prescribed for each use to prevent the user from running the program module indefinitely under a single use)**)

As to claim 14, Ahmad in view of Takano discloses all the elements in the claim above except that 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. It is the matter of design choice to set the time period and the copy count to any number as desired (example 3rd upper limit or 4th upper limit or 5th upper limit) to allow the digital product to be used on the given device. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by showing 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 in order to provide flexibility to the use the software in different time period for the different number of device.

As to claim 15, Ahmad in view of Takano discloses all the elements in the claim above except that the third upper limit comprises eleven authorized devices. It is the matter of design choice to set the limit to any number of devices as desired (example 11 devices, 12 devices and etc.) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by showing the third upper limit comprises eleven authorized devices in order to provide flexibility to the use the software in different number of device.

As to claim 16, Ahmad in view of Takano discloses all the elements in the claim above except that 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 **(Ahmad, Col. 14, lines 43-48, If usage time remains, the method follows the "YES" branch, at step 690, and allows the user to continue use of the program module 100. If the licensed usage time has expired, the method follows the "NO" branch to step 700, and use of the program module 100 is terminated. If desired, a termination message may be sent to the user prior to termination of use of the program module 100)** It is the matter of design choice to send a warning regarding the allowed copy count to the given device in response to the calculated device count equaling the third upper limit. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by send a warning regarding the allowed copy count to the given device in response to the calculated device count equaling the third upper limit in order to provide flexibility to the use the software in different number of device.

As to claim 17, Ahmad in view of Takano discloses all the elements in the claim above except the processor module is adapted to, in response to the calculated device count exceeding the third upper limit deny the request for authorization **(Ahmad, Col. 9, lines 3-11, alternatively, a usage count rate may be used where the user rents the program module for a fixed number of uses. For example, the user may pay**

for ten uses of a particular program module where a single use is consumed each time the program module is run on the user's computer. It should be understood that under the latter scheme, a maximum run time will be prescribed for each use to prevent the user from running the program module indefinitely under a single use) It is the matter of design choice to deny the request for authorization after the calculated device count exceeding the third upper limit or 4th or 5th and etc.) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by denying the request for authorization after the calculated device count exceeding the third upper limit in order to stop the use the software after it's been used in certain number of devices

As to claim 18, Ahmad in view of Takano discloses the device identity comprises unique device identifying information **(Ahmad, Col. 10, lines 54-59 – Col. 12, lines 7-10, computer identifier stored as a part of unique CID)**

As to claim 19, Ahmad in view of Takano discloses the unique device identifying information comprises at least one user-configurable parameter and at least one non-user-configurable parameter of the given device **(Ahmad, Col. 10, lines 54-59, the CID preferably has two parts separated by a "-". As is discussed in detail below, the first part of the CID is a unique identification number generated and encode into the CICO module by the Software Monitor module 140, and the second part is the identification number unique to the user's computer 20)**

As to claim 20, Ahmad in view of Takano discloses 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 **(Ahmad, Col. 12, lines 13-31)**

As to claim 21, Ahmad in view of Takano discloses 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 **(Ahmad, Col. 14, lines 49-64, the SM 140 will maintain an encrypted database in which it will store the APPID, the CID, and the usage time remaining)**

As to claim 22, it recites the same limitation as claim 1. Therefore it is rejected for the same analogous reason.

As to claim 23, Ahmad discloses after the first time period has expired, set the allowed copy count to a second upper limit for a second time period **(Ahmad, Figure. 4, Col. 11, lines 43-54, Col. 12, lines 43-60)**; 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 **(Ahmad, Figure. 4, Col. 10, lines 54-62)**
Ahmad does not disclose in response to the device identity not being on the record.
Takano discloses in response to the device identity not being on the record **(Takano,**

Paragraph [0058], when there is no registration of this terminal identifier) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by showing that in response to the device identity not being on the record as taught by Takano in order to stop the transfer processing of license **(Takano, Paragraph [0058])**

As to claim 24, Ahmad in view of Takano discloses all the elements in the claim above except that 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. It is the matter of design choice to set the time period and the copy count to any number as desired (example 3rd upper limit or 4th upper limit or 5th upper limit) to allow the digital product to be used on the given device. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano by showing 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 in order to provide flexibility to the use the software in different time period for the different number of device.

As to claim 25, it recites the same limitation as claim 1. Therefore it is rejected for the same analogous reason.

7. Claims 5-6 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad (U.S. Patent No. 5,925,127, hereinafter Ahmad) in view of Takano et al (U.S. Publication No. 2006/0282511 A1, hereinafter Takano) further in view of Anabuki et al (U.S. Publication No. 2004/0066417 A1, hereinafter Anabuki)

As to claim 5, Ahmad in view of Takano discloses all the elements in the claim above except that the first time period comprises a defined number of days after an initial authorization of the digital product. Anabuki discloses the first time period comprises a defined number of days after an initial authorization of the digital product **(Anabuki, Paragraph [0034], condition 2) can be checked by determining if a trial period (e.g., 30 days) has expired by comparing an elapsed time period after installation or first execution of software, e.g., the number of days of the trial period)** It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano further in view of Anabuki by showing that the first time period comprises a defined number of days after an initial authorization of the digital product as taught by Anabuki in order to make sure that the trial is expired or valid **(Anabuki, Paragraph [0034])**

As to claim 6, Ahmad in view of Takano further in view of Anabuki discloses all the elements in the claim above except the defined number of days comprises six days since the initial authorization, and wherein the first upper limit comprises five authorized

devices. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano further in view of Anabuki by showing that the defined number of days comprises six days since the initial authorization, and wherein the first upper limit comprises five authorized devices in order to make sure that the trial is expired or valid for limited number of devices, for example 5 devices.

As to claim 10, Ahmad in view of Takano discloses all the elements in the claim above except that the first time period comprises a defined number of days after an initial authorization of the digital product. Anabuki discloses the first time period comprises a defined number of days after an initial authorization of the digital product **(Anabuki, Paragraph [0034], condition 2) can be checked by determining if a trial period (e.g., 30 days) has expired by comparing an elapsed time period after installation or first execution of software, e.g., the number of days of the trial period)** It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano further in view of Anabuki by showing that the first time period comprises a defined number of days after an initial authorization of the digital product as taught by Anabuki in order to make sure that the trial is expired or valid **(Anabuki, Paragraph [0034])**

As to claim 11, Ahmad in view of Takano further in view of Anabuki discloses all the elements in the claim above except the defined number of days comprises thirty-one

days since the initial authorization, and wherein the first upper limit comprises seven authorized devices. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Takano further in view of Anabuki by showing that the defined number of days comprises thirty-one days since the initial authorization, and wherein the first upper limit comprises seven authorized devices in order to make sure that the trial is expired or valid for limited number of devices, for example 7 devices.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALI SHAYANFAR whose telephone number is (571)270-1050. The examiner can normally be reached on Monday through Friday 9:30-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Colin Carl can be reached on 571-272-3862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2493

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/A. S./
Examiner, Art Unit 2493
4/28/2011

/Carl Colin/

Supervisory Patent Examiner, Art Unit 2493

Index of Claims 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
Final	Original	04/20/2011									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
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	22	✓									
	23	✓									
	24	✓									
	25	✓									

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L8	87	(second near2 upper near2 limit) same (third near2 upper near2 limit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 19:12
L9	3	(copy near2 count) same (second near2 upper near2 limit) same (third near2 upper near2 limit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 19:13
S1	3	((RIC) near2 (RICHARDSON)).INV.	USPAT; USOCR	OR	OFF	2011/04/25 16:47
S2	3898704	UNI LOC USA INC.as.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:50
S3	2	S1 and S2	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:50
S5	283	726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:51
S6	2	"20060282511"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:52
S7	2	"20090138975"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:56
S8	2	adjustable near3 licensing near3 digital near4 products	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 17:06

S11	1	adjustable near3 licensing same software	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 17:07
S12	2	calculat\$3 with (copy near3 count) with authoriz\$2 with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:33
S13	4	calculat\$3 with (copy near3 count) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:34
S14	2	"5925127".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:41
S16	2	"20060265337"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:46
S17	2	"6233567".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:48
S18	1600	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:18
S19	3794	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:25
S20	1770	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:26
S21	2499	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:27

S22	2786	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:29
S23	1815	((software multimedia (executable adj code) program (digital adj product)) near4 copy) same (licens\$4 or watermark\$4 copyright \$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:32
S25	4	"678985".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:40
S26	2	"20090083730"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:22
S27	2	"6976009".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:28
S28	412	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:44
S29	2	"20090138975"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:49
S30	111	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:52


S31	0	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record) and ((excecut\$3 run\$3 load \$3 launch\$3) near4 count)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:53
S32	1	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record) and ((excecut\$3 run\$3 load \$3 launch\$3) near4 count\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:54
S33	1600	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:55
S34	5	S33 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:55
S36	3794	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S37	10	S36 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S38	1770	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S39	12	S38 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56

S40	2499	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S41	4	S40 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S43	2786	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S44	39	S43 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S45	1815	((software multimedia (executable adj code) program (digital adj product)) near4 copy same (licens\$4 or watermark\$4 copyright \$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:57
S46	330	S43 and S45	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:57
S47	20	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) and 726/31. ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S48	16	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) and 726/32. ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S49	605	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) same (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S50	245	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) with (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:31

S51	98	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) near3 (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:31
S52	31	(time near3 period) with (number near5 day\$1) with ((digital adj product \$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 00:43
S53	350	(time near3 period) with (day\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:04
S54	62	(time near3 period) with (day\$1) with device with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:05
S55	63	(time near3 period) with (day\$1) with device\$1 with ((digital adj product \$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:05
S56	0	(time near3 period) with (day\$1) with (limit near3 device\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:12
S57	2	(time near3 period) with (day\$1) with (limit near3 device\$1)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:12

4/ 29/ 2011 9:05:58 PM

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Search Notes 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

SEARCHED			
Class	Subclass	Date	Examiner
726	27, 28, 29, 30, 31, 32, 33	4/26/2011	AS
713	165, 166, 167	4/26/2011	AS
705	57, 58, 59	4/26/2011	AS
380	201	4/26/2011	AS

SEARCH NOTES		
Search Notes	Date	Examiner
Inventor Search, Assignee Search	4/26/2011	AS
East Database Search: software, program, digital product, multimedia, code, application, serial number, ID, version, copy, record, license, copyrights, executable code	4/26/2011	AS
	4/26/2011	AS

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/A, S/ Examiner.Art Unit 2493	
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BIB DATA SHEET

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SERIAL NUMBER 12/272,570	FILING or 371(c) DATE 11/17/2008 RULE	CLASS 726	GROUP ART UNIT 2493	ATTORNEY DOCKET NO. UN-NP-SA-001		
APPLICANTS Ric B. Richardson, Irvine, CA;						
** CONTINUING DATA ***** This appln claims benefit of 60/988,778 11/17/2007						
** FOREIGN APPLICATIONS *****						
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 11/26/2008						
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Met after Allowance AS Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 5	TOTAL CLAIMS 25	INDEPENDENT CLAIMS 3
Verified and Acknowledged <u>/ALI SHAYANFAR/</u> Examiner's Signature						
ADDRESS Uniloc USA Inc. 2151 Michelson Ste. 100 Irvine, CA 92612 UNITED STATES						
TITLE System and Method for Adjustable Licensing of Digital Products						
FILING FEE RECEIVED 657	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:			<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

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;

calculating 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, allowing the digital product to be used on the given device.

23. (original) The method of claim 22, further comprising:

in response to the device identity not being on the record, after the first time period has expired, setting the allowed copy count to a second upper limit for a second time period;

recalculating the device count; and

when the recalculated device count is less than the second upper limit, allowing the digital product to be used on the given device.

24. (original) The method of claim 23, further comprising:

in response to the device identity not being on the record, after the second time period has expired, setting the allowed copy count to a third upper limit;

recalculating the device count; and

when the recalculated device count is less than the third upper limit, allowing the digital product to be used on the given device.

25. (currently amended) A computer program product, comprising:

a non-transitory computer-readable medium comprising:

code for causing a computer to receive a request for authorization to use the digital product;

code for causing a computer 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 computer;

code for causing a computer to, in response to the device identity already being on a record, allow the digital product to be used on the computer;

code for causing a computer to, 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 after an initial authorization of the digital product, the allowed copy count corresponding to a maximum number of devices authorized to use the digital product;

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

code for causing a computer to, when the calculated device count is less than the first upper limit, allowing the digital product to be used on the computer.

REMARKS

Applicant thanks Examiner Shayanfar for his thorough review of the application papers and his opinion on patentability.

Claims 1-25 are pending in the application. Claims 1, 22 and 25 are amended herein. Applicant respectfully requests reconsideration in view of these amendments.

Information Disclosure Statement

Applicant thanks the examiner for considering the lengthy IDS references of record.

Response to Rejections Under 35 USC §101

Claim 25 was rejected under 35 USC §101 as being directed to non-statutory subject matter. Applicant has amended claim 25 according to the examiner's recommendation.

Response to Rejections Under 35 USC §103

Claims 1-4 and 7-9 and 12-24 and 25 were rejected under 35 USC §103(a) as being obvious over US Patent No. 5,925,127 ("*Ahmad*") in view of U.S. Application Pub. 2006/0282511 ("*Takano*"). Claims 5-6 and 10-11 were rejected under 35 USC §103(a) as being obvious over *Ahmad* in view of *Takano* and in further in view of U.S. Application Pub. 2004/0066417 ("*Anabuki*"). Applicant respectfully traverses.

Background

The present application ("*Richardson*") discloses an invention for a system that automatically adjusts usage limitations on licensed software. The adjustable license is based on exploitation of an advanced technique for generating a "device fingerprint" or "device identifier" for each of many computers that a single licensee may use to execute the licensed software. The device identifier uniquely identifies each computer so that the licensing system can keep an accurate count of the number of computers authorized to use the software under any particular license. Unlike other software licensing schemes, the *Richardson* system anticipates that a licensee's number of computers and computer configurations will change over time, and therefore implements a method for allowing such changes to occur without the user having to re-license the software, and without allowing unauthorized use of the software to run out of control.

The *Ahmad* and *Takano* references also disclose technology in the general field of monitoring and controlling the usage of software. When examined in greater detail, however, it becomes apparent that there are several key features that distinguish *Richardson* over *Ahmad* in view of *Takano*. Chief among these are:

(i) *Richardson's* device identifier is derived from physical parameters of the licensee's computer, whereas *Ahmad's* identifier is not;

(ii) *Richardson's* copy count represents a number of computers able to execute the licensed software, whereas *Ahmad's* "usage count rate" represents the number of executions of a software by the same computer; and

(iii) *Richardson's* limitation wherein "*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*" is not taught by *Ahmad* in combination with any other reference of record.

Legal Standard for Obviousness

Well-established patent law holds that an obviousness rejection cannot be sustained unless the cited reference(s) (a) provide a suggestion or motivation to combine reference teachings in the manner claimed; (b) provide a reasonable expectation of success; and (c) teach all of the claim limitations, except for those limitations already within the knowledge or common sense of a person of ordinary skill in the art. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991); *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007). Moreover, the burden is on the examiner to articulate an apparent reason to combine the references in the manner claimed, and to articulate rationale in support of obviousness rejections. *KSR*, 550 U.S. at 418.

Claim 1 – first argument

Regarding the rejection of claim 1, applicant is persuaded, in part, by the argument set forth in the Office Action on p. 5 regarding *Ahmad's* teaching *to verify that license data ... is valid based at least in part on a device identity associated with the given device*.

In response, applicant has amended the corresponding limitation of claim 1 to recite:

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

This amendment is fully supported in the original specification. *See, e.g.* U.S. Application Pub. 2009/0138975 at par. 0058.

Ahmad's teachings at col. 10, lines 50-67 specify that the device identifier is the second part of the "CID". The CID is randomly generated by the Software Monitor (SM) module 140, prior to download to the user's computer. SM 140 is a server associated with Internet site 75a, as shown in FIG. 3. A random number generated by a server cannot produce a device identity "generated by sampling physical parameters of the given device" as recited in claim 1. Moreover, there is no suggestion in *Ahmad*, either alone or in combination with *Takano* that would teach generating a device identity in this manner.

On this basis alone, applicant requests that the §103 rejection of claim 1 be withdrawn.

Claim 1 – second argument

The Office Action on page 5 also asserts that *Ahmad* teaches "set[ing] the allowed copy count to a first upper limit for a first time period". Applicant respectfully disagrees with this assertion.

Ahmad's "usage count rate" is not equivalent to *Richardson's* claimed "copy count". *Richardson's* "copy count" refers to the number of different computers that are authorized to install the licensed software. Note that throughout the *Richardson* disclosure, and throughout the claims, the "copy count" sets a limit on the maximum number of devices that are authorized to use the software under a single license. *See* U.S. Appl. Pub. 2009/0138975 at par. 0046. The "device count" is total the number of devices on which software subject to the single license has actually been installed. *Id.* at pars. 0033, 0040, 0047, and FIGS 2, 3A, 3B.

In contrast, the Office Action cites to *Ahmad* at col. 9, lines 3-11, which teaches that "a usage count rate may be used where the user rents the program for a fixed number of uses." *Ahmad* at col. 9 lines 5 to 15 indicates that the "usage count rate" refers to multiple instances of renting the same version of a software program on the same personal computer 20. Clearly, *Ahmad's* system is designed to limit the usage to a single computer. *See also Ahmad* at col. 12, lines 2-8 ("any unauthorized copy of the program module 100 launched on a different computer will be rendered useless").

Therefore *Ahmad's* teaching at col. 9, lines 3-11 to set a usage count rate to a fixed number of uses doesn't suggest the claimed step of setting an allowed copy count to a first upper limit for a first time period, where the allowed copy count corresponds to a maximum number of devices authorized to use the digital product. To clarify this distinction, applicant has amended claim 1 to recite the foregoing limitation.

On this basis alone, applicant requests that the §103 rejection of claim 1 be withdrawn.

Claim 1 – third argument

It is well established that in an obviousness inquiry, the claimed invention must be interpreted as a whole. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530 (Fed. Cir. 1983); MPEP 2141.02, Section I. In view of this requirement, applicant submits that the limitation of claim 1 that recites:

*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*

should be examined as if it were a single element. The element contains two functionally interrelated sub-elements. The first sub-element (*in response to the device identity not being on the record*) sets up a condition that is required for the execution of the second sub-element (*set the allowed copy count to a first upper limit for a first time period*). The cause-and-effect relationship of these two sub-elements cannot be ignored in the obviousness inquiry.

To the contrary, however, the Office Action on page 6 considers only the first sub-element when formulating the obviousness rejection with respect to the teachings of *Takano*. That is, the Office Action cites to *Takano* at par. 0058 only for teaching “in response to the device identity not being on the record” and then ignores the second sub-element entirely. In this respect, the Office Action doesn't put forth a *prima facie* rejection of claim 1.

In fact, there is no teaching in *Takano* for the second sub-element. *Takano* at par. 0058 teaches establishing a limit for the number of licensed terminals that are registered to access a software content. This limit is established prior to determining whether a terminal identifier is recognized as being present on the terminal identifier list. *Id.*

Takano teaches that “when there is no registration of the terminal identifier” and “[w]hen there is no space [available] in the identifier registering area, the transfer processing of the license is

stopped.” This clearly teaches away from the requirement of the second sub-element that in the absence of a recognized device identifier, the method shall “*set the allowed copy count to a first upper limit for a first time period.*”

On this basis alone, applicant requests that the §103 rejection of claim 1 be withdrawn.

Claims 22 and 25

Claims 22 and 25 recite similar limitations as those in claim 1, and have been amended in a manner similar to the amendments made herein to claim 1.

Applicant asserts that claims 22 and 25 should be allowed over *Ahmad* in view of *Takano* for the same reasons presented above in favor of claim 1.

Claims 2-4, 7-9, 12-21 and 23-24

Each of claims 2-4, 7-9, 12-21 and 23-24 depend from claim 1 or 22. Applicant submits that each is allowable over *Ahmad* in view of *Takano* based on dependency.

Claim 7

The Office Action on page 8 asserts that claim 7 is obvious over *Ahmad* in view of *Takano* because *Ahmad* teaches a processor module 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. For support, the Office Action cites to *Ahmad* at col. 14, lines 43-48.

Applicant respectfully disagrees. *Ahmad* at col. 14, lines 43-48 teaches sending a termination message in advance of the user exceeding usage time, but does not teach sending a termination message when a device count reaches the upper limit of a copy count.

Applicant requests that the §103 rejection of claim 7 be withdrawn on this basis alone.

Claim 9

The Office Action on page 9 asserts that claim 9 is obvious over *Ahmad* in view of *Takano* and for support cites to *Ahmad's* teachings at FIG. 4; col. 10 lines 54-62; col. 11 lines 43-54; and col. 12 lines 43-60; and to *Takano's* teachings at par. 0058. Applicant respectfully disagrees with these assertions.

First, regarding the limitation “*after the first time period has expired, set the allowed copy count to a second upper limit for a second time period*”, applicant has reviewed the cited passages of *Ahmad* and can find no evidence of any time period condition taught by *Ahmad*, in which the expiration of the time period causes another action.

Second, regarding the limitations “*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*”, applicant can find no evidence in the cited portions of *Ahmad* that *Ahmad* ever establishes a second upper limit on a copy count. *Ahmad*’s teachings are limited to comparing “the total count to the licensed number of uses each time the user attempts to launch the program module”. *Ahmad* at col. 11, lines 50-52. In other words, *Ahmad*’s total count is fixed; *Ahmad* fails to teach recalculating a device count to provide for an adjustable upper limit.

Third, there are no teachings or suggestions in *Ahmad* at col. 10, lines 54-62 that provide for a conditional action of any kind to occur in response to a device count being less than a second upper limit. As demonstrated above with respect to claim 1, *Ahmad* teaches usage counts on a single computer, not copy counts that correspond to the number of devices using the licensed software.

Finally, the rejection of claim 9 at the bottom of page 9 admits that *Ahmad* in view of *Takano* would stop the transfer processing of the software license, in response to the device identity not being on the record. This fails to render claim 9 obvious because it is not the objective of claim 9 to stop the processing of the software license. Claim 9 expressly recites a method whereby, in response to the device identity not being on the record, a second upper limit is established to allow usage of the software product.

In view of any of the four reasons presented above, applicant requests that the §103 rejection of claim 9 be withdrawn.

Claim 13

The Office Action on page 10 asserts that *Ahmad* in view of *Takano* renders claim 13 obvious because *Ahmad* at col. 9 lines, 3-11 teaches the limitation of claim 13 “*wherein the processor module is adapted to, in response to the calculated device count exceeding the second upper limit, deny the request for authorization*”. Applicant respectfully disagrees.

Claim 13 expressly recites “the calculated device count ...” As demonstrated above with

respect to claim 1, *Ahmad* teaches a usage counts on a single computer, not device counts representing numbers of computers. On this basis, applicant requests that the rejection of claim 13 be withdrawn.

Claim 19

The Office Action on page 13 rejected claim 19 as obvious over *Ahmad* in view of *Takano* based on the assertion that *Ahmad* at col. 10, lines 54-59 teaches a unique device identifier comprising at least one user-configurable parameter and at least one non-user configurable parameter of the given device. Applicant respectfully disagrees.

Ahmad at col. 10 lines 54-59 teaches a “CID” identification number that identifies the “check in-check out (CICO) module. As demonstrated above with respect to claim 1, *Ahmad*’s teachings at col. 10, lines 50-67 specify that the device identifier is the second part of the CID. The CID is randomly generated by the Software Monitor (SM) module 140, prior to download to the user’s computer. SM 140 is a server associated with Internet site 75a, as shown in FIG. 3. A random number generated by a server cannot produce a device identity 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*” as recited in claim 19 because *Ahmad* doesn’t teach sampling the given device to obtain such parameters. There is no suggestion in *Ahmad*, either alone or in combination with *Takano* that would teach generating a device identity in this manner.

On this basis, applicant requests that the §103 rejection of claim 19 be withdrawn.

Claim 20

The Office Action on page 14 rejects claim 20 as obvious over *Ahmad* in view of *Takano* based on the assertion the *Ahmad* at col. 12, lines 13-31 teaches generating a device identity *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*, as recited in claim 20.

Applicant has reviewed the cited passage of *Ahmad* and can find no evidence whatsoever to support the assertion that *Ahmad* teaches an irreversible transformation of device parameters. Applicant respectfully requests that this rejection of claim 20 be withdrawn.

Claims 21-22

The Office Action on page 14 rejects claim 21 as obvious over *Ahmad* in view of *Takano* based on the assertion the *Ahmad* at col. 14, lines 49-64 teaches a “*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*” as recited in claim 21. Applicant respectfully disagrees.

Ahmad at col. 14, lines 49-64 teaches the use of an encrypted database for storing an APPID, which is an identifier of the software product provided by the publisher. *See Ahmad*, col. 10, lines 11-18. Importantly, the APPID is not a device identifier that uniquely identifies a computing device. Therefore storing the APPID in an encrypted database is not a teaching for generating a device identity by utilizing a cryptographic has function on device parameters, as claimed.

Claim 22 depends from claim 21 and was similarly rejected. Based on the above, applicant requests withdrawal of the §103 rejections of claims 21 and 22.

Claim 23

In response to the rejection of claim 23, applicant reasserts here the arguments presented above in favor of claim 9, and requests withdrawal of the §103 rejection of claim 23.

Claims 5-6 and 10-11

Claims 5-6 and 10-11 depend from claim 1. Applicant reasserts here all of the foregoing arguments in favor of claim 1 and requests that the rejections of claims 5-6 and 10-11 be withdrawn on this basis.

Specifically regarding the rejection of claim 5, applicant submits that *Anabuki* is not analogous art, in that its teachings are directed to protecting contents in system operating in a “mixed reality” (MR) environment, *i.e.* an environment containing both virtual reality and real space components. *Anabuki*'s objective is to inhibit contents from being executed in the absence of authorized real objects. *Anabuki* at par. 0010. Applicant submits that a skilled artisan seeking to solve the same problem as *Richardson* regarding adjustable licensing of software would not seek out teachings related to MR systems. Under *KSR*, the burden is on the examiner to articulate an apparent reason to combine references in an obviousness rejection. Applicant

submits that that burden has not been met.

Moreover, *Anabuki* at par. 0034 teaches granting execution rights as long as a trial period has not expired. There is no teaching in par. 0034 that sets a first time period, in days, in response to a device identity not being recognized, as recited in claim 5/1. *Anabuki* at 0031 and 0034 teaches checking “if a trial period has expired” in order to grant permission to execute MR system contents, not to set a time period for adjustable licensing of software. The combined teachings of *Ahmad, Takano* and *Anabuki* would therefore fail to achieve the limitations of claim 5. The same logic applies in refutation of the rejections of claims 6 and 10-11.

Applicant requests that the §103 rejections of claim 5-6 and 10-11 be withdrawn.

Conclusion

In view of all of the above, applicant believes that all pending claims are in condition for allowance and earnestly requests that these claims be passed to issuance. If the Examiner believes that a telephone conversation would help to expedite prosecution, please call the undersigned attorney at the number below.

Respectfully Submitted,



Sean D. Burdick
Reg. No. 51,513

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no.: 12/272,570

Applicant: Ric B. Richardson

Filed: November 17, 2008

Conf. no.: 6547

Art Unit: 2493

Examiner: Ali Shayanfar

Title: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

INFORMATION DISCLOSURE STATEMENT

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

Dear Sir:

Applicant hereby submits, without admission of prior art effect thereof, form(s) PTO/SB/08 pursuant to the duty of disclosure requirements of 37 CFR §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached form(s) PTO/SB/08 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

It is respectfully requested that the Examiner initial and return a copy of the enclosed forms PTO/SB/08, and to indicate in the official file wrapper of this patent application that the documents have been considered.

12/272,570

1

This Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits, therefore a fee is required.

Respectfully Submitted,



Sean D. Burdick
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	12/272,570
				Filing Date	11/17/2008
				First Named Inventor	Ric B. Richardson
				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	1	of	1	Attorney Docket Number	UN-NP-SA-001

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code - Number - Kind Code				

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.				T
				Wikipedia: "Software Extension," May 28, 2009, Internet Article retrieved on October 11, 2010. XP002604710		
		Williams et al., "Web Database Applications with PHP & MySQL," O'Reilly Media Chapter 1. Database Applications and the Web March 2002, Internet Article retrieved on September 21, 2010. XP002603488				
		Williams, R., "A Painless Guide to CRC Error Detection Algorithms," August 13, 1993, 33 pages, www.ross.net/crc/download/crc_v3.txt.				

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Patent Application Fee Transmittal

Application Number:	12272570
Filing Date:	17-Nov-2008
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Filer:	Sean Dylan Burdick
Attorney Docket Number:	UN-NP-SA-001

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
Total in USD (\$)				180

Electronic Acknowledgement Receipt

EFS ID:	10673517
Application Number:	12272570
International Application Number:	
Confirmation Number:	6547
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Customer Number:	96051
Filer:	Sean Dylan Burdick/Amanda Ivey
Filer Authorized By:	Sean Dylan Burdick
Attorney Docket Number:	UN-NP-SA-001
Receipt Date:	05-AUG-2011
Filing Date:	17-NOV-2008
Time Stamp:	11:06:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$180
RAM confirmation Number	8105
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		response_to_OA_of_05-05-2011.pdf	106408 89867fa63024e276aed925c1d06a51a7d7e811	yes	16
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Transmittal Letter	1	1	
		Amendment Copy Claims/Response to Suggested Claims	2	7	
		Applicant Arguments/Remarks Made in an Amendment	8	16	
Warnings:					
Information:					
2	Transmittal Letter	SA-001_IDS_Transmittal_Letter.pdf	29560 9e55eb355911d15fd6e01d3eabae5047084f9da	no	2
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	SA-001_SB08.pdf	28573 9e77523e416a0b0e6267c20fd6e2719d2641626	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
4	Non Patent Literature	XP002604710.pdf	112965 b25cd933c2b3161b7c0624769e31b02e0194a83	no	2
Warnings:					
Information:					
5	Non Patent Literature	XP002603488.pdf	7921361 d5e6e588eeb175e7c452ach17d02ae09cb088	no	5
Warnings:					
Information:					
6	Non Patent Literature	Williams_A_Painless_Guide.pdf	1378703 d4738b47d1b03b35a4e90b6e0fc604b7852b93c1	no	35
Warnings:					
Information:					
7	Fee Worksheet (SB06)	fee-info.pdf	29941 667287e51b64574e8f0d98e110c624dd330c63	no	2
Warnings:					
Information:					

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 12/272,570		Filing Date 11/17/2008		<input type="checkbox"/> To be Mailed		
APPLICATION AS FILED – PART I					SMALL ENTITY <input checked="" type="checkbox"/> OR OTHER THAN SMALL ENTITY					
FOR		(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)	
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>		N/A	N/A	N/A		OR		N/A		
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>		N/A	N/A	N/A		OR		N/A		
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>		N/A	N/A	N/A		OR		N/A		
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>		minus 20 =	*	X \$ =		OR		X \$ =		
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>		minus 3 =	*	X \$ =		OR		X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				OR				
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>						OR				
				TOTAL		OR		TOTAL		
* If the difference in column 1 is less than zero, enter "0" in column 2.										
APPLICATION AS AMENDED – PART II					SMALL ENTITY OR OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
AMENDMENT	08/05/2011	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(i))</small>	+ 25	Minus	+ 25	= 0	X \$26 =	0	OR		X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	+ 3	Minus	+ 3	= 0	X \$110 =	0	OR		X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>									
				TOTAL ADD'L FEE	0	OR		TOTAL ADD'L FEE		
AMENDMENT	Total <small>(37 CFR 1.16(i))</small>	-	Minus	-	=	X \$ =	OR		X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	-	Minus	-	=	X \$ =	OR		X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>									
					TOTAL ADD'L FEE		OR		TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or independent) is the highest number found in the appropriate box in column 1.										
					Legal Instrument Examiner: /PHYLLIS CANTY/					

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/272,570	11/17/2008	Ric B. Richardson	UN-NP-SA-001	6547
96051	7590	11/08/2011	EXAMINER	
Uniloc USA Inc. 2151 Michelson Ste. 100 Irvine, CA 92612			SHAYANEAR, ALI	
			ART UNIT	PAPER NUMBER
			2493	
			MAIL DATE	DELIVERY MODE
			11/08/2011	PAPER

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

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Argument

1. This office action is in respond to application filed on August 05, 2011, in which applicant amends claims 1, 22, and 25. Claims 1-25 are presented for further examination.

2. Applicant's arguments with respect to claims 1, 9, 14 and 19 have been considered but are persuasive. Applicant's arguments with respect to claims 1-25 have been considered but moot in view of the new ground(s) of rejection necessitated by Applicant's amendment to the claims.

In response to communications filed on 8/05/2011, the 101 rejections of claim 25 in the previous office action is now withdrawn based on the Applicant's current amended claims.

Claim Rejections - 35 USC § 103

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

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

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6. Claims 1-4 and 7-9 and 12-24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad (U.S. Patent No. 5,925,127, hereinafter Ahmad) in view of Ache et al (U.S. Publication No. 2006/0272031 A1, hereinafter Ache)

As to claim 1, Ahmad discloses a system for adjusting a license for a digital product over time (**Ahmad, Col. 2, lines 33-36, use of the computer program may be terminated after the elapse of the licensed use. The step of tracking the use of the computer program during the licensed time of use may include preventing unauthorized copying of the computer program**), comprising: a communication module for receiving a request for authorization to use the digital product from a given device (**Ahmad, Col. 9, lines 37-44, the CICO module 120 contains required licensing information for the program module requested by the user. CICO module is interpreted as a communication module by the examiner**); a processor module in operative communication with the communication module (**Ahmad, Col. 5, lines 33-43**); a memory module in operative communication with the processor module and comprising executable code for the processor (**Ahmad, Col. 5, lines 33-36**) Ahmad does not disclose the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with digital product; verify that a license data associated with the digital product is valid based at least in part on a device identity generated by sampling physical parameter 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; set the allowed copy count to a first upper limit for a first

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time period; in response to the device identity not being on the record and the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product; and 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. Ache discloses the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with digital product (**Ache, Abstract, The unique ID is used to determine if the user device is an authorized user device. If the user device is authorized, access is provided to the electronic content**) verify that a license data associated with the digital product is valid based at least in part on a device identity generated by sampling physical parameter of the given device (**Ache, Paragraph [0008], The authorization database can contain a list of a user IDs, unique to each user; the unique ID; an authorization date, which is the time or date the user device became an authorized user device**); in response to the device identity already being on a record, allow the digital product to be used on the given device (**Ache, Paragraph [0009] [0010], The unique ID is compared to the unique IDs of the authorized user devices to determine if the requesting user device is an authorized user device. If the user device is authorized, the user is allowed access to the content**); 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 maximum number of devices authorized to use the digital

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product (**Ache, Paragraph [0011], If the user device is not an authorized user device, licensing server can have numerous options. In one embodiment, if a number of authorized user devices is not greater than or equal to the maximum number of authorized user devices, user device can be added to the authorization database and become an authorized user device. This is interpreted as the first upper limit. If adding the user device exceeds the maximum number of authorized user devices, the user's request for access to the electronic content can be denied**); calculate a device count corresponding to total number of devices already authorized for use with the digital product (**Ache, Paragraph [0043] [0044], If the maximum number N is not reached, the user device is added to an authorization database and the licensing server distributes a token 120 and increments a counter. The procedure repeats until the counter reaches the maximum number N, and then the next request is denied**); and when the calculated device count is less than the first upper limit, allow the digital product to be used on the given device (**Ache, Paragraph [0016], the license server determines if the maximum number of authorized user devices has been reached. If the maximum number has not been reached, the user device is added to the authorization database as an authorized user device and the user is granted access to the electronic content**) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache by showing verify that a license data associated with the digital product is valid based at least in part on a device identity generated by sampling physical parameter of

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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; set the allowed copy count to a first upper limit for a first time period; in response to the device identity not being on the record and the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product; and 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 as taught by Ache in order to prevent unauthorized user devices to gain access to digital content (**Ache,**

Paragraph [0011])

As to claim 2, Ahmad in view of Ache discloses the digital product comprises software (**Ahmad, Col. 8, lines 41-46, the invention allows a software program module rental service provider monitor use of rented software program downloaded onto a user's computer)**

As to claim 3, Ahmad in view of Ache discloses the license data comprises information that may be used to verify whether the license for the digital product is valid (**Ahmad, Col. 4, lines 2-8, the Software Monitor module verifies the CICO module has not been previously used and receives licensing information from the CICO module for the computer program. The Software Monitor module verifies the**

license to use the computer program and issues an authorization message to the computer program)

As to claim 4, Ahmad in view of Ache discloses the record comprises an authorization database **(Ache, Paragraph [0007] [0016], licensing server maintains an authorization database)**

As to claim 7, Ahmad in view of Ache discloses 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 **(Ache, Paragraph [0016], If the maximum number has been reached, alternately, the user's request can be denied or the user can be prompted to de-authorize a user device and authorize the requesting user device so the user can gain access to the electronic content)**

As to claim 8, Ahmad in view of Ache discloses the processor module is adapted to, in response to the calculated device count exceeding the first upper limit, deny the request for authorization **(Ache, Paragraph [0017], If the authorization database already contains the maximum number of authorized user devices, the user can be denied access to the electronic content or queried to de-authorize an authorized user device)**

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As to claim 9, Ahmad in view of Ache discloses 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 (**Ache, Paragraph [0008] [0012], The authorization database can contain a list of a user IDs, unique to each user; the unique ID; an authorization date, which is the time or date the user device became an authorized user device; Another embodiment limits the number of de-authorizations in a certain 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 (**Ache, Paragraph [0016], the license server determines if the maximum number of authorized user devices has been reached. If the maximum number has not been reached, the user device is added to the authorization database as an authorized user device and the user is granted access to the electronic content**)

As to claim 12, Ahmad in view of Ache discloses 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 (**Ache, Paragraph [0040], If the maximum number has been reached, alternately, the user's request can be denied or the user can be prompted to de-authorize a user device and authorize the requesting user device so the user can gain access to the electronic content**)

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As to claim 13, Ahmad in view of Ache discloses the processor module is adapted to, in response to the calculated device count exceeding the second upper limit, deny the request for authorization **(Ache, Paragraph [0040], If the authorization database 112 already contains the maximum number N of authorized user devices 110, the user 10 can be denied access to the electronic content. It is clear that N is a variable number and can be set as a second upper limit)**

As to claim 14, Ahmad in view of Ache discloses all the elements in the claim above except that 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. It is the matter of design choice to set the time period and the copy count to any number as desired (example 3rd upper limit or 4th upper limit or 5th upper limit) to allow the digital product to be used on the given device. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache by showing 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 in order to provide flexibility to the use the software in different time period for the different number of device.

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As to claim 15, Ahmad in view of Ache discloses all the elements in the claim above except that the third upper limit comprises eleven authorized devices. It is the matter of design choice to set the limit to any number of devices as desired (example 11 devices, 12 devices and etc.) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache by showing the third upper limit comprises eleven authorized devices in order to provide flexibility to the use the software in different number of device.

As to claim 16, Ahmad in view of Ache discloses all the elements in the claim above except that 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 **(Ache, Paragraph [0016], If the maximum number has been reached, alternately, the user's request can be denied or the user can be prompted to de-authorize a user device and authorize the requesting user device so the user can gain access to the electronic content)** It is the matter of design choice to send a warning regarding the allowed copy count to the given device in response to the calculated device count equaling the third upper limit. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache by send a warning regarding the allowed copy count to the given device in response to the calculated device count equaling the third upper limit in order to provide flexibility to the use the software in different number of device.

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As to claim 17, Ahmad in view of Ache discloses all the elements in the claim above except the processor module is adapted to, in response to the calculated device count exceeding the third upper limit deny the request for authorization (**Ache, Paragraph [0017], If the authorization database already contains the maximum number of authorized user devices, the user can be denied access to the electronic content or queried to de-authorize an authorized user device**) It is the matter of design choice to deny the request for authorization after the calculated device count exceeding the third upper limit or 4th or 5th and etc.) It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache by denying the request for authorization after the calculated device count exceeding the third upper limit in order to stop the use the software after it's been used in certain number of devices.

As to claim 18, Ahmad in view of Ache discloses the device identity comprises unique device identifying information (**Ache, Abstract, The unique ID is used to determine if the user device is an authorized user device. If the user device is authorized, access is provided to the electronic content**)

As to claim 19, Ahmad in view of Ache discloses the unique device identifying information comprises at least one user-configurable parameter and at least one non-user-configurable parameter of the given device (**Ache, Paragraph [0008], the authorization database can contain a list of a user IDs which is interpreted as a**

user-configurable parameter unique to each user and the unique ID which is interpreted as non-user-configurable of the given device)

As to claim 20, Ahmad in view of Ache discloses 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 **(Ache, Paragraph [0009], the user can input the unique ID or initiate a request to make the user device an authorized user device)**

As to claim 21, Ahmad in view of Ache discloses 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 **(Ache, Paragraph [0013], Another embodiment encrypts the unique ID if it is stored outside user device, or it can be stored encrypted in the cookie. It is well-known in the art that encryption is done cryptographic hash function)**

As to claim 22, it recites the same limitation as claim 1. Therefore it is rejected for the same analogous reason.

As to claim 23, Ahmad discloses 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 **(Ache, Paragraph [0008] [0012], The**

authorization database can contain a list of a user IDs, unique to each user; the unique ID; an authorization date, which is the time or date the user device became an authorized user device; Another embodiment limits the number of de-authorizations in a certain 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 (Ache, Paragraph [0016], the license server determines if the maximum number of authorized user devices has been reached. If the maximum number has not been reached, the user device is added to the authorization database as an authorized user device and the user is granted access to the electronic content)

As to claim 24, Ahmad in view of Ache discloses all the elements in the claim above except that 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. It is the matter of design choice to set the time period and the copy count to any number as desired (example 3rd upper limit or 4th upper limit or 5th upper limit) to allow the digital product to be used on the given device. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache by showing 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

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be used on the given device in order to provide flexibility to the use the software in different time period for the different number of device.

As to claim 25, it recites the same limitation as claim 1. Therefore it is rejected for the same analogous reason.

7. Claims 5-6 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad (U.S. Patent No. 5,925,127, hereinafter Ahmad) in view of Ache et al (U.S. Publication No. 2006/0272031 A1, hereinafter Ache) further in view of Multerer et al (U.S. Publication No. 2006/0048236 A1, hereinafter Multerer)

As to claim 5, Ahmad in view of Ache discloses all the elements in the claim above except that the first time period comprises a defined number of days after an initial authorization of the digital product. Multerer discloses the first time period comprises a defined number of days after an initial authorization of the digital product **(Multerer, Abstract, Paragraph [0010], Authorization to use the software on any computing device may be granted while the user has a valid account or subscription to the service, or may be limited to a predetermined time period (e.g., a rental period of 30 days)** It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache further in view of Multerer by showing that the first time period comprises a defined number of days after an initial authorization of the digital product as taught by Multerer in order to

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enable the use of the software for the specific time period **(Multerer, Paragraph [0010])**

As to claim 6, Ahmad in view of Ache further in view of Multerer discloses all the elements in the claim above except the defined number of days comprises six days since the initial authorization, and wherein the first upper limit comprises five authorized devices. It would have been obvious matter of design choice by showing that the defined number of days comprises six days since the initial authorization, and wherein the first upper limit comprises five authorized devices in order to make sure that the trial is expired or valid for limited number of devices, for example 5 devices.

As to claim 10, Ahmad in view of Ache discloses all the elements in the claim above except that the first time period comprises a defined number of days after an initial authorization of the digital product. Multerer discloses the first time period comprises a defined number of days after an initial authorization of the digital product **(Multerer, Abstract, Paragraph [0010], Authorization to use the software on any computing device may be granted while the user has a valid account or subscription to the service, or may be limited to a predetermined time period (e.g., a rental period of 30 days)** It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Ahmad in view of Ache further in view of Multerer by showing that the first time period comprises a defined number of

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days after an initial authorization of the digital product as taught by Multerer in order to make sure that the trial is expired or valid (**Multerer, Paragraph [0010]**)

As to claim 11, Ahmad in view of Ache further in view of Multerer discloses all the elements in the claim above except the defined number of days comprises thirty-one days since the initial authorization, and wherein the first upper limit comprises seven authorized devices. It would have been obvious matter of design choice by showing that the defined number of days comprises thirty-one days since the initial authorization, and wherein the first upper limit comprises five authorized devices in order to make sure that the trial is expired or valid for limited number of devices, for example 7 devices.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALI SHAYANFAR whose telephone number is 571-270-1050. The examiner can normally be reached on Monday through Friday 9:30-6:00PM EST

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Colin Carl can be reached on 571-272-3862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. S./
Examiner, Art Unit 2493
11/2/2011

/Carl Colin/
Supervisory Patent Examiner, Art Unit 2493

Application/Control Number: 12/272,570

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	446	(726/26,31-33 380/227,230-234).ccls. and (physical MAC media hardware device player) near2 (id identif \$ address) with (valid\$ verif\$ authentic\$ authoriz\$ confirm\$)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:52
L2	230	(726/26,31-33 380/227,230-234).ccls. and (physical MAC media hardware device player) near2 (id identif \$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:53
L3	229	(726/26,31-33 380/227,230-234).ccls. and (machine physical MAC hardware device player) near2 (id identif \$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:53
L4	54	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table maximum maximal) near3 (device player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:53
L5	5	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table) near3 (device player) with (maximum maximal total)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:54

L6	8	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table register\$3 enroll\$ registration) near3 (device player) with (maximum maximal total)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:55
L7	3	"20040078338"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 15:05
L8	6	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table maximum maximal) near3 (device player) and (copy near3 count)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 15:10
L9	6	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table maximum maximal) near3 (device player) and (copy near3 count)and software	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 15:10
L10	3	(726/26,31-33 380/227,230-234).ccls. and ((calculate count) near5 device) and (list \$3 table register\$3 enroll \$ registration) near3 (device player) with (maximum maximal total)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 16:49

L12	1	((726/26,31-33 380/227,230-234).ccls. and ((calculate count) near5 device) with (authoriz\$4 near5 (software (digital near2 product\$1)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:41
L13	2	((calculate count) near5 device) with (authoriz\$4 near5 (software (digital near2 product\$1)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:42
L14	6	license with valid with (device near3 identity)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:50
L15	3	license with valid with (device near3 ID)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:54
L16	5	((RIC) near2 (RICHARDSON)).INV.	USPAT; USOCR	OR	OFF	2011/10/27 18:58
L17	321	726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59
L18	2	adjustable near3 licensing near3 digital near4 products	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59
L19	1683	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59
L20	4211	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59
L21	4	calculat\$3 with (copy near3 count) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 19:00

L22	1962	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 19:00
L23	430	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 19:00
S1	3	((RIC) near2 (RICHARDSON)).INV.	USPAT; USOCR	OR	OFF	2011/04/25 16:47
S2	3898704	UNI LOC USA INC.as.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:50
S3	2	S1 and S2	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:50
S5	283	726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:51
S6	2	"20060282511"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:52
S7	2	"20090138975"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:56
S8	2	adjustable near3 licensing near3 digital near4 products	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 17:06
S11	1	adjustable near3 licensing same software	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 17:07

S12	2	calculat\$3 with (copy near3 count) with authoriz\$2 with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:33
S13	4	calculat\$3 with (copy near3 count) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:34
S14	2	"5925127".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:41
S16	2	"20060265337"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:46
S17	2	"6233567".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:48
S18	1600	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:18
S19	3794	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:25
S20	1770	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:26
S21	2499	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:27
S22	2786	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:29

S23	1815	((software multimedia (executable adj code) program (digital adj product)) near4 copy) same (licens\$4 or watermark\$4 copyright \$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:32
S25	4	"678985".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:40
S26	2	"20090083730"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:22
S27	2	"6976009".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:28
S28	412	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:44
S29	2	"20090138975"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:49
S30	111	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:52


S31	0	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record) and ((excecut\$3 run\$3 load \$3 launch\$3) near4 count)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:53
S32	1	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record) and ((excecut\$3 run\$3 load \$3 launch\$3) near4 count\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:54
S33	1600	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:55
S34	5	S33 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:55
S36	3794	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S37	10	S36 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S38	1770	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S39	12	S38 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56

S40	2499	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S41	4	S40 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S43	2786	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S44	39	S43 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S45	1815	((software multimedia (executable adj code) program (digital adj product)) near4 copy same (licens\$4 or watermark\$4 copyright \$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:57
S46	330	S43 and S45	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:57
S47	20	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) and 726/31. ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S48	16	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) and 726/32. ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S49	605	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) same (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S50	245	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) with (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:31

S51	98	(expir\$ duration period) near2 (time) with (valid \$ authoriz\$) near3 (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:31
S52	31	(time near3 period) with (number near5 day\$1) with ((digital adj product \$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 00:43
S53	350	(time near3 period) with (day\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:04
S54	62	(time near3 period) with (day\$1) with device with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:05
S55	63	(time near3 period) with (day\$1) with device\$1 with ((digital adj product \$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:05
S56	0	(time near3 period) with (day\$1) with (limit near3 device\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:12
S57	2	(time near3 period) with (day\$1) with (limit near3 device\$1)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:12
S58	87	(second near2 upper near2 limit) same (third near2 upper near2 limit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 19:12
S59	3	(copy near2 count) same (second near2 upper near2 limit) same (third near2 upper near2 limit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 19:13
S60	2	"6920567".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/05/02 12:05

10/27/2011 7:01:15 PM

C:\Documents and Settings\ashayanfar\My Documents\EAST\Workspaces\12272570.wsp


Search Notes 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

SEARCHED			
Class	Subclass	Date	Examiner
726	27, 28, 29, 30, 31, 32, 33 (Update)	4/26/2011	AS
713	165, 166, 167 (Update)	4/26/2011	AS
705	57, 58, 59 (Updated)	4/26/2011	AS
380	201, 227, 230-234	4/26/2011	AS

SEARCH NOTES		
Search Notes	Date	Examiner
Inventor Search, Assignee Search (Update)	4/26/2011	AS
East Database Search: software, program, digital product, multimedia, code, application, serial numbe ID, version, copy, record, license, copyrights, executable code, valid, authorized, register, enroll, maximum, total, list, table, device, player (Updated)	4/26/2011	AS
NPL Search: Google Scholar (Updated)	4/26/2011	AS

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/A, S./ Examiner Art Unit 2493	
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Index of Claims 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	04/20/2011	10/25/2011						
	1	✓	✓						
	2	✓	✓						
	3	✓	✓						
	4	✓	✓						
	5	✓	✓						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
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	16	✓	✓						
	17	✓	✓						
	18	✓	✓						
	19	✓	✓						
	20	✓	✓						
	21	✓	✓						
	22	✓	✓						
	23	✓	✓						
	24	✓	✓						
	25	✓	✓						

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) UN-NP-SA-001	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____	In re Application of Ric B. Richardson		Filed November 17, 2008
	Application Number 12/272,570	For System and Method for Adjustable Licensing of Digital Products	
	Art Unit 2493	Examiner Ali Shayanfar	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>620.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>310.00</u>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant/inventor.	/Sean D. Burdick/ Signature		
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	Sean D. Burdick Typed or printed name		
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>51,513</u>	949-825-5527 Telephone number		
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	February 7, 2012 Date		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Patent Application Fee Transmittal

Application Number:	12272570
Filing Date:	17-Nov-2008
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Filer:	Sean Dylan Burdick
Attorney Docket Number:	UN-NP-SA-001

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	2401	1	310	310
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				310

Electronic Acknowledgement Receipt

EFS ID:	12021456
Application Number:	12272570
International Application Number:	
Confirmation Number:	6547
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Customer Number:	96051
Filer:	Sean Dylan Burdick
Filer Authorized By:	
Attorney Docket Number:	UN-NP-SA-001
Receipt Date:	07-FEB-2012
Filing Date:	17-NOV-2008
Time Stamp:	17:26:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$310
RAM confirmation Number	4761
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Notice of Appeal Filed	sb0031_notice_of_appeal.pdf	120807 afa30f420bfdf35ea7d9a33092a21de6279087dfff	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	29932 329b27e2e14c57045de30ff196aff5f3242150bdf	no	2
Warnings:					
Information:					
Total Files Size (in bytes):				150739	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 12/272.570, 11/17/2008, Ric B. Richardson, UN-NP-SA-001, 6547
Row 2: 96051, 7590, 09/18/2012, (Empty), (Empty)
Row 3: Uniloc USA Inc., Legacy Town Center, 7160 Dallas Parkway, Suite 380, Plano, TX 75024, (Empty), (Empty)
Row 4: (Empty), (Empty), (Empty), ART UNIT, PAPER NUMBER
Row 5: (Empty), (Empty), (Empty), 2493, (Empty)
Row 6: (Empty), (Empty), (Empty), NOTIFICATION DATE, DELIVERY MODE
Row 7: (Empty), (Empty), (Empty), 09/18/2012, ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sean.burdick@unilocusa.com
amanda.ivey@unilocusa.com

Notice of Abandonment	Application No.	Applicant(s)
	Examiner	Art Unit
	12/272,570	RICHARDSON, RIC B.
	ALI SHAYANFAR	2493

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

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 08 November 2011.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on 2/07/2012, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
 The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

 A conversation took place on September 10, 2012 between the applicant's representative and the examiner to confirm the abandonment status of the application.

/Carl Colin/ Supervisory Patent Examiner, Art Unit 2493	/A. S./ Examiner, Art Unit 2493
--	------------------------------------

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)**

Application Number	12272570	Filing Date	2008-11-17	Docket Number (if applicable)	UN-NP-SA-001	Art Unit	2493
First Named Inventor	Ric B. Richardson			Examiner Name	Ali Shayanfar		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

Other _____

Enclosed

Amendment/Reply

Information Disclosure Statement (IDS)

Affidavit(s)/ Declaration(s)

Other _____

MISCELLANEOUS

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Patent Practitioner Signature

Applicant Signature

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Sean D. Burdick/	Date (YYYY-MM-DD)	2012-11-16
Name	Sean D. Burdick	Registration Number	51513

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
UN-NP-SA-001

First named inventor: Ric B. Richardson

Application No.: 12/272,570

Art Unit: 2493

Filed: November 17, 2008

Examiner: Ali Shayanfar

Title: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee

Small entity-fee \$ 945 (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.

Other than small entity-fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response _____ (identify type of reply):

has been filed previously on _____

is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

has been paid previously on _____

is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

 /Sean D. Burdick/
 Signature
 Sean D. Burdick
 Type or Printed name
 7160 N. Dallas Parkway, Suite 380
 Address
 Plano, TX 75024
 Address

 11/16/2012
 Date
 51,513
 Registration Number, If applicable
 972-905-9580x227
 Telephone Number

- Enclosures:
- Fee Payment
 - Reply
 - Terminal Disclaimer Form
 - Additional sheets containing statements establishing unintentional delay
 - Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

 Date

 Signature

 Typed or printed name of person signing certificate

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	12272570			
Filing Date:	17-Nov-2008			
Title of Invention:	System and Method for Adjustable Licensing of Digital Products			
First Named Inventor/Applicant Name:	Ric B. Richardson			
Filer:	Sean Dylan Burdick			
Attorney Docket Number:	UN-NP-SA-001			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition-revive unintent. abandoned appl	2453	1	945	945
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for continued examination	2801	1	465	465
Total in USD (\$)				1410

Electronic Acknowledgement Receipt

EFS ID:	14242214
Application Number:	12272570
International Application Number:	
Confirmation Number:	6547
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Customer Number:	96051
Filer:	Sean Dylan Burdick
Filer Authorized By:	
Attorney Docket Number:	UN-NP-SA-001
Receipt Date:	16-NOV-2012
Filing Date:	17-NOV-2008
Time Stamp:	11:20:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1410
RAM confirmation Number	10619
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Amendment After Final	SA-001_Resp_FOA_11-08-2011.pdf	96812 66e218c1bd27b7129708620e9224b470898e34c	no	15
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	SA-001_IDS_List.pdf	62739 e8e67329ff67e4f22fa94d2bf26d3c1971e9a332	no	4
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Foreign Reference	DE10155755A1.pdf	414495 870da06d9b7537ba2e42266abf624f6e09c0b440	no	6
Warnings:					
Information:					
4	Foreign Reference	EP1096406_Madonion_OY.pdf	115522 3c4cad551ace9f13554c51bbaf1152d528f29892	no	4
Warnings:					
Information:					
5	Foreign Reference	WO1992_09160.pdf	1246548 0858c73dc11a294fc8a47c5c70715e900ba5b0	no	27
Warnings:					
Information:					
6	Non Patent Literature	Corocoran_Etal_Techniques_Securing_Multimedia.pdf	1421115 3f9c19a814630276ced1872479a2cee4f09e088f	no	7
Warnings:					
Information:					
7	Non Patent Literature	XP002439673_Microsoft_Operations_Guide.pdf	2318458 a8973aa78fc161a487b9ae38580ee11c0cedf3f7	no	69
Warnings:					
Information:					
8	Non Patent Literature	Ye_Ruopeng_Authenticated_Software_Update.pdf	1132075 de1e6ad008b9841d735fcb8b802d222e0fb5b	no	121
Warnings:					
Information:					
9	Non Patent Literature	RFC_1321_XP002337165.pdf	614309 a22595-ae7B17528a7902561d0a806817b997098b	no	21

Warnings:					
Information:					
10	Non Patent Literature	Wikberg_Michael_Software_Lic ense_Management.pdf	3963916 4cb6a9df6e718abf5948ff60d0b15c0b65b66b6	no	82
Warnings:					
Information:					
11	Transmittal Letter	SA-001-IDS_transmittal.pdf	31795 cd48ff080d4707b78ec8eeeff88d14a29d3f4c1b	no	2
Warnings:					
Information:					
12	Request for Continued Examination (RCE)	sb0030e_fill.pdf	697783 3f082894c9cfd30e015384568c25a0b98e22c76	no	3
Warnings:					
Information:					
13	Miscellaneous Incoming Letter	sb0064.pdf	204715 a128d48afefa1afe5131ba1e4502a5a24b9cdd1d	no	3
Warnings:					
Information:					
14	Fee Worksheet (SB06)	fee-info.pdf	32008 7b2549767f15799d697df6d0e16e883d7d77737	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			12352290		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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 FINAL 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 November 8, 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. (previously presented) 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 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. (previously presented) 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 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;

calculating 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, allowing the digital product to be used on the given device.

23. (original) The method of claim 22, further comprising:

in response to the device identity not being on the record, after the first time period has expired, setting the allowed copy count to a second upper limit for a second time period;

recalculating the device count; and

when the recalculated device count is less than the second upper limit, allowing the digital product to be used on the given device.

24. (original) The method of claim 23, further comprising:

in response to the device identity not being on the record, after the second time period has expired, setting the allowed copy count to a third upper limit;

recalculating the device count; and

when the recalculated device count is less than the third upper limit, allowing the digital product to be used on the given device.

25. (previously presented) A computer program product, comprising:

a non-transitory computer-readable medium comprising:

code for causing a computer to receive a request for authorization to use the digital product;

code for causing a computer to verify that a license data associated with the digital product is valid based at least in part on a device identity generated by sampling physical parameters

of the computer;

code for causing a computer to, in response to the device identity already being on a record, allow the digital product to be used on the computer;

code for causing a computer to, 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 after an initial authorization of the digital product, the allowed copy count corresponding to a maximum number of devices authorized to use the digital product;

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

code for causing a computer to, when the calculated device count is less than the first upper limit, allowing the digital product to be used on the computer.

REMARKS

Applicant thanks Examiner Shayanfar for his thorough review of the application papers, for considering the lengthy IDS references, and for his opinion on patentability.

Claims 1-25 are pending in the application. Applicant respectfully requests reconsideration in view of these remarks.

Response to Rejections Under 35 USC §103

Claims 1-4 and 7-9 and 12-24 and 25 were rejected under 35 USC §103(a) as being obvious over US Patent No. 5,925,127 (“*Ahmad*”) in view of U.S. Application Pub. 2006/027031 (“*Ache*”). Claims 5-6 and 10-11 were rejected under 35 USC §103(a) as being obvious over *Ahmad* in view of *Takano* and in further in view of U.S. Application Pub. 2006/0048236 (“*Multerer*”). Applicant respectfully traverses.

Background

The present application (“*Richardson*”) discloses an invention for a system that automatically adjusts usage limitations on license software. The adjustable license is based on exploitation of an advanced technique for generating a “device fingerprint” or “device identifier” for each of many computers that a single licensee may use to execute the licensed software. The “device fingerprint” or “device identifier” may be generated using irreversible transformations of at least one user-configurable and at least one non-user-configurable parameters. The “device fingerprint” or “device identifier” may also be generated utilizing a cryptographic hash function on at least one user-configurable and at least one non-user-configurable parameters. The device identifier uniquely identifies each computer so that the licensing system can keep an accurate count of the number of computers authorized to use the software under any particular license.

Unlike other software licensing schemes, the *Richardson* system anticipates that a licensee’s number of computers and computer configurations will change over time, and therefore implements a method for allowing such changes to occur without the user having to re-license the software, and without allowing unauthorized use of software to run out of control. The *Ahmad*, *Ache*, and *Multerer* reference also disclose technology in the general field of monitoring and controlling the usage of software. When examined in greater detail, however, it

becomes apparent that there are several key features that distinguish *Richardson* over *Ahmad* in view of *Ache* and *Multerer*. For example:

(i) *Richardson's* limitation wherein “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” is not taught by *Ahmad* in combination with any other reference of record.

(ii) *Richardson's* limitation wherein “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” is not taught by *Ahmad* in combination with any other reference of record.

(iii) *Richardson's* limitation 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” is not taught by *Ahmad* in combination with any other reference of record.

(iv) *Richardson's* limitation 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” is not taught by *Ahmad* in combination with any other reference of record.

Legal Standard for Obviousness

Well-established patent law holds that an obviousness rejection cannot be sustained unless the cited reference(s) (a) provide a suggestion or motivation to combine reference teachings in the manner claimed; (b) provide a reasonable expectation of success; and (c) teach all of the claim limitations, except for those limitations already within the knowledge or common sense of a person of ordinary skill in the art. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991); *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007). Moreover, the burden is on the examiner to articulate an apparent reason to combine the references in the manner claimed, and to articulate rationale in support of obviousness rejections. *KSR*, 550 U.S. at 418.

Claim 1

Regarding the rejection of claim 1, neither *Ahmad* nor *Ache* teach or suggest “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”.

The Office Action on pages 3 to 4 admits that *Ahmad* does not disclose the features of the present invention. Instead, the Office Action on page 5 cites to of *Ache* at par. 0011.

In *Ache*, if the user device is not an authorized user device, the licensing server can have numerous options. If a number of authorized user devices is not greater than or equal to the maximum number of authorized user device, the user device can be added to the authorization database and became an authorized user device. If adding the user device exceeds the maximum number of authorized user devices, the user’s request for access to the electronic content can be denied. (*Ache*, ¶ 0011)

However, adding an authorized user device when the maximum number of authorized user devices has not been reached is not the same as setting “the allowed copy count to a first upper limit for a first time period.” In such a case, there is no indication that the mere act of adding an authorized device sets the number of maximum authorized devices. There is also no indication that the mere act of adding an authorized device sets the number of maximum authorized device for a first time period.

Furthermore, *Ache* does not disclose that the maximum number of authorized user devices is set for certain time period. For example, every user has a maximum number of user devices that can be considered authorized user devices. (*Ache*, ¶ 0009) Typically, the maximum number is set by the provider and can be a condition of the provider’s agreement with the content owner. (*Ache*, ¶ 0009) There is no indication that the provider will limit the length of the maximum number, or that the provider’s agreement with the content owner will limit the length of the maximum number. That is, there is no indication that the maximum number of authorized user devices will be set by the provider or the provider’s agreement with the content owner for a certain period of time. Such details regarding the time period of the maximum number of authorized user devices are not disclosed in *Ache* and to infer such a teaching is, applicant respectfully submits, the result of impermissible hindsight.

MPEP 2142 cautions that

The tendency to resort to “hindsight” based upon applicant's disclosure is often difficult to avoid due to the very

nature of the examination process. However, impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art.

Applicant respectfully requests that the rejection of claim 1 and its dependent claims be withdrawn.

Claim 9

Regarding the rejection of claim 9, neither *Ahmad* nor *Ache* teaches or suggests “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”.

There is no indication that *Ahmad* teaches the features of the present invention. The Office Action on page 8 cites to *Ache* for such features.

The Office Action on page 8 states that in *Ache* “The authorization database can contain a list of user IDs, unique to each user; the unique ID; an authorization date, which is the time or date the user device became an authorized user device; Another embodiment limits the number of de-authorizations in a certain time period.”

However, limiting the number of de-authorizations in a certain time period is not the same as “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”.

Limiting the number of de-authorizations within a given time period does not increase the maximum number of authorized user devices. For example, in *Ache*, if the maximum number of authorized user devices is 5, 2 de-authorizations are allowed for a first time period, and 4 de-authorizations are allowed for a second time period, the maximum number of authorized user devices connected at any given time would still be 5 regardless of the amount of de-authorizations performed.

In contrast, the claim recites that “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.” In *Richardson*, if the allowed copy count is initially set at 5 for the first time period, the allowed copy count could be increased to 7 for the second time period. Therefore, during the second time period, 7 devices could be using the digital product at the same time.

Thus, *Ache* does not disclose the features of the present invention as recited in the elements of claim 9. Applicant respectfully requests that the rejection of claim 9 be withdrawn.

Claims 14, 23, and 24

All arguments for patentability with regard to claim 9 are repeated and incorporated herein for claims 14, 23, and 24. Applicant respectfully requests that the rejection of claims 14, 23, and 24 be withdrawn.

Claim 20

Regarding the rejection of claim 20, neither *Ahmad* nor *Ache* teach or suggest “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.”

There is no indication that *Ahmad* discloses these particular features recited in claim 20. The Office Action on page 12 cites to *Ache* at par. 0009 for allegedly teaching such features.

Ache notes that users can input the unique ID or initiate a request to make the user device an authorized user device. (*Ache*, ¶ 0009) While the unique ID may be input by the user, there is no indication that the unique ID is subject to an irreversible transformation. Furthermore, there is no indication in *Ache* that any non-user-configurable parameter, in addition to a user-configurable parameter, is subject to an irreversible transformation.

Applicant respectfully requests that the rejection of claim 20 be withdrawn.

Claim 21

Regarding the rejection of claim 20, neither *Ahmad* nor *Ache* teach or suggest “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.”

There is no indication that *Ahmad* discloses these particular features recited in claim 21. Instead, the Office Action on page 12 cites to *Ache* at par. 0013 for such features.

The Office Action on page 12 provides that in *Ache*, the unique ID can be encrypted if stored outside a user device, or stored encrypted in a cookie. Furthermore, the Office Action stated that it is well known in the art that encryption is done in a cryptographic hash function.

However, if the unique ID is the user-configurable parameter, then there is no indication in *Ache* that a non-user-configurable parameter is encrypted using a cryptographic hash function as required by the claim element. Likewise, if the unique ID is the non-user-configurable parameter, then there is no indication in *Ache* that a user-configurable parameter is encrypted using a cryptographic hash function as required by the claim element.

Thus, *Ache* does not disclose the features of the present invention as recited in claim 21. Applicant respectfully requests that the rejection for claim 21 be withdrawn.

Claims 22 and 25

All arguments for patentability with respect to claim 1 are repeated and incorporated herein for claims 22 and 25. Applicant respectfully requests that the rejection of claims 22 and 25, and their dependent claims be withdrawn.

Claims 2 - 4, 7 - 9, 12 - 21, 23 and 24

Applicant reasserts here all of the foregoing arguments in favor of patentability of claims 1 and 22. Dependent claims 2 - 4, 7 - 9, 12 - 21, 23 and 24 each depend from claim 1 or 22, and are thus allowable over *Ahmad* in view of *Ache* based on dependency.

Claim 5

Regarding the rejection of claim 5, neither *Ahmad*, nor *Ache*, nor *Multerer* teach or suggest “wherein the first time period comprises a defined number of days after an initial authorization of the digital product.”

The Office Action on page 14 admits that *Ahmad* and *Ache* do not disclose the recited claim element. Instead, the Office Action cites to *Multerer* for teaching such features.

However, *Multerer* does not disclose the features of the present invention. In *Multerer*, a user has an account or subscription associated with a central location. The account or subscription allows a user to access software (e.g., games, applications, etc.) residing on any computing device. Thus, the user is not restricted to using software on a particular computing device as the software is licensed to a particular user, not a particular computing device. (¶ 0035) The account or subscription may be limited to a predetermined time period (e.g., a rental period of 30 days). (¶ 0010)

Thus, the time period disclosed in *Multerer* relates to the ability of the account holder to

access the games or applications in the first place and not the “maximum number of devices authorized to use the digital product”.

In other words, *Multerer* does not restrict the user to using software on a particular computing device. (¶ 0035) Thus, the user could access the software on any number of devices and the maximum number of devices authorized to use the software is not dependent on the time period in *Multerer*.

Moreover, *Multerer* teaches away from the present invention as simultaneous access to the software is limited in *Multerer*.

For example, after a user logs in, the central service desirably stores the user’s identification information and logged in status in storage as long as the user is logged in. Then, when a subsequent user logs in, the central service checks its storage to determine if the user has already logged in. In such a case, it is determined that two users are attempting to use the same user account or subscriber account which is undesirable. To prevent multiple concurrent logins using the same user identification information, the central service disconnects the earlier logged in user. (*Multerer*, ¶ 0065)

Thus, in *Multerer*, while the user can access the software utilizing multiple different devices, he is unable to do so in a concurrent manner. That is, he can only access the software on multiple different devices serially.

In contrast, in the present invention, the authorization is based on the device and thus two previously authorized devices may use the digital product concurrently. (*Richardson*, Pg. 6, Ins. 3 – 18)

MPEP 2141.02 notes that:

A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984)

In view of the above, Applicant respectfully requests that the rejection for claim 5 be withdrawn.

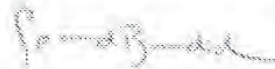
Claims 6, 10, and 11

All arguments for patentability with respect to claim 5 are repeated and incorporated herein for claims 6, 10, and 11. Applicant requests allowance of claims 6, 10 and 11 based on dependency.

Conclusion

In view of the entirety of the above, applicant believes that all pending claims are in condition for allowance and earnestly requests that these claims be passed to issuance. If the Examiner believes that a telephone conversation would help to expedite prosecution, please call the undersigned attorney at the number below.

Respectfully Submitted,



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Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	12/272,570
				Filing Date	11/17/2008
				First Named Inventor	Ric B. Richardson
				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	1	of	4	Attorney Docket Number	UN-NP-SA-001

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>			
		US-4,599,489	07/08/1986	Cargile, William P.	
		US-4,654,799	03/31/1987	Ogaki et al.	
		US-4,688,169	08/18/1987	Joshi, Bhagirath S.	
		US-4,740,890	04/26/1988	William, Tobin	
		US-4,791,565	12/13/1988	Dunham et al.	
		US-4,864,494	09/05/1989	Kobus Jr.	
		US-4,982,430	01/01/1991	Frezza et al	
		US-4,999,806	03/12/1991	Chernow et al.	
		US-5,103,476	04/07/1992	Waite et al.	
		US-5,113,518	05/12/1992	Durst et al.	
		US-5,199,066	03/30/1993	Logan, Andrew J.	
		US-5,222,133	06/22/1993	Chou et al.	
		US-5,222,134	06/22/1993	Waite et al.	
		US-5,287,408	02/15/1994	Samson, Peter R.	
		US-5,319,705	06/07/1994	Halter et al.	
		US-5,337,357	08/09/1994	Chou et al.	
		US-5,343,526	08/30/1994	Lassers, Harold A.	
		US-5,390,297	02/14/1995	Barber et al.	
		US-5,509,070	04/27/1996	Schull, Jonathan	
		US-5,754,864	05/19/1998	Hill, Charles E.	
		US-5,893,910	04/13/1999	Martineau et al.	
		US-6,006,190	12/21/1999	Baena-Arnaiz et al.	
		US-6,070,171	05/30/2000	Snyder et al.	
		US-6,101,606	08/08/2000	Diersch et al.	
Examiner Signature				Date Considered	

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				Art Unit	2493	
				Examiner Name	Ali Shayanfar	
Sheet	2	of	4	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>			
		US-6,134,659	10/17/2000	Sprong et al.	
		US-6,169,976	01/02/2001	Colosso, Juan Carlos	
		US-6,189,146	02/13/2001	Misra et al.	
		US-6,226,747	05/01/2001	Larsson et al.	
		US-6,236,971	05/22/2001	Stefik et al.	
		US-6,327,617	12/04/2001	Fawcett, Philip E.	
		US-6,343,280	01/29/2002	Clark, Jonathan	
		US-6,363,486	03/26/2002	Knapton III	
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		US-6,697,948	02/24/2004	Rabin et al.	
		US-6,857,078	02/15/2005	Colvin, David S.	
		US-6,880,086	04/12/2005	Kidder et al.	
		US-7,020,635	03/28/2006	Hamilton et al.	
		US-7,024,696	04/04/2006	Bahar, Reuben	
		US-7,146,645	12/05/2006	Hellsten et al.	
		US-7,228,567	06/05/2007	Serkowski et al.	
		US-7,313,828	12/25/2007	Holopainen, Yrjö	
		US-7,328,453	02/05/2008	Merkle et al.	
		US-7,644,442	03/24/2005	Miller et al.	
		US-7,676,804	03/09/2010	Ferguson et al.	
		US-7,890,950	02/15/2011	Nanavati et al.	
		US-7,912,787	03/22/2011	Sakakihara et al.	
		US-2002/0069172	06/06/2002	Omshehe et al.	
Examiner Signature				Date Considered	

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				Examiner Name	Ali Shayanfar	
Sheet	3	of	4	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>			
		US-2003/0046566	03/06/2003	Holopainen, Yrjö	
		US-2003/0125975	07/03/2003	Danz et al.	
		US-2004/0177354	09/09/2004	Gunyakti et al.	
		US-2004/0221169	11/04/2004	Lee et al.	
		US-2005/0027657	02/03/2005	Leontiev et al.	
		US-2005/0076334	04/07/2005	Demeyer, Michael	
		US-2005/0165693	07/28/2005	Morritzen et al.	
		US-2005/0262498	11/24/2005	Ferguson et al.	
		US-2006/0064756	03/23/2006	Ebert, Robert F.	
		US-2006/0190403	08/24/2006	Lin et al.	
		US-2006/0242081	10/26/2006	Ivanov et al.	
		US-2006/0265758	11/23/2006	Khandelwal et al.	
		US-2007/0162395	07/12/2007	Ben-Yaacov et al.	
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		US-2008/0141378	06/12/2008	McLean, Ivan Hugh	
		US-2008/0244754	10/02/2008	Curren, Edward	
		US-2008/0247731	10/09/2008	Yamauchi et al.	
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		US-2009/0024984	11/22/2009	Maeda, Kenji	
		US-2009/0037337	02/05/2009	Baitalmal et al.	
		US-2009/0138643	05/28/2009	Charles et al.	
		US-2009/0165080	06/25/2009	Fahn et al.	
		US-2009/0228982	09/10/2009	Kobayashi et al.	
		US-2010/0057703	03/04/2010	Brandt et al.	
Examiner Signature				Date Considered	

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				Application Number	12/272,570
				Filing Date	11/17/2008
				First Named Inventor	Ric B. Richardson
				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	4	of	4	Attorney Docket Number	UN-NP-SA-001

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code – Number – Kind Code				
		DE 101 55 755 A1	5/22/2003	Siemens		
		EP 1 096 406	5/2/2001	Madonion Oy		
		WO 1992/09160	5/29/1992	Tau Systems		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T
		Corcoran et al., "Techniques for Securing Multimedia Content in Consumer Electronic Appliances using Biometrics Signatures," <u>Transactions on Consumer Electronics</u> , Vol. 51, No. 2, pp. 545-551.	
		Microsoft Corporation, "Operations Guide: Microsoft Systems Management Server 2003," 2003, Internet Citation retrieved on June 27, 2007. XP 002439673	
		Rivest, R. "RFC 1321 - The MD5 Message Digest Algorithm," April 1992, Retrieved from the Internet on July 21, 2005.	
		Ye, Ruopeng, "Authenticated Software Update," <i>A Dissertation Submitted to The College of Computer and Information Science of Northeast University in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy in Computer Science</i> , April 28, 2008.	
		Wikberg, Michael, "Software License Management from System-Integrator Viewpoint," Master's Thesis for a Degree for Computer Science and Engineering, School of Science and Technology, Aalto University, Helsinki, April 30, 2010.	

Examiner Signature		Date Considered	
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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		

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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

Dear Sir:

Applicant hereby submits, without admission of prior art effect thereof, form(s) PTO/SB/08 pursuant to the duty of disclosure requirements of 37 CFR §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached form(s) PTO/SB/08 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

It is respectfully requested that the Examiner initial and return a copy of the enclosed forms PTO/SB/08, and to indicate in the official file wrapper of this patent application that the documents have been considered.

12/272,570

1 of 2

This Information Disclosure Statement is being filed within three months of the U.S. filing date, before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination, therefore no statement under 37 CFR § 1.97(e) or fee is required.

Respectfully Submitted,



Sean D. Burdick
Reg. No. 51,513

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(972) 905-9580 x227

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 12/272,570		Filing Date 11/17/2008		<input type="checkbox"/> To be Mailed					
APPLICATION AS FILED – PART I													
(Column 1)			(Column 2)			SMALL ENTITY <input checked="" type="checkbox"/>		OR		OTHER THAN SMALL ENTITY			
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)			
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>		N/A	N/A		N/A				N/A				
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>		N/A	N/A		N/A				N/A				
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>		N/A	N/A		N/A				N/A				
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>		minus 20 =	*		X \$ =		OR		X \$ =				
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>		minus 3 =	*		X \$ =				X \$ =				
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).											
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>													
* If the difference in column 1 is less than zero, enter "0" in column 2.													
APPLICATION AS AMENDED – PART II													
(Column 1)			(Column 2)		(Column 3)			SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT	11/16/2012	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)		
	Total <small>(37 CFR 1.16(o))</small>	+ 25	Minus	** 25	= 0	X \$31 =	0	OR		X \$ =			
	Independent <small>(37 CFR 1.16(h))</small>	+ 3	Minus	*** 3	= 0	X \$125 =	0	OR		X \$ =			
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>												
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>												
TOTAL ADD'L FEE						0	OR		TOTAL ADD'L FEE				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)		
	Total <small>(37 CFR 1.16(o))</small>	+	Minus	**	=	X \$ =		OR		X \$ =			
	Independent <small>(37 CFR 1.16(h))</small>	+	Minus	***	=	X \$ =		OR		X \$ =			
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>												
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>												
TOTAL ADD'L FEE							OR		TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.													
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".													
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".													
The "Highest Number Previously Paid For" (Total or independent) is the highest number found in the appropriate box in column 1.													

Legal Instrument Examiner:
/BRENDA J. DENNY/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 12/272,570		Filing Date 11/17/2008		<input type="checkbox"/> To be Mailed			
APPLICATION AS FILED – PART I					SMALL ENTITY <input checked="" type="checkbox"/> OR OTHER THAN SMALL ENTITY						
(Column 1)		(Column 2)			(Column 3)		(Column 4)				
FOR	NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A		OR		N/A			
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A		N/A		OR		N/A			
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A		OR		N/A			
TOTAL CLAIMS (37 CFR 1.16(j))	minus 20 =	*		X \$ =		OR		X \$ =			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		X \$ =		OR		X \$ =			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					OR					
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))											
* If the difference in column 1 is less than zero, enter "0" in column 2.											
APPLICATION AS AMENDED – PART II					SMALL ENTITY OR OTHER THAN SMALL ENTITY						
(Column 1)		(Column 2)		(Column 3)		(Column 4)		(Column 5)			
AMENDMENT	11/16/2012	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 25	Minus	** 25	= 0	X \$31 =	0	OR		X \$ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	X \$125 =	0	OR		X \$ =	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE	0	OR		TOTAL ADD'L FEE	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	-	Minus	**	=	X \$ =		OR		X \$ =	
	Independent (37 CFR 1.16(h))	-	Minus	***	=	X \$ =		OR		X \$ =	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE		OR		TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.										Legal Instrument Examiner: /BRENDA J. DENNY/	
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".											
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".											
The "Highest Number Previously Paid For" (Total or independent) is the highest number found in the appropriate box in column 1.											

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

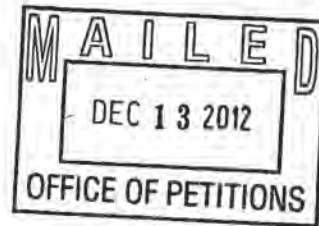
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Uniloc USA Inc.
Legacy Town Center
7160 Dallas Parkway
Suite 380
Plano TX 75024



In re Application of
Ric B. Richardson
Application No. 12/272,570
Filed: 11/17/2008
Attorney Docket No. UN-NP-SA-001

:
:
: DECISION ON PETITION
:
:

This is a decision on the petition under 37 CFR 1.137(b), filed November 16, 2012, to revive the above-identified application.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The application became abandoned on April 8, 2012, as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 41.20(b)(2)) (or another acceptable reply) within two (2) months of the Notice of Appeal filed February 7, 2012. The Office mailed a Notice of Abandonment on September 18, 2012.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of a request for continued examination and a submission, paid the requisite fees, and made the proper statement of unintentional delay.

This matter is being referred to Technology Center Art Unit 2493 for further action on the request for continued examination filed November 16, 2012.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
				Application Number	12/272,570	
				Filing Date	11-17-2008	
				First Named Inventor	Ric B. Richardson	
				Art Unit	2493	
				Examiner Name	Ali Shayanfar	
Sheet	1	of	3	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>	MM-DD-YYYY		
		4,278,837	07/14/81	Best	
		4,446,519	05/01/84	Thomas	
		4,458,315	07/03/84	Uchenick	
		4,471,163	09/11/84	Donald et al.	
		4,484,217	11/20/84	Block et al.	
		4,593,353	06/03/86	Pickholtz	
		4,593,376	06/03/86	Volk	
		4,609,777	09/02/86	Cargile	
		4,646,234	02/24/87	Tolman et al.	
		4,683,553	07/28/87	Mollier	
		4,685,055	08/04/87	Thomas	
		4,712,238	12/08/87	Gilhousen et al.	
		4,888,798	12/19/89	Earnest, Lester D.	
		4,903,296	02/20/90	Chandra et al.	
		4,924,378	05/08/90	Hershey et al.	
		4,937,863	06/26/90	Robert et al.	
		4,959,861	09/25/90	Howlette, Edward L.	
		5,014,234	05/07/91	Edwards, Jr	
		5,033,084	07/16/91	Beecher, David A.	
		5,034,980	07/23/91	Kubota, Satoshi	
		5,081,676	01/14/92	Chou et al.	
		5,083,309	01/21/92	Beysson	
		5,109,413	04/28/92	Comerford et al.	
		5,146,575	09/08/92	Nolan, Jr.	
Examiner Signature				Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
				Application Number	12/272,570	
				Filing Date	11-17-2008	
				First Named Inventor	Ric B. Richardson	
				Art Unit	2493	
				Examiner Name	Ali Shayanfar	
Sheet	2	of	3	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>	MM-DD-YYYY		
		5,259,029	11/02/93	Duncan, Jr.	
		5,341,429	08/23/94	Stringer et al.	
		5,375,240	12/20/94	Grundy, Gregory	
		5,495,411	02/27/96	Ananda, Mohan	
		5,548,645	08/20/96	Ananda, Mohan	
		5,559,884	09/24/96	Davidson et al.	
		5,579,222	11/26/96	Bains et al.	
		5,703,951	12/30/97	Dolphin, Janet L.	
		5,835,911	11/10/98	Nakagawa et al.	
		5,940,504	08/17/99	Griswold, Gary N.	
		5,956,505	09/21/99	Manduley, Flavio M.	
		6,049,789	04/11/00	Frison et al.	
		6,557,105	04/29/03	Tardo et al.	
		6,829,596	12/07/04	Fraze, Steve	
		7,870,273	01/11/11	Watson et al.	
		7,908,662	03/15/11	Richardson, Ric B.	
		8,229,858	07/24/12	Mazza et al.	
		2002/0152395	10/17/2002	Zhang et al.	
		2002/0152401	10/17/2002	Zhang et al.	
		2003/0200541	10/23/03	Cheng et al.	
		2004/0009815	01/15/04	Zotto et al.	
		2004/0039916	02/26/04	Aldis et al.	
		2004/0148525	07/29/04	Aida et al.	
		2004/0152516	08/05/04	Blatter et al.	
Examiner Signature				Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
				Application Number	12/272,570	
				Filing Date	11-17-2008	
				First Named Inventor	Ric B. Richardson	
				Art Unit	2493	
				Examiner Name	Ali Shayanfar	
Sheet	3	of	3	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>	MM-DD-YYYY		
		2004/0249763	12/09/04	Vardi, David	
		2005/0069129	3/31/2005	Ho et al.	
		2005/0071280	3/31/2005	Irwin et al.	
		2005/0278395	12/15/05	Sandaire, Johnny	
		2005/0289072	12/29/05	Sabharwal, Vinay	
		2007/0143228	6/21/2007	Jorden et al.	
		2007/0150418	6/28/2007	Ben-Menahem et al.	
		2008/0148067	06/19/08	Sitrack et al.	
		2008/0172300	07/17/08	Karki et al.	
		2010/0293622	11/18/2010	Nikitin et al.	
		2010/0306819	12/2/2010	Nahari et al.	
		2013/0007892	1/3/2013	Inooka, Hidehiro	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code – Number – Kind Code	MM-DD-YYYY			
		DE 101 55 755 A1	5/22/2003	Siemens		
		EP 1 560 098	8/3/2005	Microsoft Corp.		
		JP 4 369 068	12/21/1992	Chubu Nippon Denki Software KK		
		WO 2000/072119	11/30/2000	Rabin, Michael O.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T
		Osgood, David, Letter to Rhythms Researcher, Mini-Mitter Co., Inc., after 1990, 2 pgs.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Acknowledgement Receipt

EFS ID:	15804807
Application Number:	12272570
International Application Number:	
Confirmation Number:	6547
Title of Invention:	System and Method for Adjustable Licensing of Digital Products
First Named Inventor/Applicant Name:	Ric B. Richardson
Customer Number:	96051
Filer:	Sean Dylan Burdick/Amanda Ivey
Filer Authorized By:	Sean Dylan Burdick
Attorney Docket Number:	UN-NP-SA-001
Receipt Date:	17-MAY-2013
Filing Date:	17-NOV-2008
Time Stamp:	13:34:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	SA-001_IDS_transmittal_letter.pdf	29881 <small>768955757a810181758ae8d76271107ac8a996fa</small>	no	2

Warnings:

Information:

2	Information Disclosure Statement (IDS) Form (SB08)	SA-001_IDS_List.pdf	67529	no	3
			6385e4d124de931082aE14ea35c37E3db87584a		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Foreign Reference	DE10155755A1.pdf	414495	no	6
			8703a06d9b7537662c42266abf6248e69c0b440		
Warnings:					
Information:					
4	Foreign Reference	EP1560098_Microsoft.pdf	142275	no	15
			9b6ff45fb94ba802c2bd37a062902e19f149e579		
Warnings:					
Information:					
5	Foreign Reference	JP4369068A.pdf	323661	no	5
			1730142c94071899f8413d52689b4d11c8041c1		
Warnings:					
Information:					
6	Foreign Reference	JP4369068A_Abstract_English.pdf	57059	no	2
			c24d30d2256d0f529a0e80f5e600c1931ad58c83		
Warnings:					
Information:					
7	Foreign Reference	WO_2000-072119_Rabin.pdf	211608	no	7
			0f07bc80bbe6e5529e505e2263bc13ea490c397f		
Warnings:					
Information:					
8	Non Patent Literature	Osgood_David_Mini_Mitter_Spring_1990.pdf	556390	no	4
			2e3c39bf57b6ef320be687d0b3c13e9e53f0cc3f		
Warnings:					
Information:					
Total Files Size (in bytes):			1802898		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no.: 12/272,570

Conf. no. 6547

Applicant: Ric B. Richardson

Art Unit: 2493

Filed: 11-17-2008

Examiner: Ali Shayanfar

Title: System and Method for Adjustable Licensing of Digital Products

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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

Dear Sir:

Applicant hereby submits, without admission of prior art effect thereof, form(s) PTO/SB/08 pursuant to the duty of disclosure requirements of 37 CFR §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached form(s) PTO/SB/08 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

It is respectfully requested that the Examiner initial and return a copy of the enclosed forms PTO/SB/08, and to indicate in the official file wrapper of this patent application that the documents have been considered.

12/272,570

1

This Information Disclosure Statement is being filed within three months of the U.S. filing date, before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination, therefore no statement under 37 CFR § 1.97(e) or fee is required.

Respectfully Submitted,



Sean D. Burdick
Reg. No. 51,513

Uniloc USA, Inc.
7160 N. Dallas Parkway, Suite 380
Plano, TX 75024
972-905-9580



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

96051 7590 09/11/2013
Uniloc USA Inc.
Legacy Town Center
7160 Dallas Parkway
Suite 380
Plano, TX 75024

EXAMINER

SHAYANFAR, ALI

ART UNIT PAPER NUMBER

2493

DATE MAILED: 09/11/2013

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

12/272.570 11/17/2008 Ric B. Richardson UN-NP-SA-001 6547

TITLE OF INVENTION: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

nonprovisional SMALL \$890 \$300 \$0 \$1190 12/11/2013

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

96051 7590 09/11/2013
 Uniloc USA Inc.
 Legacy Town Center
 7160 Dallas Parkway
 Suite 380
 Plano, TX 75024

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)
_____ (Signature)
_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/272,570	11/17/2008	Ric B. Richardson	UN-NP-SA-001	6547

TITLE OF INVENTION: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$300	\$0	\$1190	12/11/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAYANFAR, ALI	2493	726-032000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
---	--

5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/272,570 11/17/2008 Ric B. Richardson UN-NP-SA-001 6547

96051 7590 09/11/2013
Uniloc USA Inc.
Legacy Town Center
7160 Dallas Parkway
Suite 380
Plano, TX 75024

EXAMINER

SHAYANFAR, ALI

ART UNIT PAPER NUMBER

2493

DATE MAILED: 09/11/2013

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 385 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 385 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 12/272,570	Applicant(s) RICHARDSON, RIC B.	
	Examiner ALI SHAYANFAR	Art Unit 2493	AIA (First Inventor to File) Status No

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

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

1. This communication is responsive to RCE filed on 11/16/2012.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 25. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some *c) None of the:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

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

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>11/16/2012 and 5/17/2013</u> | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | |

/A. S./
Examiner, Art Unit 2493

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 16, 2012 has been entered.
2. Claims 1-25 are pending in the application.

Response to Arguments

4. Previous rejection of the pending claims over prior arts of record has been withdrawn in light of applicant's arguments and remarks filed on 11/16/2012.

Allowable Subject Matter

5. Claims 1-25 are allowed.
No reason for allowance is needed as the record is clear in light of applicant's arguments and amendment filed on 11/16/2012. See MPEP 1302.14(I).
6. None of the prior art of record, including the references cited in the Applicant's Information Disclosure Statement either taken by itself or in any combination, would have anticipated or made obvious the invention of the present application at or before the time it was filed. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALI SHAYANFAR whose telephone number is (571)270-1050. The examiner can normally be reached on Monday through Friday 9:30-6:00PM EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Colin Carl can be reached on 571-272-3862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. S./
Examiner, Art Unit 2493
9/03/2013

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434

Search Notes 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
726	27, 28, 29, 30, 31, 32, 33 (Update)	4/26/2011	AS
713	165, 166, 167 (Update)	4/26/2011	AS
705	57, 58, 59 (Updated)	4/26/2011	AS
380	201, 227, 230-234	4/26/2011	AS
726	27, 28, 29, 30, 31, 32, 33 (Update)	9/3/2013	AS
713	165, 166, 167 (Update)	9/3/2013	AS
705	57, 58, 59 (Updated)	9/3/2013	AS
380	201, 227, 230-234 (Updated)	9/3/2013	AS

SEARCH NOTES		
Search Notes	Date	Examiner
Inventor Search, Assignee Search	4/26/2011	
East Database Search: software, program, digital product, multimedia, code, application, serial numbe ID, version, copy, record, license, copyrights, executable code, valid, authorized, register, enroll, maximum. total, list, table, device, player	4/26/2011	AS
NPL Search: Google Scholar	4/26/2011	AS
Inventor Search, Assignee Search (Update)	9/3/2013	AS
East Database Search: software, program, digital product, multimedia, code, application, serial numbe ID, version, copy, record, license, copyrights, executable code, valid, authorized, register, enroll, maximum. total, list, table, device, player (Updated)	9/3/2013	AS
NPL Search: Google Scholar (Updated)	9/3/2013	AS

/A, S./ Examiner: Art Unit 2493	
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INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	(calculat\$3 with device with count with (digital adj product\$1)).clm.	9/3/2013	AS

/A, S./
Examiner Art Unit 2493



adjusting license for digital product



Scholar

Approx. 294 results (0.21 sec)



Articles

Legal documents

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Method for determining a licensing policy of a digital product

M Zunke, Y Margalit, D Margalit - US Patent App. 10/612,921, 2000 - Google Patents
 ... DETERMINING A LICENSING POLICY MONITORING THE USE DURING THE NEXT PERIOD
ADJUSTING THE LICENSING ... digital product may be carried out by posting a request for **license**
 from the ... LMS 20 looks for available **licenses** in a "licensing pool", and if free **licenses** ...
 Cited by 21 Related articles All 2 versions Cite

Software licensing management system

G Robert, D Chase, R Schaefer - US Patent 4,937,363, 1990 - Google Patents
 ... data processing system which assists in managing software use in accordance with software
licenses ... a **license** management facility 10 which oper- ates in conjunction with a **license** data
 base ... tables 12, and under control of an operating system 13 and **licensing** policy module ...
 Cited by 300 Related articles All 3 versions Cite

System and embedded license control mechanism for the creation and distribution of digital content files and enforcement of licensed use of the digital content files

RJ Doherty, PL Tierney... - US Patent ... 2005 - Google Patents
 ... art severely limit the types of systems in which the programs and **licensing** enforcement
 mechanisms ... be employed, and the means by which the **licensed** programs and **licenses** may
 be ... present invention is directed to a **digital** content file including a **license** control mechanism ...
 Cited by 136 Related articles All 2 versions Cite

SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

R RICHARDSON - WO Patent 2,009 065 135, 2009 - patentscope.wipo.int
 ... Inventors: RICHARDSON, Ric, B. Title: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING
 OF DIGITAL PRODUCTS. Abstract: Techniques are provided for **adjusting** the number of devices
 allowed to use a **digital product** (eg, software) under a **license** ...
 Cited by 3 Related articles Cite More >

Domain-based management of distribution of digital content from multiple suppliers to multiple wireless services subscribers

RM Kjalberg, S Liang, TG Lund, W Chen - US Patent 7,299,090, 2007 - Google Patents
 ... selection of a **product** to purchase Pricing manager calls all registered rating adapters Rating
 adapters **adjust** price of selected **product**, if appropriate Pricing manager presents **license** object
 to ... there is often a gap between the interoperability of a given **digital product** and how ...
 Cited by 10 Related articles All 4 versions Cite

Digital copyright

J Litman - 2006 - www.kaplanpress.com
 ... "Just Say Yes to **Licensing**!" ... Under the current statute, anyone who invades the copyright owner's
 exclusive rights without a **license** or statutory privi- lege can be ... infringement to perform or distribute
 copies of a work in the mistaken belief that one's use is **licensed**.²³ Successful ...
 Cited by 1064 Related articles All 18 versions Cite More >

[PDF] from lacba.org

Journalism and Entertainment as Intellectual Property on the Information Superhighway: Challenge of the Digital Domain

DE Tomlinson - Stan. L. & Pol'y Rev., 1994 - HeinOnline
 ... from their creative endeavors, or will they find some way to **adjust** the system in ... independent of
 the news-program producers videotape newscasts and, mostly sans **license**, sell copies ...
 unprotected from entrepreneurs who will not feel the need to obtain the appropriate **licenses** ...
 Cited by 21 Related articles All 3 versions Cite

Aggregation and disaggregation of information goods: Implications for bundling, site licensing, and micropayment systems

Y Berne, E Eyringhildsson - Lectures in E-Commerce, 2001 - Springer
 ... of micro payment technologies, and aggregation strategies, whereby information goods will be
 offered in bundles, site **licenses** and subscriptions ... As with bundling, the law of large numbers
 will lead to a distribution of valuations for the site **license** that, after **adjusting** for the ...
 Cited by 149 Related articles All 12 versions Cite


The dynamic digital disk

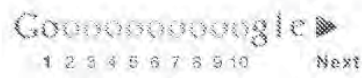
AE Bell - Spectrum - IEEE, 1999 - ieeexplore.ieee.org
 ... The reason is that no **adjustment** is required in the disc angu- ... Only when the drive accesses data
 in another zone, posi- tioned at a different radius, does it **adjust** the angular ... from what is referred
 to as the "robustness of the implementation." This, too, is specified by the **license** ...
 Cited by 70 Related articles All 3 versions Cite

System and method for providing a flexible licensing system for digital content

S Kavun, A Prahtad, P Gokhale, AD Madhala, ... - US Patent ... 2010 - Google Patents

... 3 of 11 US 7,818,282 B2 300 310 Receive request to provide rights to **digital** content 320 ... 402
404 Distribution channel tokens 424 426 Token association table 406 Content and **license** key
including tokens 418a 418b 418c 418d 408 Content **licensing** module 418 ...
Cited by 4 Related articles All 5 versions Cite

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	9	((RIC) near2 (RICHARDSON)).INV.	USPAT; USOCR	OR	OFF	2013/09/03 19:48
L2	513	726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L3	4568765	UNI LOC USA INC.as.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L4	2	adjustable near3 licensing near3 digital near4 products	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L5	2	calculat\$3 with (copy near3 count) with authoriz\$2 with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L6	2	calculat\$3 with (copy near3 count) with authoriz\$2 with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L7	2126	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L8	6982	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48
L9	3718	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:48

L10	3602	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:49
L11	2184	((software multimedia (executable adj code) program (digital adj product)) near4 copy) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:49
L12	508	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:49
L13	135	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:49
L14	34	(expir\$ duration period) near2 (time) with (valid\$ authoriz\$) and 726/31.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:50
L16	0	(adjustable with licensing with software).clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:51
L19	1	(calculat\$3 with device with count with (digital adj product\$1)).clm.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:52
L21	508	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:54
L22	157	("20020069172" "20030046566" "20030125975" "20040177354" "20040221169" "20050027657" "20050076334" "20050165693" "20050262498" "20060064756" "20060190403" "20060242081" "20060265758" "20070162395" "20070300308" "20080141378" "20080244754" "20080247731" "20080289050" "20090024984" "20090037337" "20090138643" "20090165080" "20090228982" "20100057703" "4599489"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/09/03 19:55

		"4654799" "4688169" "4740890" "4791565" "4864494" "4982430" "4999806" "5103476" "5113518" "5199066" "5222133" "5222134" "5287408" "5319705" "5337357" "5343526" "5390297" "5509070" "5754864" "5893910" "6006190" "6070171" "6101606" "6134659" "6169976" "6189146" "6226747" "6236971" "6327617" "6343280" "6363486" "6467088" "6587842" "6697948" "6857078" "6880086" "7020635" "7024696" "7146645" "7228567" "7313828" "7328453" "7644442" "7676804" "7890950" "7912787").PN.				
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S1	3	((RIC) near2 (RICHARDSON)).INV.	USPAT; USOCR	OR	OFF	2011/04/25 16:47
S2	3898704	UNI LOC USA INC.as.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:50
S3	2	S1 and S2	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:50
S5	283	726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:51
S6	2	"20060282511"	US-PGPUB; USPAT;	OR	OFF	2011/04/25 16:52

EAST Search History

			USOCR; EPO; JPO; DERWENT; IBM_TDB			
S7	2	"20090138975"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 16:56
S8	2	adjustable near3 licensing near3 digital near4 products	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 17:06
S11	1	adjustable near3 licensing same software	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/25 17:07
S12	2	calculat\$3 with (copy near3 count) with authoriz\$2 with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:33
S13	4	calculat\$3 with (copy near3 count) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:34
S14	2	"5925127".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:41
S16	2	"20060265337"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:46
S17	2	"6233567".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 11:48
S18	1600	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:18
S19	3794	726/27-29.ccls.	US-PGPUB; USPAT;	OR	OFF	2011/04/26 14:25

EAST Search History

			USOCR; EPO; JPO; DERWENT; IBM_TDB			
S20	1770	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:26
S21	2499	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:27
S22	2786	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:29
S23	1815	((software multimedia (executable adj code) program (digital adj product)) near4 copy) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:32
S25	4	"678985".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 14:40
S26	2	"20090083730"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:22
S27	2	"6976009".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:28
S28	412	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:44
S29	2	"20090138975"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:49
S30	111	(software multimedia (executable adj code) program (digital adj product))	US-PGPUB; USPAT;	OR	OFF	2011/04/26 17:52

EAST Search History

		near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record)	USOCR; EPO; JPO; DERWENT; IBM_TDB			
S31	0	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record) and ((execut\$3 run\$3 load\$3 launch\$3) near4 count)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:53
S32	1	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number ID version)) same (licens\$4 or watermark\$4 copyright\$2) same (copy record) and ((execut\$3 run\$3 load\$3 launch\$3) near4 count\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:54
S33	1600	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:55
S34	5	S33 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:55
S36	3794	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S37	10	S36 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S38	1770	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S39	12	S38 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S40	2499	713/165-167.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56

EAST Search History

S41	4	S40 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S43	2786	705/57-59.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S44	39	S43 and S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:56
S45	1815	((software multimedia (executable adj code) program (digital adj product)) near4 copy) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:57
S46	330	S43 and S45	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/26 17:57
S47	20	(expir\$ duration period) near2 (time) with (valid\$ authoriz\$) and 726/31.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S48	16	(expir\$ duration period) near2 (time) with (valid\$ authoriz\$) and 726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S49	605	(expir\$ duration period) near2 (time) with (valid\$ authoriz\$) same (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:30
S50	245	(expir\$ duration period) near2 (time) with (valid\$ authoriz\$) with (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:31
S51	98	(expir\$ duration period) near2 (time) with (valid\$ authoriz\$) near3 (copy copies duplicat\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/28 20:31

EAST Search History

S52	31	(time near3 period) with (number near5 day\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 00:43
S53	350	(time near3 period) with (day\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:04
S54	62	(time near3 period) with (day\$1) with device with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:05
S55	63	(time near3 period) with (day\$1) with device\$1 with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:05
S56	0	(time near3 period) with (day\$1) with (limit near3 device\$1) with ((digital adj product\$1) software)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:12
S57	2	(time near3 period) with (day\$1) with (limit near3 device\$1)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 01:12
S58	87	(second near2 upper near2 limit) same (third near2 upper near2 limit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 19:12
S59	3	(copy near2 count) same (second near2 upper near2 limit) same (third near2 upper near2 limit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/29 19:13
S60	2	"6920567".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/05/02 12:05
S61	446	(726/26,31-33 380/227,230-234).ccls. and (physical MAC media hardware device player) near2 (id identif\$ address) with (valid\$ verif\$ authentic\$ authoriz\$ confirm\$)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:52

EAST Search History

S62	230	(726/26,31-33 380/227,230-234).ccls. and (physical MAC media hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:53
S63	229	(726/26,31-33 380/227,230-234).ccls. and (machine physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:53
S64	54	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table maximum maximal) near3 (device player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:53
S65	5	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table) near3 (device player) with (maximum maximal total)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:54
S66	8	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table register\$3 enroll\$ registration) near3 (device player) with (maximum maximal total)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 14:55
S67	3	"20040078338"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 15:05
S68	6	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table maximum maximal) near3 (device player) and (copy near3 count)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 15:10
S69	6	(726/26,31-33 380/227,230-234).ccls. and (physical MAC hardware device player) near2 (id identif\$ address) near3 (valid\$ verif\$ authentic\$ authoriz\$ confirm\$) and (list\$3 table maximum maximal) near3 (device player) and (copy near3 count)and software	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 15:10
S70	3	(726/26,31-33 380/227,230-234).ccls. and ((calculate count) near5 device) and (list\$3 table register\$3 enroll\$	US-PGPUB; USPAT; USOCR;	OR	OFF	2011/10/27 16:49

EAST Search History

		registration) near3 (device player) with (maximum maximal total)	FPRS; EPO; JPO; DERWENT; IBM_TDB				
S71	1	((726/26,31-33 380/227,230-234).ccls. and ((calculate count) near5 device) with (authoriz\$4 near5 (software (digital near2 product\$1)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:41	
S72	2	((calculate count) near5 device) with (authoriz\$4 near5 (software (digital near2 product\$1)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:42	
S73	6	license with valid with (device near3 identity)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:50	
S74	3	license with valid with (device near3 ID)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:54	
S75	5	((RIC) near2 (RICHARDSON)).INV.	USPAT; USOCR	OR	OFF	2011/10/27 18:58	
S76	321	726/32.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59	
S77	2	adjustable near3 licensing near3 digital near4 products	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59	
S78	1683	380/201.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59	
S79	4211	726/27-29.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 18:59	
S80	4	calculat\$3 with (copy near3 count) with ((digital adj product\$1) software)	US-PGPUB; USPAT;	OR	OFF	2011/10/27 19:00	

EAST Search History


			USOCR; EPO; JPO; DERWENT; IBM_TDB			
S81	1962	726/30-33.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 19:00
S82	430	(software multimedia (executable adj code) program (digital adj product)) near4 (serial adj2 (number 1D version)) same (licens\$4 or watermark\$4 copyright\$2)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/27 19:00
S83	0	"20060272031"	USPAT; USOCR	OR	OFF	2011/10/31 16:59
S84	2	("20060272031").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/10/31 16:59

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L18	0	(adjustable with licensing with software).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2013/09/03 19:51
L20	1	(calculat\$3 with device with count with (digital adj product\$1)).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2013/09/03 19:53
L25	2	(calculat\$3 with device with count with maximum with digital).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2013/09/03 19:56

9/ 3/ 2013 7:57:10 PM

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Issue Classification 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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2	2	18	18												
3	3	19	19												
4	4	20	20												
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14	14														
15	15														
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/A.S./ Examiner.Art Unit 2493 (Assistant Examiner)	09/03/2013 (Date)	Total Claims Allowed: 25	
/KAMBIZ ZAND/ Supervisory Patent Examiner.Art Unit 2434 (Primary Examiner)	09/04/2013 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 2

Receipt date: 05/17/2013

12272570 - GAU: 2493

PTO/SB/08a (07-09)
 Approved for use through 07/31/2012. OMB 0651-0031
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Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	12/272,570
				Filing Date	11-17-2008
				First Named Inventor	Ric B. Richardson
				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	1	of	3	Attorney Docket Number	UN-NP-SA-001

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>	MM-DD-YYYY		
		4,278,837	07/14/81	Best	
		4,446,519	05/01/84	Thomas	
		4,458,315	07/03/84	Uchenick	
		4,471,163	09/11/84	Donald et al.	
		4,484,217	11/20/84	Block et al.	
		4,593,353	06/03/86	Pickholtz	
		4,593,376	06/03/86	Volk	
		4,609,777	09/02/86	Cargile	
		4,646,234	02/24/87	Tolman et al.	
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		4,712,238	12/08/87	Gilhousen et al.	
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		4,903,296	02/20/90	Chandra et al.	
		4,924,378	05/08/90	Hershey et al.	
		4,937,863	06/26/90	Robert et al.	
		4,959,861	09/25/90	Howlette, Edward L.	
		5,014,234	05/07/91	Edwards, Jr	
		5,033,084	07/16/91	Beecher, David A.	
		5,034,980	07/23/91	Kubota, Satoshi	
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		5,083,309	01/21/92	Beysson	
		5,109,413	04/28/92	Comerford et al.	
		5,146,575	09/08/92	Nolan, Jr.	

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Receipt date: 05/17/2013

12272570 - GAU: 2493

PTO/SB/08a (07-09)
 Approved for use through 07/31/2012. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
				Application Number	12/272,570	
				Filing Date	11-17-2008	
				First Named Inventor	Ric B. Richardson	
				Art Unit	2493	
				Examiner Name	Ali Shayanfar	
Sheet	2	of	3	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>	MM-DD-YYYY		
		5,259,029	11/02/93	Duncan, Jr.	
		5,341,429	08/23/94	Stringer et al.	
		5,375,240	12/20/94	Grundy, Gregory	
		5,495,411	02/27/96	Ananda, Mohan	
		5,548,645	08/20/96	Ananda, Mohan	
		5,559,884	09/24/96	Davidson et al.	
		5,579,222	11/26/96	Bains et al.	
		5,703,951	12/30/97	Dolphin, Janet L.	
		5,835,911	11/10/98	Nakagawa et al.	
		5,940,504	08/17/99	Griswold, Gary N.	
		5,956,505	09/21/99	Manduley, Flavio M.	
		6,049,789	04/11/00	Frison et al.	
		6,557,105	04/29/03	Tardo et al.	
		6,829,596	12/07/04	Fraze, Steve	
		7,870,273	01/11/11	Watson et al.	
		7,908,662	03/15/11	Richardson, Ric B.	
		8,229,858	07/24/12	Mazza et al.	
		2002/0152395	10/17/2002	Zhang et al.	
		2002/0152401	10/17/2002	Zhang et al.	
		2003/0200541	10/23/03	Cheng et al.	
		2004/0009815	01/15/04	Zotto et al.	
		2004/0039916	02/26/04	Aldis et al.	
		2004/0148525	07/29/04	Aida et al.	
		2004/0152516	08/05/04	Blatter et al.	

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Receipt date: 05/17/2013

12272570 - GAU: 2493

PTO/SB/08a (07-09)
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Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known		
				Application Number	12/272,570	
				Filing Date	11-17-2008	
				First Named Inventor	Ric B. Richardson	
				Art Unit	2493	
				Examiner Name	Ali Shayanfar	
Sheet	3	of	3	Attorney Docket Number	UN-NP-SA-001	

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		2004/0249763	12/09/04	Vardi, David	
		2005/0069129	3/31/2005	Ho et al.	
		2005/0071280	3/31/2005	Irwin et al.	
		2005/0278395	12/15/05	Sandaire, Johnny	
		2005/0289072	12/29/05	Sabharwal, Vinay	
		2007/0143228	6/21/2007	Jorden et al.	
		2007/0150418	6/28/2007	Ben-Menahem et al.	
		2008/0148067	06/19/08	Sitrack et al.	
		2008/0172300	07/17/08	Karki et al.	
		2010/0293622	11/18/2010	Nikitin et al.	
		2010/0306819	12/2/2010	Nahari et al.	
		2013/0007892	1/3/2013	Inooka, Hidehiro	


FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code - Number - Kind Code				
		DE 101 55 755 A1	5/22/2003	Siemens		
		EP 1 560 098	8/3/2005	Microsoft Corp.		
		JP 4 369 068	12/21/1992	Chubu Nippon Denki Software KK		
		WO 2000/072119	11/30/2000	Rabin, Michael O.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Index of Claims 	Application/Control No. 12272570	Applicant(s)/Patent Under Reexamination RICHARDSON, RIC B.
	Examiner ALI SHAYANFAR	Art Unit 2493

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	04/20/2011	10/25/2011	09/03/2013					
1	1	✓	✓	=					
2	2	✓	✓	=					
3	3	✓	✓	=					
4	4	✓	✓	=					
5	5	✓	✓	=					
6	6	✓	✓	=					
7	7	✓	✓	=					
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24	24	✓	✓	=					
25	25	✓	✓	=					

Receipt date: 11/16/2012

12272570 - GAU: 2493

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO (modified by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	12/272,570
				Filing Date	11/17/2008
				First Named Inventor	Ric B. Richardson
				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	1	of	4	Attorney Docket Number	UN-NP-SA-001

U. S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <small>(if known)</small>			
		US-4,599,489	07/08/1986	Cargile, William P.	
		US-4,654,799	03/31/1987	Ogaki et al.	
		US-4,688,169	08/18/1987	Joshi, Bhagirath S.	
		US-4,740,890	04/26/1988	William, Tobin	
		US-4,791,565	12/13/1988	Dunham et al.	
		US-4,864,494	09/05/1989	Kobus Jr.	
		US-4,982,430	01/01/1991	Frezza et al	
		US-4,999,806	03/12/1991	Chernow et al.	
		US-5,103,476	04/07/1992	Waite et al.	
		US-5,113,518	05/12/1992	Durst et al.	
		US-5,199,066	03/30/1993	Logan, Andrew J.	
		US-5,222,133	06/22/1993	Chou et al.	
		US-5,222,134	06/22/1993	Waite et al.	
		US-5,287,408	02/15/1994	Samson, Peter R.	
		US-5,319,705	06/07/1994	Halter et al.	
		US-5,337,357	08/09/1994	Chou et al.	
		US-5,343,526	08/30/1994	Lassers, Harold A.	
		US-5,390,297	02/14/1995	Barber et al.	
		US-5,509,070	04/27/1996	Schull, Jonathan	
		US-5,754,864	05/19/1998	Hill, Charles E.	
		US-5,893,910	04/13/1999	Martineau et al.	
		US-6,006,190	12/21/1999	Baena-Arnaiz et al.	
		US-6,070,171	05/30/2000	Snyder et al.	
		US-6,101,606	08/08/2000	Diersch et al.	

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Receipt date: 11/16/2012

12272570 - GAU: 2493

PTO/SB/08a (07-09)
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				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	2	of	4	Attorney Docket Number	UN-NP-SA-001

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		Number-Kind Code <small>(if known)</small>			
		US-6,134,659	10/17/2000	Sprong et al.	
		US-6,169,976	01/02/2001	Colosso, Juan Carlos	
		US-6,189,146	02/13/2001	Misra et al.	
		US-6,226,747	05/01/2001	Larsson et al.	
		US-6,236,971	05/22/2001	Stefik et al.	
		US-6,327,617	12/04/2001	Fawcett, Philip E.	
		US-6,343,280	01/29/2002	Clark, Jonathan	
		US-6,363,486	03/26/2002	Knapton III	
		US-6,467,088	10/15/2002	alSafadi et al.	
		US-6,587,842	07/01/2003	Keith Watts	
		US-6,697,948	02/24/2004	Rabin et al.	
		US-6,857,078	02/15/2005	Colvin, David S.	
		US-6,880,086	04/12/2005	Kidder et al.	
		US-7,020,635	03/28/2006	Hamilton et al.	
		US-7,024,696	04/04/2006	Bahar, Reuben	
		US-7,146,645	12/05/2006	Hellsten et al.	
		US-7,228,567	06/05/2007	Serkowski et al.	
		US-7,313,828	12/25/2007	Holopainen, Yrjö	
		US-7,328,453	02/05/2008	Merkle et al.	
		US-7,644,442	03/24/2005	Miller et al.	
		US-7,676,804	03/09/2010	Ferguson et al.	
		US-7,890,950	02/15/2011	Nanavati et al.	
		US-7,912,787	03/22/2011	Sakakihara et al.	
		US-2002/0069172	06/06/2002	Omshehe et al.	

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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		Number-Kind Code <small>(if known)</small>	MM-DD-YYYY		
		US-2003/0046566	03/06/2003	Holopainen, Yrjö	
		US-2003/0125975	07/03/2003	Danz et al.	
		US-2004/0177354	09/09/2004	Gunyakti et al.	
		US-2004/0221169	11/04/2004	Lee et al.	
		US-2005/0027657	02/03/2005	Leontiev et al.	
		US-2005/0076334	04/07/2005	Demeyer, Michael	
		US-2005/0165693	07/28/2005	Morritzen et al.	
		US-2005/0262498	11/24/2005	Ferguson et al.	
		US-2006/0064756	03/23/2006	Ebert, Robert F.	
		US-2006/0190403	08/24/2006	Lin et al.	
		US-2006/0242081	10/26/2006	Ivanov et al.	
		US-2006/0265758	11/23/2006	Khandelwal et al.	
		US-2007/0162395	07/12/2007	Ben-Yaacov et al.	
		US-2007/0300308	12/27/2007	Mishura, Sergii	
		US-2008/0141378	06/12/2008	McLean, Ivan Hugh	
		US-2008/0244754	10/02/2008	Curren, Edward	
		US-2008/0247731	10/09/2008	Yamauchi et al.	
		US-2008/0289050	11/20/2008	Kawamoto et al.	
		US-2009/0024984	11/22/2009	Maeda, Kenji	
		US-2009/0037337	02/05/2009	Baitalmal et al.	
		US-2009/0138643	05/28/2009	Charles et al.	
		US-2009/0165080	06/25/2009	Fahn et al.	
		US-2009/0228982	09/10/2009	Kobayashi et al.	
		US-2010/0057703	03/04/2010	Brandt et al.	

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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				Art Unit	2493
				Examiner Name	Ali Shayanfar
Sheet	4	of	4	Attorney Docket Number	UN-NP-SA-001

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		Country Code – Number – Kind Code				
		DE 101 55 755 A1	5/22/2003	Siemens		
		EP 1 096 406	5/2/2001	Madonion Oy		
		WO 1992/09160	5/29/1992	Tau Systems		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T
		Corcoran et al., "Techniques for Securing Multimedia Content in Consumer Electronic Appliances using Biometrics Signatures," <u>Transactions on Consumer Electronics</u> , Vol. 51, No. 2, pp. 545-551.	
		Microsoft Corporation, "Operations Guide: Microsoft Systems Management Server 2003," 2003, Internet Citation retrieved on June 27, 2007. XP 002439673	
		Rivest, R. "RFC 1321 - The MD5 Message Digest Algorithm," April 1992, Retrieved from the Internet on July 21, 2005.	
		Ye, Ruopeng, "Authenticated Software Update," <i>A Dissertation Submitted to The College of Computer and Information Science of Northeast University in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy in Computer Science</i> , April 28, 2008.	
		Wikberg, Michael, "Software License Management from System-Intergrator Viewpoint," Master's Thesis for a Degree for Computer Science and Engineering, School of Science and Technology, Aalto University, Helsinki, April 30, 2010.	

Examiner Signature	/Ali Shayanfar/	Date Considered	09/03/2013
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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

96051 7590 09/11/2013
Uniloc USA Inc.
Legacy Town Center
7160 Dallas Parkway
Suite 380
Plano, TX 75024

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)
_____ (Signature)
_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/272,570	11/17/2008	Ric B. Richardson	UN-NP-SA-001	6547

TITLE OF INVENTION: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$300	\$0	\$1190	12/11/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAYANFAR, ALI	2493	726-032000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 <u>Sean D. Burdick</u></p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	--

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Uniloc Luxembourg S.A.

(B) RESIDENCE: (CITY and STATE OR COUNTRY) Luxembourg, LU

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input checked="" type="checkbox"/> Issue Fee</p> <p><input checked="" type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number <u>506053</u> (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Sean D. Burdick/ Date September 16, 2013
Typed or printed name Sean D. Burdick Registration No. 51513

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Electronic Patent Application Fee Transmittal

Application Number:	12272570
Filing Date:	17-Nov-2008
Title of Invention:	SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS
First Named Inventor/Applicant Name:	Ric B. Richardson
Filer:	Sean Dylan Burdick/Sarah Baker
Attorney Docket Number:	UN-NP-SA-001

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	890	890
Publ. Fee- Early, Voluntary, or Normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1190

Electronic Acknowledgement Receipt

EFS ID:	16857738
Application Number:	12272570
International Application Number:	
Confirmation Number:	6547
Title of Invention:	SYSTEM AND METHOD FOR ADJUSTABLE LICENSING OF DIGITAL PRODUCTS
First Named Inventor/Applicant Name:	Ric B. Richardson
Customer Number:	96051
Filer:	Sean Dylan Burdick/Sarah Baker
Filer Authorized By:	Sean Dylan Burdick
Attorney Docket Number:	UN-NP-SA-001
Receipt Date:	16-SEP-2013
Filing Date:	17-NOV-2008
Time Stamp:	15:04:24
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1190
RAM confirmation Number	1645
Deposit Account	506053
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	SA-001_Issue_Fee_Transmittal.pdf	107924 <small>935d09a4f5696d5c4187ad750a6a183fe2f5242</small>	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31941 <small>94600859750e6e84797a83c11288a0bf6281d4e</small>	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			139865		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., ISSUE DATE, PATENT NO., ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 12/272,570, 10/22/2013, 8566960, UN-NP-SA-001, 6547

96051 7590 10/02/2013
Uniloc USA Inc.
Legacy Town Center
7160 Dallas Parkway
Suite 380
Plano, TX 75024

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 466 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Ric B. Richardson, Irvine, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas, Tyler Division on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 6:15-cv-1009	DATE FILED 11/20/2015	U.S. DISTRICT COURT Eastern District of Texas, Tyler Division
PLAINTIFF UNILOC USA, INC., and UNILOC LUXEMBOURG, S.A.		DEFENDANT ELECTRONIC ARTS INC.,
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	UNILOC LUXEMBOURG, S.A.
2		
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Any and all claims by Plaintiff against Defendant Electronic Arts Inc are dismissed with prejudice. Plaintiff and Defendant shall each bear their own attorney's fees, expenses and costs.

CLERK David A O'Toole	(BY) DEPUTY CLERK Michael Lantz	DATE 1/12/2016
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
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DOCKET NO. 6:15-cv-1009	DATE FILED 11/20/2015	U.S. DISTRICT COURT Eastern District of Texas, Tyler Division
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	UNILOC LUXEMBOURG, S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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 Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 6:15-cv-1009	DATE FILED 11/20/2015	U.S. DISTRICT COURT Eastern District of Texas, Tyler Division
PLAINTIFF UNILOC USA, INC., and UNILOC LUXEMBOURG, S.A.		DEFENDANT ELECTRONIC ARTS INC.,
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	UNILOC LUXEMBOURG, S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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DECISION/JUDGEMENT

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 Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 6:15-cv-1009	DATE FILED 11/20/2015	U.S. DISTRICT COURT Eastern District of Texas, Tyler Division
PLAINTIFF UNILOC USA, INC., and UNILOC LUXEMBOURG, S.A.		DEFENDANT ELECTRONIC ARTS INC.,
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	UNILOC LUXEMBOURG, S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Any and all claims by Plaintiff against Defendant Electronic Arts Inc are dismissed with prejudice. Plaintiff and Defendant shall each bear their own attorney's fees, expenses and costs.

CLERK David A O'Toole	(BY) DEPUTY CLERK Michael Lantz	DATE 1/12/2016
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Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:16-cv-571	DATE FILED 5/30/2016	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT GOOGLE INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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AO 120 (Rev. 08/10)

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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:16-cv-570	DATE FILED 5/30/2016	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT AMAZON.COM, INC., and AMAZON DIGITAL SERVICES, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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DECISION/JUDGEMENT

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TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:16-cv-572	DATE FILED 5/30/2016	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT HOME BOX OFFICE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT:

CLERK	(BY) DEPUTY CLERK	DATE

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AO 120 (Rev. 08/10)

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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:16-cv-572	DATE FILED 5/30/2016	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT HOME BOX OFFICE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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DECISION/JUDGEMENT:

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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:16-cv-574	DATE FILED 5/30/2016	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT NETFLIX, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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DECISION/JUDGEMENT:

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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:16-cv-575	DATE FILED 5/30/2016	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT VALVE CORPORATION
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

UNILOC LUXEMBOURG S.A.
Patent Owner.

Case IPR2016-01271
Patent 8,566,960 B2

Before DAVID C. MCKONE, BARBARA A. PARVIS, and
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

MCKONE, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

A. Background

Unified Patents Inc. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) to institute an *inter partes* review of claims 1–25 of U.S. Patent No. 8,566,960 B2 (Ex. 1001, “the ’960 patent”). Uniloc Luxembourg S.A. (“Patent Owner”) filed a Preliminary Response (Paper 5, “Prelim. Resp.”). Upon consideration of the Petition and Preliminary Response, we conclude, under 35 U.S.C. § 314(a), that Petitioner has not established a reasonable likelihood that it would prevail with respect to any of the challenged claims. Accordingly, we do not institute an *inter partes* review of the ’960 patent.

B. Related Matters

The parties indicate that the ’960 patent has been asserted in several lawsuits in the United States District Court for the Eastern District of Texas. Pet. 1–2; Paper 3, 2.

C. Evidence Relied Upon

Petitioner relies on the following prior art:

Ex. 1002 (“Abburì”) US 7,203,966 B2 Apr. 10, 2007
Ex. 1003 (“Gilder”) US 2008/0148363 A1 June 19, 2008
Ex. 1004 (“Hu”) US 7,752,139 B2 July 6, 2010
Ex. 1005 (“Goringe”) US 7,707,115 B2 Apr. 27, 2010

Petitioner also relies on the Declaration of Ivan Zatkovich (Ex. 1031, “Zatkovich Decl.”).

D. The Asserted Grounds

Petitioner asserts the following grounds of unpatentability (Pet. 21, 45–68):

Reference(s)	Basis	Claims Challenged
Abhuri	§ 102(a) and (e)	1, 3–5, 8, 18–22, and 25
Gilder and Hu	§ 103(a)	1–8, 18, 19, 22, and 25
Gilder, Hu, and Goringe	§ 103(a)	9–17, 23, and 24

E. The '960 Patent

The '960 patent describes techniques for monitoring and adjusting software usage under software licenses. Ex. 1001, 1:16–20. The '960 patent discusses problems with existing software licensing schemes, including that “consumers of software have normal patterns of use that include the installation and use of digital products on multiple devices” and that “computers are also bought, sold and replaced so over time maybe two or three times this number of computers may be used by the user over time with a legitimate need to install and use the software on every computer.” *Id.* at 1:31–41. The '960 patent addresses these problems with “an improved technique for allowing for a changing number of device installations on a per license basis over time.” *Id.* at 1:67–2:2.

Figure 2, reproduced below, illustrates an example:

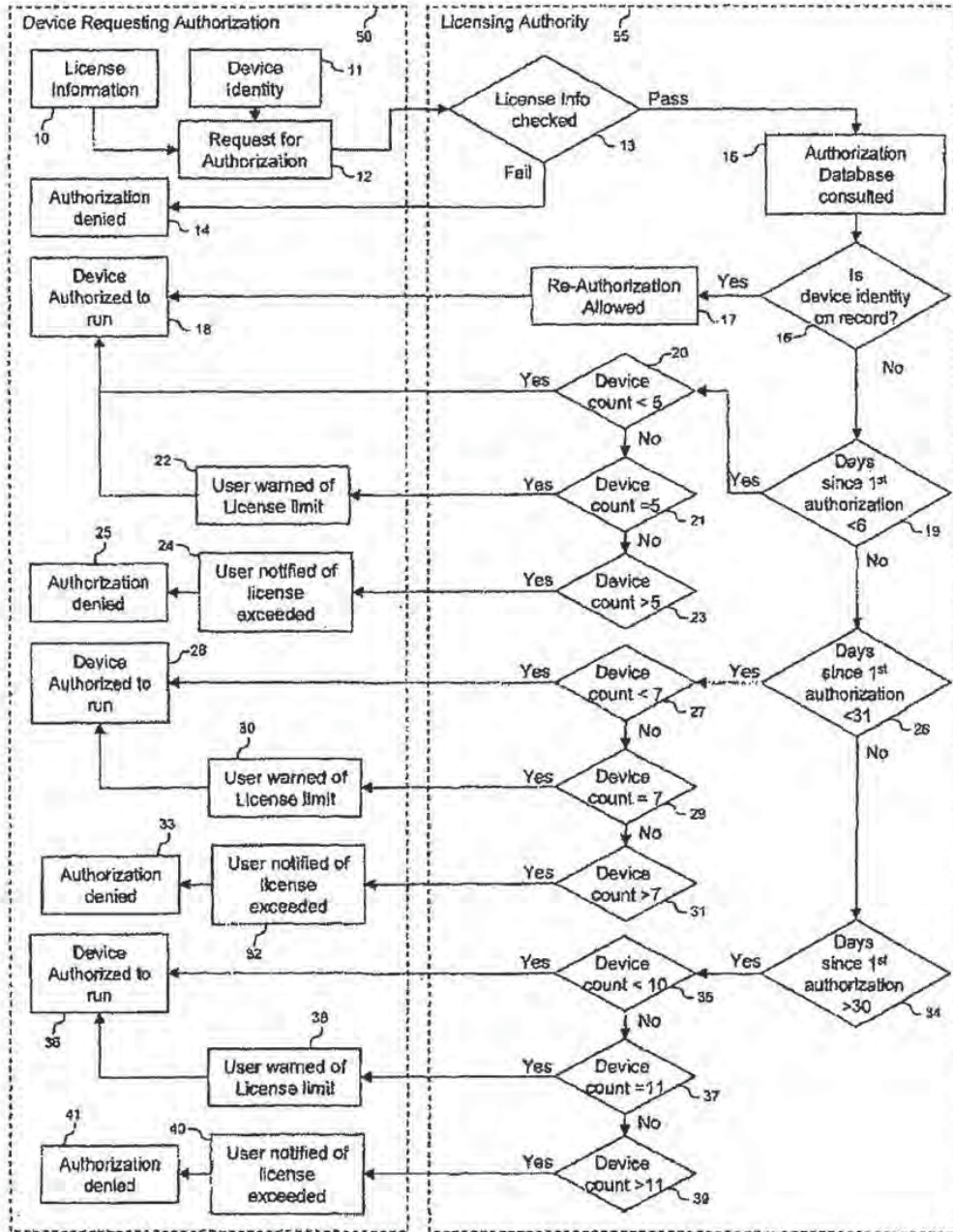


Figure 2

Figure 2 is a flowchart for an approach to adjusting a license for a digital product. *Id.* at 3:20–21. In Figure 2, device 50 requests authorization from

licensing authority 55 (e.g., a publisher or distributor) to use a copy of a software license. *Id.* at 4:50–55.

Device 50 gathers information about itself, including license related information 10 and unique device identifying information 11, and sends a request for authorization 12 to licensing authority 55. *Id.* at 4:56–59.

Licensing authority 55 checks whether the requesting device's unique identifying information 11 exists in its database of prior authorizations 15 and, if so, reauthorizes device 50 and allows the software to run on the device. *Id.* at 5:1–12 (steps 13–18).

If unique identifying information 11 is not in its database of prior authorizations 15, and if the request comes within the first five days of the licensing period, licensing authority 55 determines a device count of the number of successful authorizations for new devices (including device 50) that have been allowed and, if the device count is less than a device count limit of five, licensing authority 55 sends device 50 a message allowing the software to be used. *Id.* at 5:13–26 (steps 18–19). If the device count is equal to five, licensing authority 55 can send a message to device 50 allowing the device to run, but informing the user that the limit on available devices has been reached and that subsequent requests may be denied. *Id.* at 5:26–32 (step 22). If the device count is greater than five (step 23), licensing authority 55 sends a message to device 50 denying authorization (step 24). *Id.* at 5:33–40.

If request 12 comes between six and thirty-one days from the first successful authorization, licensing authority 55 performs similar tests, this time with a device count limit of seven. *Id.* at 5:41–60 (steps 19–33). Likewise, if request 12 comes after thirty-one days, licensing authority 55

performs similar tests with a device count limit of eleven. *Id.* at 5:61–6:7 (steps 34–41).

Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. 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 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.

II. ANALYSIS

A. Claim Construction

We interpret claims of an unexpired patent using the broadest reasonable construction in light of the specification of the patent in which they appear. *See* 37 C.F.R. § 42.100(b); *Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–45 (2016). In applying a broadest reasonable construction, claim terms generally are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *See In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007).

1. “a first time period after an initial authorization of the digital product” (claim 25)

Claim 25 (emphasis added) recites, *inter alia*,

code for causing a computer to, 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 after an initial authorization of the digital product*, the allowed copy count corresponding to a maximum number of devices authorized to use the digital product.

Neither party proposes an express construction for “a first time period after an initial authorization of the digital product.” In its application of the prior art to this limitation, however, Petitioner appears to argue that this term refers to any arbitrary amount of time after an initial authorization of a digital product. *See* Pet. 33 (“Because the request [of Abburi] is through the

roaming service, the time of the license request and the given device limit are necessarily after the initial authorization of the original license.”), 52 (“These ‘float copies’ authorized in the DRM system of Gilder as well as the ‘float copy’ limit enforced at the given time, are necessarily after an ‘initial authorization’ of a very first copy of the digital content for that user.”).

Petitioner’s implicit construction is not supported by the intrinsic evidence. Rather, the Specification describes a first time period beginning at the initial authorization of a digital product and lasting for a set duration. *See* Ex. 1001, 5:20–26 (“At step 19, if the request is within the first five day period, the authorization database 15 is consulted for a count of how many successful authorizations for new devices have been allowed. Under the license rules 60, if the device count is less than five then a message is sent to the request device that allows the software to continue in an authorized state (step 18).”), 8:5–10 (“In further related aspects, the first time period may comprise[] a defined number of days since the initial authorization. For example, the defined number of days may comprise six days since the initial authorization, and the first upper limit may comprise five authorized devices.”). This supports a reading of claim 25 that the first time period after an initial authorization is a time period beginning at the initial authorization and extending for a duration after the initial authorization. Petitioner has pointed to no disclosure (and we have found none) consistent with its application of the claim term “a first time period after an initial authorization of the digital product.”

On this record, in light of the description in the Specification, we construe “a first time period after an initial authorization of the digital

product” to mean “a time period that begins at an initial authorization of the digital product and extending for a duration thereafter.”

2. “*physical parameters*”

Petitioner proposes a construction of “physical parameters,” as recited in claims 1, 22, and 25. Pet. 17–20. Nevertheless, it is not necessary to construe this term to address the parties’ disputes. See *Vivid Techs., Inc. v. Am. Sci. & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999) (“[O]nly those terms need be construed that are in controversy, and only to the extent necessary to resolve the controversy.”).

B. *Asserted Grounds of Unpatentability*

To anticipate, a reference must “show all of the limitations of the claims arranged or combined in the same way as recited in the claims.” *Net MoneyIN, Inc. v. VeriSign, Inc.*, 545 F.3d 1359, 1370 (Fed. Cir. 2008); accord *In re Bond*, 910 F.2d 831, 832 (Fed. Cir. 1990).

A claim is unpatentable under 35 U.S.C. § 103(a) if the differences between the claimed subject matter and the prior art are “such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.” We resolve the question of obviousness on the basis of underlying factual determinations, including: (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of skill in the art; and (4) objective evidence of nonobviousness, i.e., secondary considerations. See *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966).

1. Alleged Anticipation of Claims 1, 3–5, 8, 18–22, and 25 by Abburi

Petitioner contends that claims 1, 3–5, 8, 18–22, and 25 are anticipated by Abburi. Pet. 21. For the reasons given below, Petitioner has not demonstrated a reasonable likelihood that it would prevail on this ground.

a. Overview of Abburi

Abburi describes an architecture for enforcing rights in digital content, including roaming licenses that a user can use to access the digital content from a plurality of computers. Ex. 1002, 1:18–21. When a user attempts to render the digital content on a computing device, the rendering application invokes a Digital Rights Management (DRM) system on the computing device. *Id.* at 2:63–66. If this is the user’s first attempt to render the digital content, the DRM system directs the user to obtain a license from a license server, or the DRM system automatically obtains such a license. *Id.* at 2:66–3:4, 20:38–46. The license request can include identifying information of the DRM system, the type of license requested, and the type of rendering application that will render the digital content. *Id.* at 20:46–66. Moreover, the user can be prompted for unique identifying information for the computing device (e.g., a machine ID). *Id.* at 59:61–67.

According to Abburi, “[t]ypically, the license the user receives is cryptographically bound to the device that receives the license, and is usable only on that device.” *Id.* at 3:67–4:3, 57:56–58 (“the license that user computing device 1302a receives is tightly bound to the particular computing device 1302a that receives the license.”). The license obtained

for this device may be “roamed” to other devices through use of short-term copies. *Id.* at 58:6–9, 58:21–28. Each copy of the original license is cryptographically bound to the device on which it is downloaded. *Id.* at 58:29–34. To control the number of copies of the license that are deployed, the copies distributed to registered devices are set to decay, or end at an expiration date that is short-term relative to the expiration date of the original license. *Id.* at 4:19–28, 58:35–44.

According to Abburi:

In the case where the user enables the roaming service on a new device while contacting the synchronization server from the new device, the first synchronization will occur at the time the new device is registered. The synchronization server recognizes that this is a new device by checking for the machine ID of the new device in the user account device store. The synchronization server checks to see if the maximum number of devices is exceeded. If the maximum number of devices is not exceeded, the user is prompted for unique machine identification information. Unique information for the device is stored in the device store on the synchronization server.

Id. at 61:46–57.

Abburi describes that “there is a limit on the number of devices that a user may register to receive copies of the license (e.g., five devices at a given time).” *Id.* at 4:11–13, 58:63–66 (“In a preferred embodiment, a user will only be permitted to enroll a specified number of active devices (e.g. five devices) in device store 1522 at any one time.”), 60:46–48 (“This maximum number in a preferred embodiment is set to 5, but may be any suitable number of devices.”), 63:6–24. In one embodiment, permanent device copies are set to expire in thirty days and copy licenses are set to expire in two days. *Id.* at 63:25–32.

b. Claims 1, 22, and 25

With the exception of one aspect of claim 25 (Pet. 33, discussed below), Petitioner argues independent claims 1, 22, and 25 together. Pet. 24–34. We focus on claim 1, although our analysis applies equally to claims 22 and 25.

Regarding claim 1, Petitioner contends that Abburi’s DRM system, with “copy/replacement” licenses that decay over time, is a “system for adjusting a license for a digital product over time.” Pet. 25. Petitioner argues that Abburi describes maximum numbers for “temporary devices” and “permanent devices” that can be licensed under a license, thus disclosing “at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product,” as recited in claim 1. *Id.* at 25–26. Petitioner identifies components of Abburi’s computer 120 and communications network 16 (shown in Figures 12 and 24), as corresponding to the “communication module,” “processor module,” and “memory module” of claim 1. *Id.* at 26–28.

Claim 1 recites “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.” Claim 22 includes a similar recitation. Petitioner cites to Abburi’s disclosure of enabling a roaming service on a new device (computing device 1302c of Figure 24), while contacting a synchronization server (1402) using that device, in order to roam a previously acquired license on that device. Pet. 32 (citing Ex. 1002, 61:46–53). As Petitioner points out (Pet. 32), during this process, “[t]he synchronization server checks to see if the maximum number of devices is

exceeded.” Ex. 1002, 61:52–53. Petitioner then argues that “Abburi also discloses doing this by using multiple ‘device counts,’ [Ex. 1002] at 63:11–23, any of which can be set to a maximum number equal to any suitable number of devices.” Pet. 32. Without further explanation, Petitioner concludes that Abburi discloses this limitation of claims 1 and 22. *Id.*

Patent Owner contends that Abburi does not disclose setting an allowed copy count “in response to the device identity not being on the record.” Prelim. Resp. 20. Patent Owner further argues that Abburi does not disclose setting a first upper limit for “a first time period,” as recited in claims 1 and 22. *Id.* at 21. Rather, Patent Owner argues, in the disclosure cited by Petitioner, Abburi merely checks to see if a maximum number of devices is exceeded and does not otherwise contemplate a temporally adjustable upper limit for a number of devices. *Id.* at 20–21.

We agree with Patent Owner. Claims 1 and 22 recite setting the allowed copy count to a first upper limit for a first time period “in response to the device identity not being on the record.” Although Abburi discloses checking a number of licensed devices against a maximum to see if the maximum is exceeded, Petitioner does not explain, or present evidence to show, how that maximum is set. Specifically, Petitioner does not show persuasively that this maximum is set in response to the identity of the device on which the license is to be roamed not being on a record of the synchronization server. Nor does Petitioner show that the maximum has any relationship to a time period and, thus, does not show that Abburi discloses “set[ting] the allowed copy count to a first upper limit for a first time period,” as recited in claims 1 and 22.

Petitioner's showing for claim 25 is similarly deficient. Claim 25 recites:

code for causing a computer to, 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 after an initial authorization of the digital product, the allowed copy count corresponding to a maximum number of devices authorized to use the digital product.

As to the language that overlaps that of claims 1 and 22 (discussed above), Petitioner incorporates its arguments as to claims 1 and 22. Pet. 33. For the reasons given above, Petitioner has not shown persuasively that Abburi discloses "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."

Additionally, Petitioner argues that "[b]ecause the request is through the roaming service, the time of the license request and the given device limit are necessarily after the initial authorization of the original license." Pet. 33. Here, Petitioner appears to argue that "a first time period after an initial authorization of the digital product" is any time period that begins an arbitrary amount of time after an initial authorization of a digital product. As explained in Section I.A.1 above, "a first time period after an initial authorization of the digital product" is "a time period that begins at an initial authorization of the digital product and extending for a duration thereafter." Petitioner has not shown persuasively that Abburi discloses setting a maximum device count for a time period that begins at an initial authorization of the digital content. Thus, as Patent Owner argues, Petitioner has not shown that Abburi contemplates a temporally adjustable upper limit for a number of devices.

In sum, Petitioner has not demonstrated that it is reasonably likely to prevail in showing that Abburi anticipates claims 1, 22, and 25.

c. Claims 3–5, 8, and 18–21

Claims 3–5, 8, and 18–21 depend from claim 1. We have considered Petitioner’s showing as to these dependent claims. *See* Pet. 35–39. Nevertheless, Petitioner’s evidence and argument for the dependent claims do not cure the above-noted deficiencies as to Petitioner’s analysis of the independent claims. Accordingly, Petitioner has not demonstrated that it is reasonably likely to prevail in showing that Abburi anticipates claims 3–5, 8, and 18–21.

2. Alleged Obviousness of Claims 1–8, 18, 19, 22, and 25 over Gilder and Hu

Petitioner contends that claims 1–8, 18, 19, 22, and 25 would have been obvious over Gilder and Hu. Pet. 45–61. For the reasons given below, Petitioner has not demonstrated a reasonable likelihood that it would prevail on this ground.

a. Overview of Gilder

Gilder describes a DRM technique that allows for copying and file sharing between licensed devices. Ex. 1003 ¶ 1. In Gilder’s technique, in general, copies of a license are limited, for example, to three copies. *Id.* ¶ 49. Nevertheless, Gilder describes an exception for “float” licenses, which allow copies beyond the normal number or count permitted by the DRM scheme. *Id.* ¶ 51.

The components of Gilder's system are shown in Figure 1 of Gilder, reproduced below:

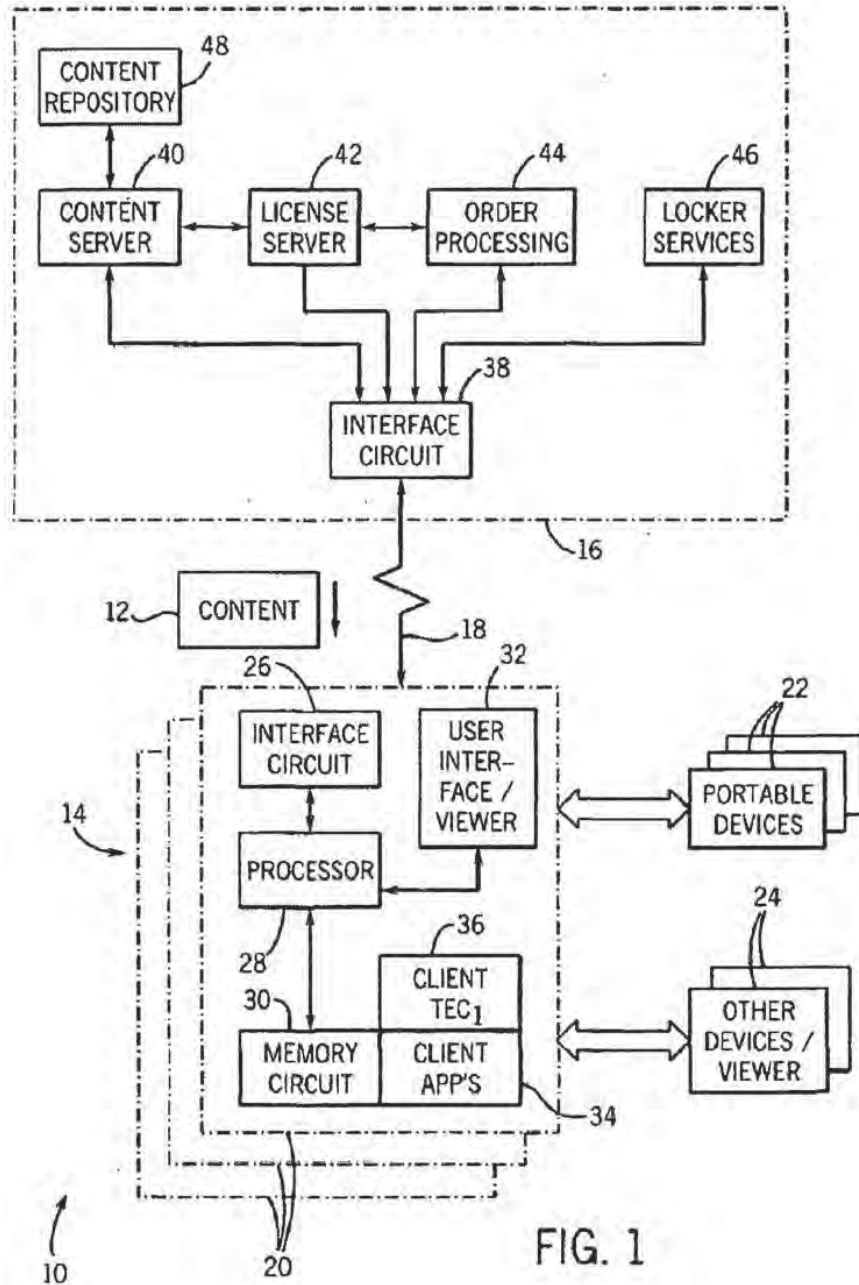


FIG. 1

Figure 1 is a block diagram of digital content delivery system 10 for delivering content 12 to users 14 (and their associated user devices 20). *Id.* ¶¶ 12, 32. Content provider 16 is located remotely from users 14 via network 18. *Id.* ¶ 34. A user device 20 includes memory circuit 30, which can store client applications 34 and license registry 36. *Id.* ¶ 37. License registry 36 can include a database that stores information related to the user's account, licensed or active devices, licensed or active content, and the number or copies currently authorized for play by the user. *Id.* Content provider 16 includes license server 42, which stores and processes sales, licenses, and license requests. *Id.* ¶ 38.

Gilder describes its invention in the context of flow charts, shown in the Figures, which “include a series of ‘lanes’ that generally indicate on which component the various steps or operations are performed, along with certain processing operations that may be included in typical transactions or activities.” *Id.* ¶ 41 (referencing Figs. 2–20). Petitioner relies primarily on the embodiment of Gilder described with respect to Figures 3, 4, and 6. Pet. 41–42. The individual figures depict logic that may be incorporated into the logic of other figures. For example, box 90 of Figure 6 represents the logic of Figure 3 and box 92 of Figure 3 represents the logic of Figure 4. Thus, a process following the logic of Figure 6 could incorporate portions of the logic of Figure 3, which could incorporate portions of the logic of Figure 4.

Figure 6 of Gilder is reproduced below:

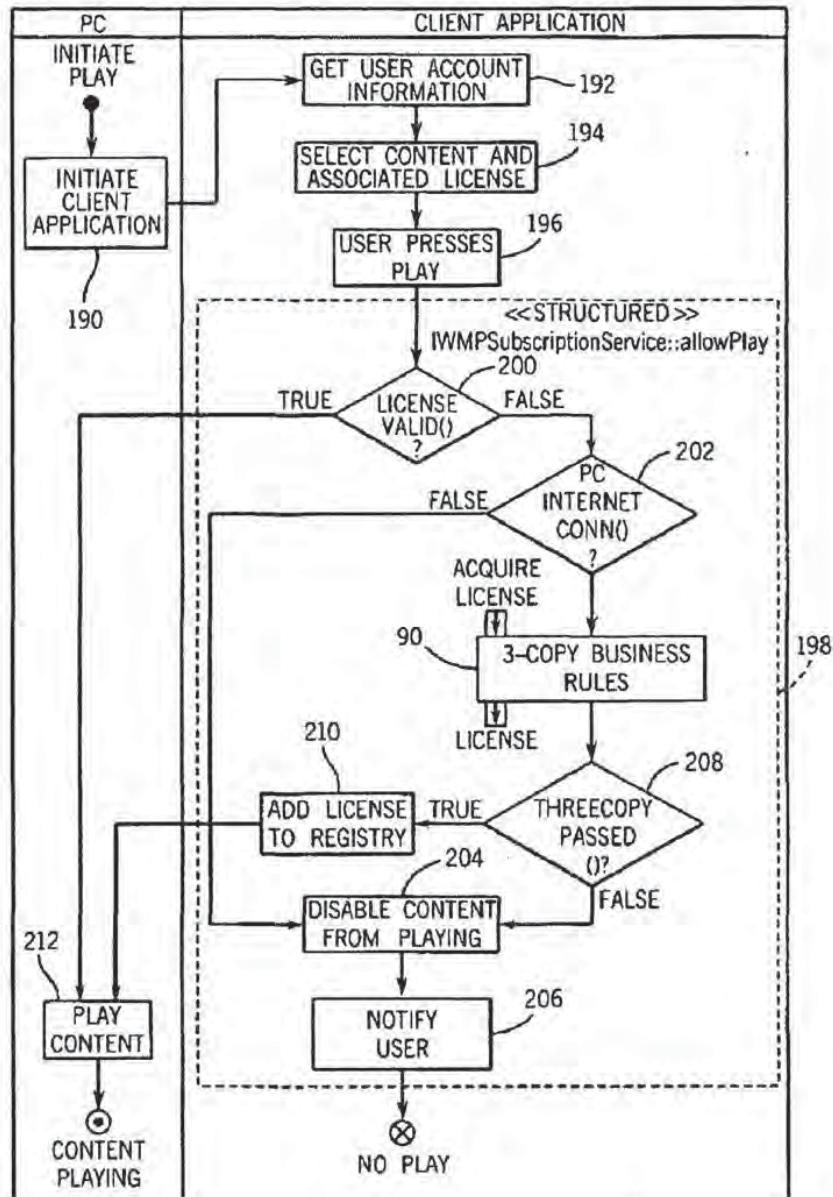


FIG. 6

Figure 6 is a flow chart of logic for playing content. *Id.* ¶ 17. A user attempts play content on a PC (e.g., corresponding to user device 20 of Figure 1) by first initiating the operation of a client application (e.g., a multi-

media application or player, corresponding to client application 34 of Figure 1) on the device. *Id.* ¶ 66. Client application 34 obtains account information for the user, information about the content to be played, and information about particular devices (step 192). *Id.* Client application 34 determines licensing rights associated with the content by consulting a license registry (corresponding to license registry 36 of Figure 1) on the device (step 194). *Id.* The user presses a play button on client application 34, for example, to initiate play of the content (step 196). *Id.*

Client application 34 then evaluates the license rights to determine if the content can be played on user device 20 (box 198). *Id.* ¶¶ 66–67. In particular, the client application determines whether a valid license is associated with the content, user, and device and, if so, the device is allowed to play the content (steps 200, 212). *Id.* ¶ 67. If user device 20 is not licensed, client application 34 determines whether user device 20 is online and, if not, disables the content from playing and notifies the user (steps 202, 204, 206). *Id.* If user device 20 is online, client application 34 attempts to acquire a license using the procedure of Figure 3 (box 90). *Id.*

Figure 3 of Gilder is reproduced below:

Gilder, although not all of the features of Figure 3 are applicable to each embodiment. *Id.* ¶ 65. For example, Figure 6 incorporates aspects of Figure 3, but only invokes the logic of Figure 3 if the device attempting to acquire a license is online and does not already have a license. *Id.* ¶ 67, Fig. 6 (showing the “ACQUIRE LICENSE” operation input to box 90). Thus, the aspects of Figure 3 pertaining to “float” licenses are not applicable to the logic of Figure 6. *Id.* ¶ 68 (“It should be noted that in the logic summarized in FIG. 6, a ‘float’ copy was not feasible to avoid the consequence of block 198 because no valid license was detected. . . . Float copies are only allowed, however, if a valid license for the content does exist for a user on the device playing the content.”).

Because a device performing the process of Figure 6 is online and attempting to acquire a license, the pertinent portion of Figures 3’s process begins at step 110, in which client application 34 checks local license registry 36 for the number of copies of the content made by the user on various devices. *Id.* ¶ 55. If the number of copies is at a maximum (e.g., three), the user is prompted to select a device to be disabled (step 112) and the device selected for disabling is removed from local license registry 36 (steps 114, 116). *Id.* If the number of copies is less than the maximum (or the user has disabled a device to bring the number below the maximum), the application requests a license from the license service, which verifies the license rights based on the information stored in the local license database (steps 118, 120, 122, 124, 126). *Id.* ¶¶ 57–58. If user device 20 is able to acquire a license (Figure 6, step 208), the license is added to local license registry 36 (step 210), and user device 20 is allowed to play the content (Figure 6, step 212). *Id.* ¶ 67.

Although not applicable to the process of Figure 6, Figure 3 includes additional logic for acquiring license rights while a device is offline. In particular, Figure 3 illustrates an example in which additional “float” copies of a license are available. *Id.* ¶ 52. If the number of float copies of the license has not been exceeded (step 96), the user requests making a copy of the license on another device, and the procedure determines that the number of permanent copies is greater than or equal to the three-copy limit (step 110), the user is prompted to identify a device to disable (steps 112, 114). *Id.* ¶ 55. Because the user is offline and not able to disable a device immediately, the user is permitted to maintain temporary float licenses up to the float license limit (in this example, three). *Id.* ¶ 56. When the device to disable eventually is back online, its license is removed. *Id.* Thus, “a device on which content is newly loaded for playing must nevertheless obtain the license, while a device from which the copy will need to be removed may continue to play (at least until the next synchronization) the content based upon the number of allowed float copies.” *Id.* ¶ 68.

Petitioner also relies on the description in Gilder corresponding to Figure 4. Pet. 51 (citing Ex. 1003 ¶ 61). As shown in Figure 3, the logic of Figure 3 starts with certain pre-process commands (step 92), which are illustrated in more detail in Figure 4, reproduced below:

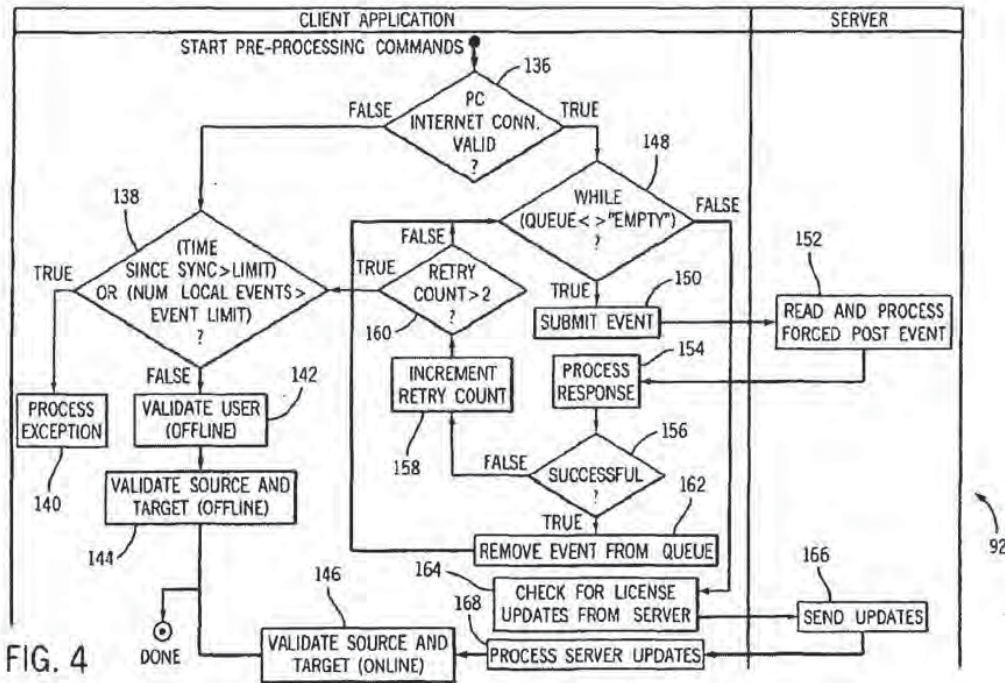


FIG. 4 is a flow chart of pre-processing logic for the copy management scheme of Figure 3. Ex 1003 ¶ 15. The client application first determines if the user device is online (Step 136) and, if not, determines whether a synchronization of the local license registry of the device with the content provider registry has been performed within a particular time span (e.g., thirty days) (step 138). *Id.* ¶ 61. The number of float licenses can be limited if the device has not synchronized with the content provider during that time span (step 140). *Id.*

b. Claims 1–8, 18, 19, 22, and 25

With the exception of one aspect of claim 25 (Pet. 51–52, discussed below), Petitioner argues independent claims 1, 22, and 25 together.

Pet. 45–53. We focus on claim 1, although our analysis applies equally to claims 22 and 25.

Regarding claim 1, Petitioner contends that Gilder’s digital content delivery system is a “system for adjusting a license for a digital product over time,” with Gilder’s content 12 being a “digital product.” Pet. 45–46. As to “the license comprising at least one allowed copy count corresponding to a maximum number of devices authorized for use with the digital product,” as recited in claim 1, Petitioner points to Gilder’s disclosure of a limit on the number of copies of a license that can be accessed simultaneously (e.g., the “3-copy business rules” shown in Figure 6 and referenced in Figure 3). *Id.* at 46. Petitioner contends that components of Gilder’s user device 20, including processor 38 and memory circuit 30, satisfy claim 1’s “communication module,” “processor module,” and “memory module” limitations. *Id.* at 46–47.

Petitioner contends that the limitation “verify that license data associated with the digital product is valid based at least in part on a device identity generated by sampling physical parameters of the given device,” as recited in claim 1, is taught by Gilder’s description of Figure 6, in which user device 20 initiates client application 34, which obtains account information, user identification, device identity, and other information on particular devices and content (steps 192, 194). *Id.* at 41 (citing Ex. 1003 ¶¶ 66, 67), 47–48 (citing Ex. 1003 ¶¶ 37, 66–67). According to Gilder, at step 200 of Figure 6, client application 34 determines whether a valid license is associated with the particular content, user, and device. Ex. 1003 ¶ 67. Petitioner also cites to Gilder’s Figure 8, in particular its transfer of “DeviceID” (step 232), as further evidence of “physical parameters of the

given device,” as recited in claim 1. Pet. 41, 48. Nevertheless, Figure 8 is directed to a separate embodiment, and depicts logic for adding content to a virtual “locker.” Ex. 1003 ¶¶ 70–71. Petitioner does not adequately explain how the description of Figure 8 corresponds to retrieval of information in Figure 6. In any case, Petitioner fails to show persuasively other aspects of claims 1, 22, and 25, making it unnecessary to reconcile Petitioner’s citations to Figures 6 and 8.¹

Gilder describes that, if, at step 200 of Figure 6, client application 34 determines that a valid license is associated with the content, user, and device, then user device 20 is allowed to play content 12 (step 212). Petitioner maps this disclosure to claim 1’s recitation “in response to the device identity already being on record, allow the digital product to be used on the given device.” Pet. 41, 49–50.

As further explained by Gilder, if, at step 200, client application 34 determines that no such license exists, client application 34 determines whether it has an Internet connection to content provider 16 (step 202). Ex. 1003 ¶ 67. If not, user device 20 is not allowed to play content 12 (step 204) and a notification to that effect is sent to user device 20 (step 206). *Id.*

¹ Petitioner also cites to Hu as providing additional teachings of “physical parameters,” as recited in claim 1, and argues that a skilled artisan would have combined the teachings of Gilder and Hu. Pet. 48–49. Because we determine that Petitioner’s showing as to claims 1, 22, and 25 is deficient for other reasons, we decline to reach whether the teachings of Hu are necessary to show this claim limitation or whether a skilled artisan would have had reason to combine the respective teachings of Gilder and Hu. Petitioner does not rely on Hu to teach the limitations we find missing in Gilder, detailed below.

If user device 20 is online, however, logic in Figure 3 is invoked to acquire a license (step 90). *Id.* Petitioner maps this second alternative (invocation of step 90) to Claim 1's "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." Pet. 41–42, 50–51. As explained above, box 90 of Figure 6 corresponds to some of the logic of Figure 3. Petitioner contends that the logic of Figure 3 "determines if the user has exceeded the maximum permitted number of authorized devices per the particular license restrictions at issue at the given time." *Id.* at 50. Apparently referring to Figure 4 of Gilder, Petitioner further argues that "Gilder discloses limiting the allowable number of 'float' copy licenses if the user has not synchronized with the license registry within a set amount of time." *Id.* at 51 (citing Ex. 1003 ¶ 61).

Patent Owner responds that Gilder's system describes setting maximum numbers of license and float copies in advance, and not in response to user device 20's identity not being on record in the local registry. Prelim. Resp. 28. Patent Owner further argues that Gilder's maximum numbers of license copies and float copies are not set for a first time period, because "[a]ny time lapse between issuing a floating license and relinquishing an old license is not set by the DRM system; rather, it is a function of when the user may happen to log back into the system." *Id.* at 29.

We agree with Patent Owner. Gilder repeatedly describes its 3-copy limit for licenses as set in advance and not dependent on any determination

by client application 34 as to user device 20's status in license registry 36. See Ex. 1003 ¶¶ 7, 8, 10, 49, 52, 55, 67.

Petitioner also does not show persuasively that Gilder's maximum number of "float" copies is determined in response to user device 20's identity not being on the record. As explained above, Petitioner focuses on the logic of Gilder's Figure 6 for most of the limitations of claim 1.² Figure 6, in turn, references some, but not all, of the logic of Figure 3. In particular, Gilder makes clear that, under the logic of Figure 6, user device 20 only acquires a license to content 12 if the device is online. Ex. 1003 ¶ 67. Petitioner does not explain why user device 20 would need to acquire a "float" license (and make a determination as to a maximum number of such float licenses) when the device can acquire an ordinary copy of the license. Moreover, Gilder states that "[i]t should be noted that in the logic summarized in FIG. 6, a 'float' copy was not feasible to avoid the consequence of block 198 because no valid license was detected." Ex. 1003 ¶ 68. Petitioner has not established persuasively that Figure 3's references to "float" licenses are applicable to the embodiment of Figure 6 on which Petitioner relies.

Petitioner also has not demonstrated persuasively that the logic of Gilder's Figure 4 shows setting an allowed float copy count to an upper limit for a first time period in response to user device 20's identity not being on the record. Petitioner (Pet. 51) appears to rely on Gilder's disclosure that

² Petitioner also relies on the logic of Gilder's Figure 6 to show the limitation "when the calculated device count is less than the first upper limit, allow the digital product to be used on the given device," as recited in claim 1. Pet. 52–53.

“step 138 may be used to limit the number of float copies allowed to the user if a synchronization of the local license registry and the content provider registry has not been updated within a particular timeframe, such as thirty days” (Ex. 1003 ¶ 61) to show an upper limit for an allowed copy count “for a first time period,” as recited in claim 1. The test of Figure 4’s step 138, however, is performed only if user device 20 is not online. Ex. 1003 ¶ 61 (step 136). As explained above, Petitioner relies primarily on the logic of Figure 6, which only invokes the logic of Figure 3 (and, consequently, the logic of Figure 4 referenced therein) if user device 20 is online. *Id.* ¶ 67. Thus, even if Petitioner could establish that the logic of Figure 6 contemplates the float licenses of Figure 3, Petitioner has not shown persuasively that the logic of Figure 4 would affect the number of such float licenses.³ For these reasons, Petitioner has not demonstrated that it is reasonably likely to prevail in showing that claims 1 and 22 would have been obvious over Gilder and Hu.

Claim 25 recites “code for causing a computer to, 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 after an initial authorization of the digital product.” Because Petitioner has not shown persuasively that Gilder and Hu

³ In its “Overview” of Gilder’s disclosure, Petitioner argues that the “general flow of the DRM system of Gilder” is shown in Figure 17 of Gilder. Pet. 39–40. Petitioner does not provide any other explanation as to what Figure 17 shows and, in particular, does not map Figure 17 or its corresponding description to any elements of the challenged claims. Nevertheless, the logic of Figure 17, like that of Figure 6, does not invoke the logic of Figure 3 unless user device 20 is online. Ex. 1003 ¶ 87. Thus, Gilder’s disclosure as to Figure 17 is insufficient for the same reasons as given for the disclosure as to Figure 6.

teach setting an allowed copy count to a first upper limit for a first time period, as detailed above for claims 1 and 22, Petitioner has not shown that they do so for a first time period “after an initial authorization of the digital product” as additionally recited in claim 25.

As to the additional language of claim 25 (“after an initial authorization of the digital product”), Petitioner argues that the float copies authorized by Gilder’s system, as well as the float copy limit, “are necessarily after an ‘initial authorization’ of a very first copy of the digital content for that user.” Pet. 52. Once again, Petitioner appears to argue that this claim language refers to any arbitrary amount of time after an initial authorization of the digital product. As explained in Section I.A.1 above, “a first time period after an initial authorization of the digital product” is “a time period that begins at an initial authorization of the digital product and extending for a duration thereafter.” Under this construction, Petitioner, does not argue persuasively that the upper limit of float copies is set for a time period that begins at the initial authorization of the license.

For these reasons, Petitioner has not demonstrated that it is reasonably likely to prevail in showing that claim 25 would have been obvious over Gilder and Hu.

Claims 2–8, 18, and 19 depend from claim 1. We have considered Petitioner’s showing as to these dependent claims. *See* Pet. 53–61. Nevertheless, Petitioner’s evidence and argument for the dependent claims do not cure the above-noted deficiencies as to Petitioner’s analysis of the independent claims. Accordingly, Petitioner has not demonstrated that it is reasonably likely to prevail in showing that claims 2–8, 18, and 19 would have been obvious over Gilder and Hu.

3. *Alleged Obviousness of Claims 9–17, 23, and 24 over
Gilder, Hu, and Goringe*

Petitioner contends that claims 9–17, 23, and 24 would have been obvious over Gilder, Hu, and Goringe. Pet. 61–68. Claims 9–17 depend from claim 1 and claims 23 and 24 depend from claim 22. We have considered Petitioner’s showing as to these dependent claims. *See id.* Nevertheless, Petitioner’s evidence and argument for the dependent claims do not cure the above-noted deficiencies as to Petitioner’s analysis of the independent claims. Accordingly, Petitioner has not demonstrated that it is reasonably likely to prevail in showing that claims 9–17, 23, and 24 would have been obvious over Gilder, Hu, and Goringe.

III. CONCLUSION

Petitioner has not established a reasonable likelihood that claims 1–25 are unpatentable.

IV. ORDER

For the reasons given, it is:

ORDERED that, pursuant to 35 U.S.C. § 314(a), an *inter partes* review is not instituted for claims 1–25 of U.S. Patent No. 8,566,960 B2.

IPR2016-01271
Patent 8,566,960 B2

PETITIONER:

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AO 120 (Rev. 08/10)

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PLAINTIFF Uniloc USA, Inc. and Uniloc Luxembourg S.A.		DEFENDANT AMAZON.COM, INC., and AMAZON DIGITAL SERVICES, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	Uniloc Luxembourg S.A.
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DECISION/JUDGEMENT ORDERED that Defendants' Motions to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) for Lack of Patentable Subject Matter Under 35 U.S.C. § 101 are hereby GRANTED and claims dismissed with Prejudice.
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CLERK <i>David A. O'Toole</i>	(BY) DEPUTY CLERK Sonja Oliver	DATE 3/20/2017
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DOCKET NO. 6:15-cv-1009	DATE FILED 11/20/2015	U.S. DISTRICT COURT Eastern District of Texas, Tyler Division
PLAINTIFF UNILOC USA, INC., and UNILOC LUXEMBOURG, S.A.		DEFENDANT ELECTRONIC ARTS INC.,
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,566,960	10/22/2013	UNILOC LUXEMBOURG, S.A.
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