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Attorney Docket No.	1516.15
First Named Inventor	Robert M. Allen
Original Patent Number	7,792,686
Original Patent Issue Date (Month/Day/Year)	09/07/2010
Express Mail Label No.	

APPLICATION FOR REISSUE OF: *(Check applicable box)* ☑ Utility Patent ☐ Design Patent ☐ Plant Patent

APPLICATION ELEMENTS (37 CFR 1.173)

1. ☐ Fee Transmittal Form (PTO/SB/56)
2. ☑ Applicant claims small entity status. See 37 CFR 1.27.
3. ☑ Specification and Claims in double column copy of patent format *(amended, if appropriate)*
4. ☑ Drawing(s) *(proposed amendments, if appropriate)*
5. ☑ Reissue Oath/Declaration (original or copy) (37 C.F.R. 1.175) (PTO/SB/51 or 52)
6. ☑ Power of Attorney
7. ☑ Original U.S. Patent currently assigned? ☑ Yes ☐ No *(If Yes, check applicable box(es))*
   - ☑ Written Consent of all Assignees (PTO/SB/53)
   - ☑ 37 CFR 3.73(b) Statement (PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
   - ☐ Landscape Table on CD
9. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, items a. – c. are required))*
   - a. ☐ Computer Readable Form (CRF)
   - b. Specification Sequence Listing on:
     - i ☐ CD-ROM (2 copies) or CD-R (2 copies); **or**
     - ii ☐ paper
   - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☐ Statement of status and support for all changes to the claims. See 37 CFR 1.173(c).
11. ☐ Foreign Priority Claim (35 U.S.C. 119) *(if applicable)*
12. ☑ Information Disclosure Statement (IDS) PTO/SB/08 or PTO-1449
    - ☐ Copies of citations attached
13. ☐ English Translation of Reissue Oath/Declaration *(if applicable)*
14. ☑ Preliminary Amendment
15. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
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US007792686B2

(12) **United States Patent**
Allen

(10) **Patent No.: US 7,792,686 B2**
(45) **Date of Patent: Sep. 7, 2010**

(54) **MEDICAL BENEFITS PAYMENT SYSTEM**

(75) Inventor: **Robert M. Allen**, Richardson, TX (US)

(73) Assignee: **StoneEagle Services, Inc.**, Richardson, TX (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 945 days.

(21) Appl. No.: **11/566,930**

(22) Filed: **Dec. 5, 2006**

(65) **Prior Publication Data**

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(51) **Int. Cl.**
G06Q 10/00 (2006.01)

(52) **U.S. Cl.** **705/2**; 709/200; 235/380

(58) **Field of Classification Search** 705/2–3; 709/200; 235/380

See application file for complete search history.

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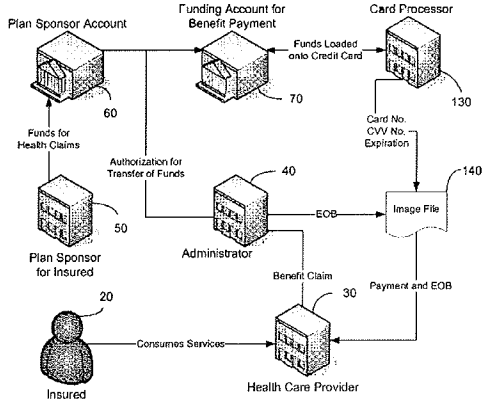
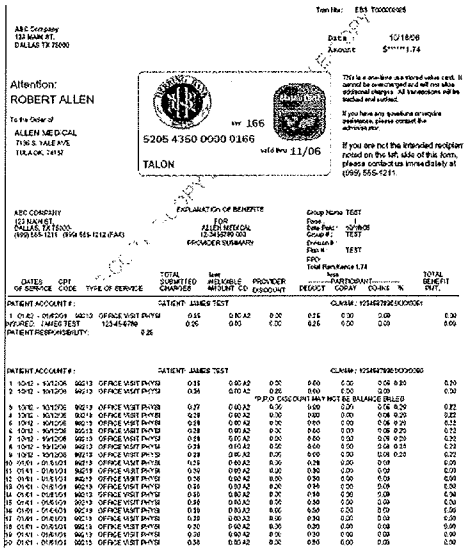
Primary Examiner—Gerald J. O'Connor
Assistant Examiner—Hiep V. Nguyen
(74) *Attorney, Agent, or Firm*—Anton J. Hopen; Smith & Hopen, PA

(57) **ABSTRACT**

A method of facilitating payment of health care benefits to on behalf of a payer comprising the step of electronically transmitting a stored-value card account payment of the authorized benefit amount concurrently with an explanation of benefits.

6 Claims, 4 Drawing Sheets





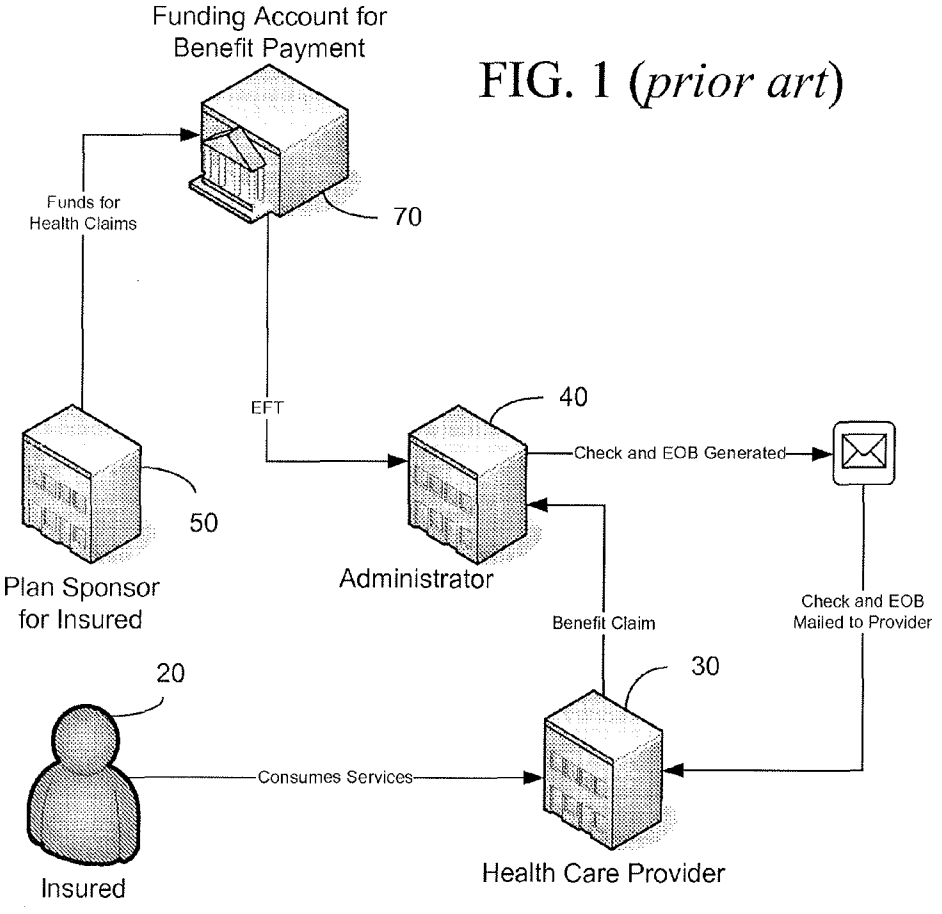


FIG. 1 (*prior art*)

Fig. 2

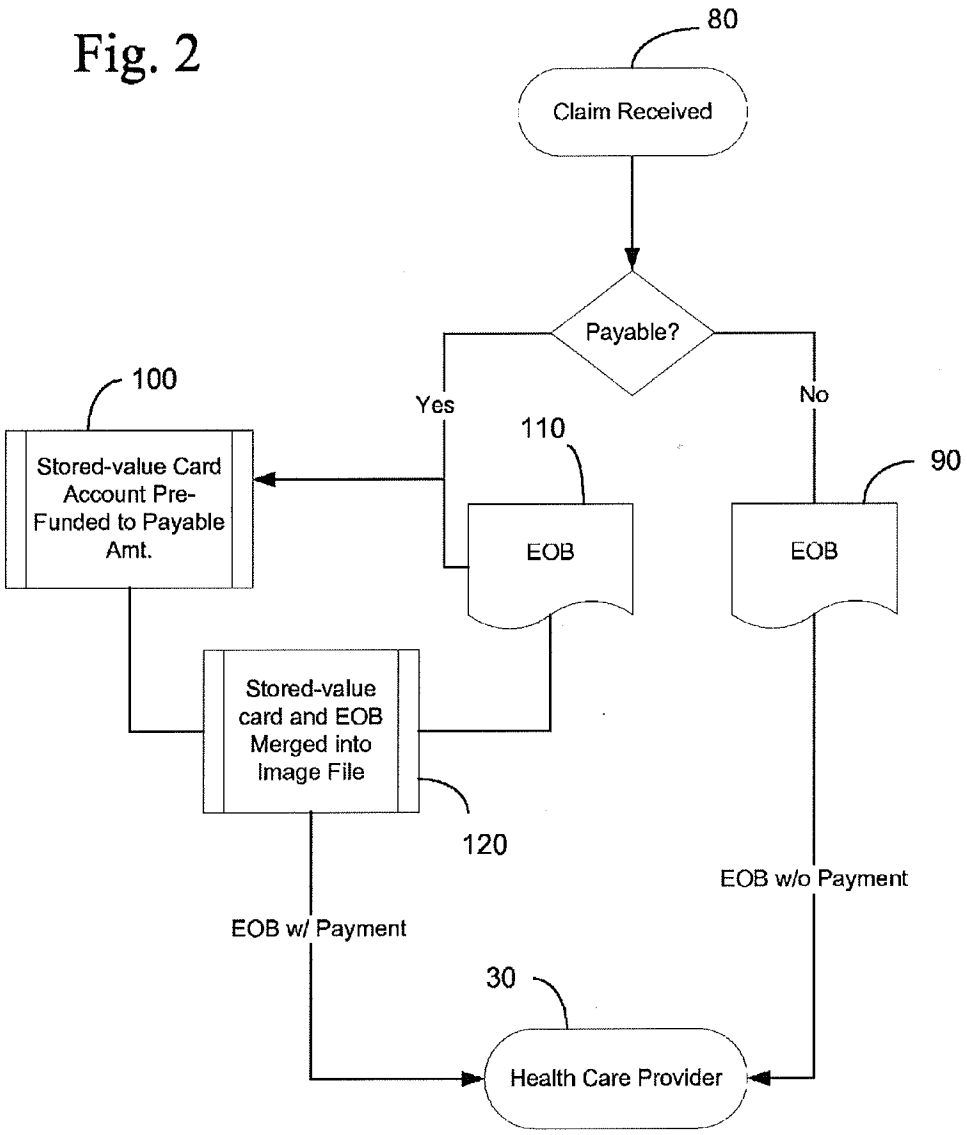

80
Claim Received
Payable?
Yes
No
100
Stored-value Card Account Pre-Funded to Payable Amt.
110
EOB
90
EOB
Stored-value card and EOB Merged into Image File
120
EOB w/ Payment
EOB w/o Payment
30
Health Care Provider

Fig. 3

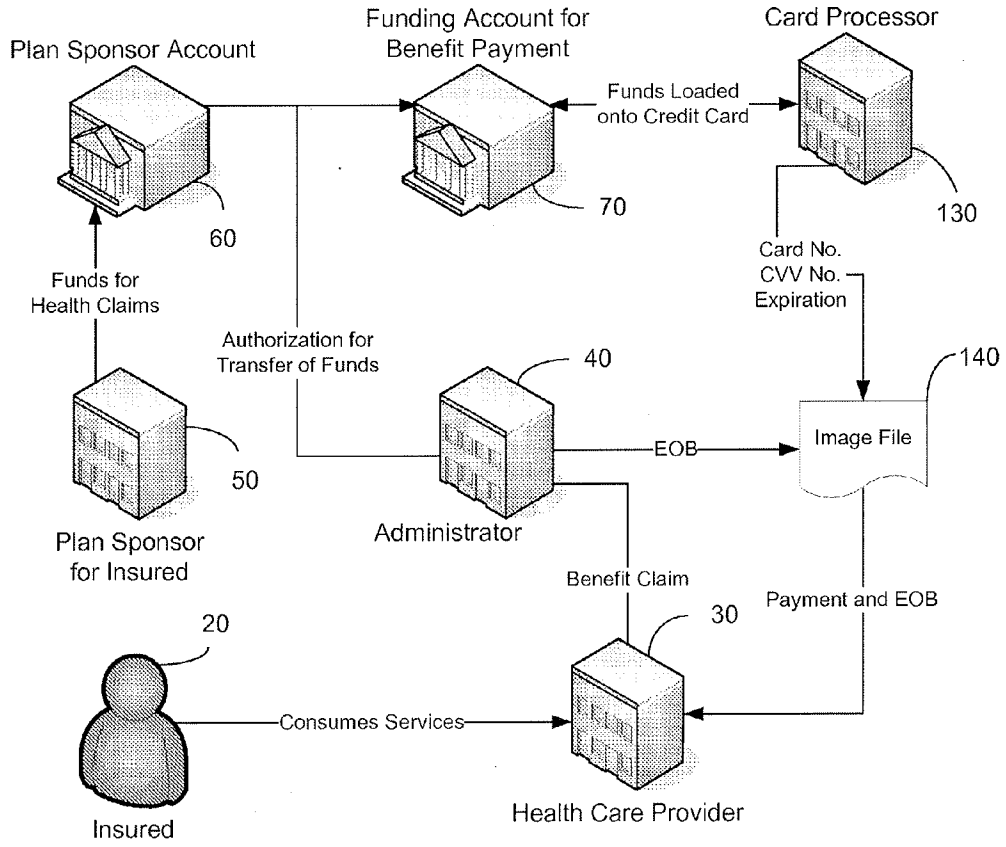
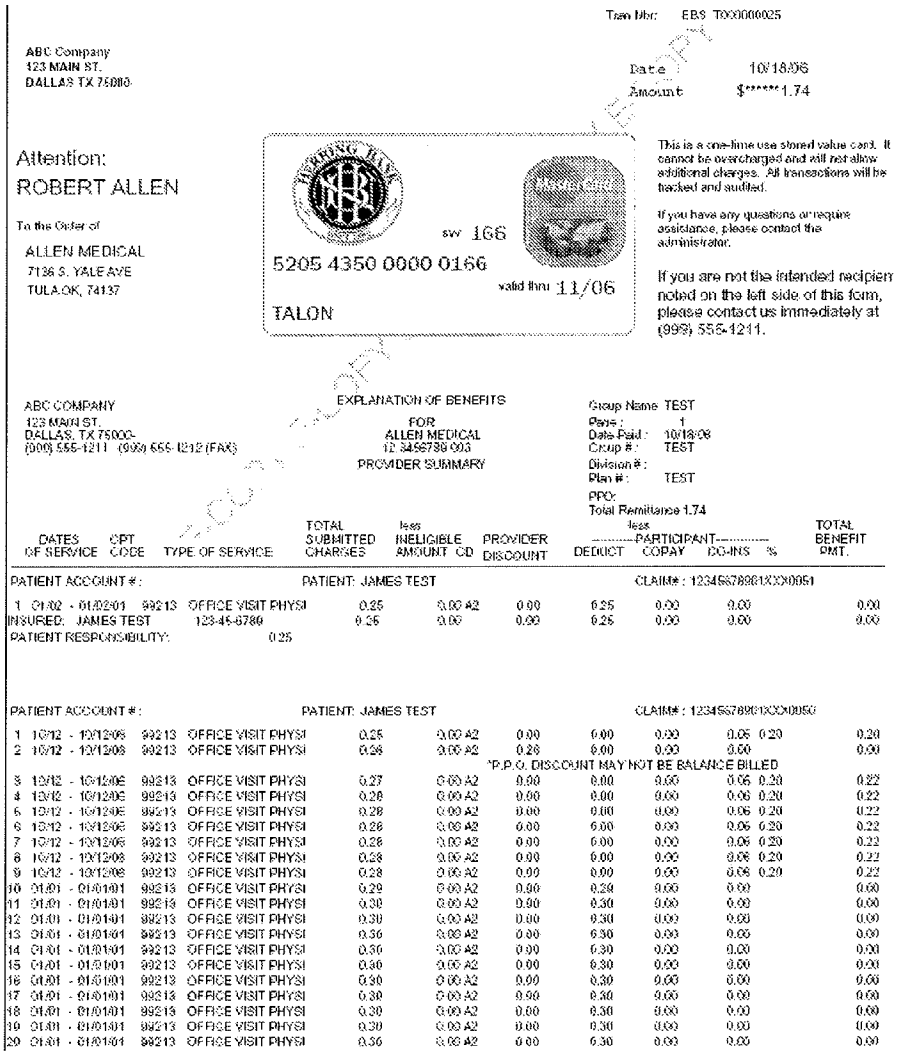

Plan Sponsor Account
Funding Account for Benefit Payment
Card Processor
Funds Loaded onto Credit Card
60
70
130
Funds for Health Claims
Card No.
CVV No.
Expiration
Authorization for Transfer of Funds
40
140
50
EOB
Image File
Plan Sponsor for Insured
Administrator
Benefit Claim
Payment and EOB
20
30
Consumes Services
Insured
Health Care Provider

Fig. 4



Trans Nbr: EBS T000000025

ABC Company
123 MAIN ST.
DALLAS TX 75080

Date 10/18/06
Amount $******1.74

Attention:
ROBERT ALLEN

To the Order of
ALLEN MEDICAL
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TULA,OK, 74137

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5205 4350 0000 0166
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TALON

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(999) 555-1211 (999) 555-1212 (FAX)

EXPLANATION OF BENEFITS
FOR
ALLEN MEDICAL
12 3456789 003
PROVIDER SUMMARY

Group Name TEST
Payee : 1
Date Paid : 10/18/06
Group # : TEST
Division # :
Plan # : TEST
PPO:
Total Remittance 1.74

DATES OF SERVICE	CPT CODE	TYPE OF SERVICE	TOTAL SUBMITTED CHARGES	less INELIGIBLE AMOUNT CD	PROVIDER DISCOUNT	less PARTICIPANT DEDUCT	COPAY	CO-INS	%	TOTAL BENEFIT PMT.
PATIENT ACCOUNT # :		PATIENT: JAMES TEST				CLAIM# : 12345678901XX00051				
1 01/02 - 01/02/01	99213	OFFICE VISIT PHYSI	0.25	0.00 A2	0.00	0.25	0.00	0.00		0.00
INSURED: JAMES TEST		123-45-6789	0.25	0.00	0.00	0.25	0.00	0.00		0.00
PATIENT RESPONSIBILITY:		0.25								
PATIENT ACCOUNT # :		PATIENT: JAMES TEST				CLAIM# : 12345678901XX00050				
1 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.25	0.00 A2	0.00	0.00	0.00	0.05	0.20	0.20
2 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.26	0.00 A2	0.26	0.00	0.00	0.00		0.00
					*P.P.O. DISCOUNT MAY NOT BE BALANCE BILLED					
3 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.27	0.00 A2	0.00	0.00	0.00	0.05	0.20	0.22
4 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
5 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
6 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
7 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
8 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
9 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
10 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.29	0.00 A2	0.00	0.29	0.00	0.00		0.00
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15 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
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MEDICAL BENEFITS PAYMENT SYSTEM

FIELD OF INVENTION

This invention relates to facilitating payments for medical benefits, and more specifically to streamline the payment of health care providers by administrators and insurance carriers that handle claims adjudication and payment to these providers.

BACKGROUND OF THE INVENTION

Third party administrators, insurance companies, and large self-funded corporations (herein "Payers") adjudicate claims, compare them to the benefit plan and make the decision to write checks in payment for the claims. Currently, Payers are required to print checks and explanation of benefit (EOB) forms for delivery to the health care providers. The EOB lists the amount the health care provider billed the Payer's company and the amount the Payer's company paid on the claim. It may also list the contractual discount amount and the patient responsibility. If the claim is denied, the EOB will explain the reason for denial. It has been estimated that the check and EOB forms cost Payers approximately $4.50 each.

The inefficiencies to all Payers that must coordinate payment for medical services. This includes, but is not limited to, insurance carriers, government entities, and non-profit organizations.

A long-felt but unfulfilled need in the art is a system to reduce the transactional costs incurred by the payers and speed up the delivery and funding of payments by weeks.

SUMMARY OF INVENTION

The present invention is a method of facilitating payment of health care benefits to a health care provider on behalf of a Payer, often an insurance company, government organization or self-insured entity. An embodiment of the invention includes the step of electronically transmitting a stored-value card account payment of the authorized benefit amount concurrently with an explanation of benefits. For the purposes of this patent specification, stored-value cards and stored-value card accounts shall also include financial instruments known as credit cards, debit cards and EFT cards.

A credit card system is a type of retail transaction settlement and credit system, named after the small plastic card issued to users of the system. A credit card is different from a debit card in that it does not remove money from the user's account after every transaction. In the case of credit cards, the issuer lends money to the consumer (or the user).

A debit card account provides an alternative payment method to cash when making purchases. When issued in physical form, the card is a ISO 7810 card like a credit card, however its functionality is more similar to writing a check as the funds are withdrawn directly from the cardholder's bank account; some cards are referred to as check cards.

A stored-value card represents money on deposit with the issuer, and is similar to a debit card. One major difference between stored value cards and debit cards is that debit cards are usually issued in the name of individual account holders, while stored value cards are usually anonymous.

The stored-value card account payment generally includes a card number with the pre-funded amount, a card verification value code and an expiration date. The payment and explanation of benefits may be transmitted by a number of methods including, but not limited to, fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP. The electronic transmission may include an electronically computer-generated image of a physical debit card and the unique debit card number is associated with a single benefit payment.

Paid benefits charged to the associated debit card transaction may be reconciled via the unique card number generated and assigned to a single payment. In addition, the debit card is pre-funded only to the authorized benefit amount. Thus is it not possible to charge more than the authorized benefit amount. Furthermore, the stored-value card account payment may only be charged through a medical services terminal. The terminal may be coupled to a computer-implemented communications network as is known in the art for credit and debit card transactions.

Another embodiment includes a method of facilitating payment of health care benefits to a health care provider including the steps of identifying the health care provider that renders medical services in anticipation of payment; identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions; identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and arranges for payment of the service provider if appropriate; intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider; acquiring a stored-value card account number for the amount of the check; merging the stored-value card account number with the explanation of benefits into an image file; and transmitting the image file to the health care provider. The image file may be transmitted by a number of methods including, but not limited to, fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP. The transmission may be implemented using a computer coupled to a network connection such as known in the art and required for transmissions such as FTP, HTTP, and the like.

The charge incurred against the stored-value card account number may be reconciled to confirm the health care provider has been paid for the services approved by the administrator. As an added security precaution, the stored-value card account number is chargeable only through a medical services terminal.

BRIEF DESCRIPTION OF THE DRAWINGS

For a fuller understanding of the invention, reference should be made to the following detailed description, taken in connection with the accompanying drawings, in which:

FIG. **1** (prior art) is an illustration of the current state-of-the-art.

FIG. **2** is a flow-chart illustration of an embodiment of the invention.

FIG. **3** is a diagrammatic view of an embodiment of the invention.

FIG. **4** is an image of a merged EOB and stored-value card account payment according to an embodiment of the invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Turning to FIG. **1** (prior art), insured patient **20** consumes services from health care provider **30**. Health care provider **30** submits a benefit claim to administrator **40** in order to receive payment. Administrator **40** may be a third party administrator, insurance company government entity, non-profit organization or the like. For the purposes of this specification, administrator **40** is considered any entity that adjudicates claims, compares them to the benefit plan and makes the decision to make payment for the services. Administrator **40** evaluates the claim made by health care provider **30** to determine whether all or a portion of the benefit claim is payable under the terms of the relevant policy issued by payer or plan sponsor (herein "payer"). **50**. Payer **50** funds funding account

70 in anticipation of benefit claims. If administrator 40 finds that a benefit claim is payable, it draws the money from funding account 70. Administrator 40 then generates an explanation of benefits and a check for the benefit payment. The explanation of benefits and check are then sent concurrently to health care provider 30. Drawbacks associated with the prior art include the cost and time associated with generating hardcopy checks and sending them by mail to health care provider 30. A long-felt but unfulfilled need exists in the art to reduce this transactional cost and speed up payment of benefits to health care provider 30.

In FIG. 2, claim 80 is received. Claim 80 is then evaluated to determine whether it is payable under the terms of an applicable policy. If claim 80 is not even partially payable, then non-payment EOB 90 is generated and transmitted to health care provider 30 without payment. However, if claim 80 is at least partially payable, then stored-value card account 100 is loaded with funds equal to the amount of the payable benefit. Payment EOB 110 is merged with stored-value card account 100 to generate image file 120. Image file 120 includes payment EOB 110 and a computer-generated facsimile of a physical stored-value card complete with the card number, expiration date and security verification code. Image file 120 is transmitted to health care provider 30 by a suitable transmission medium including, but not limited to, fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

In FIG. 3, insured 20 having coverage provided by payer 50 consumes services by health care provider 30. Health care provider 30 then submits a benefit claim to administrator 40 which adjudicates the benefit claim in accordance with pre-existing guidelines. If payment is appropriate on the benefit claim, a transfer of funds is made between payer's account 60 and its funding account 70 (to which administrator 40 has access). Stored-value card processor 130 then loads funds from funding account 70 onto a stored-value card account. The stored-value card account is chargeable only on a medical services terminal and it cannot be charged over the amount loaded onto it. The card number, the security verification code and the expiration date of the debit card account are merged with the explanation of benefits generated by administrator 40 into image file 140 which is then transmitted back to health care provider 30.

FIG. 4 illustrates an exemplary embodiment of a merged EOB and stored-value card account payment.

It will be seen that the advantages set forth above, and those made apparent from the foregoing description, are efficiently attained and since certain changes may be made in the above construction without departing from the scope of the invention, it is intended that all matters contained in the foregoing description or shown in the accompanying drawings shall be interpreted as illustrative and not in a limiting sense.

It is also to be understood that the following claims are intended to cover all of the generic and specific features of the invention herein described, and all statements of the scope of the invention which, as a matter of language, might be said to fall therebetween. Now that the invention has been described,

What is claimed is:

1. A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by fax to the health care provider; and

reconciling the charged card account to confirm that the health care provider has received payment.

2. A method of facilitating payment of adjudicated health care benefits to a health care provider comprising:

identifying the health care provider that renders medical services in anticipation of payment;

identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions;

identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and authorizes payment of the service provider for an authorized amount;

intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider;

acquiring a single-use, stored-value card account number and loading it with funds equal to the authorized amount;

merging the stored-value card account number, the authorized amount, a card verification value code, and an expiration date with the explanation of benefits into a computer-generated image file; and

transmitting the image file to the health care provider via a computer-implemented transmission.

3. The method of claim 2 wherein the image file is transmitted by fax.

4. The method of claim 2 further comprising the step of reconciling the charge incurred against the stored-value card account number to confirm the health care provider has been paid for the services approved by the administrator.

5. The method of claim 2 wherein the stored-value card account number is chargeable only through a medical services terminal.

6. A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by a computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP to the health care provider wherein the electronic transmission includes a computer-generated image of a physical card; and

reconciling the charged card account to confirm that the health care provider has received payment.

* * * * *

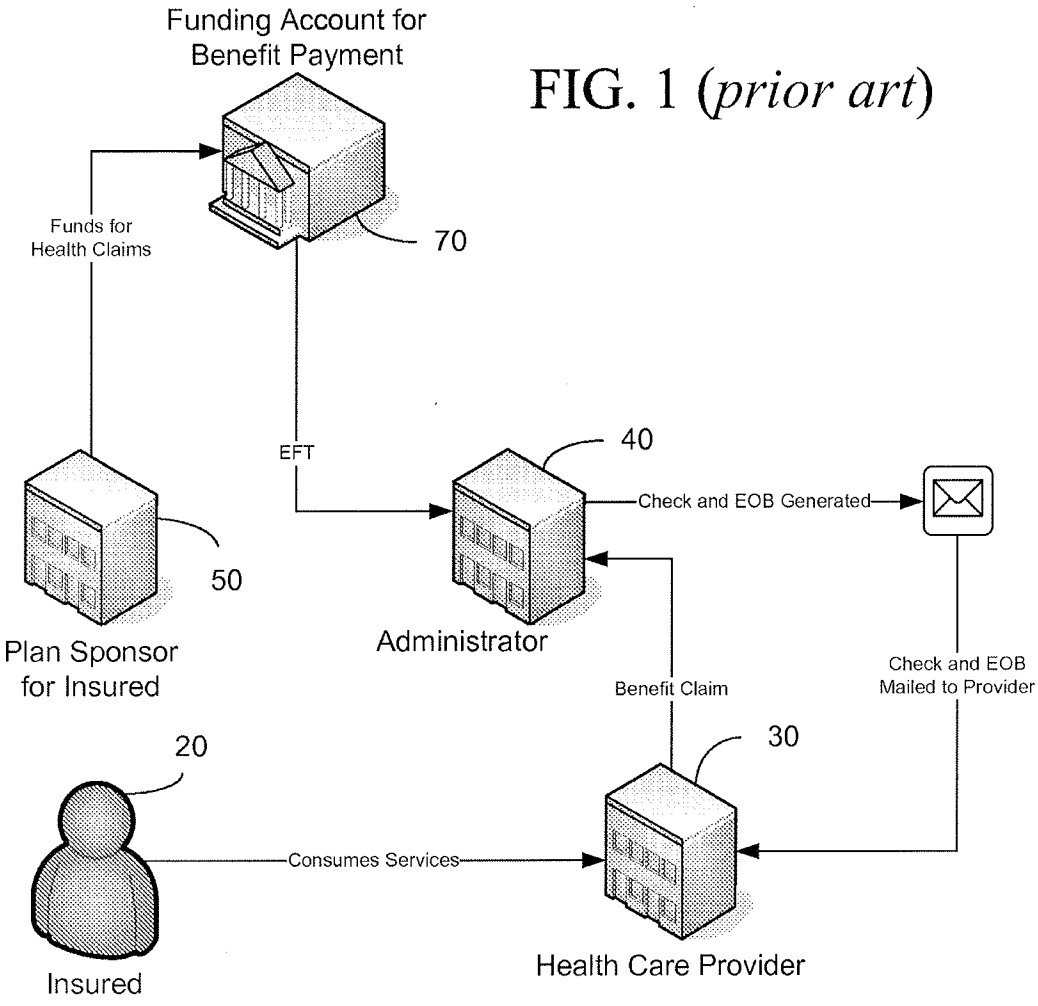


FIG. 1 (*prior art*)

Fig. 2

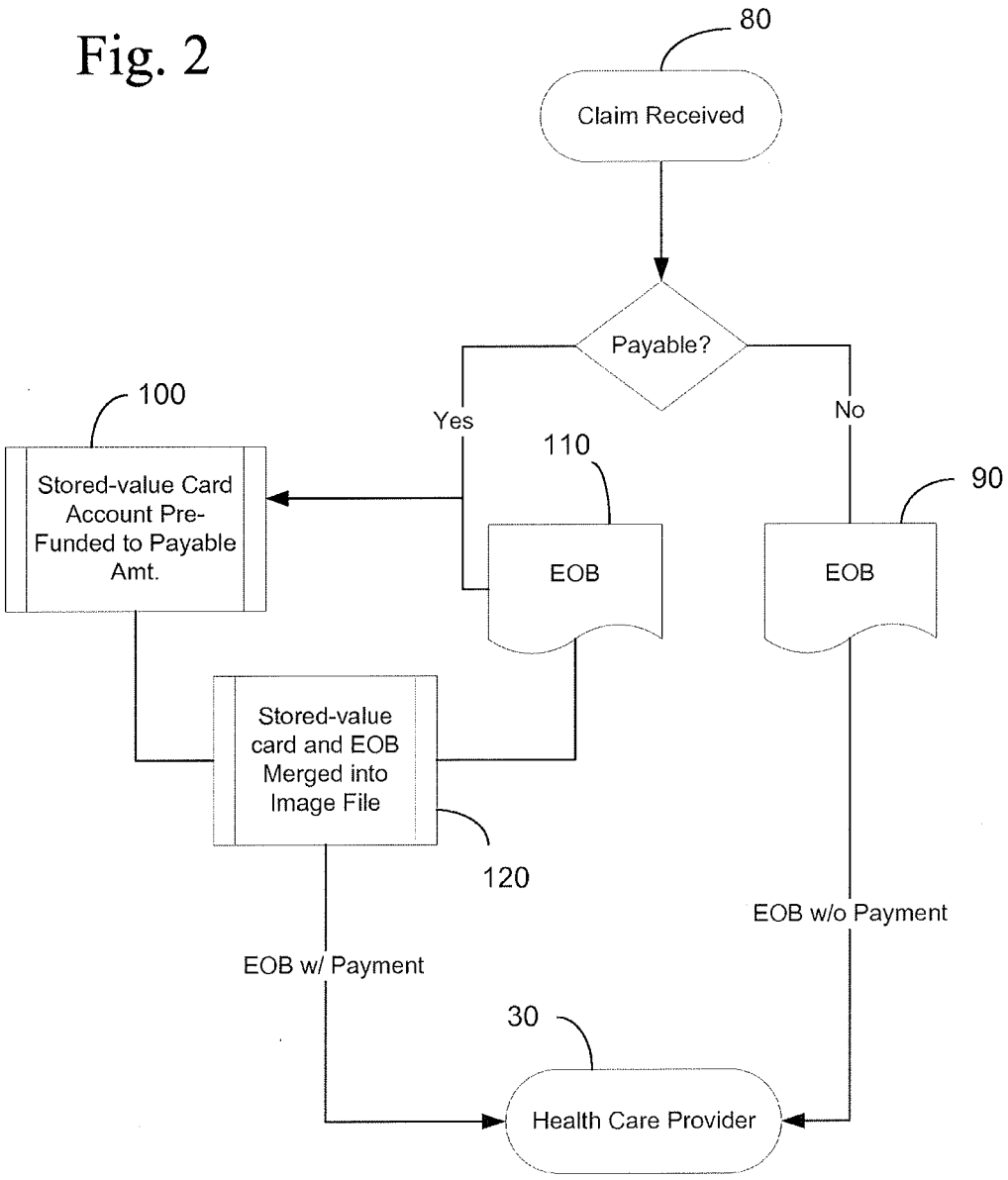

80
Claim Received
Payable?
Yes
No
100
Stored-value Card Account Pre-Funded to Payable Amt.
110
EOB
90
EOB
Stored-value card and EOB Merged into Image File
120
EOB w/o Payment
EOB w/ Payment
30
Health Care Provider

Fig. 3

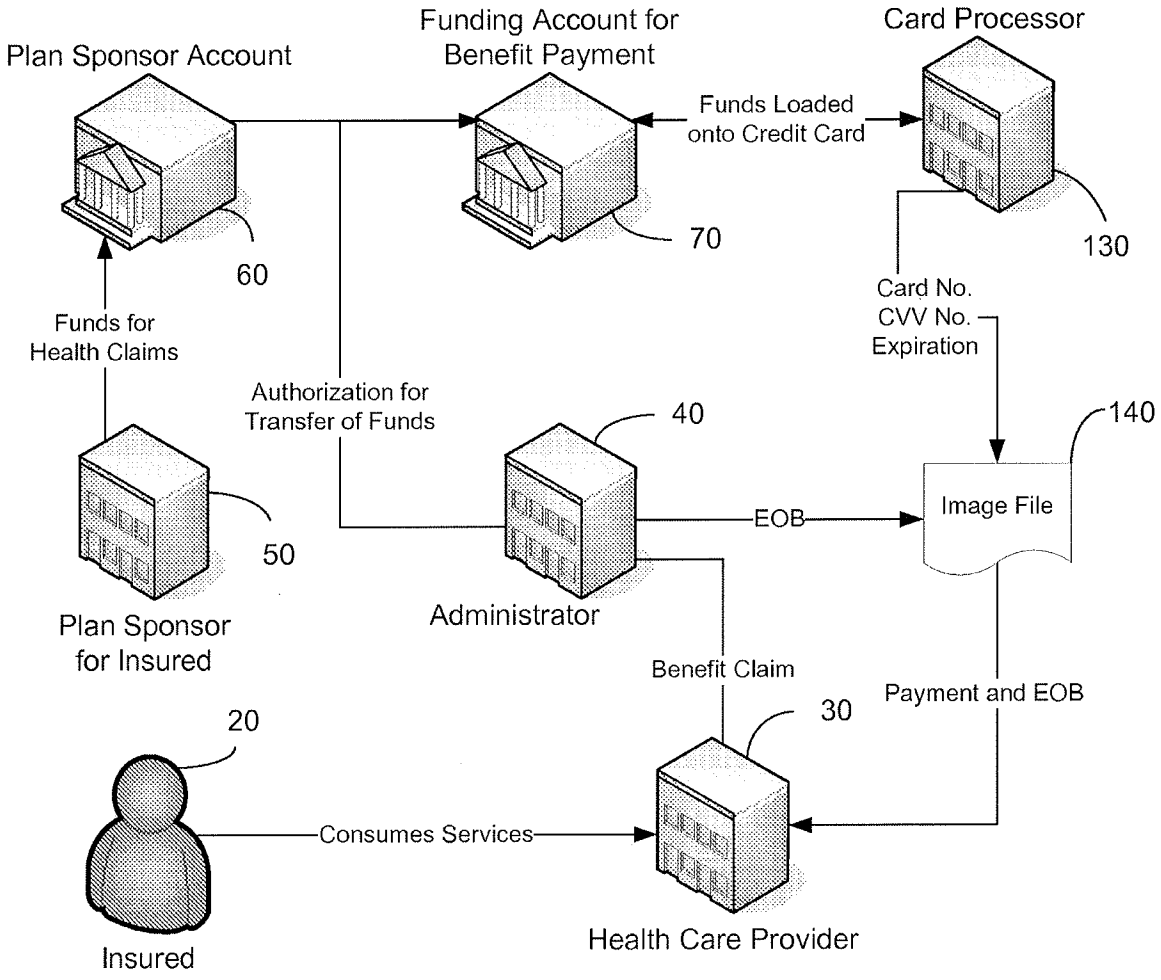
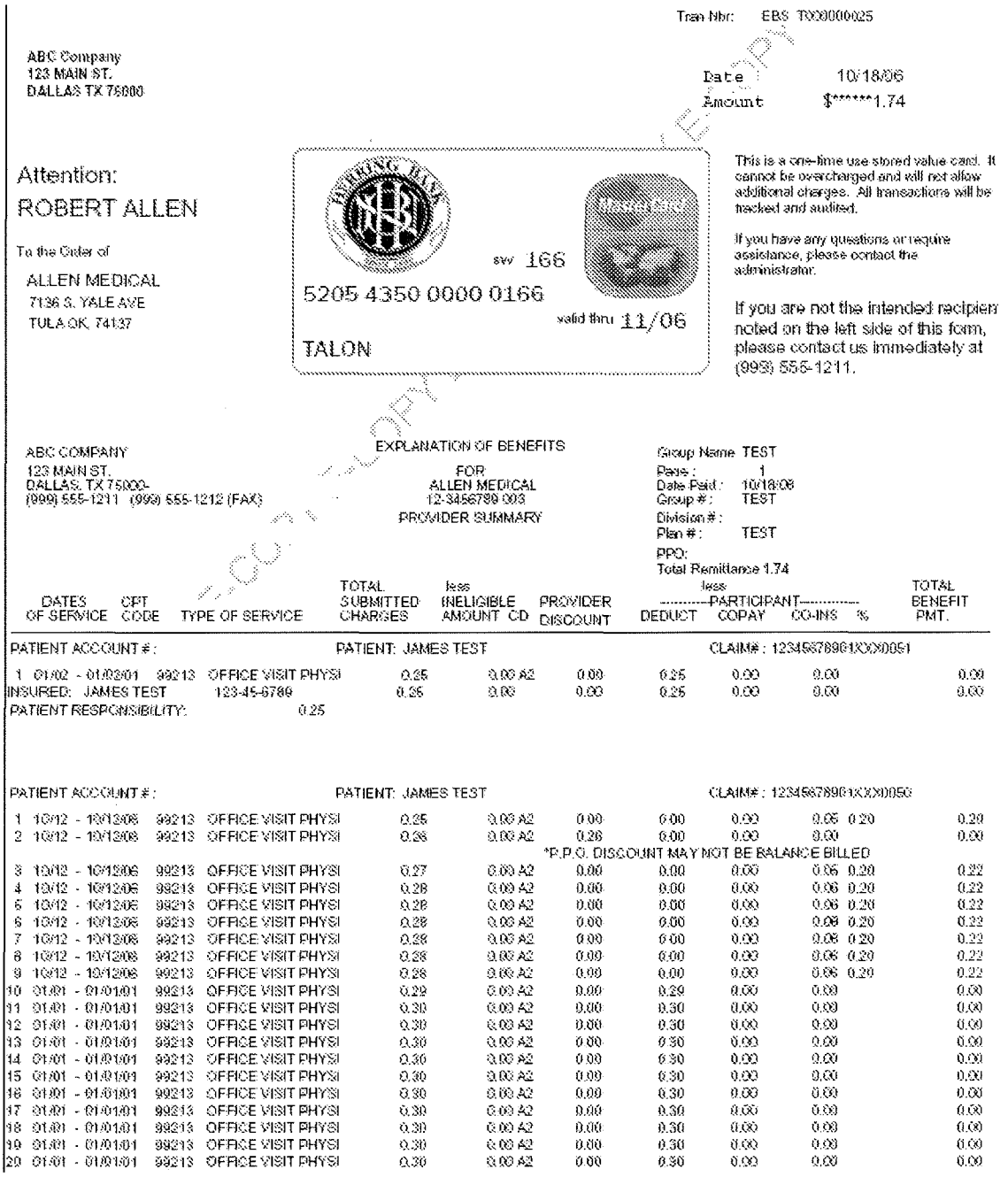

Plan Sponsor Account
Funding Account for Benefit Payment
Card Processor
Funds Loaded onto Credit Card
60
70
130
Funds for Health Claims
Card No.
CVV No.
Expiration
Authorization for Transfer of Funds
40
140
50
EOB
Image File
Plan Sponsor for Insured
Administrator
Benefit Claim
Payment and EOB
20
30
Consumes Services
Insured
Health Care Provider

Fig. 4



Tran Nbr: EBS T000000025

ABC Company
123 MAIN ST.
DALLAS TX 75000

Date 10/18/06
Amount $******1.74

Attention:
ROBERT ALLEN

To the Order of
ALLEN MEDICAL
7136 S. YALE AVE
TULA OK 74137

svc 166
5205 4350 0000 0166
valid thru 11/06
TALON

This is a one-time use stored value card. It cannot be overcharged and will not allow additional charges. All transactions will be tracked and audited.

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If you are not the intended recipien noted on the left side of this form, please contact us immediately at (999) 555-1211.

ABC COMPANY
123 MAIN ST.
DALLAS, TX 75000-
(999) 555-1211 (999) 555-1212 (FAX)

EXPLANATION OF BENEFITS
FOR
ALLEN MEDICAL
12-3456789 003
PROVIDER SUMMARY

Group Name TEST
Pass : 1
Date Paid : 10/18/06
Group # : TEST
Division # :
Plan # : TEST
PPO:
Total Remittance 1.74

DATES OF SERVICE	CPT CODE	TYPE OF SERVICE	TOTAL SUBMITTED CHARGES	less INELIGIBLE AMOUNT CD	PROVIDER DISCOUNT	less PARTICIPANT DEDUCT	PARTICIPANT COPAY	PARTICIPANT CO-INS	PARTICIPANT %	TOTAL BENEFIT PMT.
PATIENT ACCOUNT # :		PATIENT: JAMES TEST					CLAIM# : 12345678901XXX0091			
1 01/02 - 01/03/01	99213	OFFICE VISIT PHYSI	0.25	0.00 A2	0.00	0.25	0.00	0.00		0.00
INSURED: JAMES TEST		123-45-6789	0.25	0.00	0.00	0.25	0.00	0.00		0.00
PATIENT RESPONSIBILITY:		0.25								
PATIENT ACCOUNT # :		PATIENT: JAMES TEST					CLAIM# : 12345678901XXX0050			
1 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.25	0.00 A2	0.00	0.00	0.00	0.05	0.20	0.20
2 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.26	0.00 A2	0.26	0.00	0.00	0.00		0.00
					*P.P.O. DISCOUNT MAY NOT BE BALANCE BILLED					
3 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.27	0.00 A2	0.00	0.00	0.00	0.05	0.20	0.22
4 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
5 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
6 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
7 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
8 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
9 10/12 - 10/12/06	99213	OFFICE VISIT PHYSI	0.28	0.00 A2	0.00	0.00	0.00	0.06	0.20	0.22
10 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.29	0.00 A2	0.00	0.29	0.00	0.00		0.00
11 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
12 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
13 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
14 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
15 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
16 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
17 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
18 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
19 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00
20 01/01 - 01/01/01	99213	OFFICE VISIT PHYSI	0.30	0.00 A2	0.00	0.30	0.00	0.00		0.00

REISSUE APPLICATION DECLARATION
37 CFR 1.175

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a reissue application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

PATENT IDENTIFICATION

I believe I am an original, first and sole inventor of the subject matter which is described and claimed in Letters Patent No. 7,792,686, granted on September 7, 2010, and for which invention I solicit a reissue patent on the invention entitled MEDICAL BENEFITS PAYMENT SYSTEM.

SPECIFICATION IDENTIFICATION

The specification is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

STATEMENT OF INOPERATIVENESS OF ORIGINAL PATENT

I verily believe the original patent to be partly inoperative or invalid by reason of my having claimed less than I had a right to claim in the original patent. All errors which are being corrected in the present reissue application, up to the time of the filing of this reissue declaration, arose without any deceptive intention on my part.

CONCURRENT PROCEEDINGS

The patent for which reissue is requested is involved in U.S. district court case 3:11-cv-2408-P (Northern District of Texas, Dallas Division).

IDENTIFICATION OF THE ERROR

37 CFR 1.175(a)(1)

Undersign believes the original patent to be partly inoperative or invalid by reason of the patentee claiming less than the patentee had the right to claim in the patent. Specifically, claim 1 of the original patent requires the generated image file to be sent exclusively by fax transmission but does not require a computer-generated image of a physical card be generated. Claim 6 of the original patent includes a Markush group permitting transmission of the image file to be sent by a variety of means but includes the limitation that the transmission include a computer-generated image of a physical card. Accordingly, the patentee claimed less than he had the right to claim.

LACK OF DECEPTIVE INTENT

37 CFR 1.175(a)(2)

Every error in the patent which was corrected in the present reissue application, and which is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

POWER OF ATTORNEY

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

21,901

SEND CORRESPONDENCE TO

Smith & Hopen, P.A.
180 Pine Avenue North
Oldsmar, FL 34677
Customer No. 21,901

DIRECT TELEPHONE CALLS TO:

Anton Hopen
(813) 925-8505

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE

Inventor's signature 

Robert M. Allen

Date January 24 2012

Country of Citizenship USA

Residence 111 Spring Valley Road, Suite 100, Richardson, TX 75081

Post Office Address 11 Spring Valley Road, Suite 100, Richardson, TX 75081

PTO/SB/53 (09-07)
Approved for use through 08/31/2013. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT	Docket Number (Optional) 1516.15

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s)
Robert M. Allen

Patent Number	Date Patent Issued
7,792,686	09/07/2010

Title of Invention
Medical Benefits Payment System

1. ☑ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)

2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are StoneEagle Services, Inc. and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)
StoneEagle Services, Inc.

Signature	Date
	1-26-12

Typed or printed name and title of person signing for assignee (if assigned)

Phillip Bogner, President

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

PTO/SB/96 (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 displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: STONEEAGLE SERVICES, INC.

Application No./Patent No.: 11566930 / 7792686 Filed/Issue Date: 12/05/2006 / 09/07/2010

Titled:

STONEEAGLE SERVICES, INC. , a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. [X] the assignee of the entire right, title, and interest in;

2. [ ] an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is _____ %); or

3. [ ] the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 018639, Frame 0681, or for which a copy therefore is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet(s).

[ ] As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (*i.e.*, a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature January 24, 2012

Date

Phillip Bogner President

Printed or Typed Name Title

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

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99**)		
	Application Number	
	Filing Date	2012-01-26
	First Named Inventor	ALLEN, Robert
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1516.15

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6901387	B2	2005-05-31	Wells, et al.	
	2	7792686	B2	2010-09-07	Allen	
	3	6343310	B1	2002-01-29	DiRienzo	
	4	7434729	B2	2008-10-14	Cracchiolo, et al.	
	5	7590557	B2	2009-09-15	Harrison, et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20050122953	A1	2005-06-09	Ilic	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	2012-01-26
	First Named Inventor	ALLEN, Robert
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1516.15

	2	20050086075	A1	2005-04-21	Kaehler, et al.	
	3	20020077837	A1	2002-06-20	Krueger, et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2]	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

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, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	2012-01-26
	First Named Inventor	ALLEN, Robert
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1516.15

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/anton j hopen/	Date (YYYY-MM-DD)	2012-01-26
Name/Print	Anton J. Hopen	Registration Number	41849

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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 record s.

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:	Confirmation Number: Unassigned
Robert M. ALLEN	Art Unit: Unassigned
Reissue Application No.: New	Examiner: Unassigned
Filed: January 25, 2012	
Patent No.: 7,792,686	Issue Date: Sept. 7, 2010
Original App. No.: 11/566,930	Customer No.: 21,901
Title: MEDICAL BENEFITS PAYMENT SYSTEM	

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

PRELIMINARY AMENDMENT FOR REISSUE APPLICATION

Sir:

Prior to initial examination on the merits, please amend the above-identified reissue application of U.S. Patent No. 7,792,686 as set forth starting on page 2 below.

Amendments to the Specification on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims on pages 3-8 of this paper.

Remarks on page 9 of this paper.

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 CFR 1.8(a)

I HEREBY CERTIFY that this response is being electronically transmitted to the United States Patent and Trademark Office on January 26, 2012.

Dated: January 26, 2012

/jan mellen/
Jan Mellen

Amendments to the Specification:

Please insert the following paragraph beginning at Col.1, line 3:

This reissue application has been filed for the reissue of U.S. patent application serial number 11/566,930, filed December 5, 2006 now U.S. Pat. No. 7,792,686 entitled "Medical Benefits Payment System" naming Robert M. Allen as inventor, the disclosure of which is incorporated by reference.

Amendments to the Claims:

Please add claims 7-26 as follows:

1. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of: loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal; generating an explanation of benefits associated with the payment; creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits; transmitting the image file by fax to the health care provider; and reconciling the charged card account to confirm that the health care provider has received payment.

2. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider comprising: identifying the health care provider that renders medical services in anticipation of payment; identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions; identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and authorizes payment of the service provider for an authorized amount; intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider; acquiring a single-use, stored-value card account number and loading it with funds equal to the authorized amount; merging the stored-value card account number, the authorized amount, a card verification value code, and an expiration date with the explanation of benefits into a computer-generated image file; and transmitting the image file to the health care provider via a computer-implemented transmission.

3. (original) The method of claim 2 wherein the image file is transmitted by fax.

4. (original) The method of claim 2 further comprising the step of reconciling the charge incurred against the stored-value card account number to confirm the health care provider has been paid for the services approved by the administrator.

5. (original) The method of claim 2 wherein the stored-value card account number is chargeable only through a medical services terminal.

6. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of: loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal; generating an explanation of benefits associated with the payment; creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits; transmitting the image file by a computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP to the health care provider wherein the electronic transmission includes a computer-generated image of a physical card; and reconciling the charged card account to confirm that the health care provider has received payment.

7. (new) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of: loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, generating an explanation of benefits associated with the payment; creating a computer-generated file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits; and transmitting the file to the health care provider.

8. (new) The method of claim 7 further comprising the step of reconciling the charged card account to confirm that the health care provider has received payment.

9. (new) The method of claim 7 further comprising the step of providing a computer-generated image of a physical card in the transmitted file.

10. (new) The method of claim 7 wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

11. (new) The method of claim 7 wherein the stored-value card account is only chargeable through a medical services terminal.

12. (new) A system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:
an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient's insurance company; and
a payment mechanism associated with the explanation of benefits, the payment mechanism including a stored-value card account number, a payment amount, a card verification value code, and an expiration date;
wherein the stored-value card account number is linked to a unique, single-use, stored-value card account prefunded with an amount equal to a single, authorized benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services.

13. (new) The system of claim 12 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

14. (new) The system of claim 12 wherein a computer-generated image of a physical card is provided in the electronically transmitted document.

15. (new) The system of claim 12 wherein the electronically transmitted document is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

16. (new) The system of claim 12 wherein the stored-value card account is only chargeable through a medical services terminal.

17. (new) A computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising:
receiving an explanation of benefits related to medical services provided by a health care provider;
receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;
funding a unique, single-use, stored-value card account with an amount equal to the authorized payment;
merging the explanation of benefits with the stored-value card account number, the authorized amount of payment, a card verification value code, and an expiration date in an electronic file;
electronically sending the merged file to the health care provider as payment for the services.

18. (new) The method of claim 17 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

19. (new) The method of claim 17 wherein a computer-generated image of a physical card is provided in the merged file.

20. (new) The method of claim 17 wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

21. (new) The method of claim 17 wherein the stored-value card account is only chargeable through a medical services terminal.

22. (new) A system for payment of health care benefits to a health care provider, the system comprising:
an administration system operable to receive a benefit claim the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment;
a card processing system operable to fund a single-use, stored-value card account with an amount equal to the approved payment, the card processing system also operable to merge the explanation of benefits with the stored-value card account number, the authorized amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim.

23. (new) The system of claim 22 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

24. (new) The system of claim 22 wherein a computer-generated image of a physical card is provided in the electronic file.

25. (new) The system of claim 22 wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

26. (new) The system of claim 22 wherein the stored-value card account is only chargeable through a medical services terminal.

REMARKS

This Preliminary Amendment accompanies a request for reissue of U.S. Patent No. 7,792,686. Applicant requests examination on the merits.

Very respectfully,

SMITH & HOPEN

By: /anton j. hopen/

Dated: January 26, 2012

Anton J. Hopen
Reg. No. 41,849
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone
(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	Medical Benefits Payment System
First Named Inventor/Applicant Name:	Robert M. Allen
Filer:	Anton John Hopen
Attorney Docket Number:	1516.15

Filed as Small Entity

Reissue (Utility) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility Reissue Basic	2014	1	190	190
Design and utility Reissue Basic	2114	1	310	310
Design and utility Reissue Basic	2314	1	375	375
Pages:				
Claims:				
Reissue claims in excess of 20 for small	2205	6	30	180
Independent claims reissue small	2204	4	125	500
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		1555

Electronic Acknowledgement Receipt	
EFS ID:	11923707
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	Medical Benefits Payment System
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.15
Receipt Date:	26-JAN-2012
Filing Date:	
Time Stamp:	11:35:36
Application Type:	Reissue (Utility)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1555
RAM confirmation Number	9843
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Transmittal Reissue Application	1516-04-efs-reissue-transmittal.pdf	268775 eb62a617ba0c1b5c88cc20d034de0c3f3a875bcb	no	2
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	1516-04-efs-reissue-copy-of-patent.pdf	442110 1e7e09c46d3f1fc492f2ab5659d790c4b1406f7c	no	7
Warnings:					
Information:					
3	Drawings-only black and white line drawings	1516-04-efs-reissue-drawings-clean-copy.pdf	239237 c458c8efca755ab4bbd23292187156afcca2b04f	no	4
Warnings:					
Information:					
4	Oath or Declaration filed	1516-04-efs-reissue-declaration.pdf	111516 7145921bf25fa11a94abba50dd18386bf90f8cde	no	3
Warnings:					
Information:					
5	Consent of Assignee accompanying the declaration	1516-04-efs-reissue-assignee-consent.pdf	62688 8690c60d151fead1090be7083cc33fb24e5fe3bb	no	1
Warnings:					
Information:					
6	Assignee showing of ownership per 37 CFR 3.73(b).	1516-04-efs-reissue-statement.pdf	65238 32e6baa29cf7a4ec5045d86c31ddf739c4b10a99	no	1
Warnings:					
Information:					
7	Information Disclosure Statement (IDS) Form (SB08)	1516-04-efs-reissue-IDS.pdf	612470 564e5473a05b8adef2a3ea4afaac2e4f3f0d43e0	no	4
Warnings:					
Information:					
8	Preliminary Amendment	1516-04-efs-reissue-preliminary-amendment.pdf	84807 9aeb6241bd89fdcb9ef2bbc61d0dd4a1b90dd2b3	no	9
Warnings:					
Information:					
9	Fee Worksheet (SB06)	fee-info.pdf	37538 55076384e18fb5f11019ffb054197fdc3eb8dc83	no	2
Warnings:					
Information:					

Total Files Size (in bytes):	1924379

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.

SCORE Placeholder Sheet for IFW Content

Application Number: 13358620 Document Date: 1/26/2012

The presence of this form in the IFW record indicates that the following document type was received in electronic format on the date identified above. This content is stored in the SCORE database.

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PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/358,620	01/26/2012	

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY ☒ RATE ($)	SMALL ENTITY ☒ FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ 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).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	01/26/2012	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 26	Minus	** 26	= 0	X $30 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 7	Minus	***7	= 0	X $125 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) 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 $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						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:
/KEVIN HORN/

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13358620
Filing Date	2012-01-26
First Named Inventor	Robert M. ALLEN
Art Unit	NYA
Examiner Name	NYA
Attorney Docket Number	1516.04.RE

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	7853524	B2	2010-12-14	Kight, et al.	
	2	7792749	B2	2010-09-07	Ganesan	
	3	7383223	B1	2008-06-03	Dilip, et al.	

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20050209964	A1	2005-09-22	Allen, et al.	

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FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13358620
	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	NYA
	Examiner Name	NYA
	Attorney Docket Number	1516.04.RE

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NON-PATENT LITERATURE DOCUMENTS Remove			
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, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐
If you wish to add additional non-patent literature document citation information please click the Add button Add			

EXAMINER SIGNATURE			
Examiner Signature		Date Considered	

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

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13358620
	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	NYA
	Examiner Name	NYA
	Attorney Docket Number	1516.04.RE

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/anton j. hopen/	Date (YYYY-MM-DD)	2012-01-31
Name/Print	Anton J. Hopen	Registration Number	41849

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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 record s.

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.

Electronic Acknowledgement Receipt

EFS ID:	11959597
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	Medical Benefits Payment System
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.15
Receipt Date:	31-JAN-2012
Filing Date:	
Time Stamp:	16:21:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	20120131_IDS.pdf	611675 1038476b48844cf1ae8a1b21d8c2866bf71c b03d	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	611675

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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.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/358,620

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	190		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	375		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	26 minus 20=	* 6	x 30 =	180	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	7 minus 3 =	* 4	x 125 =	500			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 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).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	1555		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)	OR	RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						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 found in the appropriate box in column 1.

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE RECD	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/358,620	01/26/2012	3686	1555	1516.15	26	7

CONFIRMATION NO. 4338

21901
Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

FILING RECEIPT

Date Mailed: 02/01/2012

Receipt is acknowledged of this reissue patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Robert M. Allen, Richardson, TX;

Assignment For Published Patent Application

STONEEAGLE SERVICES, INC.

Power of Attorney: The patent practitioners associated with Customer Number 21901

Domestic Priority data as claimed by applicant

This application is a REI of 11/566,930 12/05/2006 PAT 7792686

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 01/31/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/358,620**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No
** **SMALL ENTITY** **

Title

MEDICAL BENEFITS PAYMENT SYSTEM

Preliminary Class

705

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13358620
Filing Date	2012-01-26
First Named Inventor	Robert M. ALLEN
Art Unit	3686
Examiner Name	NYA
Attorney Docket Number	1516.04RE

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6188766	B1	2001-02-13	Kocher	
	2	7072842	B2	2006-07-04	Provost, et al.	
	3	7246068	B2	2007-07-17	Thomas, Jr.	
	4	7958049	B2	2011-06-07	Jamison, et al.	
	5	7229011	B2	2007-06-12	Hansen, et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20070005402	A1	2007-01-04	Kennedy, et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
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	First Named Inventor	Robert M. ALLEN
	Art Unit	3686
	Examiner Name	NYA
	Attorney Docket Number	1516.04RE

	2	20080010096	A1	2008-01-10	Patterson, et al.	
	3	20110178816	A1	2011-07-21	Lee, et al.	
	4	20100030580	A1	2010-02-14	Salwan	
	5	20110184857	A1	2011-07-28	Shakkarwar	
	6	20050108153	A1	2005-05-19	Thomas, et al.	
	7	20070168283	A1	2007-07-19	Alvarez, et al.	
	8	20040172312	A1	2004-09-02	Selwanes, et al.	
	9	20080140447	A1	2008-06-12	Pourfallah, et al.	
	10	20100185466	A1	2010-07-22	Paradis, et al.	
	11	20090037333	A1	2009-02-05	Flitcroft, et al.	
	12	20110087598	A1	2011-04-14	Bozeman	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13358620
	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	3686
	Examiner Name	NYA
	Attorney Docket Number	1516.04RE

	13	20080281641	A1	2008-11-13	Pilzer, et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

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NON-PATENT LITERATURE DOCUMENTS Remove

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, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	SHINGLES, et al., "Next Phase of Medical Management Systems: Automating Administrative Transactions to Integrate Payors and Providers", JHIM: Journal of Healthcare Information Management.	☐
	2	BROUSSEAU, "IBML and the Move Toward Healthcare Electronification", Today, TAWPI, March/April, 2009, Pgs 8-10.	☐
	3	BAKER, "Persistence Pays When Posting Payments", Lockbox Payments, Today, TAWPI, November/December 2009, Pgs 22-23.	☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13358620
	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	3686
	Examiner Name	NYA
	Attorney Docket Number	1516.04RE

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13358620
	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	3686
	Examiner Name	NYA
	Attorney Docket Number	1516.04RE

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/anton hopen/	Date (YYYY-MM-DD)	2012-03-05
Name/Print	Anton Hopen	Registration Number	41,849

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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 record s.

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.

Electronic Acknowledgement Receipt	
EFS ID:	12221682
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	05-MAR-2012
Filing Date:	26-JAN-2012
Time Stamp:	14:22:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	Shingles-Next-Phase-of-Medical-Management-Systems.pdf	614640 da1568ff181d05a8e841a94dfa8b8d28c7b8b277	no	9

Warnings:	
Information:	

2	Non Patent Literature	Brousseau-IBML-and-the-Move-Toward-Healthcare-Electronification.pdf	154538 ef6c8154c4492a8d92aa7eea1e0fb940e29d030f	no	3
Warnings:					
Information:					
3	Non Patent Literature	Baker-Persistence-Pays-When-Posting-Payments.pdf	71142 ee7428f6835ff3081d48036d1b54064d74181227	no	2
Warnings:					
Information:					
4	Information Disclosure Statement (IDS) Form (SB08)	201203-IDS.pdf	612658 60a3e328b0c34cee37c025b7867c7becdf631609	no	6
Warnings:					
Information:					
			Total Files Size (in bytes):	1452978	

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.

<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.

<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.

<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.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

21901 7590 05/18/2012

Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

EXAMINER	
NGUYEN, HIEP VAN	
ART UNIT	PAPER NUMBER
3686	

NOTIFICATION DATE	DELIVERY MODE
05/18/2012	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):

patents@smithhopen.com
pair@smithhopen.com
anton.hopen@gmail.com

Office Action Summary	Application No.	Applicant(s)	
	13/358,620	ALLEN, ROBERT M.	
	Examiner	Art Unit	
	HIEP V. NGUYEN	3686	

-- 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 *01/26/2012*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ 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.

4)☐ 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

5)☒ Claim(s) *7-26* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *7-26* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ 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).

12)☐ 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

13)☐ 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 :03/05/2012, 01/31/2012, 01/26/2012.

DETAILED ACTION

1. Claims 7-26 have been examined.

Claim Objections

2. Claim 7-26 are objected to because of the following informalities:

Claims 7-26 are objected to qualify as a proper reissue amendment under 37 CFR 1.173 which requires that any claims added in the reissue must always be totally underlined and never contain any bracketing". Appropriate correction is required.

Claim 7 is objected to as failing to comply with 37 CFR 1.75(i), which requires that, "where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation." Applicant is required to either cancel the claim(s), or else to rewrite the claim(s) in proper form.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 7-11 and 18-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Based upon consideration of all of the relevant factors with respect to the claim as a whole, claim(s) 1-13 held to claim an abstract idea, and is/are therefore rejected as ineligible subject matter under 35 U.S.C. 101. The rationale for this finding is explained below:

Based on Supreme Court precedent (See also *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876)) and recent Federal Circuit decisions, a §101 process should ordinarily at least (1) be tied to a particular machine or apparatus (machine implemented) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In addition, the tie to a particular apparatus, for example, cannot be mere extra-solution activity. See *Bilski v. Kappos*, 95 USPQ2d 1001 (US 2010).

An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps.

To meet prong (1), the method step should positively recite the particular apparatus (the thing or product) to which it is tied. This may be accomplished by having the claim positively recite the machine that accomplishes the method steps. Alternatively or to meet prong (2), the method step should positively recite identifying the material that is being changed to a different state or positively recite the subject matter that is being transformed.

In this particular case, Claims 7 and 17 fail prong (1) because these claims recite a method comprising a plurality of steps, wherein the limitation "*loading a unique, single*

use, stored-value card account with an amount equal to a single, authorized benefit payment" is the insufficient recitation of machinery as in claim 7, and none of the recited steps require the particulars of a statutory machine as in claim 17. Therefore, any structure capable of performing the recited functionally may be reasonably enveloped by the claim. As such, the claim fails the "machine" test.

Dependent claim(s) 8-11 and 18-21 when analyzed as a whole are held to be ineligible subject matter and are rejected under 35 U.S.C. § 101 because the additional recited limitation(s) fail(s) to establish that the claim is not directed to an abstract idea: Claims 8-11 and 18-21 are rejected as each depends from claims 7 and 17 respectively.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 7-8, 11-13, 16-18, 21-23, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Cracchiolo et al. (US. 7,434,729 hereinafter Cracchiolo).

5. With respect to Claim 7, Cracchiolo teaches a method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment *('729; Col./line 7/27-8/4),*

generating an explanation of benefits associated with the payment *('729; Col./line 7/8-8/15);*

creating a computer- generated file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits *('729; Col. 7, lines 8-16)*; and

transmitting the file to the health care provider *(729; Col. 8, lines 11-15; Col. 12, lines 7-23).*

6. With respect to Claim 8, Cracchiolo teaches the method of claim 7 further comprising the step of reconciling the charged card account to confirm that the health care provider has received payment *('729; Col. 8, lines 6-9).*

7. With respect to Claim 11, Cracchiolo teaches the method of claim 7 wherein the stored-value card account is only chargeable through a medical services terminal *('729; Col. 7, lines 29-33).*

8. With respect to Claim 12, Cracchiolo teaches a system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:

an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient' s insurance company *('729; Col. 7, lines 10-16)*; and

a payment mechanism associated with the explanation of benefits, the payment mechanism including a stored-value card account number, a payment amount, a card verification value code, and an expiration date *('729; Col. 7, lines 8-10)*;

wherein the stored-value card account number is linked to a unique, single-use, stored- value card account prefunded with an amount equal to a single, authorized benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services ('729; Col./line 7/27-8/4).

9. With respect to Claim 13, Cracchiolo teaches the system of claim 12 wherein the charged card account is reconciled to confirm that the health care provider has received payment *('729; Col. 8, lines 6-9).*

10. With respect to Claim 16, Cracchiolo teaches the system of claim 12 wherein the stored-value card account is only chargeable through a medical services terminal *('729; Col. 7, lines 29-33).*

11. With respect to Claim 17 Cracchiolo teaches a computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising:

receiving an explanation of benefits related to medical services provided by a health care provider *('729; Col. 7, lines 10-17);*

receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment *('729; Col. 7, lines 8-10)*

funding a unique, single-use, stored-value card account with an amount equal to the authorized payment *('729; Col./lines 7/27-8/4);*

merging the explanation of benefits with the stored-value card account number, the authorized amount of payment, a card verification value code, and an expiration date in an electronic file *('729; Col./line 7/27-8/4);*

electronically sending the merged file to the health care provider as payment for the services *('729; Col./line 7/27-8/4).*

12. With respect to Claim 18, Cracchiolo teaches the method of claim 17 wherein the charged card account is reconciled to confirm that the health care provider has received payment *('729; Col. 8, lines 6-9).*

13. With respect to Claim 21, Cracchiolo teaches the method of claim 17 wherein the stored-value card account is only chargeable through a medical services terminal *('729; Col. 8, lines 6-9).*

14. With respect to Claim 22, Cracchiolo teaches a system for payment of health care benefits to a health care provider, the system comprising:

an administration system operable to receive a benefit claim the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment *('729; Col. 7, lines 10-17);*;

a card processing system operable to fund a single-use, stored-value card account with an amount equal to the approved payment, the card processing system also operable to merge the explanation of benefits with the stored-value card account number, the authorized amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim *('729; Col./line 7/27-8/4);*.

15. With respect to Claim 23, Cracchiolo teaches the system of claim 22 wherein the charged card account is reconciled to confirm that the health care provider has received payment *('729; Col. 8, lines 6-9).*

16. With respect to Claim 26, Cracchiolo teaches the system of claim 22 wherein the stored-value card account is only chargeable through a medical services terminal *('729; Col. 8, lines 6-9).*

Claim Rejections - 35 USC § 103

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 negatived by the manner in which the invention was made.

17. Claims 9, 14, 19, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cracchiolo et al. (US 7,434,729) in view of DiRienzo (US. 6,343,310).

18. With respect to Claim 9, Cracchiolo does not teach, according to the method of claim 7, further comprising the step of providing a computer- generated image of a physical card in the transmitted file.

However, DiRienzo discloses further comprising the step of providing a computer- generated image of a physical card in the transmitted file *('310; Col. 14, lines 1-9, lines 37-49).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of DiRienzo related to email form received by the organizations ('310; Abstract) into the teaching of Cracchiolo et al.

relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge ('729; Abstract) and the combination would have yielded predictable results.

19. With respect to Claim 14, Cracchiolo does not teach, according to the system of claim 12 wherein a computer-generated image of a physical card is provided in the electronically transmitted document.

However, DiRienzo discloses further comprising the step of providing a computer- generated image of a physical card in the transmitted file *('310; Col. 14, lines 1-9, lines 37-49).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of DiRienzo related to email form received by the organizations ('310; Abstract) into the teaching of Cracchiolo et al. relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge ('729; Abstract) and the combination would have yielded predictable results.

20. With respect to Claim 19, Cracchiolo does not teach, according to the method of claim 17 wherein a computer-generated image of a physical card is provided in the merged file.

However, DiRienzo discloses wherein a computer-generated image of a physical card is provided in the merged file *('310; Col. 14, lines 1-9, lines 37-49).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of DiRienzo related to email form received by the organizations ('310; Abstract) into the teaching of Cracchiolo et al. relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge ('729; Abstract) and the combination would have yielded predictable results.

21. With respect to Claim 24, Cracchiolo does not teach, according to the system of claim 22 wherein a computer-generated image of a physical card is provided in the electronic file.

However, DiRienzo discloses wherein a computer-generated image of a physical card is provided in the electronic file *('310; Col. 14, lines 1-9, lines 37-49).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of DiRienzo related to email form received by the organizations ('310; Abstract) into the teaching of Cracchiolo et al. relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge ('729; Abstract) and the combination would have yielded predictable results.

22. Claims 10, 15, 20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cracchiolo et al. (US 7,434,729) in view of DiRienzo (US. 6,343,310), and further in view of LLic (US. 20050122953).

23. With respect to Claim 10, the combined art /Cracchiolo/DiRienzo does not teach, according to the method of claim 7 wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

However, LLic discloses wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP ('953; Paras 0013-0014).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of LLic related to universal application of of the communication module and compatible data exchange as taught by LLic ('953; abstract) into the teaching of the combined art Cracchiolo et al./DiRenzio relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge and intergrated claims system('729 & '310; Abstract) and the combination would have yielded predictable results.

24. With respect to Claim 15, the combined art /Cracchiolo/DiRienzo does not teach, according to the system of claim 12 wherein the electronically transmitted document is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

However, LLic discloses wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP ('953; Paras 0013-0014).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of LLic related to universal application of of the communication module and compatible data exchange as taught by LLic ('953; abstract) into the teaching of the combined art Cracchiolo et al./DiRenzio relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge and intergrated claims system('729 & '310; Abstract) and the combination would have yielded predictable results.

25. With respect to Claim 20, the combined art /Cracchiolo/DiRienzo does not teach, according to the method of claim 17 wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

However, LLic discloses wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP ('953; Paras 0013-0014).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of LLic related to universal application of of the communication module and compatible data exchange as taught by LLic ('953; abstract) into the teaching of the combined art Cracchiolo et al./DiRenzio

relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge and intergrated claims system('729 & '310; Abstract) and the combination would have yielded predictable results.

26. With respect to Claim 25, the combined art /Cracchiolo/DiRienzo does not teach, according to the system of claim 22 wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

However, LLic discloses wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP ('953; Paras 0013-0014).

27. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of LLic related to universal application of of the communication module and compatible data exchange as taught by LLic ('953; abstract) into the teaching of the combined art Cracchiolo et al./DiRenzio relating the use of healthcare cards of funding sources of the purchaser from which to draw funds for payment of charge and integrated claims system('729 & '310; Abstract) and the combination would have yielded predictable results.

Allowable Subject Matter

28. Claims 1-6 are allowed.

The following is a statement of reasons for the indication of allowable subject matter.

With respect to Claims 1, 2 and 6, the prior art of record fails to disclose the stored value card is loaded with funds equal to the authorized benefit payment, and creating a computer-generated image file containing the stored-value card account number, a card verification value code, an expiration date, an explanation of benefits

Claims 3-5 incorporate all the limitations of claim 2 and are allowed for the same reasons given above.

Conclusion

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HIEP V. NGUYEN whose telephone number is (571) 270-5211. The examiner can normally be reached on Monday through Friday between 8:00AM and 5:00PM.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on 5712726787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

31. 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.

32. Official replies to this Office action may now be submitted electronically by registered users of the EFS-Web system. Information on EFS-Web tools is available on the Internet at: *http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp*. An EFS-Web Quick-Start Guide is available at: *http://www.uspto.gov/ebc/portal/efs/quick-start.pdf*.

33. Alternatively, official replies to this Office action may still be submitted by any ***one*** of fax, mail, or hand delivery. **Faxed replies should be directed to the central fax at (571) 273-8300**. Mailed replies should be addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450." Hand delivered replies should be delivered to the "Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314."

/HIEP V NGUYEN/
Examiner, Art Unit 3686

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CONFIRMATION NO. 4338

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/358,620	01/26/2012 RULE	705	3686	1516.04RE

APPLICANTS
Robert M. Allen, Richardson, TX;

**** CONTINUING DATA ***************************
This application is a REI of 11/566,930 12/05/2006 PAT 7,792,686

**** FOREIGN APPLICATIONS ***************************

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
01/31/2012

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /HIEP VAN NGUYEN/ Examiner's Signature	☐ Met after Allowance HVN Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		TX	4	26	7

ADDRESS

Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677
UNITED STATES

TITLE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13358620
Filing Date	2012-01-26
First Named Inventor	Robert M. ALLEN
Art Unit	3686
Examiner Name	NYA
Attorney Docket Number	1516.04RE

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6188766	B1	2001-02-13	Kocher	
	2	7072842	B2	2006-07-04	Provost, et al.	
	3	7246068	B2	2007-07-17	Thomas, Jr.	
	4	7958049	B2	2011-06-07	Jamison, et al.	
	5	7229011	B2	2007-06-12	Hansen, et al.	

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	1	20070005402	A1	2007-01-04	Kennedy, et al.	

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Receipt date: 03/05/2012	Application Number	13358620	13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2012-01-26	
(Not for submission under 37 CFR 1.99)	First Named Inventor	Robert M. ALLEN	
	Art Unit	3686	
	Examiner Name	NYA	
	Attorney Docket Number	1516.04RE	

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Receipt date: 03/05/2012	Application Number	13358620 13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	3686
	Examiner Name	NYA
	Attorney Docket Number	1516.04RE

	13	20080281641	A1	2008-11-13	Pilzer, et al.	

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EXAMINER SIGNATURE

Examiner Signature	/Hiep Nguyen/	Date Considered	05/15/2012

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

Receipt date: 03/05/2012	Application Number	13358620 13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
(Not for submission under 37 CFR 1.99)	Art Unit	3686
	Examiner Name	NYA
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Receipt date: 03/05/2012	Application Number		13358620 13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date		2012-01-26
	First Named Inventor	Robert M. ALLEN	
	Art Unit		3686
	Examiner Name	NYA	
	Attorney Docket Number		1516.04RE

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/anton hopen/	Date (YYYY-MM-DD)	2012-03-05
Name/Print	Anton Hopen	Registration Number	41,849

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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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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.

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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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	
	Filing Date	2012-01-26
	First Named Inventor	ALLEN, Robert
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1516.15

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6901387	B2	2005-05-31	Wells, et al.	
	2	7792686	B2	2010-09-07	Allen	
	3	6343310	B1	2002-01-29	DiRienzo	
	4	7434729	B2	2008-10-14	Cracchiolo, et al.	
	5	7590557	B2	2009-09-15	Harrison, et al.	
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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20050122953	A1	2005-06-09	Ilic	

Receipt date: 01/26/2012	Application Number	13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2012-01-26
(Not for submission under 37 CFR 1.99)	First Named Inventor	ALLEN, Robert
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1516.15

	2	20050086075	A1	2005-04-21	Kaehler, et al.	
	3	20020077837	A1	2002-06-20	Krueger, et al.	

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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, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
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[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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Receipt date: 01/26/2012	Application Number	13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-26
	First Named Inventor	ALLEN, Robert
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1516.15

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OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/anton j hopen/	Date (YYYY-MM-DD)	2012-01-26
Name/Print	Anton J. Hopen	Registration Number	41849

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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.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13358620
	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	NYA
	Examiner Name	NYA
	Attorney Docket Number	1516.04.RE

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	7853524	B2	2010-12-14	Kight, et al.	
	2	7792749	B2	2010-09-07	Ganesan	
	3	7383223	B1	2008-06-03	Dilip, et al.	

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	1	20050209964	A1	2005-09-22	Allen, et al.	

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

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Receipt date: 01/31/2012	Application Number	13358620 13358620 - GAU: 3686
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-26
	First Named Inventor	Robert M. ALLEN
	Art Unit	NYA
	Examiner Name	NYA
	Attorney Docket Number	1516.04.RE

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	1		☐

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EXAMINER SIGNATURE

Examiner Signature	/Hiep Nguyen/	Date Considered	05/10/2012

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[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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	First Named Inventor	Robert M. ALLEN	
	Art Unit	NYA	
	Examiner Name	NYA	
	Attorney Docket Number	1516.04.RE	

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☒ A certification statement is not submitted herewith.

SIGNATURE

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Signature	/anton j. hopen/	Date (YYYY-MM-DD)	2012-01-31
Name/Print	Anton J. Hopen	Registration Number	41849

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13358620	ALLEN, ROBERT M.
	Examiner	Art Unit
	HIEP V NGUYEN	3686

✓	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	05/10/2012								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								
	15	✓								
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	18	✓								
	19	✓								
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	21	✓								
	22	✓								
	23	✓								
	24	✓								
	25	✓								
	26	✓								

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
Robert M. ALLEN
Reissue Application No.: 13/358,620
Filed: January 26, 2012
Title: MEDICAL BENEFITS PAYMENT SYSTEM

Confirmation Number: 4338
Art Unit: 3686
Examiner: Nguyen, Hiep V.
Customer No.: 21,901

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

AMENDMENT A

Responsive to May 18, 2012 Action

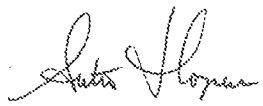
Sir:

Responsive to the non-final action transmitted May 18, 2012 having a shortened statutory period for response of August 18, 2012, Applicant responds as follows. Amendments to the Claims are reflected in the listing of claims on pages 2-6 of this paper. Remarks on page 7 of this paper.

ELECTRONIC FILING

I HEREBY CERTIFY that this response is electronically submitted to the United States Patent and Trademark Office on June 28, 2012.

Dated: June 28, 2012



Anton Hopen

Amendments to the Claims:

1. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

   loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

   generating an explanation of benefits associated with the payment;

   creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

   transmitting the image file by fax to the health care provider; and

   reconciling the charged card account to confirm that the health care provider has received payment.

2. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider comprising:

   identifying the health care provider that renders medical services in anticipation of payment; identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions;

   identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and authorizes payment of the service provider for an authorized amount;

   intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider;

   acquiring a single-use, stored-value card account number and loading it with funds equal to the authorized amount; merging the stored-value card account number, the authorized amount, a card verification value code, and an expiration date with the explanation of benefits into a computer-generated image file; and

   transmitting the image file to the health care provider via a computer-implemented transmission.

3. (original) The method of claim 2 wherein the image file is transmitted by fax.

4. (original) The method of claim 2 further comprising the step of reconciling the charge incurred against the stored-value card account number to confirm the health care provider has been paid for the services approved by the administrator.

5. (original) The method of claim 2 wherein the stored-value card account number is chargeable only through a medical services terminal.

6. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

   loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

   generating an explanation of benefits associated with the payment;

   creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

   transmitting the image file by a computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP to the health care provider wherein the electronic transmission includes a computer-generated image of a physical card; and

   reconciling the charged card account to confirm that the health care provider has received payment.

7. (currently amended) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

   loading a unique, ~~single-use~~ stored-value card account by one or more computers with an amount equal to a single, ~~authorized~~ adjudicated benefit payment~~.~~;

   generating an explanation of benefits associated with the payment;

   creating a computer-generated file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits by said one or more computers; and

   transmitting the file by said one or more computers to the health care provider.

8. (previously presented) The method of claim 7 further comprising the step of reconciling the charged card account to confirm that the health care provider has received payment.

9. (previously presented) The method of claim 7 further comprising the step of providing a computer-generated image of a physical card in the transmitted file.

10. (previously presented) The method of claim 7 wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

11. (previously presented) The method of claim 7 wherein the stored-value card account is only chargeable through a medical services terminal.

12. (currently amended) A system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:

an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient's insurance company; and

a payment mechanism associated with the explanation of benefits, the payment mechanism ~~including~~ merging a stored-value card account number, a payment amount, a card verification value code, and an expiration date with the explanation of benefits into a document by one or more computers;

wherein the stored-value card account number is linked to a unique, ~~single-use,~~ stored-value card account prefunded with an amount equal to a single, ~~authorized~~ adjudicated benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services by said one or more computers.

13. (previously presented) The system of claim 12 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

14. (previously presented) The system of claim 12 wherein a computer-generated image of a physical card is provided in the electronically transmitted document.

15. (previously presented) The system of claim 12 wherein the electronically transmitted document is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.
16. (previously presented) The system of claim 12 wherein the stored-value card account is only chargeable through a medical services terminal.
17. (currently amended) A computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising:

receiving an explanation of benefits related to medical services provided by a health care provider;

receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;

funding a unique, ~~single-use,~~ stored-value card account with an amount equal to the ~~authorized~~ adjudicated payment by one or more computers;

merging the explanation of benefits with the stored-value card account number, the ~~authorized~~ adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file by said one or more computers; and

electronically sending the merged file to the health care provider as payment for the services by said one or more computers.

18. (previously presented) The method of claim 17 wherein the charged card account is reconciled to confirm that the health care provider has received payment.
19. (previously presented) The method of claim 17 wherein a computer-generated image of a physical card is provided in the merged file.
20. (previously presented) The method of claim 17 wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.
21. (previously presented) The method of claim 17 wherein the stored-value card account is only chargeable through a medical services terminal.

22. (currently amended) A system for payment of health care benefits to a health care provider, the system comprising:

an administration system operable to receive a benefit claim the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment; and

a card processing system operable to fund a ~~single-use~~ stored-value card account with an amount equal to the approved payment by one or more computers, the card processing system also operable to merge the explanation of benefits with the stored-value card account number by said one or more computers, the ~~authorized~~ adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim by said one or more computers.

23. (previously presented) The system of claim 22 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

24. (previously presented) The system of claim 22 wherein a computer-generated image of a physical card is provided in the electronic file.

25. (previously presented) The system of claim 22 wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

26. (previously presented) The system of claim 22 wherein the stored-value card account is only chargeable through a medical services terminal.

REMARKS

1. Applicant notes claims 1-26 have been examined as claims 1-6 were found allowable and claims 7-26 currently stand rejected.

2. Claims 7-26 stand objected to on two informalities:

    a. Claims 7-26 stand objected to as they are not underlined per 37 C.F.R. 1.173. Applicant has underlined claims 7-26.

    b. Claim 7 stands objected to as its steps are not separated by a line indentation per 37 C.F.R. 1.75(i). Applicant has rewritten the claim in proper form.

3. Claims 7-11 and 18-21 stand rejected under 35 U.S.C. 101 as non-statutory subject matter. Applicant has amended the claims to recite a computer effecting the steps of the claimed invention.

4. Claims 7-8, 11-13, 16-18, 12-23, and 26 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 7,434,729 to Cracchiolo (herein Cracchiolo).

5. Applicant gratefully thanks Examiner for his time on June 28, 2012 discussing the teachings of Cracchiolo with undersigned in view of Applicants' claimed invention. It is undersigned belief the rejection is withdrawn.

6. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 8.

7. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 11.

8. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 12.

9. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 13.

10. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 16.

11. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 17.

12. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 18.

13. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 21.

14. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 22.

15. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 23.

16. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo is withdrawn with respect to claim 26.

17. Claims 9, 14, 19 and 24 stand rejected under 35 U.S.C. 103(a) over Cracchiolo in view of DiRienzo (US 6343310).

18. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo is withdrawn with respect to claim 9.

19. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo is withdrawn with respect to claim 14.

20. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo is withdrawn with respect to claim 19.

21. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo is withdrawn with respect to claim 24.

22. Claims 10, 15, 20 and 25 stand rejected under 35 U.S.C. 103(a) over Cracchiolo in view of DiRienzo and further in view of LLic (US 20050122953).

23. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo and further in view of LLic is withdrawn with respect to claim 10.

24. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo and further in view of LLic is withdrawn with respect to claim 15.

25. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo and further in view of LLic is withdrawn with respect to claim 20.

26. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo and further in view of LLic is withdrawn with respect to claim 25.

27. Responsive to the June 28, 2012 interview, it is understood that the rejection based on Cracchiolo in view of DiRienzo and further in view of LLic is withdrawn with respect to claim 10, 15, 20 and 25.

28. Applicant gratefully thanks Examiner for finding original claims 1-6 allowable.

29. Applicant appreciates Examiner's availability for further discussion.

30. Applicant acknowledges the contact information for his supervisor.

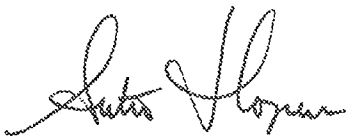
31. Applicant acknowledges the availability of case status information through PAIR.

32. Applicant acknowledges the availability of the electronic filing system.

33. Applicant acknowledges alternative submission systems.

In conclusion, Applicant thanks examiner Nyuyen, Morgan and Sorey for their time today and advancing this important case to allowance.

Very respectfully,
SMITH & HOPEN



By: Anton J. Hopen

Dated: June 28, 2012
Reg. No. 41,849
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone
(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

Electronic Acknowledgement Receipt

EFS ID:	13136736
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	28-JUN-2012
Filing Date:	26-JAN-2012
Time Stamp:	18:33:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	1516-04-RE-Amendment-A.pdf	233902 d449e8e500dd8047e272071433b723d7c430fa96	no	9

Warnings:	
Information:	

Total Files Size (in bytes):	233902

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

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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

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PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/358,620	01/26/2012	

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)	SMALL ENTITY ☒		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ 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).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT	06/28/2012	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 26	Minus	** 26	= 0	X $30 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 7	Minus	***7	= 0	X $125 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						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:
/NINA RATANAVONG/

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

21901 7590 07/06/2012

Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

EXAMINER	
NGUYEN, HIEP VAN	
ART UNIT	PAPER NUMBER
3686	

NOTIFICATION DATE	DELIVERY MODE
07/06/2012	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):

patents@smithhopen.com
pair@smithhopen.com
anton.hopen@gmail.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	13/358,620	ALLEN, ROBERT M.	
	Examiner	Art Unit	
	HIEP V. NGUYEN	3686	

All participants (applicant, applicant's representative, PTO personnel):

(1) *HIEP V. NGUYEN*.

(2) *ROBERT MORGAN*.

(3) *ANTON HOPEN (REG. 41,849)*.

(4) *ROBERT SOREY*.

Date of Interview: *28 June 2012*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☐ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☒102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *1 and 7*.

Identification of prior art discussed: *CRACCHIOLO (US. 7,434,729)*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Discussed potential amendments for claims 1 through 7 that preliminarily appear to overcome prior art rejection and 101 issues, and subjected to further search consideration.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/HIEP V NGUYEN/ Examiner, Art Unit 3686	

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	13358620	Confirmation No. 4338
Applicant	:	Allen, Robert M.	
Filed	:	January 26, 2012	
TC/A.U.	:	3686	
Examiner	:	Nguyen, Hiep V.	
Docket No.	:	1516.04.RE	
Customer No.	:	21,901	

Commission for Patents
P.O. Box 1450
Alexandria VA 22313-1450

INTERVIEW SUMMARY
37 CFR §1.33(b)

Sir:

In response to the interview conducted June 28, 2012 at the United States Patent & Trademark Office, Applicant submits the following statement of substance of the interview. Present were Examiners Robert Sorey, Hiep V. Nguyen, Robert Morgan and the undersigned. A PowerPoint presentation was shown. Claims 1 and 7 were discussed in view of Cracchiolo (US Pat. 7434729). 102 and 101 issues were addressed to put the application in a condition for allowance. No final agreement was reached as to the allowability of the claims as a subsequent search and further consideration by the Office is necessary.

Very respectfully,

SMITH & HOPEN

By: /anton j. hopen/

Dated: July 6, 2012

Anton J. Hopen
Reg. No. 41,849
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone
(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY that this correspondence is being transmitted electronically to the United States Patent and Trademark Office on July 6, 2012.

Dated: July 6, 2012

/kari mcdermott/
Kari McDermott

Electronic Acknowledgement Receipt	
EFS ID:	13188132
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	06-JUL-2012
Filing Date:	26-JAN-2012
Time Stamp:	11:39:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant summary of interview with examiner	1516-04-RE-Statement-of-Substance-of-Interview.pdf	79430 25a8911e1ca3027281d248c761537b9cd3(a0fd7	no	1

Warnings:	
Information:	

Total Files Size (in bytes):	79430

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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

In re PATENT APPLICATION of:	Confirmation Number: 4338
Robert M. ALLEN	Art Unit: 3686
Reissue Application No.: 13/358,620	Examiner: Nguyen, Hiep V.
Filed: January 26, 2012	Customer No.: 21,901
Title: MEDICAL BENEFITS PAYMENT SYSTEM	

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

SUPPLEMENTAL AMENDMENT B

Responsive to May 18, 2012 Action – Update to June 28, 2012 Amendment A

Sir:

Responsive to the non-final action transmitted May 18, 2012 having a shortened statutory period for response of August 18, 2012, Applicant files this Supplemental Amendment B further amending the claims as amended June 28, 2012.

Amendments to the Claims are reflected in the listing of claims on pages 2-8 of this paper.

EFS SUBMISSION

I HEREBY CERTIFY that this response is submitted electronically to the United States Patent and Trademark Office on July 19, 2012.

Dated: July 19, 2012

/kari mcdermott/
Kari McDermott

Very respectfully,

SMITH & HOPEN

By: /anton j. hopen/

Dated: July 19, 2012

Anton J. Hopen
Reg. No. 41,849
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone
(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

Electronic Acknowledgement Receipt

EFS ID:	13280304
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	19-JUL-2012
Filing Date:	26-JAN-2012
Time Stamp:	09:39:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Supplemental Response or Supplemental Amendment	1516-04-RE-Amendment_B_SUPPLEMENTALv1-.pdf	159985 ad948dfdd5b6f886bccb82f5806143614404 87b1e	no	9

Warnings:	
Information:	

Total Files Size (in bytes):	159985

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Amendments to the Claims:

1. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

   loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

   generating an explanation of benefits associated with the payment;

   creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

   transmitting the image file by fax to the health care provider; and

   reconciling the charged card account to confirm that the health care provider has received payment.

2. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider comprising:

   identifying the health care provider that renders medical services in anticipation of payment; identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions;

   identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and authorizes payment of the service provider for an authorized amount;

   intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider;

   acquiring a single-use, stored-value card account number and loading it with funds equal to the authorized amount; merging the stored-value card account number, the authorized amount, a card verification value code, and an expiration date with the explanation of benefits into a computer-generated image file; and

transmitting the image file to the health care provider via a computer-implemented transmission.

3. (original) The method of claim 2 wherein the image file is transmitted by fax.

4. (original) The method of claim 2 further comprising the step of reconciling the charge incurred against the stored-value card account number to confirm the health care provider has been paid for the services approved by the administrator.

5. (original) The method of claim 2 wherein the stored-value card account number is chargeable only through a medical services terminal.

6. (original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;
generating an explanation of benefits associated with the payment;
creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;
transmitting the image file by a computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP to the health care provider wherein the electronic transmission includes a computer-generated image of a physical card; and
reconciling the charged card account to confirm that the health care provider has received payment.

7. (currently amended) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, stored-value card account by one or more computers with an amount equal to a single, adjudicated ~~authorized~~ benefit payment, generating an explanation of benefits associated with the payment;

creating a computer-generated file containing the stored-value card account number, the adjudicated benefit payment amount, a card verification value code, an expiration date, and the explanation of benefits by one or more computers; and

transmitting the file by one or more computers to the health care provider.

8. (previously presented) The method of claim 7 further comprising the step of reconciling the charged card account to confirm that the health care provider has received payment.

9. (previously presented) The method of claim 7 further comprising the step of providing a computer-generated image of a physical card in the transmitted file.

10. (previously presented) The method of claim 7 wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

11. (previously presented) The method of claim 7 wherein the stored-value card account is only chargeable through a medical services terminal.

12. (currently amended) A system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:

an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and

an amount paid by the patient's insurance company; and

a payment mechanism associated with the explanation of benefits, the payment mechanism ~~including~~ merging a stored-value card account number, an adjudicated benefit payment amount, a card verification value code, and an expiration date with the explanation of benefits into a document by one or more computers;

wherein the stored-value card account number is linked to a unique, stored-value card account prefunded with an amount equal to a single, ~~authorized~~ adjudicated benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services by said one or more computers.

13. (previously presented) The system of claim 12 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

14. (previously presented) The system of claim 12 wherein a computer-generated image of a physical card is provided in the electronically transmitted document.

15. (previously presented) The system of claim 12 wherein the electronically transmitted document is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

16. (previously presented) The system of claim 12 wherein the stored-value card account is only chargeable through a medical services terminal.

17. (currently amended) A computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising:

receiving an explanation of benefits related to medical services provided by a health care provider;

receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;

funding a unique, stored-value card account with an amount equal to the adjudicated benefit ~~authorized~~ payment by one or more computers;

merging the explanation of benefits with the stored-value card account number, the adjudicated benefit ~~authorized~~ amount of payment, a card verification value code, and an expiration date in an electronic file by said one or more computers; and

electronically sending the merged file to the health care provider as payment for the services by said one or more computers.

18. (previously presented) The method of claim 17 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

19. (previously presented) The method of claim 17 wherein a computer-generated image of a physical card is provided in the merged file.

20. (previously presented) The method of claim 17 wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

21. (previously presented) The method of claim 17 wherein the stored-value card account is only chargeable through a medical services terminal.

22. (currently amended) A system for payment of health care benefits to a health care provider, the system comprising:

an administration system operable to receive a benefit claim the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment; and

a card processing system operable to fund a stored-value card account with an amount equal to the approved payment by one or more computers, the card processing system also operable to merge the explanation of benefits with the stored-value card account number by one or more computers, the ~~authorized~~ adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim by one or more computers.

23. (previously presented) The system of claim 22 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

24. (previously presented) The system of claim 22 wherein a computer-generated image of a physical card is provided in the electronic file.

25. (previously presented) The system of claim 22 wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

26. (previously presented) The system of claim 22 wherein the stored-value card account is only chargeable through a medical services terminal.

EIC 3700
SEARCH REPORT

STIC Database Tracking Number: 398328

To: HIEP NGUYEN	From: TERRENCE SOLOMON
Location: KNX-6B85	Location: EIC3700
Art Unit: 3686	RND-8B31
Tuesday, July 24, 2012	Phone: (571)272-3509
Case Serial Number: 13/358620	terrence.solomon@uspto.gov

Search Notes

US pat. 7792686 is involved in 1 ongoing federal court case, and no other legal proceedings.

Sources:

- Lexis (1)
- Courtlink (1)
- Lit Alert (1)

566930 (11) 7792686 September 7, 2010

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

7792686

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September 7, 2010

Medical benefits payment system

REEXAM-LITIGATE:

NOTICE OF LITIGATION

Stoneeagle Services Inc v. Gillman et al, Filed September 16, 2011, D.C. N.D. Texas, Doc. No. 3:11cv2408

REISSUE:
January 26, 2012 - Reissue Application filed, Ex. Gp.: 3686; , (O.G. February 21, 2012)

APPL-NO: 566930 (11)

FILED-DATE: December 5, 2006

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LEGAL-REP: Hopen, Anton J. ; Smith & Hopen, PA

LEGAL-STATUS:
December 15, 2006 - ASSIGNMENT

ASST-EXMR: Nguyen, Hiep V.

CORE TERMS: card, provider, health care, stored-value, payer's, administrator, debit, medical services, transmitted, payable, credit cards, funding, account number, facilitating, transmission, terminal, entity, benefits payment, expiration date, electronically, transmitting, concurrently, verification, adjudicate, patient, merged, user, fax, benefit plan, invention described

Source: **Legal > / . . . / > Utility, Design and Plant Patents**
Terms: **patno=7792686** (Suggest Terms for My Search)
View: *Custom*
Segments: Asst-exmr, Cert-correction, Exmr, Legal-rep, Legal-status, Lit-reex, Prim-exmr, Reexam-litigate, Reissue, Reissue-comment
Date/Time: Tuesday, July 24, 2012 - 10:48 AM EDT

File 670:LitAlert 1973-2012/UD=201229
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Set	Items	Description

? **s pn=us 7792686**

S1	1	PN=US 7792686

? **t/7/1**

1/7/1
DIALOG(R)File 670: LitAlert

00104765
LitAlert Number: P2011-38-167
Record (Document) Type: Patent (Utility)
Patent Title: Medical benefits payment system

Patent Number (Date): US 7792686 (20100907)
Patent Assignee: StoneEagle Services Inc, Richardson, TX
Inventor: Allen, Robert M, Richardson, TX
US Class Titles (Codes): data processing: financial, business practice, management or cost/price determination (705002000)
Court - Docket Number: Texas, Northern Dist - 3-11CV02408
Plaintiff: STONEEAGLE SERVICES INC
Defendant: GILLMAN, DAVID; TALON TRANSACTION TECHNOLOGIES INC; TALON TRANSACTION TECHNOLOGIES INC
Filing Date: 20110916
Action Taken: cause - 28 USC 1338 - complaint for PATENT INFRINGEMENT

LexisNexis CourtLink

Click a docket number below to view a docket.

Patent Search Results

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Results: 1 cases and their patents, totaling 1 items.

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Items 1 to 1 of 1

Patent	Class	Subclass	Description	Court (All)	Docket Number	Filed	Date Retrieved
7,792,686	705	2	Stoneeagle Services Inc V. Gillman Et Al	US-DIS-TXND	3:11cv2408	9/16/2011	7/24/2012

Items 1 to 1 of 1

Update Docket(s) Email Docket(s)

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US District Court Civil Docket

U.S. District - Texas Northern
(Dallas)

3:11cv2408

Stoneeagle Services Inc v. Gillman et al

This case was retrieved from the court on Tuesday, July 24, 2012

Date Filed:	**09/16/2011**	**Class Code:**	**OPEN**
Assigned To:	**Judge Jorge A Solis**	**Closed:**	**No**
Referred To:		**Statute:**	**28:1338**
Nature of suit:	**Patent (830)**	**Jury Demand:**	**Both**
Cause:	**Patent Infringement**	**Demand Amount:**	**$0**
Lead Docket:	**None**	**NOS Description:**	**Patent**
Other Docket:	**None**		
Jurisdiction:	**Federal Question**		

Litigants	Attorneys
Stoneeagle Services Inc Plaintiff	Beverly A Whitley [COR LD NTC] Bell Nunnally & Martin 3232 Mckinney Ave suite 1400 dallas, Tx 75204-2429 214/740-1473 fax: 214/740-1499 <i>bar Status: Admitted/In Good Standing</I> Email: Beverlyw@bellnunnally.Com Christopher B Trowbridge [COR LD NTC] Bell Nunnally & Martin LLP McKinney Plaza 3232 Mckinney Ave Suite 1400 dallas, Tx 75204-2429 214/740-1400 fax: 214/740-1499 <i>bar Status: Admitted/In Good Standing</I> Email: Christophert@bellnunnally.Com Craig Joseph Cox [COR LD NTC] Bell Nunnally & Martin 3232 Mckinney Avenue suite 1400 dallas, Tx 75204-2429 214/740-1400 fax: 214/740-1499 <i>bar Status: Admitted/In Good Standing</I> Email: Craigc@bellnunnally.Com

Donnie Wilson Wisenbaker , Jr
[COR LD NTC]
Bell Nunnally & Martin LLP
3232 Mckinney Ave
suite 1400
dallas, Tx 75204-2429
214/740-1412
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Donniew@bellnunnally.Com

R Heath Cheek
[COR LD NTC]
Bell Nunnally & Martin LLP
3232 Mckinney Ave
suite 1400
dallas, Tx 75204-2429
214/740-1449
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Heathc@bellnunnally.Com

Ross Angus Williams
[COR LD NTC]
Bell Nunnally & Martin LLP
3232 Mckinney Ave
suite 1400
dallas, Tx 75204
214/740-1432
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Rossw@bellnunnally.Com

David Gillman
Defendant

Shawn E Tuma
[COR LD NTC]
Britton Tuma
7161 Bishop Road
suite 220
plano, Tx 75024
469/635-1335
fax: 972/767-3181
<i>bar Status: Admitted/In Good Standing</I>

Email: Stuma@brittontuma.Com

Catherine Hough
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972/826-4463
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Chough@dallasbusinesslaw.Com

Clark Anthony Donat
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800

dallas, Tx 75202-2711
214/758-1043
fax: 800/404-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Clark.Donat@bgllp.Com

Danise A McMahon
[COR LD NTC]
Ferguson Law Group, PC
2500 Dallas Parkway, Suite 260
suite 260
plano, Tx 75093
972-378-9111
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Dmcmahon@dallasbusinesslaw.Com

Jason A Wietjes
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75201
214/758-1035
<i>bar Status: Admitted/In Good Standing</I>

Email: Jason.Wietjes@bgllp.Com

Lauren Julia Brown
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75202
214/468-3800
fax: 800/400-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Lauren.Brown@bgllp.Com

Michael D Pegues
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202
214-758-1091
fax: 214-758-8391
<i>bar Status: Admitted/In Good Standing</I>

Email: Michael.Pegues@bgllp.Com

Paul Flannigan
[COR LD NTC]
Pearce Ferguson & Krueger PC
2805 Dallas Parkway
suite 230
piano, Tx 75093
972/378-9111
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Pflannigan@mac.Com

Ruben C Deleon

[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972-826-4457
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Rdeleon@deleonlawgroup.Com

Talon Transaction Technologies Inc A Texas Corporation
Defendant

Shawn E Tuma
[COR LD NTC]
Britton Tuma
7161 Bishop Road
suite 220
plano, Tx 75024
469/635-1335
fax: 972/767-3181
<i>bar Status: Admitted/In Good Standing</I>

Email: Stuma@brittontuma.Com

Catherine Hough
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972/826-4463
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Chough@dallasbusinesslaw.Com

Clark Anthony Donat
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202-2711
214/758-1043
fax: 800/404-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Clark.Donat@bgllp.Com

Danise A McMahon
[COR LD NTC]
Ferguson Law Group, PC
2500 Dallas Parkway, Suite 260
suite 260
plano, Tx 75093
972-378-9111
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Dmcmahon@dallasbusinesslaw.Com

Jason A Wietjes
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75201
214/758-1035

<i>bar Status: Admitted/In Good Standing</I>

Email: Jason.Wietjes@bgllp.Com

Lauren Julia Brown
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75202
214/468-3800
fax: 800/400-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Lauren.Brown@bgllp.Com

Michael D Pegues
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202
214-758-1091
fax: 214-758-8391
<i>bar Status: Admitted/In Good Standing</I>

Email: Michael.Pegues@bgllp.Com

Paul Flannigan
[COR LD NTC]
Pearce Ferguson & Krueger PC
2805 Dallas Parkway
suite 230
plano, Tx 75093
972/378-9111
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Pflannigan@mac.Com

Ruben C Deleon
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972-826-4457
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Rdeleon@deleonlawgroup.Com

Talon Transaction Technologies Inc an Oklahoma Corporation
Defendant

Shawn E Tuma
[COR LD NTC]
Britton Tuma
7161 Bishop Road
suite 220
plano, Tx 75024
469/635-1335
fax: 972/767-3181
<i>bar Status: Admitted/In Good Standing</I>

Email: Stuma@brittontuma.Com

Catherine Hough
[COR LD NTC]

Ferguson Law Group PC
2500 Dallas Parkway
suite 260
piano, Tx 75093
972/826-4463
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Chough@dallasbusinesslaw.Com

Clark Anthony Donat
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202-2711
214/758-1043
fax: 800/404-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Clark.Donat@bgllp.Com

Danise A McMahon
[COR LD NTC]
Ferguson Law Group, PC
2500 Dallas Parkway, Suite 260
suite 260
piano, Tx 75093
972-378-9111
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Dmcmahon@dallasbusinesslaw.Com

Jason A Wietjes
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75201
214/758-1035
<i>bar Status: Admitted/In Good Standing</I>

Email: Jason.Wietjes@bgllp.Com

Lauren Julia Brown
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75202
214/468-3800
fax: 800/400-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Lauren.Brown@bgllp.Com

Michael D Pegues
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202
214-758-1091
fax: 214-758-8391
<i>bar Status: Admitted/In Good Standing</I>

	Email: Michael.Pegues@bgllp.Com Paul Flannigan [COR LD NTC] Pearce Ferguson & Krueger PC 2805 Dallas Parkway suite 230 plano, Tx 75093 972/378-9111 fax: 972/378-9115 <i>bar Status: Admitted/In Good Standing</I> Email: Pflannigan@mac.Com Ruben C Deleon [COR LD NTC] Ferguson Law Group PC 2500 Dallas Parkway suite 260 plano, Tx 75093 972-826-4457 fax: 972-378-9115 <i>bar Status: Admitted/In Good Standing</I> Email: Rdeleon@deleonlawgroup.Com
Adr Provider [Term: 06/28/2012] Mediator	Jay J Madrid [COR LD NTC] Winstead Sechrest & Minick Renaissance Tower 1201 Elm St suite 5400 dallas, Tx 75270-2120 214/745-5400 fax: 214/745-5390 Fax <i>bar Status: Admitted/In Good Standing</I> Email: Jmadrid@winstead.Com
Talon Transaction Technologies Inc A Texas Corporation *Counter Claimant*	Shawn E Tuma [COR LD NTC] Britton Tuma 7161 Bishop Road suite 220 plano, Tx 75024 469/635-1335 fax: 972/767-3181 <i>bar Status: Admitted/In Good Standing</I> Email: Stuma@brittontuma.Com Catherine Hough [COR LD NTC] Ferguson Law Group PC 2500 Dallas Parkway suite 260 plano, Tx 75093 972/826-4463 fax: 972/378-9115 <i>bar Status: Admitted/In Good Standing</I> Email: Chough@dallasbusinesslaw.Com *Clark Anthony Donat* [COR LD NTC] Bracewell & Giuliani LLP

1445 Ross Avenue
suite 3800
dallas, Tx 75202-2711
214/758-1043
fax: 800/404-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Clark.Donat@bgllp.Com

Danise A McMahon
[COR LD NTC]
Ferguson Law Group, PC
2500 Dallas Parkway, Suite 260
suite 260
plano, Tx 75093
972-378-9111
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Dmcmahon@dallasbusinesslaw.Com

Jason A Wietjes
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75201
214/758-1035
<i>bar Status: Admitted/In Good Standing</I>

Email: Jason.Wietjes@bgllp.Com

Lauren Julia Brown
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75202
214/468-3800
fax: 800/400-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Lauren.Brown@bgllp.Com

Michael D Pegues
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202
214-758-1091
fax: 214-758-8391
<i>bar Status: Admitted/In Good Standing</I>

Email: Michael.Pegues@bgllp.Com

Paul Flannigan
[COR LD NTC]
Pearce Ferguson & Krueger PC
2805 Dallas Parkway
suite 230
plano, Tx 75093
972/378-9111
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Pflannigan@mac.Com

Ruben C Deleon
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972-826-4457
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Rdeleon@deleonlawgroup.Com

David Gillman
Counter Claimant

Shawn E Tuma
[COR LD NTC]
Britton Tuma
7161 Bishop Road
suite 220
plano, Tx 75024
469/635-1335
fax: 972/767-3181
<i>bar Status: Admitted/In Good Standing</I>

Email: Stuma@brittontuma.Com

Catherine Hough
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972/826-4463
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Chough@dallasbusinesslaw.Com

Clark Anthony Donat
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202-2711
214/758-1043
fax: 800/404-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Clark.Donat@bgllp.Com

Danise A McMahon
[COR LD NTC]
Ferguson Law Group, PC
2500 Dallas Parkway, Suite 260
suite 260
plano, Tx 75093
972-378-9111
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Dmcmahon@dallasbusinesslaw.Com

Jason A Wietjes
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800

dallas, Tx 75201
214/758-1035
<i>bar Status: Admitted/In Good Standing</I>

Email: Jason.Wietjes@bgllp.Com

Lauren Julia Brown
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75202
214/468-3800
fax: 800/400-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Lauren.Brown@bgllp.Com

Michael D Pegues
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202
214-758-1091
fax: 214-758-8391
<i>bar Status: Admitted/In Good Standing</I>

Email: Michael.Pegues@bgllp.Com

Paul Flannigan
[COR LD NTC]
Pearce Ferguson & Krueger PC
2805 Dallas Parkway
suite 230
plano, Tx 75093
972/378-9111
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Pflannigan@mac.Com

Ruben C Deleon
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972-826-4457
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Rdeleon@deleonlawgroup.Com

Talon Transaction Technologies Inc an Oklahoma Corporation
Counter Claimant

Shawn E Tuma
[COR LD NTC]
Britton Tuma
7161 Bishop Road
suite 220
plano, Tx 75024
469/635-1335
fax: 972/767-3181
<i>bar Status: Admitted/In Good Standing</I>

Email: Stuma@brittontuma.Com

Catherine Hough
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972/826-4463
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Chough@dallasbusinesslaw.Com

Clark Anthony Donat
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202-2711
214/758-1043
fax: 800/404-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Clark.Donat@bgllp.Com

Danise A McMahon
[COR LD NTC]
Ferguson Law Group, PC
2500 Dallas Parkway, Suite 260
suite 260
plano, Tx 75093
972-378-9111
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Dmcmahon@dallasbusinesslaw.Com

Jason A Wietjes
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75201
214/758-1035
<i>bar Status: Admitted/In Good Standing</I>

Email: Jason.Wietjes@bgllp.Com

Lauren Julia Brown
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Ave
suite 3800
dallas, Tx 75202
214/468-3800
fax: 800/400-3970
<i>bar Status: Admitted/In Good Standing</I>

Email: Lauren.Brown@bgllp.Com

Michael D Pegues
[COR LD NTC]
Bracewell & Giuliani LLP
1445 Ross Avenue
suite 3800
dallas, Tx 75202
214-758-1091
fax: 214-758-8391

<i>bar Status: Admitted/In Good Standing</I>

Email: Michael.Pegues@bgllp.Com

Paul Flannigan
[COR LD NTC]
Pearce Ferguson & Krueger PC
2805 Dallas Parkway
suite 230
plano, Tx 75093
972/378-9111
fax: 972/378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Pflannigan@mac.Com

Ruben C Deleon
[COR LD NTC]
Ferguson Law Group PC
2500 Dallas Parkway
suite 260
plano, Tx 75093
972-826-4457
fax: 972-378-9115
<i>bar Status: Admitted/In Good Standing</I>

Email: Rdeleon@deleonlawgroup.Com

Stoneeagle Services Inc
Counter Defendant

Beverly A Whitley
[COR LD NTC]
Bell Nunnally & Martin
3232 Mckinney Ave
suite 1400
dallas, Tx 75204-2429
214/740-1473
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Beverlyw@bellnunnally.Com

Christopher B Trowbridge
[COR LD NTC]
Bell Nunnally & Martin LLP McKinney Plaza
3232 Mckinney Ave Suite 1400
dallas, Tx 75204-2429
214/740-1400
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Christophert@bellnunnally.Com

Craig Joseph Cox
[COR LD NTC]
Bell Nunnally & Martin
3232 Mckinney Avenue
suite 1400
dallas, Tx 75204-2429
214/740-1400
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Craigc@bellnunnally.Com

Donnie Wilson Wisenbaker , Jr
[COR LD NTC]
Bell Nunnally & Martin LLP

3232 Mckinney Ave
suite 1400
dallas, Tx 75204-2429
214/740-1412
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Donniew@bellnunnally.Com

Ross Angus Williams
[COR LD NTC]
Bell Nunnally & Martin LLP
3232 Mckinney Ave
suite 1400
dallas, Tx 75204
214/740-1432
fax: 214/740-1499
<i>bar Status: Admitted/In Good Standing</I>

Email: Rossw@bellnunnally.Com

Date	#	Proceeding Text	Source
09/16/2011	1	New Case Notes: A filing fee has been paid. Magistrate Judge Toliver preliminarily assigned. File to Judge Solis. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. (ndt) (Entered: 09/16/2011)	
09/16/2011	2	COMPLAINT FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND DECLARATORY JUDGMENT WITH JURY DEMAND against David Gillman, Talon Transaction Technologies Inc (a Texas Corporation), Talon Transaction Technologies Inc (an Oklahoma Corporation) filed by Stoneeagle Services Inc. (Filing fee $350.00; Receipt number 52730) Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership (ndt) (Entered: 09/16/2011)	
09/16/2011	3	MOTION For Expedited Discovery and Brief filed by Stoneeagle Services Inc. (ndt) (Entered: 09/16/2011)	
09/16/2011	4	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Stoneeagle Services Inc. (ndt) (Entered: 09/16/2011)	
09/16/2011	5	Summons Issued as to David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation). (ndt) (Entered: 09/16/2011)	
09/16/2011	6	STATUS REPORT Letter filed by Stoneeagle Services Inc. (Whitley, Beverly) (Entered: 09/16/2011)	
09/16/2011	--	MOTION for Temporary Restraining Order filed by Stoneeagle Services Inc. (See 1 for image) (dnc) (Entered: 10/06/2011)	
09/19/2011	--	Confirmation of receipt of payment from Bell Nunnally in the amount of $350.00. Transaction posted on 9/16/2011. Receipt number DS052730 processed by nt. (gr) (Entered: 09/19/2011)	
09/19/2011	7	STATUS REPORT filed by Stoneeagle Services Inc. (Whitley, Beverly) (Entered: 09/19/2011)	
09/22/2011	8	WAIVER OF SERVICE Returned Executed as to David Gillman. Waiver sent on 9/22/2011. (Trowbridge, Christopher) (Entered: 09/22/2011)	
09/22/2011	9	WAIVER OF SERVICE Returned Executed as to Talon Transaction Technologies Inc(a Texas Corporation). Waiver sent on 9/22/2011. (Trowbridge, Christopher) (Entered: 09/22/2011)	
09/22/2011	10	WAIVER OF SERVICE Returned Executed as to Talon Transaction Technologies, Inc., an Oklahoma Corporation. Waiver sent on 9/22/2011. (Trowbridge, Christopher) (Entered: 09/22/2011)	
09/23/2011	11	ORDER: Court believes that it is appropriate to expedite briefing on the Motion for TRO;	

		Response due on or before 10/5/2011 at 4:00 p.m.; Plaintiff's reply, if any, shall be filed by 10/7/2011 at 12:00 p.m. (Ordered by Judge Jorge A Solis on 9/23/2011) (chmb) (Entered: 09/26/2011)
09/26/2011	12	CERTIFICATE OF SERVICE by Stoneeagle Services Inc re 3 MOTION For Expedited Discovery Corrected (Whitley, Beverly) (Entered: 09/26/2011)
10/05/2011	13	RESPONSE filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: MOTION For Temporary Restraining Order. (Hough, Catherine) Modified text on 10/6/2011 (dnc). (Entered: 10/05/2011)
10/05/2011	14	Brief/Memorandum in Support filed by David Gillman, Talon Transaction Technologies Inc (a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re 13 Response/Objection, (Attachments: # 1 Affidavit(s) Vincent Valentine) (Hough, Catherine) (Entered: 10/05/2011)
10/07/2011	15	REPLY filed by Stoneeagle Services Inc re: 1 Motion for Temporary Restraining Order. (Whitley, Beverly) Modified on 10/11/2011 (twd). (Entered: 10/07/2011)
10/14/2011	16	ORDER granting 1 Motion for Preliminary Injunction. (Ordered by Judge Jorge A Solis on 10/14/2011) (chmb) (Entered: 10/14/2011)
10/14/2011	17	ORDER that bond in the amount $10,000.00 be deposited into the Registry of the Court by SES. (Ordered by Judge Jorge A Solis on 10/14/2011) (chmb) (Entered: 10/17/2011)
10/18/2011	--	Confirmation of receipt of payment from Bell Nunnally in the amount of $10000.00. Transaction posted on 10/17/2011. Receipt number DS053403 processed by nt. (gr) (Entered: 10/18/2011)
10/20/2011	18	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation). (Donat, Clark) (Entered: 10/20/2011)
11/18/2011	20	MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt re 16 Order on Motion for Discovery, Order on Motion for TRO filed by Stoneeagle Services Inc with Brief/Memorandum in Support. (Attachments: # 1 Proposed Order) (Trowbridge, Christopher) (Entered: 11/18/2011)
11/21/2011	21	Defendants' Original ANSWER to 2 Complaint,, with Jury Demand filed by Talon Transaction Technologies Inc(a Texas Corporation), David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation). Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership. Additional patent/trademark or copyright numbers are added and the clerk should prepare the appropriate report to the Patent/Trademark or Copyright Office to include registrations: TXu001737894, 2009-06-25, TXu000680105, 1995-03-07., Unopposed COUNTERCLAIM Application for Temporary Restraining Order, Temporary Injunction and Permanent Injunction against Stoneeagle Services Inc filed by Talon Transaction Technologies Inc(a Texas Corporation), David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s), # 6 Exhibit(s), # 7 Exhibit(s), # 8 Exhibit(s), # 9 Exhibit(s), # 10 Exhibit(s), # 11 Exhibit(s)) (Pegues, Michael) Modified restriction level of Exhibit 10 on 12/7/2011, Attorney filed in error (ctf). (Entered: 11/21/2011)
11/21/2011	--	APPLICATION for Temporary Restraining Order, Temporary Injunction and Permanent Injunction filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation). (See document #21 for image.) (skt) (Entered: 11/22/2011)
11/22/2011	22	ORDER: Replies due by 12/12/2011. Responses due by 12/8/2011 re: 21 APPLICATION for Temporary Restraining Order, Temporary Injunction and Permanent Injunction. (Ordered by Judge Jorge A Solis on 11/22/2011) (skt) (Entered: 11/23/2011)
12/02/2011	23	ORDER REQUIRING ATTORNEY CONFERENCE AND PROPOSAL FOR CONTENTS OF SCHEDULING AND DISCOVERY ORDER: Proposed Scheduling Order due by 1/6/2012. (Ordered by Judge Jorge A Solis on 12/2/2011) (twd) (Entered: 12/02/2011)
12/02/2011	24	NOTICE of Withdrawal re: 20 MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt re 16 Order on Motion for Discovery, Order on Motion for TRO MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt re 16 Order on Motion for Discovery, Order on Motion for TRO filed by Stoneeagle Services Inc (Whitley, Beverly) (Entered: 12/02/2011)

12/07/2011	25	Unopposed MOTION Disregard Docket #21 re 21 Answer to Complaint, Counterclaim,,,,,,,,,, filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) (Attachments: # 1 Exhibit(s) Agreement to maintain deadlines) (Pegues, Michael) (Entered: 12/07/2011)
12/07/2011	26	Amended ANSWER to 2 Complaint,, filed by Talon Transaction Technologies Inc(a Texas Corporation), David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation). Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership. Additional patent/trademark or copyright numbers are added and the clerk should prepare the appropriate report to the Patent/Trademark or Copyright Office to include registrations: TXu001737894, 2009-06-25, TXu000680105, 1995-03-07., COUNTERCLAIM , Application for Temporary Restraining Order, Temporary Injunction and Permanent Injunction against Stoneeagle Services Inc filed by Talon Transaction Technologies Inc(a Texas Corporation), David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Exhibit(s) Exhibit A, # 2 Exhibit(s) Exhibit A1, # 3 Exhibit(s) Exhibit A2, # 4 Exhibit(s) Exhibit A3, # 5 Exhibit(s) Exhibit A4, # 6 Exhibit(s) Exhibit A5, # 7 Exhibit(s) Exhibit B, # 8 Exhibit(s) Exhibit B1, # 9 Exhibit (s) Exhibit C, # 10 Exhibit(s) Exhibit D) (Pegues, Michael) (Entered: 12/07/2011)
12/07/2011	--	MOTION for Temporary Restraining Order filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation). (see 26 for image) (mpw) (Entered: 12/08/2011)
12/08/2011	27	MOTION to Dismiss filed by Stoneeagle Services Inc with Brief/Memorandum in Support. (Attachments: # 1 Exhibit(s) Appendix to StoneEagle Service, Inc's Motion to Dismiss and Brief) (Whitley, Beverly) (Entered: 12/08/2011)
12/08/2011	28	RESPONSE filed by Stoneeagle Services Inc re: MOTION for Temporary Restraining Order (Attachments: # 1 Exhibit(s) Appendix to Plaintiffs' Response to Application for Temporary Restraining Order and Temporary Injunction and Brief) (Whitley, Beverly) (Entered: 12/08/2011)
12/08/2011	29	Original ANSWER to Counterclaim filed by Stoneeagle Services Inc. Related document: 26 Answer to Complaint, Counterclaim,,,,,,,,,, (Whitley, Beverly) (Entered: 12/08/2011)
12/12/2011	30	REPLY filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re: MOTION for Temporary Restraining Order MOTION for Injunction (Pegues, Michael) (Entered: 12/12/2011)
12/12/2011	31	RESPONSE AND OBJECTION filed by Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re: MOTION for Temporary Restraining Order MOTION for Injunction (Pegues, Michael) (Entered: 12/12/2011)
01/05/2012	32	ORDER: Hearing on Motion for Temporary Restraining Order 21 set for 2/2/2012 9:00 AM in US Courthouse, Courtroom 1632, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Jorge A Solis. (Ordered by Judge Jorge A Solis on 1/5/2012) (chmb) (Entered: 01/05/2012)
01/05/2012	33	Joint Proposal for contents of scheduling and discovery by David Gillman, Stoneeagle Services Inc, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation). (Whitley, Beverly) (Entered: 01/05/2012)
01/05/2012	34	RESPONSE filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 27 MOTION to Dismiss (Attachments: # 1 Affidavit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Proposed Order) (Pegues, Michael) (Entered: 01/05/2012)
01/11/2012	35	Unopposed MOTION for Leave to File Supplement to Defendants/Counter-Plaintiffs' Motion and Brief in Response to Plaintiff/Counter-Defendant's Motion to Dismiss filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Exhibit(s) Exhibit A, # 2 Exhibit(s) Exhibit 1 to Exhibit A, # 3 Proposed Order) (Pegues, Michael) (Entered: 01/11/2012)
01/13/2012	36	SCHEDULING ORDER: Pretrial Conference set for 3/1/2013 09:30 AM before Judge Jorge A Solis. Jury Trial set for 3/18/2013 09:00 AM in US Courthouse, Courtroom 1632, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Jorge A Solis. Amended Pleadings

		and Joinder of Parties due by 6/4/2012. Discovery due by 11/5/2012. Status Report due by 11/29/2012. Motions due by 12/14/2012. Pretrial Order due by 2/22/2013. Pretrial Materials due by 3/6/2013. (Ordered by Judge Jorge A Solis on 1/13/2012) (chmb) (Entered: 01/13/2012)
01/13/2012	37	ORDER granting 35 Motion for Leave to File Supplement to Defendant's Motion and Brief in Response to Motion to Dismiss. (Ordered by Judge Jorge A Solis on 1/13/2012) (chmb) (Entered: 01/13/2012)
01/19/2012	38	REPLY filed by Stoneeagle Services Inc re: 27 MOTION to Dismiss (Whitley, Beverly) (Entered: 01/19/2012)
01/23/2012	39	MOTION for Protective Order filed by David Gillman, Talon Transaction Technologies Inc (a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Exhibit(s) A) (Pegues, Michael) (Entered: 01/23/2012)
01/23/2012	40	ORDER REFERRING 39 Motion for Protective Order filed by David Gillman, Talon Transaction Technologies Inc. Motion referred to Magistrate Judge Renee Harris Toliver. (Ordered by Judge Jorge A Solis on 1/23/2012) (chmb) (Entered: 01/24/2012)
01/26/2012	41	*Unopposed MOTION to Continue Hearing on the Application for Preliminary Injunction* filed by David Gillman, Stoneeagle Services Inc, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Proposed Order) (Pegues, Michael) (Entered: 01/26/2012)
01/27/2012	42	Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support filed by Stoneeagle Services Inc with Brief/Memorandum in Support. (Attachments: # 1 Appendix) (Whitley, Beverly) (Entered: 01/27/2012)
01/27/2012	43	ORDER granting 41 Motion to Continue Hearing on TRO. Hearing on Application for Preliminary Injunction set for 3/1/2012 09:00 AM in US Courthouse, Courtroom 1632, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Jorge A Solis. (Ordered by Judge Jorge A Solis on 1/27/2012) (chmb) (Entered: 01/30/2012)
02/02/2012	44	ELECTRONIC NOTICE: Evidentiary Hearing on Application for Preliminary Injunction RESET for 2/23/2012 09:00 AM in US Courthouse, Courtroom 1632, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Jorge A Solis. (chmb) (Entered: 02/02/2012)
02/07/2012	45	*RESPONSE filed by Stoneeagle Services Inc re: 39 MOTION for Protective Order* (Whitley, Beverly) (Entered: 02/07/2012)
02/15/2012	46	MOTION to Strike 26 Answer to Complaint, Counterclaim,,,,,,,,, MOTION for Temporary Restraining Order Affidavit of David Gillman in Support of filed by Stoneeagle Services Inc (Trowbridge, Christopher) (Entered: 02/15/2012)
02/15/2012	47	Appendix in Support filed by Stoneeagle Services Inc re 46 MOTION to Strike 26 Answer to Complaint, Counterclaim,,,,,,,,, MOTION for Temporary Restraining Order Affidavit of David Gillman in Support of (Trowbridge, Christopher) (Entered: 02/15/2012)
02/17/2012	48	RESPONSE filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re: 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support (Attachments: # 1 Exhibit A, # 2 Exhibit(s) A1-A2, # 3 Exhlbit(s) A3-A5, # 4 Exhibit(s) A6-A7, # 5 Exhibit A8). Document submitted via the Court's Emergency Filing E-mail Account. (gmg) (Entered: 02/21/2012)
02/17/2012	50	*MOTION for Clarification of Preliminary Injunction Order* filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation). See Document 48 for image. Document submitted via the Court's Emergency Filing E-mail Account. (gmg) (Entered: 02/21/2012)
02/21/2012	49	REPLY filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 39 MOTION for Protective Order (Pegues, Michael) (Entered: 02/21/2012)
02/22/2012	51	MOTION to Disregard re 26 Answer to Complaint, Counterclaim,,,,,,,,, filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Proposed Order) (Pegues, Michael) (Entered: 02/22/2012)
02/22/2012	52	MOTION for Leave to File Second Amended Answer and Counterclaim filed by Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc (an Oklahoma Corporation) (Attachments: # 1 Exhibit(s), # 2 Affidavit(s), # 3 Exhiblt(s), # 4 Exhibit(s), # 5 Exhibit(s), # 6 Exhibit(s), # 7 Affidavit(s), # 8 Affidavit(s), # 9 Proposed Order) (Pegues, Michael) (Entered: 02/22/2012)

02/23/2012	53	ELECTRONIC NOTICE: Hearing on Application for Preliminary Injunction RESET for 3/29/2012 09:00 AM in US Courthouse, Courtroom 1632, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Jorge A Solis. (chmb) (Entered: 02/23/2012)
03/02/2012	54	***DISREGARD FILED IN ERROR*** Unopposed MOTION for Extension of Time to File Response/Reply re: 48 Response/Objection, 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support filed by Stoneeagle Services Inc (Attachments: # 1 Proposed Order Agreed Order Enlarging Time to Reply) (Whitley, Beverly) Modified on 3/2/2012 (ykp). (Entered: 03/02/2012)
03/02/2012	55	Unopposed MOTION for Extension of Time to File Response/Reply re: 48 Response/Objection, 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support filed by Stoneeagle Services Inc (Attachments: # 1 Proposed Order Agreed Order Enlarging Time to Reply) (Whitley, Beverly) (Entered: 03/02/2012)
03/05/2012	56	ORDER granting 39 Motion for Protective Order with some modifications (see order for specifics). (Ordered by Magistrate Judge Renee Harris Toliver on 3/5/2012) (mcrd) (Entered: 03/05/2012)
03/05/2012	57	REPLY filed by Stoneeagle Services Inc re: 42 Second MOTION for Order to Show Cause. (Whitley, Beverly)). (Entered: 03/05/2012)
03/05/2012	--	REPLY filed by Stoneeagle Services Inc re: 50 MOTION Clarification of Preliminary Injunction Order. (see document 57 for image) (aaa) (Entered: 03/06/2012)
03/06/2012	58	ORDER granting 55 Motion to Extend Time to File Reply in support of its Motion to Show Cause. Reply due by 3/5/2012. (Ordered by Judge Jorge A Solis on 3/6/2012) (chmb) (Entered: 03/06/2012)
03/09/2012	59	REPLY filed by David Gillman, Talon Transaction Technologies Inc, Talon Transaction Technologies Inc re: 50 MOTION Clarification of Preliminary Injunction Order. (Pegues, Michael) (Entered: 03/09/2012)
03/14/2012	60	RESPONSE filed by Stoneeagle Services Inc re: 51 MOTION to Disregard re 26 Answer to Complaint, Counterclaim. Modified on 3/15/2012 (ykp). (Entered: 03/14/2012)
03/14/2012	61	RESPONSE filed by Stoneeagle Services Inc re: 52 MOTION for Leave to File Second Amended Answer and Counterclaim (Williams, Ross) (Entered: 03/14/2012)
03/28/2012	62	REPLY filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 51 MOTION to Disregard re 26 Answer to Complaint, Counterclaim,,,,,,,,, MOTION to Disregard re 26 Answer to Complaint, Counterclaim,,,,,,,,, (Attachments: # 1 Exhibit(s) A) (Pegues, Michael) (Entered: 03/28/2012)
03/28/2012	63	REPLY filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 52 MOTION for Leave to File Second Amended Answer and Counterclaim (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C) (Pegues, Michael) (Entered: 03/28/2012)
04/05/2012	64	Plaintiff's MOTION for Leave to File Supplement to 42 Second Motion for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief filed by Stoneeagle Services Inc. (Attachments: # 1 Exhibit(s)) (Whitley, Beverly) Modified on 4/6/2012 (skt). (Entered: 04/05/2012)
04/05/2012	65	MOTION to Expedite Second Motion for Order to Show Cause Why Defendants Should Not Be Held in Contempt filed by Stoneeagle Services Inc (Whitley, Beverly) (Entered: 04/05/2012)
04/11/2012	66	STANDING ORDER OF REFERENCE Referring Case to Magistrate Judge Jeff Kaplan for pretrial management. Motion(s) referred to Magistrate Judge Jeff Kaplan. (Ordered by Judge Jorge A Solis on 4/11/2012) (skt) (Entered: 04/11/2012)
04/11/2012	67	STANDING ORDER ON NON-DISPOSITIVE MOTIONS: This order shall govern the filing and disposition of all discovery-related motions, pleading disputes, and other non-dispositive motions in this case. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 4/11/2012) (mcrd) (Entered: 04/11/2012)
04/11/2012	68	ORDER SETTING STATUS CONFERENCE: A status conference set for 4/27/2012 11:00 AM before Magistrate Judge Jeff Kaplan. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 4/11/2012) (mcrd) (Entered: 04/11/2012)
04/16/2012	69	ORDER: At the request of counsel for defendants, the status conference in this case is reset for 4/23/2012 09:00 AM before Magistrate Judge Jeff Kaplan. (Ordered by

		Magistrate Judge Jeff Kaplan on 4/16/2012) (mcrd) (Entered: 04/16/2012)
04/20/2012	70	NOTICE of Attorney Appearance by Danise A McMahon for Shawn E. Tuma on behalf of All Defendants. (McMahon, Danise) (Entered: 04/20/2012)
04/23/2012	71	ORDER SETTING HEARING: After considering plaintiff's request for expedited consideration re: 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support , the motion [Doc. #65] is granted. The court will also expedite consideration of defendants' application for a preliminary injunction. A hearing on both motions is set for 5/10/2012 09:00 AM before Magistrate Judge Jeff Kaplan. (Ordered by Magistrate Judge Jeff Kaplan on 4/23/2012) (mcrd) (Entered: 04/23/2012)
04/25/2012	72	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Regions Financial Corporation on March 26, 2012. (Williams, Ross) Modified on 4/26/2012 to correct spelling (cea). (Entered: 04/25/2012)
04/25/2012	73	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Benefit Management Systems on April 9, 2012. (Williams, Ross) (Entered: 04/25/2012)
04/26/2012	74	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Integrahealth Management LLC on April 9, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	75	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Comdata Network, Inc. on March 21, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	76	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Chase Gillman on April 3, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	77	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on NxSystems, Inc. on February 20, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	78	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Administrative Insurance Management Services, Inc. on February 7, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	79	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on TxVia, Inc. on April 12, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	80	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Lisa Gillman on April 12, 2012. (Williams, Ross) (Entered: 04/26/2012)
04/26/2012	81	ORDER: A hearing on plaintiff's second motion for an order to show cause why defendants should not be held in contempt and defendants' application for a preliminary injunction is set for 5/10/12 at 9AM. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/26/2012	82	ORDER denying as moot 27 Motion to Dismiss. (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/26/2012	83	ORDER denying as moot 46 Motion to Strike (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/26/2012	84	ORDER denying without prejudice [Doc. #26] Motion for TRO. Defts may refile their application for injunctive relief by 5/1/12. Response due 5/3/12, Reply due 5/7/12. (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/26/2012	85	ORDER denying 51 Motion to disregard Answer to Complaint, Counterclaim, etc. Defts are allowed to substitute the Affidavit of David Gillman filed with defts' amended answer. (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/26/2012	86	ORDER granting 52 Motion for Leave to File. Defts shall file their second amended answer and counterclaims by 5/3/2012. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/26/2012	87	ORDER granting 64 Motion for Leave to file a supplement to second motion for order to show cause why defendants should not be held in contempt. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 4/26/2012) (mcrd) (Entered: 04/26/2012)
04/27/2012	88	Supplemental document re 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt filed by Stoneeagle Services Inc (Attachments: # 1 Exhibit - Appendix in Support) (Cheek, R) Docket text modified on 4/27/2012 (twd) (Entered: 04/27/2012)
04/30/2012	89	AMENDED DOCUMENT by Stoneeagle Services Inc. Amendment to 80 Affidavit of Service.. (Whitley, Beverly) (Entered: 04/30/2012)

04/30/2012	90	***STRICKEN PER 91 ORDER*** MOTION to Quash Plaintiff's Notice of Deposition and Subpoena to Nonparty Lisa Gillman filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Proposed Order) (Pegues, Michael) Modified on 5/1/2012 (ctf). (Entered: 04/30/2012)
05/01/2012	91	Order re: 90 MOTION to Quash Plaintiff's Notice of Deposition and Subpoena to Nonparty Lisa Gillman . The defendants' 90 motion to quash is stricken from the record of this case. The clerk is directed to note on the docket that this document has been unfiled. (Ordered by Magistrate Judge Jeff Kaplan on 5/1/2012) (ctf) (Entered: 05/01/2012)
05/01/2012	92	Second AMENDED ANSWER to 2 Complaint,, filed by Talon Transaction Technologies Inc (a Texas Corporation), David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation) Additional patent/trademark or copyright numbers are added and the clerk should prepare the appropriate report to the Patent/Trademark or Copyright Office to include registrations: TXu001737894, 06/25/2009., COUNTERCLAIM against Stoneeagle Services Inc filed by Talon Transaction Technologies Inc(a Texas Corporation), David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) A1-A2, # 3 Exhibit(s) A3-A5, # 4 Exhibit(s) A6-A7, # 5 Exhibit(s) A8, # 6 Exhibit(s) B, # 7 Exhibit(s) C) (Pegues, Michael) (Entered: 05/01/2012)
05/01/2012	93	MOTION for Preliminary Injunction filed by Talon Transaction Technologies Inc (a Texas Corporation), Talon Transaction Technologies Inc (an Oklahoma Corporation) with Brief/Memorandum in Support. (Attachments: # 1 Brief in Support, # 2 Appendix in Support, # 3 App000001-000032, # 4 App000033-000068, # 5 App000069-000095, # 6 App000096-000131, # 7 App000132-000147, # 8 Proposed Order) (Pegues, Michael) Modified on 5/2/2012 (skt). (Entered: 05/01/2012)
05/02/2012	94	Report to Patent/Trademark Office of Answer or Amended Pleading. Form AO 120 e-mailed to notice_of_suit@uspto.gov. (skt) (Entered: 05/02/2012)
05/03/2012	95	MOTION to Dismiss for Lack of Jurisdiction filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) with Brief/Memorandum in Support. (Attachments: # 1 Additional Page(s) Brief in Support, # 2 Proposed Order) (Pegues, Michael) (Entered: 05/03/2012)
05/03/2012	96	MOTION to Dismiss Defendants' Second Amended Counterclaim and Brief filed by Stoneeagle Services Inc with Brief/Memorandum in Support. (Whitley, Beverly) (Entered: 05/03/2012)
05/03/2012	97	MOTION for Leave to File First Supplemental Complaint filed by Stoneeagle Services Inc (Attachments: # 1 Exhibit(s) Exhibit A) (Whitley, Beverly) (Entered: 05/03/2012)
05/03/2012	98	Plaintiff's Original ANSWER to Counterclaim filed by Stoneeagle Services Inc. Related document: 92 Amended Answer to Complaint, Counterclaim,,,,,, (Whitley, Beverly) (Entered: 05/03/2012)
05/03/2012	99	Witness List by Stoneeagle Services Inc. (Whitley, Beverly) (Entered: 05/03/2012)
05/03/2012	100	Exhibit List by Stoneeagle Services Inc. (Whitley, Beverly) (Entered: 05/03/2012)
05/03/2012	101	RESPONSE filed by Stoneeagle Services Inc re: 93 MOTION for Injunction (Attachments: # 1 Exhibit(s) Appendix, # 2 Exhibit(s) Exhibits) (Whitley, Beverly) (Entered: 05/03/2012)
05/03/2012	102	Exhibit List by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation). (McMahon, Danise) (Entered: 05/03/2012)
05/03/2012	103	Witness List by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation). (McMahon, Danise) (Entered: 05/03/2012)
05/03/2012	104	RESPONSE filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 88 Second MOTION for Order to Show Cause Why Defendants Should not be Held in Contempt (Attachments: # 1 Brief in Support) (McMahon, Danise) (Entered: 05/03/2012)
05/03/2012	105	AGREED ORDER granting 97 Motion for Leave to File. (Ordered by Magistrate Judge Jeff Kaplan on 5/3/2012) (mcrd) (Entered: 05/04/2012)
05/04/2012	106	Notice of Correction of Signature Omission, correcting signature omission in 99 Witness List filed by Stoneeagle Services Inc. (Whitley, Beverly) (Entered: 05/04/2012)

05/04/2012	107	Supplemental document re: 2 COMPLAINT against All Defendants filed by Stoneeagle Services Inc. Summons(es) not requested at this time. In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the Judges Copy Requirements is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership (Whitley, Beverly) Modified on 5/4/2012 (ctf). (Entered: 05/04/2012)
05/04/2012	108	ORDER: Plaintiff shall file a preliminary response to 96 MOTION to Dismiss by 5/8/2012. Defendants shall file a supplement to their motion by 5/8/2012. (Ordered by Magistrate Judge Jeff Kaplan on 5/4/2012) (mcrd) (Entered: 05/04/2012)
05/07/2012	109	REPLY filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 93 MOTION for Injunction (Attachments: # 1 Proposed Order Proposed Order on Objections) (Pegues, Michael) (Entered: 05/07/2012)
05/08/2012	110	RESPONSE filed by Stoneeagle Services Inc re: 95 MOTION to Dismiss for Lack of Jurisdiction (Attachments: # 1 Exhibit(s) Appendix to Plaintiffs' Preliminary Response to Defendants' Motion to Dismiss) (Whitley, Beverly) (Entered: 05/08/2012)
05/08/2012	111	AFFIDAVIT of Service for Waiver of Subpoena Service served on Jean Johnson on May 3, 2012. (Whitley, Beverly) (Entered: 05/08/2012)
05/08/2012	112	REPLY filed by Stoneeagle Services Inc re: 88 Second MOTION for Order to Show Cause Why Defendants Should not be Held in Contempt (Whitley, Beverly) (Entered: 05/08/2012)
05/08/2012	113	Brief/Memorandum in Support filed by David Gillman, Talon Transaction Technologies Inc (a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re 95 MOTION to Dismiss for Lack of Jurisdiction (McMahon, Danise) (Entered: 05/08/2012)
05/09/2012	114	RESPONSE filed by Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 96 MOTION to Dismiss Defendants' Second Amended Counterclaim and Brief (Attachments: # 1 Exhibit(s) 1, # 2 Exhibit(s) 2, # 3 Exhibit(s) 3, # 4 Proposed Order) (Pegues, Michael) (Entered: 05/09/2012)
05/09/2012	115	NOTICE of Attorney Appearance by Jason A Wietjes on behalf of All Defendants. (Wietjes, Jason) (Entered: 05/09/2012)
05/10/2012	--	ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Jeff Kaplan: Motion Hearing held on 5/10/2012 re 42 Motion for Order to Show Cause filed by Stoneeagle Services Inc, 93 Motion for Injunction, filed by Talon Transaction Technologies Inc. Matter taken under advisement, order to enter. Attorney Appearances: Plaintiff - Beverly Whitley, Christopher Trowbridge; Defense - Shawn Tuma, Michael Pegues. (Court Reporter: Shawn McRoberts) (Exhibits admitted) Time in Court - 9:00. (mcrd) (Entered: 05/11/2012)
05/11/2012	116	ORDER OF REFERRAL FOR MEDIATION: This case is hereby referred to mediation. The parties are directed to confer in an attempt to agree upon a mediator. If agreement cannot be reached, the court will appoint a mediator. The mediation shall be complete by May 25, 2012. Alternative Dispute Resolution Summary form provided electronically or by US Mail as appropriate. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 5/11/2012) (mcrd) (Entered: 05/11/2012)
05/11/2012	--	Deadlines set per 116 Order: Deadline for mediation is on or before 5/25/2012. (axm) (Entered: 05/11/2012)
05/16/2012	117	NOTICE filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Tuma, Shawn) (Entered: 05/16/2012)
05/17/2012	118	ORDER denying 93 Motion for Preliminary Injunction (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 5/17/2012) (mcrd) (Entered: 05/17/2012)
05/17/2012	119	ORDER: All briefing deadlines are hereby suspended pending the outcome of mediation. If this case does not settle, the court will issue a briefing schedule on the pending motions. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 5/17/2012) (mcrd) (Entered: 05/17/2012)

05/24/2012	120	***Disregard, filed in error*** Alternative Dispute Resolution Summary filed by Jay J. Madrid. Attorneys in Attendance: Christopher Trowbridge, Beverly Whitley, Ross Williams, Shawn Tuma. Outcome of ADR: Parties were unable to reach a settlement. (Madrid, Jay) Docket text modified on 5/25/2012 (twd). (Entered: 05/24/2012)
05/25/2012	121	Alternative Dispute Resolution Summary filed by ADR Provider. Attorneys in Attendance: Christopher Trowbridge, Beverly Whitley, Ross Williams, Shawn Tuma. Outcome of ADR: Parties were unable to reach a settlement. (Madrid, Jay) (Entered: 05/25/2012)
05/25/2012	122	ORDER: A status conference is set for 5/29/2012 09:00 AM before Magistrate Judge Jeff Kaplan. Lead counsel for all parties shall attend this conference in person. (Ordered by Magistrate Judge Jeff Kaplan on 5/25/2012) (mcrd) (Entered: 05/25/2012)
05/29/2012	123	ORDER: The court hereby enters the following order in connection with defendant's motion to dismiss for lack of subject matter jurisdiction [Doc. #95], plaintiff's motion to dismiss defendants' second amended counterclaim [Doc. #96], and all outstanding issues related to the preliminary injunction now in effect. A hearing to determine an appropriate bond amount is set for 6/15/2012 09:00 AM before Magistrate Judge Jeff Kaplan. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 5/29/2012) (mcrd) (Entered: 05/29/2012)
06/04/2012	124	Joint MOTION to Extend Time Motion for Leave to Amend Pleadings and Join Parties filed by David Gillman, Stoneeagle Services Inc, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) (Attachments: # 1 Proposed Order Order Enlarging Time to File Motions for Leave to Amend Pleadings and Motions for Leave to Join Additional Parties) (Whitley, Beverly) (Entered: 06/04/2012)
06/04/2012	125	ORDER granting 124 Motion to Extend Time. Amended Pleadings due by 7/5/2012. Joinder of Parties due by 7/5/2012. (Ordered by Magistrate Judge Jeff Kaplan on 6/4/2012) (mcrd) (Entered: 06/04/2012)
06/06/2012	126	RESPONSE filed by David Gillman, Talon Transaction Technologies Inc(a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re: 96 MOTION to Dismiss Defendants' Second Amended Counterclaim and Brief (Attachments: # 1 Exhibit(s) 1, # 2 Exhibit(s) 2, # 3 Proposed Order) (Pegues, Michael) (Entered: 06/06/2012)
06/11/2012	127	REPLY filed by Stoneeagle Services Inc re: 96 MOTION to Dismiss Defendants' Second Amended Counterclaim and Brief (Williams, Ross) (Entered: 06/11/2012)
06/11/2012	128	Brief/Memorandum in Support filed by Stoneeagle Services Inc re 123 Order Setting Deadline/Hearing,, Plaintiff's Brief Regarding Preliminary Injunction Bond (Whitley, Beverly) (Entered: 06/11/2012)
06/11/2012	129	Brief/Memorandum in Support filed by David Gillman, Talon Transaction Technologies Inc (an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 123 Order Setting Deadline/Hearing,, (Attachments: # 1 Appendix) (McMahon, Danise) (Entered: 06/11/2012)
06/13/2012	130	Findings and Recommendations on Motion. Defendant's 95 MOTION to Dismiss for Lack of Jurisdiction should be denied. (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 6/13/2012) (mcrd) (Entered: 06/13/2012)
06/13/2012	131	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Echo Health, Inc. on April 23, 2012. (Williams, Ross) (Entered: 06/13/2012)
06/15/2012	--	ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Jeff Kaplan: A hearing to determine an appropriate bond amount held on 6/15/2012. Matter taken under advisement. Attorney Appearances: Plaintiff - Beverly Whitley, Christopher Trowbridge, Ross Williams; Defense - Shawn Tuma, Michael Pegues, Denise McMahon. (Court Reporter: Shawnie Archuleta) (No exhibits) Time in Court - 2:00. (mcrd) (Entered: 06/15/2012)
06/18/2012	132	MEDIATION ORDER. The parties and their attorneys shall mediate this case with Jay J. Madrid prior to 7/3/2012. Alternative Dispute Resolution Summary form provided electronically or by US Mail as appropriate. (Ordered by Magistrate Judge Jeff Kaplan on 6/18/2012) (axm) (Entered: 06/18/2012)
06/19/2012	133	Proof of Service for Subpoena served on Smith & Hopen PA on 6/13/2012. (axm) (Entered: 06/19/2012)
06/19/2012	134	NOTICE of Filing of Subpoena and Subpoena Duces Tecum and Non-Party Four Oaks Bank & Trust Company's Acceptance of Service filed by Stoneeagle Services Inc

(Attachments: # 1 Exhibit(s)) (Whitley, Beverly) (Entered: 06/19/2012)

06/20/2012 135 Notice of Filing of Official Electronic Transcript of Bond Hearing, Proceedings held on June 15, 2012 before Judge Jeff Kaplan. Court Reporter/Transcriber Shawnie Archuleta, Telephone number 214-753-2747. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Redaction Request - Transcript must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically noticed. (85 pages) Redaction Request due 7/11/2012. Redacted Transcript Deadline set for 7/23/2012. Release of Transcript Restriction set for 9/18/2012. (spa) (Entered: 06/20/2012)

06/20/2012 136 AGREED SECOND ADDENDUM TO PROTECTIVE ORDER (See order for specifics) (Ordered by Magistrate Judge Jeff Kaplan on 6/20/2012) (mcrd) (Entered: 06/20/2012)

06/22/2012 137 Brief/Memorandum in Support filed by Stoneeagle Services Inc re Motion Hearing, 128 Brief/Memorandum in Support of Motion Plaintiff's Post-Hearing Brief Regarding Preliminary Injunction Bond (Whitley, Beverly) (Entered: 06/22/2012)

06/22/2012 138 Brief/Memorandum in Support filed by David Gillman, Talon Transaction Technologies Inc (a Texas Corporation), Talon Transaction Technologies Inc(an Oklahoma Corporation) re Motion Hearing, on Bond Amount (McMahon, Danise) (Entered: 06/22/2012)

06/27/2012 139 OBJECTION to 130 Findings and Recommendations of the United States Magistrate Judge on Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction Pursuant to Rule 12(b)(1) . (Tuma, Shawn) (Entered: 06/27/2012)

06/28/2012 140 Alternative Dispute Resolution Summary filed by ADR Provider. Attorneys in Attendance: Beverly Whitley; Ross Williams; Christopher Trowbridge; Shawn Tuma. Prv. Fee: 5,000. Outcome of ADR: Parties were unable to reach a settlement. (Madrid, Jay) (Entered: 06/28/2012)

06/29/2012 141 ORDER: Counsel for all parties shall appear in court on 7/9/2012 at 9:00 AM before Magistrate Judge Jeff Kaplan. At that time, the magistrate judge will issue an oral recommendation on 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support and, 50 MOTION Clarification of Preliminary Injunction Order. (Ordered by Magistrate Judge Jeff Kaplan on 6/29/2012) (mcrd) (Main Document 141 replaced on 6/29/2012) (mcrd). (Entered: 06/29/2012)

07/02/2012 142 Joint MOTION to Extend Time to File Motions for Leave to Amend Pleadings and Motions for Leave to Join Additional Parties filed by Stoneeagle Services Inc, David Gillman, Talon Transaction Technologies Inc. (Attachments: # 1 Proposed Order) (Whitley, Beverly) Modified filers on 7/3/2012 (axm). (Entered: 07/02/2012)

07/05/2012 143 ORDER granting 142 Motion to Extend Time. The court orders that motions for leave to amend pleadings shall be filed by 8/6/2012; and motions for leave to join parties shall be filed by 8/6/2012. (Ordered by Magistrate Judge Jeff Kaplan on 7/5/2012) (mcrd) (Entered: 07/05/2012)

07/09/2012 -- ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Jeff Kaplan: Motion Hearing held on 7/9/2012 re 42 Motion for Order to Show Cause filed by Stoneeagle Services Inc and 50 Motion for Clarification. Oral Findings and Recommendation were read into the record. Plaintiff's 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support should be denied; Defendant's 50 MOTION for Clarification is terminated. Plaintiff should be required to post a bond, or cash deposit in lieu thereof, in the amount of $100,000. Objections to Findings are due on or before July 23, 2012. Attorney Appearances: Plaintiff - Beverly Whitley, Christopher Trowbridge; Defense - Shawn Tuma, Danise McMahon. (Court Reporter: Randy Wilson) (No exhibits) Time in Court - :25. (mcrd) Modified on 7/9/2012 to correct motion that was ruled on (mcrd). (Entered: 07/09/2012)

07/09/2012 144 ELECTRONIC Findings and Recommendations on Motion re: 42 Motion for Order to Show Cause filed by Stoneeagle Services Inc and 50 MOTION for Clarification of Preliminary Injunction Order filed by Defendant by David Gillman, Talon Transaction Technologies Inc (an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation). Magistrate Judge Jeff Kaplan no longer assigned to case. Plaintiff's 42 Second MOTION for Order to Show Cause Why Defendants Should Not Be Held in Contempt and Brief in Support is denied; Defendant's 50 MOTION for Clarification of Preliminary Injunction Order filed by Defendant by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) is termed. Plaintiff should be required to post a bond, or cash deposit in lieu thereof, in the

		amount of $100,000. Objections are due on or before July 23, 2012. (Ordered by Magistrate Judge Jeff Kaplan on 7/9/2012) (mcrd) (Entered: 07/09/2012)
07/11/2012	145	RESPONSE filed by Stoneeagle Services Inc re: 139 Objection to Findings and Recommendations (Whitley, Beverly) (Entered: 07/11/2012)
07/16/2012	146	MOTION for Summary Judgment (Partial) filed by Stoneeagle Services Inc (Attachments: # 1 Proposed Order) (Whitley, Beverly) (Entered: 07/16/2012)
07/16/2012	147	Brief/Memorandum in Support filed by Stoneeagle Services Inc re 146 MOTION for Summary Judgment (Partial) (Whitley, Beverly) (Entered: 07/16/2012)
07/16/2012	148	Appendix in Support filed by Stoneeagle Services Inc re 147 Brief/Memorandum in Support of Motion for Partial Summary Judgment (Whitley, Beverly) (Entered: 07/16/2012)
07/23/2012	149	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum served on Meritain Health, Inc. on June 21, 2012. (Williams, Ross) (Entered: 07/23/2012)
07/23/2012	150	AFFIDAVIT of Service for Subpoena and Subpoena Duces Tecum Served in Word Format Via Email served on Meritain Health, Inc. on June 27, 2012. (Williams, Ross) (Entered: 07/23/2012)
07/23/2012	151	AFFIDAVIT of Service for CD Containing Exhibit A to Subpoena and Subpoena Duces Tecum in Word Format served on Meritain Health, Inc. on June 27, 2012. (Williams, Ross) (Entered: 07/23/2012)
07/23/2012	152	OBJECTION filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re: Motion Hearing,,, (Attachments: # 1 Brief in Support) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	153	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 152 Response/Objection (Attachments: # 1 Additional Page(s), # 2 Additional Page(s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	154	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 153 Appendix in Support, (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3 Additional Page(s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	155	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 154 Appendix in Support, (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3 Additional Page(s), # 4 Additional Page(s), # 5 Additional Page(s), # 6 Additional Page (s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	156	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 155 Appendix in Support, (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3 Additional Page(s), # 4 Additional Page(s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	157	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 156 Appendix in Support, (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3 Additional Page(s), # 4 Additional Page(s), # 5 Additional Page(s), # 6 Additional Page (s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	158	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 157 Appendix in Support, (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3 Additional Page(s), # 4 Additional Page(s), # 5 Additional Page(s), # 6 Additional Page (s), # 7 Additional Page(s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	159	Appendix in Support filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) re 158 Appendix in Support, (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3 Additional Page(s), # 4 Additional Page(s), # 5 Additional Page(s), # 6 Additional Page (s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	160	(Document Restricted) Sealed Appendix in Support re: 159 Appendix in Support, (Sealed pursuant to SO 19-1, statute, or rule) filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) (Attachments: # 1 Additional Page(s), # 2 Additional Page(s), # 3

		Additional Page(s), # 4 Additional Page(s), # 5 Additional Page(s)) (McMahon, Danise) (Entered: 07/23/2012)
07/23/2012	161	(Document Restricted) Sealed Appendix in Support re: 160 Sealed and/or Ex Parte Appendix/Brief/Memorandum in Support, (Sealed pursuant to SO 19-1, statute, or rule) filed by David Gillman, Talon Transaction Technologies Inc(an Oklahoma Corporation), Talon Transaction Technologies Inc(a Texas Corporation) (Attachments: # 1 Additional Page(s), # 2 Additional Page(s)) (McMahon, Danise) (Entered: 07/23/2012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:	Confirmation Number: 4338
Robert M. ALLEN	Art Unit: 3686
Reissue Application No.: 13/358,620	Examiner: Nguyen, Hiep V.
Filed: January 26, 2012	Customer No.: 21,901
Title: MEDICAL BENEFITS PAYMENT SYSTEM	

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

SUPPLEMENTAL AMENDMENT C

Responsive to May 18, 2012 Action – Update to July 19, 2012 Amendment B

Sir:

Responsive to the non-final action transmitted May 18, 2012 having a shortened statutory period for response of August 18, 2012, Applicant files this Supplemental Amendment C further amending the claims as amended July 19, 2012.

Amendments to the Claims are reflected in the listing of claims on pages 2-7 of this paper.

EFS SUBMISSION

I HEREBY CERTIFY that this response is submitted electronically to the United States Patent and Trademark Office on August 24, 2012

Dated: August 24, 2012

/jessica thompson/
Jessica Thompson

Listing of the Claims:

1. (Original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by fax to the health care provider; and

reconciling the charged card account to confirm that the health care provider has received payment.

2. (Original) A method of facilitating payment of adjudicated health care benefits to a health care provider comprising:

identifying the health care provider that renders medical services in anticipation of payment; identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions;

identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and authorizes payment of the service provider for an authorized amount;

intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider;
acquiring a single-use, stored-value card account number and loading it with funds equal to the authorized amount; merging the stored-value card account number, the authorized amount, a card verification value code, and an expiration date with the explanation of benefits into a computer-generated image file; and

transmitting the image file to the health care provider via a computer-implemented transmission.

3. (Original) The method of claim 2 wherein the image file is transmitted by fax.

4. (Original) The method of claim 2 further comprising the step of reconciling the charge incurred against the stored-value card account number to confirm the health care provider has been paid for the services approved by the administrator.

5. (Original) The method of claim 2 wherein the stored-value card account number is chargeable only through a medical services terminal.

6. (Original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by a computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP to the health care provider wherein the electronic transmission includes a computer-generated image of a physical card; and

reconciling the charged card account to confirm that the health care provider has received payment.

7. (New, Previously Amended) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, stored-value card account by one or more computers with an amount equal to a single, adjudicated benefit payment, generating an explanation of benefits associated with the payment;

creating a computer-generated file containing the stored-value card account number, the adjudicated benefit payment amount, a card verification value code, an expiration date, and the explanation of benefits by one or more computers; and

transmitting the file by one or more computers to the health care provider.

8. (New, Previously Presented) The method of claim 7 further comprising the step of reconciling the charged card account to confirm that the health care provider has received payment.

9. (New, Previously Presented) The method of claim 7 further comprising the step of providing a computer-generated image of a physical card in the transmitted file.

10. (New, Previously Presented) The method of claim 7 wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

11. (New, Previously Presented) The method of claim 7 wherein the stored-value card account is only chargeable through a medical services terminal.

12. (New, Previously Amended) A system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:

an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient's insurance company; and

a payment mechanism associated with the explanation of benefits, the payment mechanism merging a stored-value card account number, an adjudicated benefit payment amount, a card verification value code, and an expiration date with the explanation of benefits into a document by one or more computers;

wherein the stored-value card account number is linked to a unique, stored-value card account prefunded with an amount equal to a single, adjudicated benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services by said one or more computers.

13. (New, Previously Presented) The system of claim 12 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

14. (New, Previously Presented) The system of claim 12 wherein a computer-generated image of a physical card is provided in the electronically transmitted document.

15. (New, Previously Presented) The system of claim 12 wherein the electronically transmitted document is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

16. (New, Previously Presented) The system of claim 12 wherein the stored-value card account is only chargeable through a medical services terminal.

17. (New, Previously Amended) A computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising:

receiving an explanation of benefits related to medical services provided by a health care provider;

receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;

funding a unique, stored-value card account with an amount equal to the adjudicated benefit payment by one or more computers;

merging the explanation of benefits with the stored-value card account number, the adjudicated benefit amount of payment, a card verification value code, and an expiration date in an electronic file by said one or more computers; and

electronically sending the merged file to the health care provider as payment for the services by said one or more computers.

18. (New, Previously Presented) The method of claim 17 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

19. (New, Previously Presented) The method of claim 17 wherein a computer-generated image of a physical card is provided in the merged file.

20. (New, Previously Presented) The method of claim 17 wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

21. (New, Previously Presented) The method of claim 17 wherein the stored-value card account is only chargeable through a medical services terminal.

22. (New, Previously Amended) A system for payment of health care benefits to a health care provider, the system comprising:

an administration system operable to receive a benefit claim the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment; and

a card processing system operable to fund a stored-value card account with an amount equal to the approved payment by one or more computers, the card processing system also operable to merge the explanation of benefits with the stored-value card account number by one or more computers, the adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim by one or more computers.

23. (New, Previously Presented) The system of claim 22 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

24. (New, Previously Presented) The system of claim 22 wherein a computer-generated image of a physical card is provided in the electronic file.

25. (New, Previously Presented) The system of claim 22 wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

26. (New, Previously Presented) The system of claim 22 wherein the stored-value card account is only chargeable through a medical services terminal.

REMARKS

1. Claims 1-26 are currently pending. The present Supplemental Amendment C makes no substantive amendments to any of the claims.
2. 37 C.F.R. §1.111(a)(2)states that "[t]he Office may enter a supplemental reply if the supplemental reply is clearly limited to: . . . (C) Placement of the application in condition for allowance; . . . [or] (E) Correction of informalities." The present Supplemental Amendment C is limited to these two statutorily permitted purposes, and therefore, may be entered in its entirety.
3. Claims 7-26 stand objected to on two informalities:
    a. Claims 7-26 stand objected to as they are not underlined per 37 C.F.R. 1.173(d)(2), which states that "[t]he matter to be added by reissue must be underlined." Accordingly, Applicant has underlined claims 7-26.
    b. Claim 7 stands objected to as its steps are not separated by a line indentation per 37 C.F.R. 1.75(i), which states that "[w]here a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation." Accordingly, Applicant has separated all elements/steps of claims 1, 2, 6, 7, 12, 17 and 22 by line indentations as those claims cover a plurality of elements/steps. The claims are now believed to be in full compliance with 37 C.F.R. 1.75(i).
4. Applicant submits a Supplemental Reissue Oath/Declaration concurrently with this Supplemental Amendment C in compliance with the MPEP 1414.01, which states that "[t]he supplemental oath/declaration in accordance with 37 CFR 1.175(b)(1) must be submitted before allowance." To ensure full compliance with all statutory

requirements, Applicant used PTO Form 51S, which was duly executed by the sole inventor.

Very respectfully,

SMITH & HOPEN

By: /anton j. hopen/
Anton J. Hopen

Dated: August 24, 2012

Reg. No. 41,849
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone
(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

PTO/SB/15 (08-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION TO CORRECT "ERRORS" STATEMENT (37 CFR 1.175)

Attorney Docket Number	1516.04 RE
First Named Inventor	Robert M. Allen
COMPLETE if known	
Application Number	13/358,620
Filing Date	01/26/2012
Art Unit	3686
Examiner Name	Nguyen, Hieu V.

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

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.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname	
Robert M.		Allen	
Inventor's Signature	Robert M. Allen	Date	8/23/2012
Name of Second Inventor	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	

☐ Additional inventors or legal representative(s) are being named on the _____ supplemental sheets PTO/SB/02A or 02LR attached hereto.

Electronic Acknowledgement Receipt

EFS ID:	13584662
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	24-AUG-2012
Filing Date:	26-JAN-2012
Time Stamp:	16:13:58
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Supplemental Response or Supplemental Amendment	1516-04-RE-efs-Amendment-C-Supplemental.pdf	163774 6d93f46d4c0d99dc8b6ae80dfab54fcc5a5e a86c	no	9

Warnings:	
Information:	

2	Supp reissue dec filed in accord with MPEP 1414.01.	1516-04-RE-Supp_Dec_PTO51S_signed.pdf	450230 2f0867452b4b260a339747e19fa07f5a5060ce4a	no	1
Warnings:					
Information:					
			Total Files Size (in bytes):	614004	

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

In re PATENT APPLICATION of:	Confirmation Number: 4338
Robert M. ALLEN	Art Unit: 3686
Reissue Application No.: 13/358,620	Examiner: Nguyen, Hiep V.
Filed: January 26, 2012	Customer No.: 21,901
Title: MEDICAL BENEFITS PAYMENT SYSTEM	

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

REQUEST NOT TO STAY EXAMINATION

Sir:

Applicant respectfully requests that the Office does not stay examination of this reissue application despite concurrent litigation. When "it is applicant's desire that the application be examined at that time," action in reissue application will not be stayed. *See* MPEP 1442.02(D).

Applicant does not wish to suspend examination and requests that the application be examined at this time. Therefore, according to MPEP 1442.02(D), the Office must not stay the reissue proceeding and should continue examination of this reissue patent application.

Very respectfully,

SMITH & HOPEN

By: /anton j. hopen/

Dated: September 4, 2012

Anton J. Hopen
Reg. No. 41,849
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone

(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

EFS ELECTRONIC SUBMISSION

I HEREBY CERTIFY that this response is submitted electronically to the United States Patent and Trademark Office on September 4, 2012.

Dated: September 4, 2012

/kari mcdermott/
Kari McDermott

Electronic Acknowledgement Receipt

EFS ID:	13650175
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	04-SEP-2012
Filing Date:	26-JAN-2012
Time Stamp:	16:28:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	1516-04-RE-Request-Not-to-Suspend.pdf	112428 c867b592a4561d1ee9fc08b675751f150a81 23b6	no	2

Warnings:	
Information:	

Total Files Size (in bytes):	112428

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

In re PATENT APPLICATION of:	Confirmation Number: 4338
Robert M. ALLEN	Art Unit: 3686
Reissue Application No.: 13/358,620	Examiner: Nguyen, Hiep V.
Filed: January 26, 2012	Customer No.: 21,901
Title: MEDICAL BENEFITS PAYMENT SYSTEM	

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

SUPPLEMENTAL AMENDMENT D

Responsive to May 18, 2012 Action – Update to August 24, 2012 Amendment C

Sir:

Responsive to the non-final action transmitted May 18, 2012 having a shortened statutory period for response of August 18, 2012, Applicant files this Supplemental Amendment C to provide for each claim added through the reissue process an accompanying explanation and a citation for the support for that claim in the disclosure of the original patent as required by 37 C.F.R. 1.173(c).

Amendments to the specification are listed on page 2 of this paper.

Amendments to the claims are listed on pages 3-8 of this paper.

Remarks begin on page 9 of this paper

EFS SUBMISSION

I HEREBY CERTIFY that this response is submitted electronically to the United States Patent and Trademark Office on October 5, 2012

Dated: October 5, 2012

/charmaine beall/
Charmaine Beall

Amendments to the specification:

Please replace the paragraph in column 1 lines 24-27 with the following amended paragraph:

This creates [The] inefficiencies [to] for all Payers that must coordinate payment for medical services[. This includes], including, but [is] not limited to, insurance carriers, government entities, and non-profit organizations.

Please replace the paragraph in column 2 lines 1-10 with the following amended paragraph:

Paid benefits charged to the associated debit card transaction may be reconciled via the unique card number generated and assigned to a single payment. In addition, the debit card is pre-funded only to the authorized benefit amount. Thus [is] it is not possible to charge more than the authorized benefit amount. Furthermore, the stored-value card account payment may only be charged through a medical services terminal. The terminal may be coupled to a computer-implemented communications network as is known in the art for credit and debit card transactions.

Amendments to the Claims:

1. (Original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by fax to the health care provider; and

reconciling the charged card account to confirm that the health care provider has received payment.

2. (Original) A method of facilitating payment of adjudicated health care benefits to a health care provider comprising:

identifying the health care provider that renders medical services in anticipation of payment; identifying a payer that has agreed to pay the health care provider on behalf of a patient subject to preselected conditions;

identifying an administrator that determines whether the medical services conducted by the service provider meet the preselected conditions by the payer, generates an explanation of benefits, and authorizes payment of the service provider for an authorized amount;

intercepting the explanation of benefits and payment information transmitted from the administrator to the health care provider;
acquiring a single-use, stored-value card account number and loading it with funds equal to the authorized amount; merging the stored-value card account number, the authorized amount, a card verification value code, and an expiration date with the explanation of benefits into a computer-generated image file; and

transmitting the image file to the health care provider via a computer-implemented transmission.

3. (Original) The method of claim 2 wherein the image file is transmitted by fax.

4. (Original) The method of claim 2 further comprising the step of reconciling the charge incurred against the stored-value card account number to confirm the health care provider has been paid for the services approved by the administrator.

5. (Original) The method of claim 2 wherein the stored-value card account number is chargeable only through a medical services terminal.

6. (Original) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by a computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP to the health care provider wherein the electronic transmission includes a computer-generated image of a physical card; and

reconciling the charged card account to confirm that the health care provider has received payment.

7. (New, Previously Amended) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, stored-value card account by one or more computers with an amount equal to a single, adjudicated benefit payment, generating an explanation of benefits associated with the payment;

creating a computer-generated file containing the stored-value card account number, the adjudicated benefit payment amount, a card verification value code, an expiration date, and the explanation of benefits by one or more computers; and

transmitting the file by one or more computers to the health care provider.

8. (New, Previously Presented) The method of claim 7 further comprising the step of reconciling the charged card account to confirm that the health care provider has received payment.

9. (New, Previously Presented) The method of claim 7 further comprising the step of providing a computer-generated image of a physical card in the transmitted file.

10. (New, Previously Presented) The method of claim 7 wherein the transmitted file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

11. (New, Previously Presented) The method of claim 7 wherein the stored-value card account is only chargeable through a medical services terminal.

12. (New, Previously Amended) A system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:

an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient's insurance company; and

a payment mechanism associated with the explanation of benefits, the payment mechanism merging a stored-value card account number, an adjudicated benefit payment amount, a card verification value code, and an expiration date with the explanation of benefits into a document by one or more computers;

wherein the stored-value card account number is linked to a unique, stored-value card account prefunded with an amount equal to a single, adjudicated benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services by said one or more computers.

13. (New, Previously Presented) The system of claim 12 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

14. (New, Previously Presented) The system of claim 12 wherein a computer-generated image of a physical card is provided in the electronically transmitted document.

15. (New, Previously Presented) The system of claim 12 wherein the electronically transmitted document is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

16. (New, Previously Presented) The system of claim 12 wherein the stored-value card account is only chargeable through a medical services terminal.

17. (New, Previously Amended) A computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising:

receiving an explanation of benefits related to medical services provided by a health care provider;

receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;

funding a unique, stored-value card account with an amount equal to the adjudicated benefit payment by one or more computers;

merging the explanation of benefits with the stored-value card account number, the adjudicated benefit amount of payment, a card verification value code, and an expiration date in an electronic file by said one or more computers; and

electronically sending the merged file to the health care provider as payment for the services by said one or more computers.

18. (New, Previously Presented) The method of claim 17 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

19. (New, Previously Presented) The method of claim 17 wherein a computer-generated image of a physical card is provided in the merged file.

20. (New, Previously Presented) The method of claim 17 wherein the merged file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

21. (New, Previously Presented) The method of claim 17 wherein the stored-value card account is only chargeable through a medical services terminal.

22. (New, Currently Amended) A system for payment of health care benefits to a health care provider, the system comprising:

an administration system operable to receive a benefit claim from the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment; and

a card processing system operable to fund a stored-value card account with an amount equal to the approved payment by one or more computers, the card processing system also operable to merge the explanation of benefits with the stored-value card account number by one or more computers, the adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim by one or more computers.

23. (New, Previously Presented) The system of claim 22 wherein the charged card account is reconciled to confirm that the health care provider has received payment.

24. (New, Previously Presented) The system of claim 22 wherein a computer-generated image of a physical card is provided in the electronic file.

25. (New, Previously Presented) The system of claim 22 wherein the electronic file is sent by computer-implemented electronic transmission medium selected from the group consisting of fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

26. (New, Previously Presented) The system of claim 22 wherein the stored-value card account is only chargeable through a medical services terminal.

REMARKS

1. Claims 1-26 are currently pending. The present Supplemental Amendment D makes no substantive changes to any of the claims.
2. 37 C.F.R. §1.111(a)(2)states that "[t]he Office may enter a supplemental reply if the supplemental reply is clearly limited to: . . . (C) Placement of the application in condition for allowance; . . . [and] (D) Correction of informalities (e.g., typographical errors)." The present Supplemental Amendment D is limited to these statutorily-permitted purposes, and therefore, Applicant requests that this supplemental amendment is entered in its entirety.
3. The specification is amended herein to correct several grammatical and typographical errors. The amendments to the specification are not substantive and do not introduce any new matter—their only purpose is correcting minor grammatical errors. The amendments to specification are in full compliance with 37 C.F.R. §1.173(b)(1) and (d).
4. Claim 22 is amended herein by inserting the word "from" into the following limitation "a benefit claim from the health care provider." This amendment corrects a typographical error, does not introduce any new matter, and does not change the scope of the currently amended claim 22.
5. The United States law requires that in reissue applications, "[w]henever there is an amendment to the claims . . . , there must also be supplied, on pages separate from the pages containing the changes, . . . an explanation of the support in the disclosure of the patent for the changes made to the claims." *See* 37 C.F.R. §1.173(c).

Accordingly, the citations listed herein are directed to the disclosure of the U.S. Patent No. 7,792,686, currently under reissue examination.

Support for Claims 7-26 in U.S. Patent No. 7,792,686

Claim 7

6. The preamble and limitations of claim 7 are supported by the disclosure of the U.S. Patent No. 7,792,686 as follows:

> "A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of"

is supported by the disclosure in column 1 lines 33-36;

> "loading a unique, stored-value card account by one or more computers with an amount equal to a single, adjudicated benefit payment, generating an explanation of benefits associated with the payment;"

is supported by the disclosure in column 2 lines 1-3 and 18-19;

> "creating a computer-generated file containing the stored-value card account number, the adjudicated benefit payment amount, a card verification value code, an expiration date, and the explanation of benefits by one or more computers;"

is supported by the disclosure in column 3 lines 18-22;

> "transmitting the file by one or more computers to the health care provider"

is supported by the disclosure in column 2 lines 25-26 and 28-30.

Claim 8

7. Claim 8 is supported by the disclosure in column 2 lines 32-34.

Claim 9

8. Claim 9 is supported by the disclosure in column 1 lines 64-67.

Claim 10

9. Claim 10 is supported by the disclosure in column 3 lines 22-25.

Claim 11

10. Claim 11 is supported by the disclosure in column 2 lines 6-7.

Claim 12

11. The preamble and limitations of claim 12 are supported by the disclosure of the U.S. Patent No. 7,792,686 as follows:

"A system for payment of health care benefits combining payment terms and an explanation of benefits, the system comprising:"

is supported by the disclosure in column 1 lines 33-39;

"an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient's insurance company;"

is supported by the disclosure in column 2 lines 18-20 and column 3 lines 26-29;

"a payment mechanism associated with the explanation of benefits, the payment mechanism merging a stored-value card account number, an adjudicated benefit payment amount, a card verification value code, and an expiration date with the explanation of benefits into a document by one or more computers;"

is supported by the disclosure in column 3 lines 16-22;

"wherein the stored-value card account number is linked to a unique, stored-value card account prefunded with an amount equal to a single, adjudicated benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services by said one or more computers"

is supported by the disclosure in column 2 lines 1-4 and 26-31.

Claim 13

12. Claim 13 is supported by the disclosure in column 2 lines 32-34.

Claim 14

13. Claim 14 is supported by the disclosure in column 1 lines 64-67.

Claim 15

14. Claim 15 is supported by the disclosure in column 3 lines 22-25.

Claim 16

15. Claim 16 is supported by the disclosure in column 2 lines 6-7.

Claim 17

16. The preamble and limitations of claim 17 are supported by the disclosure of the U.S. Patent No. 7,792,686 as follows:

"A computer implemented method for combining payment of health care benefits with an associated explanation of benefits, the method comprising"

is supported by the disclosure in column 1 lines 33-39:

"receiving an explanation of benefits related to medical services provided by a health care provider;"

is supported by the disclosure in column 2 lines 20-22:

"receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;"

is supported by the disclosure in column 2 lines 18-22:

"funding a unique, stored-value card account with an amount equal to the adjudicated benefit payment by one or more computers;"

is supported by the disclosure in column 2 lines 1-4:

"merging the explanation of benefits with the stored-value card account number, the adjudicated benefit amount of payment, a card verification value code, and an expiration date in an electronic file by said one or more computers;"

is supported by the disclosure in column 3 lines 18-22:

"electronically sending the merged file to the health care provider as payment for the services by said one or more computers."

is supported by the disclosure in column 2 lines 25-26 and 28-30.

Claim 18

17. Claim 18 is supported by the disclosure in column 2 lines 32-34.

Claim 19

18. Claim 19 is supported by the disclosure in column 1 lines 64-67.

Claim 20

19. Claim 20 is supported by the disclosure in column 3 lines 22-25.

Claim 21

20. Claim 21 is supported by the disclosure in column 2 lines 6-7.

Claim 22

21. The preamble and limitations of claim 22 are supported by the disclosure of the U.S. Patent No. 7,792,686 as follows:

> "A system for payment of health care benefits to a health care provider, the system comprising:"

is supported by the disclosure in column 1 lines 33-36;

> "an administration system operable to receive a benefit claim the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment;"

is supported by the disclosure in column 3 lines 27-29 and 38;

> "a card processing system operable to fund a stored-value card account with an amount equal to the approved payment by one or more computers, the card processing system also operable to merge the explanation of benefits with the stored-value card account number by one or more computers, the adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim by one or more computers"

is supported by the disclosure in column 3 lines 16-24 and column 2 lines 28-30.

Claim 23

22. Claim 23 is supported by the disclosure in column 2 lines 32-34.

Claim 24

23. Claim 24 is supported by the disclosure in column 1 lines 64-67.

Claim 25

24. Claim 25 is supported by the disclosure in column 3 lines 22-25.

Claim 26

25. Claim 26 is supported by the disclosure in column 2 lines 6-7.

26. Per Examiner's suggestion, Applicant submits a Reissue Application Declaration by the Inventors concurrently with the present Supplemental Amendment D in compliance with the 37 C.F.R. 1.175(a). To ensure full compliance with this statutory requirement, Applicant used Form PTO/SB/51, which was duly executed by the sole inventor.

Very respectfully,

SMITH & HOPEN

By: /andriy lytvyn/

Dated: October 5, 2012

Andriy Lytvyn
Reg. No. 65,166
180 Pine Avenue North
Oldsmar, Florida 34677
(813) 925-8505 telephone
(813) 925-8525 fax
patents@smithhopen.com
Attorneys for Applicant

PTO/SB/51 (09-12)
Approved for use through 08/31/2013. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION DECLARATION BY THE INVENTOR	Docket Number (Optional) 1516.04.RE

I hereby declare that:
Each inventor's residence, mailing address and citizenship are stated below next to their name.
I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 7,792,686, granted 09/07/2010 and for which a reissue patent is sought on the invention entitled Medical Benefits Payment System,

the specification of which

☐ is attached hereto.

☒ was filed on 01/26/2012 as reissue application number 13/358,620

and was amended on 1/26/12, 6/28/12, 7/19/12, 8/24/12, and 10/5/12 .
(If applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. This application was made or was authorized to be made by me.
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional): 1516.04.RE

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Note: To appoint a power of attorney, use form PTO/SB/81.

Correspondence Address. Direct all communications about the application to:

■ The address associated with Customer Number: 21,901

OR

☐ Firm or Individual Name	
Address	
City	State / Zip
Country	
Telephone	Email

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.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 35 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Full name of sole or first inventor (given name, family name)
Robert Allen

Inventor's signature: Robert Allen	Date: 10-1-12
Residence: USA	Citizenship: USA

Mailing Address:
111 Spring Valley Road, Suit 100, Richardson, TX 75081

Full name of second joint inventor (given name, family name)

Inventor's signature	Date
Residence	Citizenship

Mailing Address:

☐ Additional joint inventors or legal representatives are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.

Electronic Acknowledgement Receipt	
EFS ID:	13918193
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	*Robert M. Allen*
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	05-OCT-2012
Filing Date:	26-JAN-2012
Time Stamp:	13:18:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Supplemental Response or Supplemental Amendment	1516-04-RE-EFS-Supplemental-Amendment-D.pdf	208287 6325e8d31c72ecfb2eaa28c6074faaa55402df9f	no	14

Warnings:	
Information:	

2	Reissue dec filed in accordance with MPEP 1414	1516-04-RE-EFS-Reissue-App-Declaration.pdf	480544 d038f4c8ec3edee34ba65e7e383b12833ba72aa5	no	2

Warnings:	
Information:	
Total Files Size (in bytes):	688831

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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/358,620	01/26/2012	

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY ☒ RATE ($)	SMALL ENTITY ☒ FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ 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).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT 10/05/2012	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 26	Minus	** 26	= 0	X $31 =	0	OR	X $ =	
Independent (37 CFR 1.16(h))	* 7	Minus	*** 7	= 0	X $125 =	0	OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

AMENDMENT	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) 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 $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					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:
/HENRIETT K. DENDY/

Application Number	Application No.	Applicant(s)
	13/358,620	ALLEN
	Notice of Reissue Published in OG on 2/21/12	

Original Patent Number of Patent To Be Reissued is
7,792,686

The Maintenance fee status is:
- [x] up to date.
- [ ] not required.

This reissue patent is subject to A Terminal Disclaimer that: N/A
- [ ] was filed during the prosecution of the reissue application.
- [ ] was of record prior to the filing of the reissue application.

Physical surrender of the letters patent
- [ ] was made.
- [ ] was not made, but a statement of loss/inaccessibility was provided.
- [x] is not required

Final SPRE Review

SM
(INITIALS)

10/22/12
(DATE)

U.S. Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

21901 7590 11/07/2012

Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

EXAMINER
NGUYEN, HIEP VAN

ART UNIT	PAPER NUMBER
3686	

DATE MAILED: 11/07/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

TITLE OF INVENTION: MEDICAL BENEFITS PAYMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$885	$0	$0	$885	02/07/2013

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 SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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)

21901 7590 11/07/2012
Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

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.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

TITLE OF INVENTION: MEDICAL BENEFITS PAYMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$885	$0	$0	$885	02/07/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, HIEP VAN	3686	705-002000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "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.**

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(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.
1 _____
2 _____
3 _____

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

4a. The following fee(s) are submitted:
- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ 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).

5. **Change in Entity Status** (from status indicated above)
- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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.

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

21901 7590 11/07/2012

Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

EXAMINER	
NGUYEN, HIEP VAN	

ART UNIT	PAPER NUMBER
3686	

DATE MAILED: 11/07/2012

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

A reissue patent is for "the unexpired part of the term of the original patent." See 35 U.S.C. 251. Accordingly, the above-identified reissue application is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

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.	Applicant(s)	
	13/358,620	ALLEN, ROBERT M.	
	Examiner	Art Unit	
	HIEP V. NGUYEN	3686	

-- 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 *10/15/2012*.

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 *1-26*.

4. ☐ 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 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. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ 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).

7. ☐ 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. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/HIEP V NGUYEN/
Primary Examiner (Acting), Art Unit 3686

DETAILED ACTION

Acknowledgement(s)

1. The written "Request not to stay examination" submitted on Sept. 4, 2012 has been acknowledged.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Anthony Hopen on 09/13/2012, and based on claim amendment on 10/15/2012.

The application has been amended as follows:

7. (Amended) A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use stored-value card account by one or more computers with an amount equal to a single, adjudicated benefit payment, generating an explanation of benefits associated with the payment;

creating a computer-generated file containing the stored-value card account number, the adjudicated benefit payment amount, a card verification value code, an expiration date, and the explanation of benefits by one or more computers; and

transmitting the file by one or more computers to the health care provider.

12. (Amended) A system for payment of adjudicated health care benefits combining payment terms and an explanation of benefits, the system comprising:

an explanation of benefits describing medical services provided to a patient by a health care provider, an amount billed by the health care provider and an amount paid by the patient's insurance company; and

a payment mechanism associated with the explanation of benefits, the payment mechanism merging a stored-value card account number, an adjudicated benefit payment amount, a card verification value code, and an expiration date with the explanation of benefits into a document by one or more computers;

wherein the stored-value card account number is linked to a unique, single-use stored-value card account prefunded with an amount equal to a single, adjudicated benefit payment, and wherein the document is electronically transmitted to the health care provider as payment for the medical services by said one or more computers.

17. (Amended) A computer implemented method for combining payment of adjudicated health care benefits with an associated explanation of benefits, the method comprising:

receiving an explanation of benefits related to medical services provided by a health care provider

receiving authorization to pay at least a portion of submitted charges associated with the explanation of benefits and the associated funds for payment;

funding a unique, single-use stored-value card account with an amount equal to the adjudicated benefit payment by one or more computers;

merging the explanation of benefits with the stored-value card account number, the adjudicated benefit amount of payment, a card verification value code, and an expiration date in an electronic file by said one or more computers; and

electronically sending the merged file to the health care provider as payment for the services by said one or more computers

22. (Amended) A system for payment of adjudicated health care benefits to a health care provider, the system comprising:

an administration system operable to receive a benefit claim from the health care provider and to generate an explanation of benefits for the benefit claim along with an approved payment; and

a card processing system operable to fund a single-use stored-value card account with an amount equal to the approved payment by one or more computers, the card processing system also operable to merge the explanation of benefits with the stored-value card account number by one or more computers, the adjudicated amount of payment, a card verification value code, and an expiration date in an electronic file and to send the electronic file to the health care provider as payment for the benefit claim by one or more computers.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: Claims 1-6, 7-26 are allowed.

4. With respect to claims 1-6, see Allowable Subject Matter as indicated in Office Action on 05/18/2012.

Claims 7, 8-11 are method claim of claim 1; therefore, claims 7, 8-11 are allowed for the reasons given in claim 1.

5. Claims 12, 17, and 22 relate a system and method of Cracchiolo et al. (US. 7,434,729) in view of DiRienzo (US. 6,343,310). In Cracchiolo, the invention discloses a method comprises the steps of: receiving, at a host computer, a request from a provider for payment for a charge incurred by a purchaser; identifying a plurality of funding

sources of the purchaser from which to draw funds for payment of the charge; and causing at least one of the plurality of funding sources to be debited for at least a portion of the purchasing amount of the item based on the payment authorization ('729; Abstract), and use of a health card by an employee prior to any adjudication process. In DiRienzo, the invention discloses the Final Payment Claim must be completed so as to order a check issued to the service provider along with an Explanation of Benefits (EOB). A check is again preformed to see that the form has been completely and correctly completed and the operator is notified if an error has occurred and a payment draft is issued, in the approved amount, to the service provider ('310; Col. 25, lines 12-55).

The combined art fails to disclose the single-use stored value card that is loaded with funds equal to the authorized benefit payment or prefunded with an amount equal to a single, adjudicated benefits payment, and creating a computer-generated image file containing the single-use stored-value card account number, a card verification value code, an expiration date, an explanation of benefits.

Claims 13-16 are allowed as being dependent from claim 12.

Claims 18-21 are allowed as being dependent from claim 17.

Claims 23-26 are allowed as being dependent from claim 22.

6. 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. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HIEP V. NGUYEN whose telephone number is (571) 270-5211. The examiner can normally be reached on Monday through Friday between 8:00AM and 5:00PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on 5712726787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

9. 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.

10. Official replies to this Office action may now be submitted electronically by registered users of the EFS-Web system. Information on EFS-Web tools is available on the Internet at: *http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp*. An EFS-Web Quick-Start Guide is available at: *http://www.uspto.gov/ebc/portal/efs/quick-start.pdf*.

11. Alternatively, official replies to this Office action may still be submitted by any ***one*** of fax, mail, or hand delivery. **Faxed replies should be directed to the central fax at (571) 273-8300**. Mailed replies should be addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450." Hand delivered replies should be delivered to the "Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314."

/HIEP V NGUYEN/
Primary Examiner, Art Unit 3686

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13358620	ALLEN, ROBERT M.
	Examiner	**Art Unit**
	HIEP V NGUYEN	3686

SEARCHED			
Class	**Subclass**	**Date**	**Examiner**
705	2	7/19/2012	HVN

SEARCH NOTES		
Search Notes	**Date**	**Examiner**
Search EAST: See attached search history	7/19/2012	HVN
consulted by Morgan, Robert, O'Conor, Jerry for claim 7	7/18/2012	HVN

INTERFERENCE SEARCH			
Class	**Subclass**	**Date**	**Examiner**
search all of above		7/19/2012	HVN

/H.V.N./ Primary Examiner (Acting).Art Unit 3686	

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13358620	ALLEN, ROBERT M.
	Examiner	**Art Unit**
	HIEP V NGUYEN	3686

ORIGINAL		INTERNATIONAL CLASSIFICATION									
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED				
705	2	G	0	6	Q	10 / 00 (2012.01.01)					

CROSS REFERENCE(S)					
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)				
709	200				
235	380				
705	17				

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	17	17												
2	2	18	18												
3	3	19	19												
4	4	20	20												
5	5	21	21												
6	6	22	22												
7	7	23	23												
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9	9	25	25												
10	10	26	26												
11	11														
12	12														
13	13														
14	14														
15	15														
16	16														

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	26	
/HIEP V NGUYEN/ Primary Examiner.Art Unit 3686	10/22/2012	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	7	3, 4

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13358620	ALLEN, ROBERT M.
	Examiner	**Art Unit**
	HIEP V NGUYEN	3686

✓	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	05/10/2012	10/22/2012							
1	1	=	=							
2	2	=	=							
3	3	=	=							
4	4	=	=							
5	5	=	=							
6	6	=	=							
7	7	✓	=							
8	8	✓	=							
9	9	✓	=							
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21	21	✓	=							
22	22	✓	=							
23	23	✓	=							
24	24	✓	=							
25	25	✓	=							
26	26	✓	=							

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)

21901 7590 11/07/2012
Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

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.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

TITLE OF INVENTION: MEDICAL BENEFITS PAYMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$885	$0	$0	$885	02/07/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, HIEP VAN	3686	705-002000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "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.**

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(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.

1 Anton J. Hopen
2 Andriy Lytvyn
3 Smith & Hopen, P.A.

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: StoneEagle Services, Inc.
(B) RESIDENCE: (CITY and STATE OR COUNTRY): Richardson, Texas

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

4a. The following fee(s) are submitted:
- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ☐ A check is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☐ 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).

5. **Change in Entity Status** (from status indicated above)
- ☐ a. *Applicant claims SMALL ENTITY status. See 37 CFR 1.27.*
- ☐ b. *Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).*

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 /anton j hopen/ Date November 7, 2012

Typed or printed name Anton J. Hopen Registration No. 41849

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.

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.

Electronic Patent Application Fee Transmittal

Application Number:	13358620
Filing Date:	26-Jan-2012
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Filer:	Anton John Hopen
Attorney Docket Number:	1516.04RE

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	885	885
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	885

Electronic Acknowledgement Receipt	
EFS ID:	14172031
Application Number:	13358620
International Application Number:	
Confirmation Number:	4338
Title of Invention:	MEDICAL BENEFITS PAYMENT SYSTEM
First Named Inventor/Applicant Name:	Robert M. Allen
Customer Number:	21901
Filer:	Anton John Hopen
Filer Authorized By:	
Attorney Docket Number:	1516.04RE
Receipt Date:	07-NOV-2012
Filing Date:	26-JAN-2012
Time Stamp:	16:24:58
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$885
RAM confirmation Number	3281
Deposit Account	
Authorized User	

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)	1516-04-RE-Issue-Fee.pdf	290371 e68b0eed96971ca5d1e740d1x653b03b78d3ea014	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	29946 21f8301790740911d4e4d4ee4f0d0d3566cb44c1	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	320317		

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.

<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.

<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.

<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.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/358,620	01/01/2013	RE43904	1516.04RE	4338

21901 7590 12/12/2012

Smith & Hopen, P.A.
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

A reissue patent is for "the unexpired part of the term of the original patent." See 35 U.S.C. 251. Accordingly, the above-identified reissue application is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

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):

Robert M. Allen, Richardson, TX;

AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	

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 Northern District of Texas, Dallas Division on the following

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

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
3:12-cv-01687-P	5/31/2012	Northern District of Texas, Dallas Division

PLAINTIFF	DEFENDANT
Stoneeagle Services Inc et al	Jim Valentine

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	not available		not available
2			
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED 3/28/2013	INCLUDED BY ☑ Amendment ☑ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,792,686	9/7/2010	StoneEagle Services Inc
2 RE43,904	1/1/2013	StoneEagle Services Inc
3		
4		
5		

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

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
Karen Mitchell	s/Shakira K. Todd	6/1/2012

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

Print Save As... Reset

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/358,620	01/26/2012	Robert M. Allen	1516.04RE	4338

21901 7590 08/02/2013

Smith & Hopen (private clients)
Attn: General Patent Matters
180 Pine Avenue North
Oldsmar, FL 34677

EXAMINER	
NGUYEN, HIEP VAN	
ART UNIT	PAPER NUMBER
3686	

NOTIFICATION DATE	DELIVERY MODE
08/02/2013	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):

patents@smithhopen.com
pair@smithhopen.com
anton.hopen@gmail.com

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

DATE: July 30, 2013
TO: Certificates of Correction Branch
FROM: Jerry O'Connor
SPE, Art Unit 3686
SUBJECT: REQUEST FOR CERTIFICATE OF CORRECTION

Please issue a Certificate of Correction in U. S. Letters Patent No. RE43,904 as specified on the attached Certificate.

/Jerry O'Connor/
Jerry O'Connor
Supervisory Patent Examiner
Art Unit 3686

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE

Patent No. RE43,904
Patented: January 1, 2013

The present reissue patent issued from an application that is one of a family of reissue applications all resulting from U.S. Patent No. 7,792,686. The present reissue patent has issued without the cross reference to the other reissue application(s) of the family required pursuant to 37 CFR 1.177(a). Accordingly, please insert in the first sentence of the specification as follows:

Notice: More than one reissue application has been filed for the reissue of patent 7,792,686. The latest application which has been filed, 13/715,053, is a continuation reissue of this application, 13/358,620, which has now issued as U.S. Patent No. RE43,904.

/Jerry O'Connor/
Jerry O'Connor
Supervisory Patent Examiner
Art Unit 3686

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO.	: RE43,904 E
APPLICATION NO.	: 13/358620
DATED	: January 1, 2013
INVENTOR(S)	: Robert Allen

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Specification

Column 1, line 15, above the heading, "FIELD OF THE INVENTION" insert:
--Notice: More than one reissue application has been filed for the reissue of patent 7,792,686. The latest application which has been filed, 13/715,053, is a continuation reissue of this application, 13/358,620, which has now issued as U. S. Patent No. RE43,904.--

Signed and Sealed this
Fifteenth Day of October, 2013

Teresa Stanek Rea
Deputy Director of the United States Patent and Trademark Office

Trials@uspto.gov
571-272-7822

Paper 11
Entered: February 18, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DAVID W. GILLMAN, TALON TRANSACTION TECHNOLOGIES, INC., and NEXPAY, INC

Petitioner

v.

STONEEAGLE SERVICES, INC.

Patent Owner

Case CBM2013-00047
Patent RE43,904

Before KEVIN F. TURNER, JUSTIN T. ARBES, and MIRIAM L. QUINN, *Administrative Patent Judges.*

TURNER, *Administrative Patent Judge.*

DECISION

Denying Institution of Covered Business Method Patent Review
37 C.F.R. § 42.208

I. BACKGROUND

Petitioners David W. Gillman, Talon Transaction Technologies Inc., and Nexpay, Inc. ("Petitioner") filed a Petition (Paper 1; "Pet.") to institute a covered business method patent review of claims 1-7, 9, 10, 12, 17, and 22 of U.S. Patent No. RE43,904 (the "'904 Patent") pursuant to 35 U.S.C. §§ 321-329. Patent Owner StoneEagle Services, Inc. ("Patent Owner") filed a preliminary response (Paper 10; "Prelim. Resp.").[1] We have jurisdiction under 35 U.S.C. § 324.

The standard for instituting a covered business method patent review is set forth in 35 U.S.C. § 324(a):

> THRESHOLD —The Director may not authorize a post-grant review to be instituted unless the Director determines that the information presented in the petition filed under section 321, if such information is not rebutted, would demonstrate that it is more likely than not that at least 1 of the claims challenged in the petition is unpatentable.

Petitioner challenges claims 1-7, 9, 10, 12, 17, and 22 as unpatentable under 35 U.S.C. §§ 102 and 103. For the reasons that follow, the Petition is *denied.*

A. The '904 Patent (Ex. 1001)

The '904 Patent, titled "Medical Benefits Payment System," issued on January 1, 2013, and is a reissue of U.S. Patent No. 7,792,686 ("the '686 Patent"), issued September 7, 2010. The latter patent, in turn, was based on

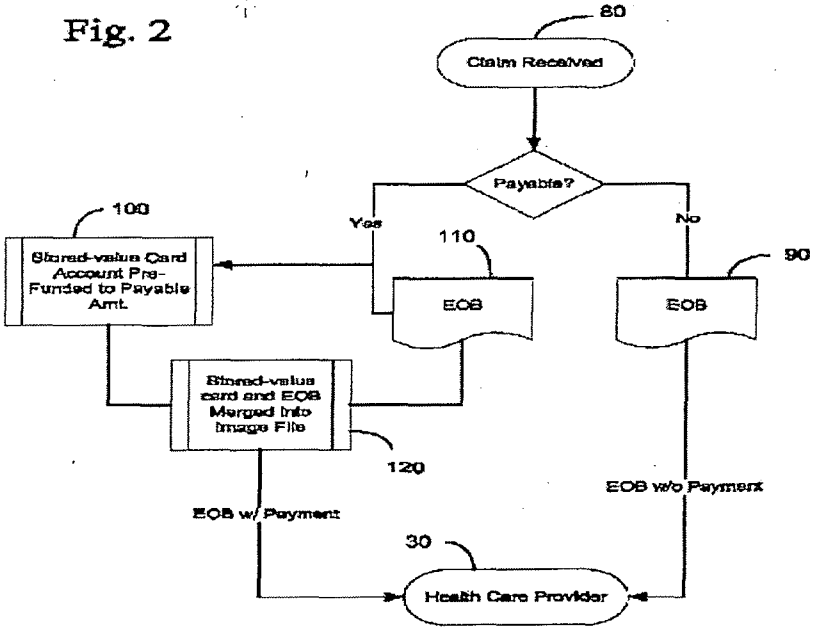
[1] Patent Owner is reminded that all papers filed in this proceeding must comply with the Board's rules regarding font size. *See* 37 C.F.R. § 42.6(a)(2)(ii).

U.S. Patent Application No. 11/566,930, filed December 5, 2006. The reissued '904 Patent issued with claims 1-26, claims 1, 2, 6, 7, 12, 17, and 22 being independent.

The '904 Patent relates to facilitating payments for medical benefits, and to streamlining payment of health care providers by administrators and insurance carriers that handle claims adjudication and payment to these providers. Ex. 1001 at 1:18-22. An embodiment of the invention includes the step of electronically transmitting a stored-value card account payment of an authorized benefit amount concurrently with an explanation of benefits. *Id.* at 1:48-57. Stored-value card accounts also include finance cards, debit cards, and electronic funds transfer (EFT) cards. *Id.*

Figure 2, reproduced below, shows a flowchart depicting the method of deploying the paid benefits system:

Fig. 2



The '904 Patent discloses:

> In FIG. 2, claim 80 is received. Claim 80 is then evaluated to determine whether it is payable under the terms of an applicable policy. If claim 80 is not even partially payable, then non-payment EOB [explanation of benefits] 90 is generated and transmitted to health care provider 30 without payment. However, if claim 80 is at least partially payable, then stored-value card account 100 is loaded with funds equal to the amount of the payable benefit. Payment EOB 110 is merged with stored-value card account 100 to generate image file 120. Image file 120 includes payment EOB 110 and a computer-generated facsimile of a physical stored-value card complete with the card number, expiration date and security verification code. Image file 120 is transmitted to health care provider 30 by a suitable transmission medium including, but not limited to, fax, SMTP, SMS, MMS, HTTP, HTTPS, and FTP.

Id. at 3:32-46.

B. Related Matters

The '904 Patent previously was asserted in the following proceedings: *StoneEagle Services, Inc. v. Pay-Plus Solutions, Inc.*, Civil Case No. 8:2013cv02240 (M.D. Florida); *StoneEagle Services, Inc. v. Valentine,* Civil Case No. 3:12-CV-01687-P (N.D. Texas); and *Valentine v. Allen,* Civil Case No. 4:13-CV-00104-RAS (E.D. Texas). Paper 9 at 2. The '904 Patent currently is being asserted in *StoneEagle Services, Inc. v. David Gillman,* Civil Case No. 3:11-CV-02408-P (N.D. Texas). Paper 9 at 2.

C. Exemplary Claim

Claim 1 of the '904 Patent is exemplary of the claims at issue:

1. A method of facilitating payment of adjudicated health care benefits to a health care provider on behalf of a payer comprising the steps of:

loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal;

generating an explanation of benefits associated with the payment;

creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits;

transmitting the image file by fax to the health care provider; and

reconciling the charged card account to confirm that the health care provider has received payment.

D. Asserted References

In its Petition, Petitioner asserts the following references:

Moreau	US 5,590,196	December 31, 1996	Ex. 1012
Doggett	US 5,677,955	October 14, 1997	Ex. 1014
Bednar	US 5,832,460	November 3, 1998	Ex. 1023
Spurgeon	US 5,890,129	March 30, 1999	Ex. 1020
DiRienzo	US 6,003,007	December 14, 1999	Ex. 1019
Ganesan	EP 1 049 056 A2	November 2, 2000	Ex. 1013
Kessler	US 2001/0034618 A1	October 25, 2001	Ex. 1011
Smith	US 2002/0194027 A1	December 19, 2002	Ex. 1024
Baaren	US 2004/0249745 A1	December 9, 2004	Ex. 1009
Hogan	US 2005/0033604 A1	February 10, 2005	Ex. 1006
Allen	US 2005/0209964 A1	September 22, 2005	Ex. 1021
Rosenberger	US 2005/0261944 A1	November 24, 2005	Ex. 1025
Kossol	US 2006/0010016 A1	January 12, 2006	Ex. 1022
Bush	US 2006/0106650 A1	May 18, 2006	Ex. 1008

Kennedy	US 2007/0005402 A1	January 2, 2007	Ex. 1015
Fredman	US 7,380,707	June 3, 2008	Ex. 1018
Guest	US 2009/0222353 A1	September 3, 2009	Ex. 1010
Spear	US 7,752,134	July 6, 2010	Ex. 1017

"Visa Commercial Solutions: Merchant Category Codes for IRS Form 1099-MISC Reporting," Visa U.S.A. Inc., 2004 (Ex. 1016, "MCC").

"AP vPayment XML Supplier Training," GE Corporate Payment Services, containing a date of January 26, 2005 (Ex. 1007, "AP vPayment").

E. Asserted Grounds of Unpatentability

Petitioner challenges the patentability of claims 1-7, 9, 10, 12, 17, and 22 of the '904 Patent based on the following asserted grounds of unpatentability:

Reference(s)	Basis	Claims challenged
Hogan	§ 102	1-7, 9, 10, 12, 17, and 22
Hogan and AP vPayment	§ 103	1-7, 9, 10, 12, 17, and 22
Bush, Baaren, MCC, Spear, Guest, and (Fredman or DiRienzo or Spurgeon) and (Kessler or Moreau) and (Allen or Kossol or Bednar) and (Ganesan or Doggett) and (Smith or Rosenberger)	§ 103	1, 2, 6, 7, 12, 17, and 22
Kennedy and AP vPayment	§ 103	1, 2, 5, 6, 7, 12, 17, and 22

II. ANALYSIS

A. (1) Financial Product or Service

A "covered business method patent" is a patent that "claims a method or corresponding apparatus for performing data processing or other

operations used in the practice, administration, or management of a financial product or service, except that the term does not include patents for technological inventions." Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) ("AIA") § 18(d)(1); *see* 37 C.F.R. § 42.301(a). For purposes of determining whether a patent is eligible for a covered business method patent review, the focus is on the claims. *See* Transitional Program for Covered Business Method Patents—Definitions of Covered Business Method Patent and Technological Invention, 77 Fed. Reg. 48,734, 48,736 (Aug. 14, 2012) (Final Rule)("CBM Rules"). A patent need have only one claim directed to a covered business method to be eligible for review. *Id.*

In promulgating rules for covered business method patent reviews, the Office considered the legislative intent and history behind the AIA's definition of "covered business method patent." *Id.* at 48735-36. The "legislative history explains that the definition of covered business method patent was drafted to encompass patents 'claiming activities that are financial in nature, incidental to a financial activity or complementary to a financial activity.'" *Id.* (citing 157 Cong. Rec. S5432 (daily ed. Sept. 8, 2011) (statement of Sen. Schumer)). The legislative history indicates that "financial product or service" should be interpreted broadly. *Id.*

Claim 1 is addressed to "[a] method of facilitating payment of adjudicated health care benefits to a health care provider," and "loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment." In other words, the method involves the data processing of a single use payment card in the administration of a

medical insurance benefit. Therefore, the '904 Patent claims "a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service." *See* AIA § 18(d)(1); 37 C.F.R. § 42.301(a).

Additionally, claim 1 is directed to subject matter that is financial by nature. Adjudicating an insurance claim and processing payment for that claim are inherently financial activities.

Claim 1 meets the "financial product or service" component of Section 18(d)(1) of the AIA.

A.(2) Technological Invention

The definition of "covered business method patent" in Section 18(d)(1) of the AIA does not include patents for "technological inventions." To determine whether a patent is for a technological invention, we consider "whether the claimed subject matter as a whole recites a technological feature that is novel and unobvious over the prior art; and solves a technical problem using a technical solution." 37 C.F.R. § 42.301(b). The following claim drafting techniques, for example, typically do not render a patent a "technological invention":

> (a) Mere recitation of known technologies, such as computer hardware, communication or computer networks, software, memory, computer-readable storage medium, scanners, display devices or databases, or specialized machines, such as an ATM or point of sale device.
>
> (b) Reciting the use of known prior art technology to accomplish a process or method, even if that process or method is novel and non-obvious.

(c) Combining prior art structures to achieve the normal, expected, or predictable result of that combination.

Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,763-64 (Aug. 14, 2012).

We are persuaded that claim 1 as a whole does not recite a technological feature that is novel and unobvious over the prior art. In particular, claim 1 only recites the presence of well-known physical technologies in support of the claimed method. "Medical service terminals" were well-known data-entry-computer systems used in a medical office at the time of invention. *See* Ex. 1001 at 2:24-27. "Computer generated image files" also were known in the art at the time of invention, as was the media used for facilitating the transmission of such files between electronic systems. *See id.* at 2:44-49.

The structures used in the method of claim 1 are thus "known technologies, such as computer hardware, communication or computer networks, software, memory, [or] computer-readable storage medi[a]," and do not define a technological invention within the meaning of 37 C.F.R. § 42.301(b).

A single claim is sufficient to institute a covered business method patent review. In view of the foregoing, we conclude that the presence of claim 1 means that the '904 Patent is a covered business method patent under AIA Section 18(d)(1).

B. Consideration of AIA § 18(a)(1)(C)

AIA § 18(a)(1)(C) requires that a challenge to a claim in a covered business method patent be supported by prior art that is (i) described by pre-

AIA 35 U.S.C. § 102(a), or (ii) (I) that discloses the invention more than one year before the date of application for patent in the United States and (II) would be described by pre-AIA 35 U.S.C. § 102(a) if the disclosure had been made by another before the invention thereof by the applicant for patent.

Certain references cited in the Petition are prior art to the challenged claims of the '904 Patent only under 35 U.S.C. § 102(e). Under Section 18(a)(1)(C) of the AIA, these references are not available for consideration in a covered business method patent review proceeding. The application that issued as the '686 Patent was filed December 5, 2006. Consequently, Kennedy, Fredman, Guest, and Spear, based on their publication or issuance dates, may not be the basis for a covered business method patent review challenge to the '904 Patent. This removes Petitioner's last asserted ground, based on Kennedy and APvPayment, from consideration, as discussed below.

C. Claim Construction

During a review before the Board, we construe the claims in accordance with the broadest reasonable interpretation in light of the specification. 37 C.F.R. § 42.300(b); 77 Fed. Reg. 48,680 48,697-98 (Aug. 14, 2012). The claim language should be read in light of the specification as it would be interpreted by one of ordinary skill in the art. *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004). The Office must apply the broadest reasonable meaning to the claim language, taking into account any definitions presented in the specification. *Id.* (citing *In re Bass*,

314 F.3d 575, 577 (Fed. Cir. 2002)).

Both parties seek specific constructions for certain claim terms. For Petitioner, the terms are: "medical services terminal," "stored value card" or "stored value card account," "reconciling," "intercepting," and "image file;" Pet. 9-11. For Patent Owner, the terms are: "single-use," "single, authorized benefit payment," "loading . . . with funds," "loading . . . with an amount," "prefunded with an amount," "funding . . . with an amount," and "fund . . . with an amount;" Prelim. Resp. 2-3. We need not provide an interpretation of each of the above limitations to decide whether to institute a covered business method patent review, and we rely on the broadest reasonable interpretation consistent with the specification of the claim terms not specifically discussed herein, for purposes of this decision.

Medical services terminal (claims 1 and 6)

Petitioner argues that the proper interpretation of "medical services terminal" is "a credit or debit card machine for charging medical services," Pet. 9-10, relying on citations to the specification of the '904 Patent. Patent Owner does not propose an interpretation for the term. We agree with Petitioner except that we conclude that the term should be construed as "a machine for charging medical services." This comports with the language of claim 1, which recites, in part, that "the card account [is] only chargeable through a medical services terminal." While the section of the specification cited by Petitioner recites that the "terminal may be coupled to a computer-implemented communications network as is known in the art for credit and

debit card transactions," Pet. 10; Ex. 1001 at 2:25-27, we are not persuaded that this language limits the claim to a credit or debit card machine.

Stored-value card / stored-value card account (claims 1, 2, 6, 7, 12, 17, and 22)

Petitioner argues that the proper interpretation of a "stored-value card" is a "credit card, debit card, or EFT card" and a "stored-value card account" is a "credit card account, debit card account, or EFT card account." Pet. 10. Petitioner cites to the specification of the '904 Patent, which provides that "[f]or the purposes of this patent specification, stored-value cards and stored-value card accounts shall also include financial instruments known as credit cards, debit cards and EFT cards." Ex. 1001 at 1:54-57. Patent Owner does not propose an interpretation for the terms. We are persuaded that Petitioner's proposed interpretation of "stored-value card" and "stored-value card account" is consistent with the use of the terms in the specification and the claims.

Image file (claims 1, 2, and 6)

Petitioner argues that the proper interpretation of "image file" is "an electronic file that contains an image." Pet. 11. Patent Owner does not appear to object to such an interpretation. Prelim. Resp. 2. Applying the broadest reasonable interpretation of the term, we adopt Petitioner's interpretation of "image file" because it is consistent with the use of the terms in the specification and the claims.

Single-use (claims 1, 2, 6, 7, 12, 17, and 22)

Patent Owner argues that "single-use" means "associated with a benefit payment to a health care provider – and not any other type of payment." Prelim. Resp. 2. Claim 1, for example, recites "loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment, the card account only chargeable through a medical services terminal." Petitioner does not propose an interpretation for the term. The '904 Patent provides that "the stored-value card account payment *may only be charged through a medical services terminal.*" Ex. 1001 at 2:23-24 (emphasis added). Claim 1, for example, recites a similar limitation. We agree that "single-use" would have been understood to mean that an account was associated with a *single type* of card to be used with a *single type* of services terminal and no other type of payment terminal, but we are not persuaded that "single-use" should be constrained to benefit payments or health care providers. The claims provide for the methods being used for "health care benefits" and "health care providers," such that the claim term "single-use" need not be so constrained.

D. Analysis of Available Grounds of Unpatentability

Anticipation by Hogan

Petitioner asserts that claims 1-7, 9, 10, 12, 17, and 22 are anticipated by Hogan. Pet. 11. Hogan discloses that System 45 receives a claim from healthcare provider 20, and provides claim adjudication with insurance company 30 in order for the patient to obtain services. Ex. 1006 ¶ 45. The payments of claims between health care providers and health care third party

payers are adjudicated and effected by utilizing credit card administration systems. *Id.* ¶ 12. System 45 electronically transmits to the healthcare provider a "super bill" that includes an explanation of benefits (EOB) and verification of the payer data. *Id.* ¶¶ 82, 88.

Patent Owner argues that Hogan fails to disclose a number of limitations, namely "loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment," and "creating a computer-generated image file containing the stored-value card account number, the amount, a card verification value code, an expiration date, and the explanation of benefits," of claim 1. Prelim. Resp. 4. Patent Owner also provides recitations in independent claims 2, 6, 7, 12, 17, and 22 that contain similar limitations. Prelim. Resp. 8-10. We are persuaded that Hogan fails to disclose all of the elements of the challenged claims and, therefore, deny Petitioner's asserted ground of anticipation.

As Patent Owner argues, Prelim. Resp. 5, Hogan does not disclose a single-use, stored-value card account. The Petition relies upon credit cards and "standard operating procedures of retail credit card transactions," Pet. 13, but does not cite any express disclosure in Hogan of a single-use, stored-value card account. Although Hogan details that the client "can also use a smart card for retail credit in any store that accepts retail credit cards," to eliminate the client having multiple cards, Ex. 1006 ¶ 55, this is not the same as loading a unique, single-use, stored-value card account with an amount equal to a single, authorized benefit payment. In addition, the Petition cites to the EOB, which contains the insurance company card number, approval code, and other data, Pet. 13-14; Ex. 1006 ¶ 152, for this

element of claim 1, but we are not persuaded that the EOB itself is equivalent to "a single-use, stored-value card account," or that the disclosure of the EOB means that Hogan uses a single-use, stored value card account.

In addition, as Patent Owner points out, the super bill of Hogan provides the information of the charged credit card to which payment was made. Prelim. Resp. 5-6. We agree with Patent Owner that:

> [t]he superbill disclosed in Hogan provides a confirmation that the payment was made, whereas the computer image file of the present invention includes a unique, single-use, stored-value card account, wherein the funds associated with that account have *not yet been deposited* to the healthcare provider, and will be deposited only when the healthcare provider charges the stored-value card account.

Prelim. Resp. 6.

Additionally, Petitioner has not pointed out where in Hogan a "card verification value code," claimed as part of the computer-generated image file, is disclosed. Indeed, the claim charts in the Petition cite to AP vPayment for this element, Pet. 15-16, for claim 1.

Thus, we are not persuaded that the information presented in the Petition alleging that claims 1-7, 9, 10, 12, 17, and 22 are anticipated by Hogan demonstrates that it is more likely than not that the challenged claims are unpatentable.

Obviousness over Hogan and AP vPayment

With respect to this alternative ground, Petitioner argues that if elements of the claims are not found in Hogan, they can be found in AP vPayment. Pet. 12. Patent Owner argues that Petitioner has failed to show

that AP vPayment qualifies as a prior art printed publication. Prelim. Resp. 11. We agree with Patent Owner, as discussed below.

To determine whether to deny a ground on the basis that a reference is not a "printed publication," we decide each case on the basis of its own facts. More specifically, the determination of whether a given reference qualifies as a prior art "printed publication" involves a case-by-case inquiry into the facts and circumstances surrounding the reference's disclosure to members of the public. *In re Klopfenstein*, 380 F.3d 1345, 1350 (Fed. Cir. 2004). "A reference is publicly accessible upon a satisfactory showing that such document has been disseminated or otherwise made available to the extent that persons interested and ordinarily skilled in the subject matter or art exercising reasonable diligence, can locate it." *Kyocera Wireless Corp. v. ITC*, 545 F.3d 1340, 1350 (Fed. Cir. 2008) (internal citation and quotation marks omitted).

AP vPayment is a set of slides titled "AP vPayment XML Supplier Training," purportedly created by "GE Corporate Payment Services." *See* Ex. 1007 at 1. As noted by Patent Owner, Prelim. Resp. 11, the only date provided on the AP vPayment document is "Last updated: 12/26/2005," on its first page. Such a designation does not suggest publication and/or presentation on that date. Rather, it suggests that the document was updated on that date and says nothing about dissemination of the document. The only discussion of the status of AP vPayment in the Petition is that the reference is "dated January 26, 2005," Pet. 12, and Petitioner provides no other evidence or discussion of why AP vPayment should be considered art that can be applied in the instant proceeding. Under the circumstances, we

are not persuaded that a date, standing alone, with no additional corroboration, on a set of slides is sufficient to demonstrate that the slides constitute a "printed publication" under 35 U.S.C. § 102.

Because Petitioner has not met its burden to demonstrate that AP vPayment qualifies as a prior art printed publication, the proposed ground based on Hogan and AP vPayment must be denied.

Obviousness over Bush, Baaren, MCC, Spear, Guest, and (Fedman or DiRienzo or Spurgeon) and (Kessler or Moreau) and (Allen or Kossol or Bednar) and (Ganesan or Doggett) and (Smith or Rosenberger)

Petitioner contends that claims 1, 2, 6, 7, 12, 17 and 22 would have been obvious over combinations of Bush, Baaren, MCC, Spear, Guest, and (Fredman or DiRienzo or Spurgeon) and (Kessler or Moreau) and (Allen or Kossol or Bednar) and (Ganesan or Doggett) and (Smith or Rosenberger). Pet. 33-56[2]. Of those cited references, as discussed above, Spear, Guest, and Fredman cannot be applied in unpatentability grounds in the instant proceeding. The effect of their unavailability on the instant ground is discussed below.

Bush is directed to a system for adjudicating insurance claims by a provider, where the provider receives a determination of a dollar value of the claim from an adjuster and uses that value to issue an account accessible by

[2] Although the ground listed in the Petition provides that Bush may be considered "either alone or in combination with other prior art references identified below," Pet. 33, given that the citations to Bush alone do not teach or suggest all of the elements of the claims, as provided in the claim charts, we review this ground of unpatentability as being over Bush and some combination of other references.

the policyholder through a card. Ex. 1008, Abstract. The results of the claim adjudication process typically are communicated to the insured by means of a printed explanation of benefits (EOB). *Id.* at ¶ 4. Bush is directed to automobile insurance claims, but other insurance scenarios, such as for medical treatment, are disclosed as possible applications. *Id.* at ¶ 12. Petitioner argues that although Bush discloses payments made from an insurer to a policyholder, it would have been obvious to extend the system to have payments made from an insurer to a health care provider. Pet. 34. We agree that the process of making payments by insurers would be analogous and within the skill of ordinarily skilled artisans.

Bush also discloses that "[o]nce a non-zero dollar value for the claim has been determined, the insurance company will open a card-accessible account, such as a debit card account for the policyholder," and "the insurance company will fund the debit account with the dollar value of the claim." Ex. 1008 ¶ 15. The insurance company also collects information regarding how the debit account was used. *Id.* at ¶ 16.

In the alleged ground of unpatentability, Fredman is asserted in the alternative, along with DiRienzo and Spurgeon, such that its unavailability does not affect the ground unless DiRienzo or Spurgeon do not teach what they have been asserted to teach by Petitioner. *See* Pet. 35-36. Upon review of Petitioner's arguments, we are persuaded that Spurgeon discloses what has been alleged. *Id.* at 36. Spurgeon details that its system transmits an electronic EOB to the provider, along with an electronic payment to the provider's financial account. Ex. 1020 at 10:38-44. We are further persuaded, per the Petition, Pet. 35, that it would have been obvious to

modify Bush to have combined the payment and EOB, and send both together to the payee, per Spurgeon.

Guest is cited in the instant ground to show that it would have been obvious to modify the system of Bush to create an image of the debit/credit card. Pet. 36-37, 42, 44-46. As discussed above, Guest is unavailable to be applied against the instant claims. Nevertheless, Petitioner alleges that it would have been obvious to modify Bush to create an image of the debit/credit card "for simplicity of use by the recipient," based on the recipient's prior experience using physical debit/credit cards. Pet. 36, 41-42. Claim 1, for example, recites, in part, "creating a computer-generated image file containing" specific data. Patent Owner argues, however, that "Petitioner ignores that there is a myriad of methods of transmitting a payment via fax that do not require" the claimed step. Prelim. Resp. 21. We agree with Patent Owner.

The interpretation of "image file" that we have accepted requires an image, and an electronic file with no images would not satisfy the interpretation. We are not persuaded that Petitioner's proffered rationale, i.e., that simplicity of use based on prior experience of using a credit/debit card, Pet. 36, 41-42, would result in modifying Bush to include an "image file." Seeking simplicity for a user may not result in modifying the technology to include an "image file" when, as Patent Owner points out, there are many other ways to transmit a payment. Prelim. Resp. 21. Without more, we are not persuaded that the incorporation of an image file to be transmitted would have been obvious in view of Bush. The information transmitted, i.e., account number, amount, card verification

value code, and expiration date, could have been transmitted in the system of Bush without any image used. Accordingly, we are not persuaded that Petitioner has demonstrated that it would have been obvious for the system in Bush to have created a computer-generated image file containing the required data.

Based on the foregoing, Petitioner has not persuaded us that Petitioner has demonstrated that it is more likely than not that claim 1 is unpatentable over Bush and the other cited prior art references. Additionally, claims 2 and 6 include similar recitations, and we also are persuaded that Petitioner has not demonstrated that those claims are unpatentable over Bush and the other cited prior art references for the same reasons.

The remaining independent claims asserted to be unpatentable under this ground, namely claims 7, 12, 17, and 22, do not recite "creating a computer-generated image file," but rather provide the use of "a computer-generated file," or equivalent, i.e., without the "image" limitation. We consider the instant ground with respect to those claims below.

Spear is asserted along with Baaren and MCC in the discussion of a "medical services terminal" and its use, Pet. 34, with respect to claim 1, and cited in related discussions of other claims in this ground. Putting aside Spear, which is not available as prior art, we must determine if Baaren and MCC sufficiently teach or suggest the element(s) of the claims for which they are cited.

We are persuaded that MCC discloses that Merchant Category Codes (MCCs) were generally known, Ex. 1016 at 12-13, and that card processers used those codes to define the type of business the entities conduct. Ex.

1009 ¶ 9. Accepting those teachings, we are persuaded, based on the record presented, that using Bush's system specifically with a medical services terminal would have been obvious to persons of ordinary skill in the art. Pet. 34.

We are not persuaded, however, by Petitioner's arguments and the evidence cited in the Petition that restricting use of the stored-value card *only* to medical service terminals is taught or suggested by the references. Claims 7, 12, and 17 all recite, in part, "a unique, single-use stored-value card account," and claim 22 recites, in part, "a single-use stored-value card account." Based on the claim construction discussed above, "single-use" means associated with a single type of services terminal and no other type of payment terminal. We are not persuaded that Petitioner has shown that this limitation is taught or suggested by the references.

Baaren provides: "cards may be filtered by MCC and cardholders may be provided details about where they can use their card . . . [and this] tracking allows the system and method to monitor this activity to help detect misunderstandings on the individual's part or potential fraud attempts." Ex. 1009 ¶ 141. However, filtering and tracking is not the same as what Petitioner has alleged, namely "to limit use of the stored-value card account only to medical services terminals to prevent fraud or other misuse." Pet. 35. The cited section of Baaren does not disclose that a card should be used with only a single MCC, but rather describes restricting use to eligible merchants. Petitioner does not point to any citation in Baaren where restricting use to a single type of services terminal is disclosed. Based on

Petitioner's citation, we are not persuaded that Baaren teaches or suggests what Petitioner has alleged.

Additionally, in fact, as pointed out by Patent Owner, Bush is not concerned with limiting the uses of its debit cards. Prelim. Resp. 19. Bush provides that "the policyholder may decide that it is more advantageous to live with the reduced value of the damaged vehicle and use the claim money for other things." Ex. 1008 ¶ 19. Therefore, we are not persuaded that restricting the use of the stored-value card in Bush to a single type of services terminal would have been obvious, based on Petitioner's arguments provided in the Petition. Accordingly, Bush, even if taken with MCC, does not teach or suggest the cited element of claims 7, 12, 17, and 22.

Thus, we are persuaded that Petitioner has not demonstrated that claims 7, 12, 17, and 22 are more likely than not unpatentable over Bush and the other cited prior art references.

III. CONCLUSION

For the foregoing reasons, we determine that the information presented in the Petition does not establish that it is more likely than not that Petitioner would prevail in establishing the unpatentability of any of the challenged claims of the '904 Patent.

IV. ORDER

Accordingly, it is

It is ORDERED that the Petition is denied as to all challenged claims.

It is FURTHER ORDERED that no covered business method patent review is instituted.

Case CBM 2013-00047
Patent RE43,904

For Petitioner:

John T. Mockler
Brooks W. Taylor
CARTER STAFFORD ARNETT HAMADA & MOCKLER, PLLP
CBM-Petition@carterstafford.com

For Patent Owner:

Anton J. Hopen
Andriy Lytvyn
SMITH & HOPEN, P.A.
anton.hopen@smithhopen.com
andriy.lytvyn@smithhopen.com