# EXHIBIT 5



## (12) United States Patent

## **Bartholomew**

(10) **Patent No.:** 

US 8,725,832 B2

(45) Date of Patent:

\*May 13, 2014

### (54) SYSTEM AND METHOD FOR CREATING AND POSTING MEDIA LISTS FOR PURPOSES OF SUBSEQUENT PLAYBACK

(75) Inventor: Alan Bartholomew, Pasadena, CA (US)

(73) Assignee: Trio Systems, LLC, Pasadena, CA (US) (\*) Notice:

Subject to any disclaimer, the term of this patent is extended or adjusted under 35

U.S.C. 154(b) by 437 days.

This patent is subject to a terminal dis-

claimer.

Appl. No.: 13/196,958 (21)

(22) Filed: Aug. 3, 2011

(65)**Prior Publication Data** 

> US 2011/0289189 A1 Nov. 24, 2011

## Related U.S. Application Data

Continuation of application No. 12/272,360, filed on Nov. 17, 2008, now Pat. No. 8,015,263, which is a continuation of application No. 11/431,911, filed on May 10, 2006, now Pat. No. 7,472,175, which is a continuation of application No. 09/710,654, filed on Nov. 10, 2000, now Pat. No. 7,069,310.

(51) Int. Cl. G06F 15/173 (2006.01)G06F 15/16 (2006.01)G06F 15/177 (2006.01)G06F 17/30 (2006.01)G06F 11/30 (2006.01)G06F 11/34 (2006.01)

(52)U.S. Cl.

CPC ..... G06F 17/30053 (2013.01); G06F 11/3051 (2013.01); G06F 11/3409 (2013.01); G06F *11/3495* (2013.01); *G06F 11/3466* (2013.01) 700/94; 715/704; 715/712

Field of Classification Search

CPC ........... G06F 17/30053; G06F 11/3051; G06F 11/3495; G06F 2201/81; G06F 11/3409 USPC ....... 700/23, 88, 94; 709/200-203, 217-228; 715/704, 712

See application file for complete search history.

#### (56)References Cited

#### U.S. PATENT DOCUMENTS

5,237,157 A 8/1993 Kaplan 6/1995 Brookes 5,428,778 A (Continued)

#### OTHER PUBLICATIONS

Dan, A., et al.: Browsing and Retrieval Architecture for Hierarchical Multimedia Annotation, Multimedia Tools and App 7: pp. 83-101. (Dec. 31, 1998)

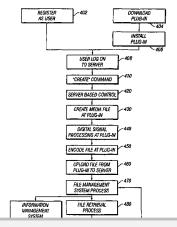
#### (Continued)

Primary Examiner — Haresh N Patel (74) Attorney, Agent, or Firm — Fox Rothschild, LLP; Carol E. Thorstad Forsyth

#### (57)ABSTRACT

A method and apparatus for creating and posting media is provided. For example, the invention allows a user to quickly create, signal process, encode, and transfer media files to a server for storage, posting, distribution, and retrieval. Thus, media such as audio, video, display, photo, spreadsheet, Web Clips, and HTML pages can be combined into a media file for uploading to a server and accessed from listings posted at web sites. In accordance with embodiments, a user downloads and installs a plug-in at the user's client computer. The user then registers and logs onto the server to perform various tasks. For example, the user can create a combined audio and photo media file at the client computer, in accordance with server based control parameters received from the system server. The plug-in then allows the user to perform digital signal processing and encoding of the media file at the client computer. After the file is encoded, it may be uploaded to a server for storage, posting, distribution, and retrieval. A file management system provides copies and listings of the file to other servers and web sites as permitted. Thus, other user having access to the database or web site lists via other client computers may select the file for retrieval. In accordance with another aspect of the invention, an information management system provides file and file list rankings based upon selection or click through of files and file listings.

## 38 Claims, 14 Drawing Sheets





## US 8,725,832 B2

Page 2

(56)		Referen	ces Cited	How Do I Create Talk Program. [retrieved on Sep. 28, 1999]. Retrieved from the Internet <url:http: www.givemetalk.com="">; p.</url:http:>
	U.S.	PATENT	DOCUMENTS	1.
5,487,132 5,539,635 5,590,282 5,592,511	A A	12/1996	Larson, Jr.	Personal Video Webcasting. [retrieved on Feb. 6, 2000]. Retrieved from the Internet <url:http: www.popcast.com="">; p. 1. Cyber Greetings and MessageBay to Offer Industry First Online Voice Greeting Cards. [retrieved on Oct. 10, 1999]. Retrieved from the Internet <url:http: 090799.<="" press="" td="" www.messagebay.com=""></url:http:></url:http:>
5,616,876 5,629,867 5,675,734	A A	4/1997	Cluts Goldman	htm>; p. 1. Destiny Internet Radio Broadcast Network. [retrieved on Jan. 10, 2000]. Retrieved from the Internet <url:http: td="" www.radiodestiny.<=""></url:http:>
5,715,444 5,721,897	A		Danish et al. Rubinstein	com/broadcast/index.shtml>; p. 1. Alvear, Jose; Next Audio Launches Radio Software Using Windows
5,726,909 5,737,527 5,768,578	A A	3/1998 4/1998	Krikorian Shiels et al. Kirk et al.	Media. [retrieved on Jun. 7, 2000]. Retrieved from the Internet <url:http: td="" www.streamingmedia.com:business-technology-con-<=""></url:http:>
5,774,888 5,778,187	A	6/1998		tent>: p. 1. Welcome to Activate net. [retrieved on Jun. 7, 2000]. Retrieved from
5,790,958 5,809,246	A	8/1998	McCoy et al. Goldman	the Internet <url:http: www.activate.net="">; p. 1. VoizLetter Pro. [retrieved on Sep. 19, 2000]. Retrieved from the</url:http:>
5,819,160	A	10/1998	Foladare et al.	Internet <url:http: business="" products="" voizletterpro="" www.mediaring.com="">; p. 1.</url:http:>
5,832,223 5,841,979	A	11/1998	Hara et al. Schulhof et al.	Gilster, Paul; Headline: Computers—The Web Connection to your Phone. [retrieved on Oct. 5, 2000]. Retrieved from the Internet
5,842,206 5,845,278			Sotomayor Kirsch et al.	<ur><li><url:http: 06-05-00="" www.internetspeech.com="">; p. 1.</url:http:></li></ur>
5,848,410 5,864,868	) A		Walls et al. Contois	Message Bay, Create Your Own Personal Voice Greeting Card. [retrieved on Oct. 10, 1999]. Retrieved from the Internet <url:< td=""></url:<>
5,870,739	A	2/1999	Davis, III et al.	http://www.messagebay.com/per1/mb_up.p1>; p. 1. Press and Online Coverage. [retrieved on Feb. 1, 2000]. Retrieved
5,873,079 5,892,909			Davis, III et al. Grasso et al.	from the Internet <url:http: quotes.asap="" users="" www.scala.com="">.</url:http:>
5,905,865 5,905,981			Palmer et al. Lawler	VoiceAge Corporation: Products Intro. [retrieved on May 23, 2001]. Retrieved from the Internet <url:http: <="" news="" td="" www.voiceage.com=""></url:http:>
5,913,204	A	6/1999	Kelly	newduo.htm>.  Audio content creation by Sppechradio.com Ltd., the Internet's
5,913,215 5,920,856		6/1999 7/1999	Rubinstein et al. Syeda-Mahmood	leading audio content supplier. [retrieved on May 4, 2001]. Retrieved
5,930,768 5,931,901		7/1999	Hooban Wolfe et al.	from the Internet <url:http: www.positive-internet.com="" ~radio=""></url:http:> >.
5,931,906	A	8/1999	Fidelibus, Jr. et al.	Radical Communication—Radical Mall. [retrieved on May 4, 2001].
5,931,907 5,931,908	A		Davies et al. Gerba et al.	Retrieved from the Internet <url:http: products_mail.htm="" ws="" www.radicalmall.com="">.</url:http:>
5,937,407 5,943,669	A	8/1999 8/1999	Sakata Numata	Rich Streaming Media Software Tools from impatica.com. [retrieved
5,945,988	A	8/1999	Williams et al.	on May 4, 2001]. Retrieved from the Internet <url:http: home.html="" www.impatica.com="">.</url:http:>
5,949,492 5,956,716			Mankovitz Kenner et al.	Audio production for web pages. [retrieved on May 9, 2011]. Retrieved from the Internet <url:http: <="" td="" www.audiowebpro.com=""></url:http:>
5,959,945 5,963,916		9/1999 10/1999	Kleiman Kaplan	home.htm>.
5,963,965	Α	10/1999		One Voice Technologies, Leading the Voice Revolution. [retrieved on May 9, 2001]. Retrieved from the Internet <url:http: td="" www.<=""></url:http:>
5,970,489 5,977,964	A	11/1999	Williams et al.	onevoicetech.com>.
5,983,005 6,263,313			Monteiro et al. Milsted et al.	Tellme Networks, Tellme: the phone as it should be. [retrieved on May 9, 2001]. Retrieved from the Internet <url:http: td="" www.tellme.<=""></url:http:>
6,333,932	B1	12/2001	Kobayasi et al.	com>.
6,374,260 6,591,247		4/2002 7/2003	Hoffert et al. Stern	RadioAMP, The Power of Internet Audio. [retrieved on May 9, 2001]. Retrieved from the Internet <url:http: <="" td="" www.radioamp.com=""></url:http:>
6,607,136		8/2003	Atsmon et al.	home_content.htm>.
6,625,734 6,657,116	B1*		Marvit et al. Gunnerson	Catsup, Unleasing the Power of IP Video. [retrieved on May 9, 2001]. Retrieved from the Internet <url:http: corp="" www.catsup.net=""></url:http:> .
6,675,205 6,769,010			Meadway et al. Knapp et al.	Welcome to iHello, Speech-enabled applications for the mobile
6,871,107	B1	3/2005	Townsend et al.	workforce. [retrieved on May 9, 2001]. Retrieved from the Internet <url:http: bizsol.asp?="" speech="" www.ihello.com="">.</url:http:>
7,069,310 7,472,175			Bartholomew 709/219 Bartholomew 709/219	Inspar—Home, Get your users creating streaming media with one button click! [retrieved on May 18, 2001]. Retrieved from the Internet
2002/0012897	' A1	1/2002	Tingley et al.	<url:http: www.inspar.com="">.</url:http:>
2002/0013897 2002/0032783			McTernan et al. Tuatini	About Telos, About Telos Systems. [retrieved on May 18, 2001]. Retrieved from the Internet <url:http: <="" td="" www.telos-systems.com=""></url:http:>
2004/0128697 2005/0021611			Wood et al. Knapp et al.	about/about.htm>.
2007/0011206	A1	1/2007	Gupta et al.	VocaLoca Inc.—Interactive Internet Broadcasting, providing true 2-way voice with the late [retrieved on May 18, 2001]. Retrieved
2007/0177586			Eyal et al.	from the Internet <url:http: indexb1.asp="" www.vocaloca.com="">. ViewCast Online—Why ViewCast Online? The Digital Infrastruc-</url:http:>
OTHER PUBLICATIONS				ture. [retrieved on May 18, 2001]. Retrieved from the Internet <url:http: digitalinfrastructure.html="" www.viewcastonline.com="">.</url:http:>
Discover Music Template. [retrieved on Jan. 20, 2000]. Retrieved				



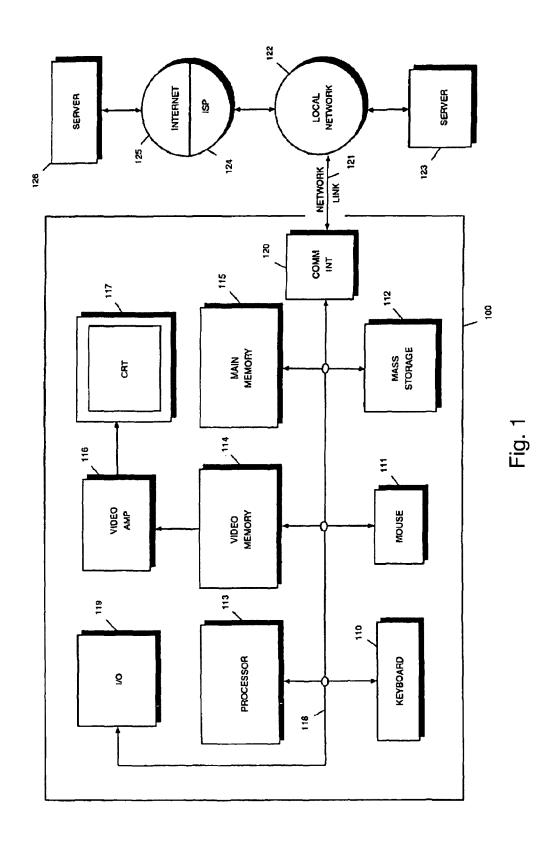
Discover Music Template. [retrieved on Jan. 20, 2000]. Retrieved from the Internet <URL:http://www.discovermusic.com>; p. 1.

U.S. Patent

May 13, 2014

Sheet 1 of 14

US 8,725,832 B2

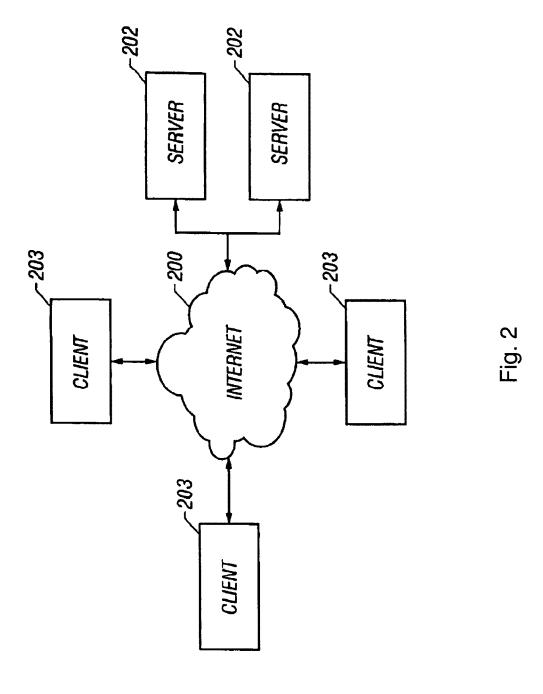


U.S. Patent

May 13, 2014

Sheet 2 of 14

US 8,725,832 B2



## DOCKET

## Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

