

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	76	of	94	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL664	Copy of submission of prior art under 37 CFR 1.501, for U.S. Pat. No. 6,601,104, March 3, 2011, 5 pgs.	
	NPL665	Copy of submission of prior art under 37 CFR 1.501, for U.S. Pat. No. 7,161,506, March 3, 2011, 12 pgs.	
	NPL666	Copy of submission of prior art under 37 CFR 1.501, for U.S. Pat. No. 7,395,345, March 3, 2011, 14 pgs.	
	NPL667	Copy of submission of prior art under 37 CFR 1.501, for U.S. Pat. No. 7,321,937, March 3, 2011, 14 pgs.	
	NPL668	Copy of submission of prior art under 37 CFR 1.501, for U.S. Pat. No. 7,352,300, March 3, 2011, 14 pgs.	
	NPL669	Copy of submission of prior art under 37 CFR 1.501, for U.S. Pat. No. 7,378,992, March 3, 2011, 14 pgs.	
	NPL670	Ex Parte Reexamination Interview Summary, mailed December 3, 2009, for U.S. Reexam App. No. 90/009,428, 4 pgs.	
	NPL671	Request for Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, filed December 30, 2010, 696 pages.	
	NPL672	Replacement Request for Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, filed March 1, 2011, 357 pages.	
	NPL673	L. Gannoun, "RTP Payload Format for X Protocol Media Streams," Audio-Visual Transport WG Internet Draft, Internet Engineering Task Force, March 11, 1998, 15 pgs.	

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	NPL674	Official Order Granting Request for Inter Partes Reexamination of U.S. Pat. No. 6,624,761, Control No. 95/000,464, issued July 24, 2009, 29 pgs.		
	NPL675	Non-Final Office Action in Inter Partes Reexamination of U.S. Pat. No. 6,624,761, Control No. 95/000,464, issued December 15, 2009, 20 pgs.		
	NPL676	Non-Final Office Action in Inter Partes Reexamination of U.S. Pat. No. 7,321,937, Control No. 95/000,466, issued June 22, 2009, 11 pgs.		
	NPL677	Official Order Granting Request for Inter Partes Reexamination of U.S. Pat. No. 7,321,937, Control No. 95/000,466, issued June 22, 2009, 16 pgs.		
	NPL678	Official Action Closing Prosecution for Inter Partes Reexamination of U.S. Pat. No. 7,321,937, Control No. 95/000,466, issued December 22, 2009, 20 pgs.		
	NPL679	Comments by Third Party Requester to Patent Owner's Response Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/000,466, filed November 10, 2009, 30 pgs.		
	NPL680	Supplemental Declaration of Professor James A. Storer, Ph.D. under 37 C.F.R. §1.132 in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/000,466, executed on November 10, 2009, 16 pgs.		
	NPL681	Examiner Interview Summary in Ex Parte Reexamination of U.S. Pat. No. 6,601,104, Control No. 90/009,428, issued December 3, 2009, 3 pgs.		
	NPL682	Non-Final Office Action in Ex Parte Reexamination of U.S. Pat. No. 6,601,104, Control No. 90/009,428, issued November 2, 2009, 13 pgs.		
	NPL683	Official Order Granting Request for Ex Parte Reexamination of U.S. Pat. No. 6,601,104, Control No. 90/009,428, issued June 1, 2009, 12 pgs.		

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	NPL684	Declaration of Dr. George T. Ligler under 37 C.F.R. §1.132 in Ex Parte Reexamination of U.S. Pat. No. 6,601,104, Control No. 90/009,428, executed December 28, 2009 16 pgs.		
	NPL685	Supplementary Declaration of Dr. George T. Ligler under 37 C.F.R. §1.132 in Ex Parte Reexamination of U.S. Pat. No. 6,601,104, Control No. 90/009,428, executed December 30, 2009 1 pg.		
	NPL686	Declaration of Dr. George T. Ligler under 37 C.F.R. §1.132 in Inter Partes Reexamination of U.S. Pat. No. 7,321,937, Control No. 95/000,466, executed August 24, 2009, 30 pgs.		
	NPL687	Official Order Granting Request for Inter Partes Reexamination of U.S. Pat. No. 7,161,506, Control No. 95/000,479, issued August 14, 2009, 41 pgs.		
	NPL688	Non-Final Office Action in Inter Partes Reexamination of U.S. Pat. No. 7,161,506, Control No. 95/000,479, issued December 15, 2009, 37 pgs.		
	NPL689	Official Order Granting Request for Inter Partes Reexamination of U.S. Pat. No. 7,378,992, Control No. 95/000,478, issued August 13, 2009, 60 pgs.		
	NPL690	Non-Final Office Action in Inter Partes Reexamination of U.S. Pat. No. 7,378,992, Control No. 95/000,478, issued December 15, 2009, 27 pgs.		
	NPL691	Official Order Granting Request for Inter Partes Reexamination of U.S. Pat. No. 6,604,158 Control No. 95/000,486, issued August 14, 2009, 35 pgs.		
	NPL692	Non-Final Office Action in Inter Partes Reexamination of U.S. Pat. No. 6,604,158, Control No. 95/000,486, issued November 12, 2009, 199 pgs.		
	NPL693	Right of Appeal Notice in Inter Partes Reexamination of U.S. Pat. No. 6,624,761, Control No. 95/000,464, issued January 6, 2011, 15 pgs.		

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	NPL694	Action Closing Prosecution in Inter Partes Reexamination of U.S. Pat. No. 6,624,761, Control No. 95/000,464, issued August 27, 2010, 25 pgs.		
	NPL695	Right of Appeal Notice in Inter Partes Reexamination of U.S. Pat. No. 7,321,937, Control No. 95/000,466, issued May 24, 2010, 23 pgs.		
	NPL696	Final Office Action in Ex Parte Reexamination of U.S. Pat. No. 6,601,104, Control No. 90/009,428, issued February 5, 2010, 16 pgs.		
	NPL697	Right of Appeal Notice for Inter Partes Reexamination of U.S. Pat. No. 7,161,506, Control No. 95/000,479, issued January 6, 2011, 18 pgs.		
	NPL698	Action Closing Prosecution in Inter Partes Reexamination of U.S. Pat. No. 7,161,506, Control No. 95/000,479, issued August 27, 2010, 34 pgs.		
	NPL699	Right of Appeal Notice for Inter Partes Reexamination of U.S. Pat. No. 7,378,992, Control No. 95/000,478, issued January 6, 2011, 15 pgs.		
	NPL700	Action Closing Prosecution in Inter Partes Reexamination of U.S. Pat. No. 7,378,992, Control No. 95/000,478, issued August 23, 2010, 31 pgs.		
	NPL701	Action Closing Prosecution in Inter Partes Reexamination of U.S. Pat. No. 6,604,158 Control No. 95/000,486, issued March 7, 2011, 257 pgs.		
	NPL702	Patent Owner's reply to Office Action in Inter Partes Reexamination of U.S. Patent No. 7,378,992, mailed March 15, 2010, 23 pages.		
	NPL703	Patent Owner's Reply to Office Action in Inter Partes Reexamination of U.S. Patent No. 7,161,506, mailed March 15, 2010, 23 pages.		

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	NPL704	Patent Owner's Reply to Action Closing Prosecution of August 23, 2010 in Inter Partes Reexamination of U.S. Patent 7,378,992, mailed September 23, 2010, 23 pages.		
	NPL705	Patent Owner's Reply to Action Closing Prosecution of August 27, 2010 in Inter Partes Reexamination of U.S. Patent No. 7,161,506, mailed September 27, 2010, 26 pages.		
	NPL706	Patent Owner's reply to Action Closing Prosecution of August 27, 2010 in Inter Partes Reexamination of U.S. Patent No. 6,624,761, mailed September 27, 2010, 20 pages.		
	NPL707	Corrected Request for Inter Partes Reexamination of U.S. Patent No. 6,624,761, filed June 15, 2009, 241 pages.		
	NPL708	Request for Inter Partes Reexamination of U.S. Patent No. 7,378,992, filed May 21, 2009, 255 pages.		
	NPL709	Request for Inter Partes Reexamination of U.S. Patent No. 7,161,506, filed May 28, 2009, 455 pages.		
	NPL710	Request for Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, filed March 21, 2011, 2,136 pages.		
	NPL711	Request for Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, filed February 14, 2011, 420 pages.		
	NPL712	Action Closing Prosecution in Inter Partes Reexamination of U.S. Pat. No. 7,321,937, Control No. 95/000,466 issued December 22, 2009, 20 pages.		
	NPL713	Order Granting request for inter partes reexamination of U.S. Patent No. 7,400,274 and Non-Final Office Action in Inter Partes reexam of U.S. Patent No. 7,400,274, Control No. 95/001,544, issued March 25, 2011, 47 pages.		

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	NPL714	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed May 20, 2011, 47 pages.	
	NPL715	Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed June 15, 2011, 22 pages.	
	NPL716	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,553, mailed May 6, 2011, 105 pages.	
	NPL717	Order Granting Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed March 9, 2011, 21 pages.	
	NPL718	Appeal Brief filed in Inter Partes Reexamination of U.S. Patent No. 6,601,104, Control no. 90/009,428, mailed September 2, 2010, 28 pages	
	NPL719	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/000,466, mailed July 18, 2011, 33 pages.	
	NPL720	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed July 25, 2011, 274 pages.	
	NPL721	Non-Final Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed September 21, 2011, 29 pages.	
	NPL722	Definition of "data packet", Academic Press Dictionary of Science and Technology, Copyright 1992, 1996, cited by Examiner in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed September 21, 2011, 2 pages.	
	NPL723	Patent Owner's Reply to Office Action in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed September 26, 2011, 44 pages.	

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	NPL724	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 6,624,761, Control No. 95/000,464, mailed September 28, 2011, 20 pages.		
	NPL725	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control no. 95/000,479, mailed September 28, 2011, 25 pages.		
	NPL726	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, mailed September 29, 2011, 27 pages.		
	NPL727	Decision on Appeal in Ex parte Reexamination of U.S. Patent No. 6,601,104 B1, Control No. 90/009,428, dated March 18, 2011, 14 pages.		
	NPL728	Patent Owner's Rebuttal Brief Under 37 C.F.R § 41.71 Retracting the Arguments Made to Overcome the Claim Rejections and Thereby Eliminating the Issues on Appeal in Inter Partes Reexamination of U.S. Patent No. 6,624,761, Control No. 95/000,464, dated October 28, 2011, 9 pages.		
	NPL729	Patent Owner's Rebuttal Brief Under 37 C.F.R § 41.71 Retracting the Arguments Made to Overcome the Claim Rejections and Thereby Eliminating the Issues on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, dated October 28, 2011, 10 pages.		
	NPL730	Patent Owner's Rebuttal Brief Under 37 C.F.R § 41.71 Retracting the Arguments Made to Overcome the Claim Rejections and Thereby Eliminating the Issues on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/000,479, dated October 28, 2011, 9 pages.		
	NPL731	Non-Final Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed November 18, 2011, 39 pages.		
	NPL732	Non-Final Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed December 9, 2011, 42 pages.		
	NPL733	Patent Owner's Reply to Action Closing Prosecution of November 18, 2011 in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed December 19, 2011, 9 pages.		

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	NPL734	Patent Owner's Reply to Action Closing Prosecution of December 9, 2011 in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed December 29, 2011, 14 pages.		
	NPL735	Notice of Intent to Issue Ex Parte Reexamination Certificate in Ex Parte Reexamination of U.S. Patent No. 6,601,104, Control No. 90/009,428, mailed January 13, 2012, 5 pages.		
	NPL736	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 6,624,761, Control No. 95/000,464, mailed January 18, 2012, 5 pages.		
	NPL737	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/000,466, mailed January 18, 2012, 8 pages.		
	NPL738	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, mailed January 18, 2012, 5 pages.		
	NPL739	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/000,479, mailed January 18, 2012, 6 pages.		
	NPL740	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed January 27, 2012, 152 pages.		
	NPL741	Patent Owner's Respondent Brief on Appeal Under 37 C.F.R. § 41.68 in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, filed February 17, 2012, 20 pages.		
	NPL742	Patent Owner's Reply to Second Non-Final Office Action of January 27, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, filed February 24, 2012, 30 pages.		
	NPL743	Ex Parte Reexamination Certificate in Ex Parte Reexamination of U.S. Patent No. 6,601,104, Control No. 90/009,428, issued February 28, 2012, 2 pages.		

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	NPL744	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed March 1, 2012, 4 pages.		
	NPL745	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed March 1, 2012, 8 pages.		
	NPL746	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed March 6, 2012, 7 pages.		
	NPL747	Request for Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, filed March 2, 2012, including accompanying Exhibits PA-A to PA-D, PAT-A to PAT-C, CC-A to CC-D, Oth-A, and Form PTO/SB/08a, 2865 pages.		
	NPL748	Request for Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, filed March 2, 2012, including accompanying Exhibits PA-A to PA-D, PAT-A to PAT-B, CC-A to CC-F, Oth-A, and Form PTO/SB/08a, 560 pages.		
	NPL749	Request for Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, filed March 2, 2012, including accompanying Exhibits PA-A to PA-H, PAT-A to PAT-B, CC-A to CC-F, Oth-A, and Form PTO/SB/08a, 1012 pages.		
	NPL750	Request for Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, filed March 2, 2012, including accompanying Exhibits PA-A to PA-C, PAT-A, CC-A to CC-C, Oth-A, and Form PTO/SB/08a, 204 pages.		
	NPL751	Request for Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, filed March 2, 2012, with accompanying Exhibits PA-A to PA-C, PAT-A to PAT-C, CC-A to CC-B, Oth-A to Oth-B, and Form PTO/SB/08a, 2651 pages.		
	NPL752	Request for Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, filed March 2, 2012, including accompanying Exhibits PA-A to PA-F, PAT-A to PAT-B, CC-A to CC-O, Oth-A, and Form PTO/SB/08a, 700 pages.		
	NPL753	Request for Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, filed March 2, 2012, including Exhibits PA-A to PA-D, PAT-A to PAT-C, CC-A to CC-B, Oth-A, and Form PTO/SB/08a, 2316 pages.		

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				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	85	of	94	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²	
	NPL754	Official Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, mailed March 19, 2012, 11 pages.		
	NPL755	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, mailed March 19, 2012, 20 pages.		
	NPL756	Notice of Intent to Issue Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/000,466, mailed March 21, 2012, 7 pages.		
	NPL757	Right of Appeal Notice for Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/000,486, mailed March 26, 2012, 253 pages.		
	NPL758	Notice of Intent to Issue Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 6,624,761, Control No. 95/000,464, mailed April 3, 2012, 7 pages.		
	NPL759	Notice of Intent to Issue Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/000,479, mailed April 4, 2012, 15 pages.		
	NPL760	Notice of Intent to Issue Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, mailed April 6, 2012, 5 pages.		
	NPL761	Official Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control no. 95/001,922, mailed April 20, 2012, 17 pages.		
	NPL762	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed April 20, 2012, 8 pages.		
	NPL763	Official Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed April 25, 2012, 9 pages.		

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	NPL764	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed April 25, 2012, 7 pages.		
	NPL765	Official Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, mailed April 25, 2012, 8 pages.		
	NPL766	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, mailed April 25, 2012, 8 pages.		
	NPL767	Official Order Denying Request for Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, mailed April 27, 2012, 52 pages.		
	NPL768	Official Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, mailed May 7, 2012, 14 pages.		
	NPL769	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, mailed May 7, 2012, 8 pages.		
	NPL770	Petition Under 37 C.F.R. §§ 1.181 and 1.182 for Correction of Notice of Intent to Issue Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, filed May 9, 2012, 8 pages.		
	NPL771	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/000,466, issued May 15, 2012, 2 pages.		
	NPL772	Official Order Granting Request for Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed May 17, 2012, 12 pages.		
	NPL773	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed May 17, 2012, 18 pages.		

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	NPL774	Patent Owner's Response to Office Action of March 19, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, filed May 21, 2012, 21 pages.	
	NPL775	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/000,479, issued May 22, 2012, 2 pages.	
	NPL776	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 6,624,761, Control No. 95/000,464, issued June 12, 2012, 2 pages.	
	NPL777	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed June 18, 2012, 45 pages.	
	NPL778	Patent Owner's Response to Office Action of April 20, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, filed June 20, 2012, 11 pages.	
	NPL779	Patent Owner's Response to Office Action of April 25, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, filed June 25, 2012, 20 pages.	
	NPL780	Patent Owner's Response to Office Action of April 25, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, filed June 25, 2012, 20 pages.	
	NPL781	Patent Owner's Response to Office Action of May 7, 2012 in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, filed July 9, 2012, 19 pages.	
	NPL782	Patent Owner's Response to Office Action of May 17, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control. No. 95/001,924, filed July 17, 2012, 31 pages.	
	NPL783	New Decision on Appeal after Board Decision in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control. No. 95/001,517, mailed July 24, 2012, 24 pages.	

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	NPL784	Right of Appeal Notice for Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed August 3, 2012, 7 pages.	
	NPL785	Notice of Intent to Issue Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/000,486, mailed August 30, 2012, 5 pages.	
	NPL786	Notice of Intent to Issue Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, mailed August 31, 2012, 6 pages.	
	NPL787	Decision on Petition for Supervisory Review of Refusal to Order Reexamination for Claims 1-2, 16-21, and 23 (37 CFR §§ 1.927 and 1.181) in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, mailed August 31, 2012, 10 pages.	
	NPL788	Decision on Petition Under 37 C.F.R. §§ 1.181 and 1.182 for Correction of Notice of Intent to Issue Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, mailed September 10, 2012, 6 pages.	
	NPL789	Decision on Petition for Supervisory Review of Refusal to Order Reexamination of Claims 5-7, 14-16, and 18-19 (37 CFR §§ 1.927 and 1.181) in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed September 10, 2012, 12 pages.	
	NPL790	Decision on Petition for Supervisory Review of Refusal to Order Reexamination for Claims 86, 89, 90, 92-96, and 98 (37 CFR §§ 1.927 and 1.181) in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed September 21, 2012, 10 pages.	
	NPL791	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, mailed September 21, 2012, 15 pages.	
	NPL792	Patent Owner's Request to Reopen Prosecution Before the Examiner Under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, filed September 24, 2012, 29 pages.	
	NPL793	Examiner's Answer to Appeal Brief in Ex Parte Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed October 1, 2012, 17 pages.	

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				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	89	of	94	Attorney Docket Number	2855.0050007

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	NPL794	Inter Partes Reexam Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/000,478, issued October 4, 2012, 2 pages.		
	NPL795	Inter Partes Reexam Certificate in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/000,486, issued October 10, 2012, 2 pages.		
	NPL796	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed October 15, 2012, 44 pages.		
	NPL797	Non-Final Office Action in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed October 18, 2012, 10 pages.		
	NPL798	Patent Owner's Rebuttal Brief Under 37 C.F.R § 41.71 in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, filed November 15, 2012, 15 pages.		
	NPL799	Patent Owner's Response to Office Action of October 18, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, filed November 19, 2012, 30 pages.		
	NPL800	Patent Owner's Supplemental Amendment Subsequent to Timely Submission of Response to Office Action of October 18, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, filed November 27, 2012, 6 pages.		
	NPL801	Patent Owner's Response to Office Action of September 21, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, filed December 21, 2012, 51 pages.		
	NPL802	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed March 5, 2013, 23 pages.		
	NPL803	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, mailed March 5, 2013, 29 pages.		

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Sheet	90	of	94	Attorney Docket Number	2855.0050007

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	NPL804	Examiner's Answer to Appeal Brief in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed March 14, 2013, 21 pages.	
	NPL805	Decision on Petition to Strike Patent Owner's Rebuttal Brief in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed March 15, 2013, 7 pages.	
	NPL806	Order Remanding Inter Partes Reexamination Under 37 C.F.R. § 41.77(d) to the Examiner in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed March 18, 2013, 3 pages.	
	NPL807	Decision on Petition Under 37 C.F.R. § 1.183 to Request Examiner Enter Evidence in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed March 20, 2013, 7 pages.	
	NPL808	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, mailed April 3, 2013, 24 pages.	
	NPL809	Patent Owner's Reply to Action Closing Prosecution of March 5, 2013 in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, filed April 5, 2013, 19 pages.	
	NPL810	Patent Owner's Reply to Action Closing Prosecution of March 5, 2013 in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, filed April 5, 2013, 23 pages.	
	NPL811	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed April 9, 2013, 59 pages.	
	NPL812	"Data Transfer Rate (DTR)," accessed at http://searchunifiedcommunications.techtarget.com/definition/data-transfer-rate , published May 18, 2011, 1 page.	
	NPL813	"Bandwidth - technical definition," accessed at http://computer.yourdictionary.com/bandwidth , accessed on March 7, 2013, 4 pages.	

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	NPL814	"Bandwidth - Definition," accessed at http://www.yourdictionary.com/bandwidth , accessed on March 7, 2013, 2 pages.		
	NPL815	"Bandwidth," accessed at http://searchenterprise.wan.techtarget.com/definitions/bandwidth , published March 24, 2010, 1 page.		
	NPL816	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed April 9, 2013, 30 pages.		
	NPL817	Examiner's Determination Under 37 C.F.R. § 41.77(d) in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed April 10, 2013, 7 pages.		
	NPL818	Patent Owner's Supplemental Response to Office Action of May 7, 2012 in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, filed April 29, 2013, 20 pages.		
	NPL819	Patent Owner's Supplemental Response to Office Action of March 19, 2012 in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, filed May 6, 2013, 24 pages.		
	NPL820	Patent Owner's Response to Action Closing Prosecution of April 9, 2013 in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, filed May 9, 2013, 13 pages.		
	NPL821	Patent Owner's Response to Action Closing Prosecution of April 9, 2013 in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, filed May 9, 2013, 29 pages.		
	NPL822	Patent Owner's Comments in Response to Examiner's Determination Under 37 C.F.R. § 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, filed May 10, 2013, 20 pages.		
	NPL823	Patent Owner's Supplemental Response to Action Closing Prosecution of April 9, 2013 in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, filed May 15, 2013, 13 pages.		

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	NPL824	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, mailed May 31, 2013, 26 pages.		
	NPL825	Petition Under 37 C.F.R. § 1.181 to Expunge Third Party Requester's Improper Submission of Declarations Under 37 C.F.R. § 1.132 and Strike Comments Directed to Examiner's Determination in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, filed June 26, 2013, 6 pages.		
	NPL826	Notice of Intent to Issue A Reexam Certificate in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, mailed July 19, 2013, 5 pages.		
	NPL827	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed August 15, 2013, 12 pages.		
	NPL828	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed August 16, 2013, 11 pages.		
	NPL829	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,415,530, Control No. 95/001,927, issued August 16, 2013, 2 pages.		
	NPL830	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, mailed August 16, 2013, 11 pages.		
	NPL831	Right of Appeal Notice in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,925, mailed August 29, 2013, 23 pages.		
	NPL832	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, mailed September 20, 2013, 47 pages.		
	NPL833	Decision on Petition(s) Decided Under 37 C.F.R. 1.181 in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed September 23, 2013, 3 pages.		

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	NPL834	Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, mailed October 2, 2013, 18 pages.		
	NPL835	Patent Owner's Reply to Action Closing Prosecution of September 20, 2013 in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, filed October 21, 2013, 9 pages.		
	NPL836	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed November 1, 2013, 18 pages.		
	NPL837	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed November 1, 2013, 12 pages.		
	NPL838	Decision on Appeal in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed November 1, 2013, 15 pages.		
	NPL839	Patent Owner's Reply to Action Closing Prosecution of October 2, 2013 in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, filed November 4, 2013, 9 pages.		
	NPL840	Notice of Intent to Issue A Reexam Certificate in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed November 13, 2013, 8 pages.		
	NPL841	Court Docket History for 6:10-cv-00493-LED-JDL, Realtime Data, LLC d/b/a IXO, v. T-Mobile, USA Inc., dated July 8, 2013, 77 pages.		
	NPL842	Court Docket History for 1:11-cv-06696-RJH, Realtime Data, LLC d/b/a IXO, v. Morgan Stanley et al., dated July 8, 2013, 80 pages.		
	NPL843	Court Docket History for 1:11-cv-06697-UA, Realtime Data, LLC d/b/a IXO, v. CME Group Inc. et al., dated July 8, 2013, 105 pages.		

Examiner Signature	/Tesfaldet Bocure/	Date Considered	02/22/2014
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	94	of	94	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL844	Court Docket History for 1:11-cv-06698-UA, Realtime Data, LLC d/b/a IXO, v. Thomson Reuters et al., dated July 8, 2013, 59 pages.	
	NPL845	U.S. Patent Application No. 14/035,561, James J. FALLON, "Data Compression Systems and Methods," filed September 24, 2013.	
	NPL846	U.S. Patent Application No. 14/035,712, FALLON et al., "Methods for Encoding and Decoding Data," filed September 24, 2013.	
	NPL847	U.S. Patent Application No. 14/035,716, FALLON et al., "Methods for Encoding and Decoding Data," filed September 24, 2013.	
	NPL848	U.S. Patent Application No. 14/035,719, FALLON et al., "Methods for Encoding and Decoding Data," filed September 24, 2013.	

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Examiner Signature	/Tefaldet Bocure/	Date Considered	02/22/2014
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Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 419 of 642

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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2/ 21/ 2014 7:18:28 PM
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<i>Index of Claims</i> 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

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

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CLAIM		DATE							
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Substitute for form 1449/PTO		Complete if Known	
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	14/033,245
		Filing Date	September 20, 2013
		First Named Inventor	James J. FALLON
		Art Unit	2634
		Examiner Name	BOCURE, Tesfaldet
		Attorney Docket Number	2855.0050007
Sheet	1	of	4

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	NPL1	Opinion, with Errata, filed in Realtime Data, LLC d/b/a IXO v. Morgan Stanley, et al., Case Nos. 13-1092, -1093, -1095, -1097, -1098, -1099, -1100, -1101, and -1103, United States Court of Appeals for the Federal Circuit, filed January 27, 2014, 41 pages.	
	NPL2	Copy of Supplemental Notice of Allowability for U.S. Appl. No. 13/154,211, mailed November 26, 2013, 4 pages.	
	NPL3	Copy of Notice of Allowance for U.S. Appl. No. 13/101,994, mailed December 2, 2013, 7 pages.	
	NPL4	Copy of Notice of Allowance for U.S. Appl. No. 11/553,419, mailed December 18, 2013, 6 pages.	
	NPL5	Copy of Supplemental Notice of Allowability for U.S. Appl. No. 13/154,211, mailed December 19, 2013, 4 pages.	
	NPL6	Copy of Non-Final Office Action for U.S. Appl. No. 14/035,716, mailed December 20, 2013, 12 pages.	
	NPL7	Copy of Notice of Allowance for U.S. Appl. No. 14/035,712, mailed December 20, 2013, 8 pages.	
	NPL8	Copy of Non-Final Office Action for U.S. Appl. No. 14/035,719, mailed December 20, 2013, 11 pages.	
	NPL9	Copy of Final Office Action for U.S. Appl. No. 12/690,125, mailed December 27, 2013, 12 pages.	
	NPL10	Copy of Corrected Notice of Allowability for U.S. Appl. No. 11/553,419, mailed January 14, 2014, 2 pages.	

Examiner Signature	/Tefaldet Bocure/	Date Considered	02/22/2014
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Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 426 of 642

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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	2	of	4	Attorney Docket Number	2855.0050007
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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published			T ²
	NPL11	Copy of Notice of Allowance for U.S. Appl. No. 14/035,561, mailed January 16, 2014, 9 pages.			
	NPL12	Copy of Corrected Notice of Allowability for U.S. Application No. 11/553,419, mailed January 31, 2014, 2 pages.			
	NPL13	Copy of Non-Final Office Action for U.S. Appl. No. 13/118,122, mailed February 19, 2014, 23 pages.			
	NPL14	Notice of Intent to Issue an Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, mailed November 21, 2013, 10 pages.			
	NPL15	Notice of Intent to Issue an Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed November 27, 2013, 10 pages.			
	NPL16	Patent Owner's Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, filed December 2, 2013, 41 pages.			
	NPL17	Patent Owner's Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, filed December 2, 2013, 57 pages.			
	NPL18	Patent Owner's Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, filed December 2, 2013, 33 pages.			
	NPL19	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,321,937, Control No. 95/001,922, mailed December 5, 2013, 2 pages.			
	NPL20	Patent Owner's Petition Under 37 C.F.R. § 1.182 in Opposition to CME Group's Petition to Strike Patent Owner's Proposed New Claims, in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed January 2, 2014, 8 pages.			

Examiner Signature	/Tefaldet Bocure/	Date Considered	02/22/2014
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Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 427 of 642

Substitute for form 1449/PTO		Complete if Known	
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	14/033,245
		Filing Date	September 20, 2013
		First Named Inventor	James J. FALLON
		Art Unit	2634
		Examiner Name	BOCURE, Tesfaldet
		Attorney Docket Number	2855.0050007
Sheet	3	of	4

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	NPL21	Patent Owner's Petition Under 37 C.F.R. § 1.182 in Opposition to CME Group's Petition to Strike Patent Owner's Proposed New Claims, in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed January 2, 2014, 8 pages.	
	NPL22	Patent Owner's Petition Under 37 C.F.R. § 1.182 in Opposition to CME Group's Petition to Strike Patent Owner's Proposed New Claims, in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed January 2, 2014, 10 pages.	
	NPL23	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,161,506, Control No. 95/001,926, mailed January 8, 2014, 2 pages.	
	NPL24	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,378,992, Control No. 95/001,928, mailed January 8, 2014, 3 pages.	
	NPL25	Examiner's Determination Under 37 C.F.R. § 41.77(d) in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, mailed January 14, 2014, 11 pages.	
	NPL26	Patent Owner's Petition Under 37 C.F.R. § 1.181 to Strike Third Party Requester's Improper Response Under 37 C.F.R. § 41.77(c), in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed January 22, 2014, 3 pages.	
	NPL27	Patent Owner's Petition Under 37 C.F.R. § 1.181 to Strike Third Party Requester's Improper Response Under 37 C.F.R. § 41.77(c), in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed January 22, 2014, 3 pages.	
	NPL28	Patent Owner's Petition Under 37 C.F.R. § 1.181 to Strike Third Party Requester's Improper Response Under 37 C.F.R. § 41.77(c), in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed January 22, 2014, 3 pages.	
	NPL29	Patent Owner's Petition Under 37 C.F.R. § 1.181 to Strike Third Party Requester's Improper Response Under 37 C.F.R. § 1.132, in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed January 22, 2014, 3 pages.	
	NPL30	Patent Owner's Petition Under 37 C.F.R. § 1.181 to Strike Third Party Requester's Improper Response Under 37 C.F.R. § 1.132, in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed January 22, 2014, 3 pages.	

Examiner Signature	/Tefaldet Bocure/	Date Considered	02/22/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.B./
Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 428 of 642

Substitute for form 1449/PTO				Complete if Known	
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	4	of	4	Attorney Docket Number	2855.0050007
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published			T ²
	NPL31	Patent Owner's Petition Under 37 C.F.R. § 1.181 to Strike Third Party Requester's Improper Response Under 37 C.F.R. § 1.132, in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed January 22, 2014, 3 pages.			
	NPL32	Patent Owner's Request For Rehearing Under 37 C.F.R. § 41.79, in Inter Partes Reexamination of U.S. Patent No. 7,714,747, Control No. 95/001,517, filed February 14, 2014, 11 pages.			
	NPL33	Court Docket History for 6:10-cv-00493-LED-JDL, Realtime Data, LLC d/b/a IXO, v. T-Mobile, USA Inc., downloaded January 30, 2014, 78 pages.			
	NPL34	Court Docket History for 1:11-cv-06696-RJH, Realtime Data, LLC d/b/a IXO, v. Morgan Stanley et al., downloaded January 30, 2014, 80 pages.			
	NPL35	Court Docket History for 1:11-cv-06697-UA, Realtime Data, LLC d/b/a IXO, v. CME Group Inc. et al., downloaded January 30, 2014, 105 pages.			
	NPL36	Court Docket History for 1:11-cv-06698-UA, Realtime Data, LLC d/b/a IXO, v. Thomson Reuters et al., downloaded January 30, 2014, 59 pages.			
	NPL37	U.S. Patent Application No. 14/134,926, FALLON, et al., "System and Methods for Video and Audio Data Distribution," filed December 19, 2013.			
	NPL38	U.S. Patent Application No. 14/134,933, FALLON, et al., "System and Methods for Video and Audio Data Distribution," filed December 19, 2013.			

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Examiner Signature	/Tefaldet Bocure/	Date Considered	02/22/2014
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¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.B./
Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 429 of 642

(Use as many sheets as necessary)

Application Number	14/033,245
Filing Date	September 20, 2013
First Named Inventor	James J. FALLON
Art Unit	2634
Examiner Name	BOCURE, Tesfaldet
Attorney Docket Number	2855.0050007

Sheet	1	of	1
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[illegible][illegible]

Examiner Signature	/Tesfaldet Bocure/	Date Considered	02/22/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video and
Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Amendment and Reply Under 37 C.F.R. § 1.111

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

In reply to the Office Action dated February 26, 2014 ("Office Action"), Applicant submits the following Amendment and Remarks.

It is not believed extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any additional fees required to continue prosecution or appeal of this application (including issue fee, fees for net addition of claims or forwarding to appeal) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments to the Specification

1. Applicant respectfully requests ¶ [0001] of the Specification as filed on September 20, 2013 be amended as follows:

[0001] This application is a continuation of United States Patent Application No. 13/154,239, filed on June 6, 2011, now U.S. Patent No. 8,553,759, which is a continuation of United States Patent Application No. 12/123,081, filed on May 19, 2008, now U.S. Patent No. 8,073,047, which is a continuation of United States Patent Application No. 10/076,013, filed on February 13, 2002, now U.S. Patent No. 7,386,046, which claims the benefit of United States Provisional Application No. 60/268,394, filed on February 13, 2001, each of which is fully incorporated herein by reference in its entirety.

2. Applicant respectfully requests ¶ [0054] of the Specification as filed on September 20, 2013 be amended as follows:

[0054] The present invention is directed to a system and method for compressing and decompressing based on the actual or expected throughput (bandwidth) of a system employing data compression. Although one of ordinary skill in the art could readily envision various implementations for the present invention, a preferred system in which this invention is employed comprises a data storage controller that preferably utilizes a real-time data compression system to provide “accelerated” data storage and retrieval bandwidths. The concept of “accelerated” data storage and retrieval was introduced in ~~co-pending~~ U.S. Patent Application Serial No. 09/266,394, filed March 11, 1999, entitled “System and Methods For Accelerated Data Storage and Retrieval,” now U.S. Patent No. 6,601,104, and ~~co-pending~~ U.S. Patent Application Serial No. 09/481,243, filed January 11, 2000, entitled “System and Methods For Accelerated Data Storage and Retrieval,” now

U.S. Patent No. 6,604,158, both of which are commonly assigned and incorporated herein by reference.

3. Applicant respectfully requests ¶ [0079] of the Specification as filed on September 20, 2013 be amended as follows:

[0079] Further, the present invention can be implemented with a data storage controller utilizing data compression and decompression to provided accelerated data storage and retrieval from a mass storage device. Exemplary embodiments of preferred data storage controllers in which the present invention may be implemented are described, for example, in U.S. Patent Application Serial No. 09/775,905, filed on February 2, 2001, entitled “Data Storewidth Accelerator”, now U.S. Patent No. 6,748,457, which is commonly assigned and fully incorporated herein by reference.

4. Applicant respectfully requests ¶ [0083] of the Specification as filed on September 20, 2013 be amended as follows:

[0083] The storage controller 120 further comprises computer reset and power up circuitry 128 (or “boot configuration circuit”) for controlling initialization (either cold or warm boots) of the host computer system and storage controller 120. A preferred boot configuration circuit and preferred computer initialization systems and protocols are described in U.S. Patent Application Serial No. 09/775,897, filed on February 2, 2001, entitled “System and Methods For Computer Initialization,” now abandoned, which is commonly assigned and incorporated herein by reference. Preferably, the boot configuration circuit 128 is employed for controlling the initializing and programming the programmable logic device 122 during configuration of the host computer system (i.e., while the CPU of the host is held in reset). The boot configuration circuit 128 ensures that the programmable logic device 122 (and possibly other

volatile or partially volatile logic devices) is initialized and programmed before the bus 116 (such as a PCI bus) is fully reset. In particular, when power is first applied to the boot configuration circuit 128, the boot configuration circuit 28 generates a control signal to reset the local system (e.g., storage controller 120) devices such as a DSP, memory, and I/O interfaces. Once the local system is powered-up and reset, the controlling device (such as the DSP 121) will then proceed to automatically determine the system environment and configure the local system to work within that environment. By way of example, the DSP 121 of the disk storage controller 120 would sense that the data storage controller 120 is on a PCI computer bus (expansion bus) and has attached to it a hard disk on an IDE interface. The DSP 121 would then load the appropriate PCI and IDE interfaces into the programmable logic device 122 prior to completion of the host system reset. Once the programmable logic device 122 is configured for its environment, the boot device controller is reset and ready to accept commands over the computer/expansion bus 116.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Currently Amended) A method, comprising:

determining a parameter or attribute of at least a portion of a data block having audio or video data;

selecting an access profile from among a plurality of access profiles based ~~[[on]]~~ upon the determined parameter or attribute; and

compressing the at least the portion of the data block with one or more compressors using asymmetric data compression utilizing and information from the selected access profile to create one or more compressed data blocks, the information being indicative of the one or more compressors to apply to the at least the portion of the data block to create the one or more compressed data blocks.

2. (Cancelled)

3. (Currently Amended) ~~[[The]]~~ A method, ~~of claim 1, wherein the compressing comprises~~ comprising:

determining a parameter or attribute of at least a portion of a data block;

selecting an access profile from among a plurality of access profiles based upon the determined parameter or attribute; and

compressing the at least the portion of the data block with one or more compressors utilizing information from the selected access profile to create one or more

compressed data blocks, the information being indicative of the one or more compressors to apply to the at least the portion of the data block,

wherein the one or more compressors utilize slow compress encoders and fast decompress decoders, and

wherein compressing the at least the portion of the data block with the slow compress encoders takes more time than decompressing the at least the portion of the data block with the fast decompress decoders if the time were measured with the slow compress encoders and fast decompress decoders running individually on a common host system.

4. (Currently Amended) The method of claim 1, wherein the data block is from among a plurality of data blocks, and wherein the compressing comprises:

compressing ~~one or more~~ the plurality of data blocks to create the one or more compressed data blocks.

5. (Currently Amended) The method of claim 4, wherein the ~~one or more~~ plurality of data blocks comprises:

one or more files.

6. (Currently Amended) The method of claim ~~[[4]]~~ 1, wherein the one or more compressed data blocks comprise:

one or more files.

7. (Currently Amended) The method of claim 1, further comprising:

storing at least a portion of the one or more compressed data blocks in one or

more files.

8. (Currently Amended) The method of claim 1, further comprising:
storing at least a portion of the one or more compressed data blocks.

9. (Currently Amended) The method of claim 8, further comprising:
retrieving at least a portion of the at least stored portion of the one or more
compressed ~~stored~~ data blocks;

transmitting the at least retrieved portion of the at least stored portion of the
~~compressed~~ one or more compressed data blocks over the Internet; and

decompressing the at least transmitted ~~and-compressed~~ portion of the at least
stored portion of the one more compressed data blocks ~~in-real-time~~.

10. (Currently Amended) The method of claim 1, ~~wherein the one or more~~
~~compressors is~~ further comprising:

selecting the one or more compressors selected to compress the at least the
portion of the data block to create at least a second compressed data block based upon a
number of reads of at least a portion of a first compressed data block that was created
from the at least the portion of the data block to provide a compressed data block.

11. (Cancelled)

12. (Currently Amended) A method, comprising:
determining ~~one or more~~ a parameter[[s]] or an attribute[[s]] of at least a portion

of a data block;

selecting one or more asymmetric compressors from among a plurality of compressors based upon the ~~one or more~~ determined parameter[[s]] or attribute[[s]];

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to provide one or more compressed data blocks; and

storing at least a portion of the one or more compressed data blocks.

13. (Currently Amended) The method of claim [[12]] 18, further comprising:

retrieving and transmitting ~~the one or more of~~ at least a portion of the at least stored ~~at least~~ one or more portions of the one or more compressed data blocks based[[,]] ~~at least in part~~, upon a user command.

14. (Currently Amended) The method of claim [[12]] 18, further comprising:

retrieving and transmitting at least a portion of the ~~one or more at least~~ stored one or more portions of the one or more compressed data blocks based upon[[,]] ~~at least in part~~, a user value.

15. (Currently Amended) The method of claim [[12]] 18, further comprising:

retrieving and transmitting at least a portion of the ~~one or more of the at least~~ stored one or more at least portions of the one or more compressed data blocks based upon a utilized capacity of a portion of a memory device.

16. (Currently Amended) The method of claim [[12]] 18, further comprising:

retrieving and transmitting at least a portion of the ~~one or more of the at least~~

stored ~~at least one or more portions of the one or more~~ compressed data blocks based upon a ~~bandwidth throughput of a transmission link~~ a communication channel used for transmission of the at least retrieved portion of the at least ~~one or more~~ stored one or more portions of the one or more compressed data blocks.

17. (Currently Amended) The method of claim ~~[[12]]~~ 18, wherein the at least stored one or more portions of the one or more compressed data blocks comprises:
audio or video information.

18. (Currently Amended) The method of claim 12, wherein the compressing comprises:

compressing the at least the portion of the data block with multiple the selected one or more asymmetric compressors to create multiple one or more portions of the one or more compressed data blocks, the at least the portion of the data block having been compressed with the one or more selected asymmetric compressors to create the one or more portions of the one or more compressed data blocks. [[,]] and ~~further comprising~~ wherein the storing comprises:

storing at least the one or more portions of the multiple one or more compressed data blocks ~~in one file~~.

19. (Currently Amended) The method of claim ~~[[12]]~~ 18, further comprising:
retrieving and transmitting ~~the one or more~~ at least a portion of the at least one or more stored portions of the one or more compressed data blocks ~~occurs~~ in real-time; and
decompressing ~~the one or more~~ a portion of the at least transmitted portion of the

at least the portion of the one or more compressed data blocks after transmission in real-time.

20. (Currently Amended) The method of claim 12, ~~wherein the one or more asymmetric compressors is selected, at least in part, wherein the selecting comprises:~~

selecting the one or more asymmetric compressors based upon the determined parameter or attribute and a number of reads of the at least the portion of the data block to provide the one or more compressed data blocks.

21. (Currently Amended) The method of claim 12, further comprising:

decompressing at least a portion of the one or more compressed data blocks to provide ~~[[a]] one or more decompressed data blocks~~ based ~~[[on]] upon~~ a first number of reads of the least the portion of one or more compressed data blocks; and

recompressing at least a portion of the one or more decompressed data blocks with the one or more asymmetric compressors ~~to provide a recompressed data block.~~

22. (Currently Amended) The method of claim 21, wherein the selection of the one or more asymmetric compressors ~~encoders~~ for recompressing the decompressed data block was ~~[[is]]~~ based ~~[[on]] upon~~ a second number of reads of the at least the portion of the one or more compressed data blocks~~[[,]] [[and]]~~

~~wherein the first and second number of reads may be the same or different from one another.~~

23. – 27. (Cancelled)

28. (Currently Amended) A method, comprising:

selecting one or more compressors based upon a number of reads of at least a portion of a data block having audio or video data to identify one or more selected compressors;

compressing at least a portion of a second data block with [[a]] the one or more selected compressors using asymmetric data compression ~~that is selected based upon a number of reads of the data block~~ to provide a compressed data block[[:]] [[and]]

~~if the number of reads of the data block exceeds a threshold:~~

~~decompressing the compressed data block to provide a decompressed data block; and~~

~~recompressing the decompressed data block with the selected compressor based on the number of reads to provide a recompressed data block.~~

29. (Currently Amended) The method of claim 28, wherein the number of reads of the at least the portion of the data block occurs within a given period of time.

30. (Currently Amended) The method of claim 28, further comprising:

retrieving and transmitting a portion of the compressed ~~or the recompressed~~ data block based upon a user command.

31. (New) The method of claim 1, wherein the determining of the parameter or attribute of the portion the data block excludes determining based only upon reading a descriptor of the at least the portion of the data block.

32. (New) The method of claim 1, wherein the at least the portion of the data block is from among a plurality of data blocks; and wherein the compressing comprises:

compressing at least a portion of the plurality of data blocks with the one or more compressors using the asymmetric data compression and the information to create the one or more compressed data blocks.

33. (New) The method of claim 32, wherein the plurality of data blocks or the one or more compressed data blocks comprise:

at least a portion of a file.

34. (New) The method of claim 1, wherein the compressing comprises:

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to create one or more portions of the one or more compressed data blocks, the at least the portion of the data block having been compressed with the selected one or more asymmetric compressors to create the one or more portions of the one or more compressed data blocks, and further comprising:

storing at least the one or more portions of the one or more compressed data blocks.

35. (New) The method of claim 34, further comprising:

retrieving at least a portion of the at least stored one or more portions of the one or more compressed data blocks;

transmitting the at least retrieved portion of the at least stored one or more portions of the one or more compressed data blocks over the Internet; and

decompressing the at least transmitted portion of the at least stored one or more portions of the one or more compressed data blocks in real-time.

36. (New) The method of claim 18, further comprising:

retrieving at least a portion of the at least stored one or more portions of the one or more compressed data blocks based upon a utilized capacity of one or more central processing units (CPUs).

37. (New) The method of claim 13, wherein the retrieving is based upon a utilized capacity of one or more central processing units (CPUs).

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3-10, 12-22, and 28-37 are pending in the application, with claims 1, 3, 12, and 28 being the independent claims. Claims 1, 3-10, 12-22, and 28-30 are sought to be amended. Claims 2, 11, and 23-27 are sought to be canceled without prejudice to or disclaimer of the subject matter therein. Applicant reserves the right to prosecute similar or broader claims, with respect to the cancelled and/or amended claims, in the future. New claims 31-37 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Prioritized Examination

The request for prioritized examination for this Application was granted on October 13, 2013. Applicant has canceled, without prejudice to or disclaimer of the subject matter therein, claims 2, 11, and 23-27 and added claims 31-37 in this Amendment and Reply. Accordingly, this Application continues to contain four independent claims and thirty total claims. And Applicant is timely filing this Amendment and Reply without a petition for extension of time. Accordingly, this Application remains eligible for prioritized examination.

Objection to the Specification

The specification stands objected to because of alleged informalities. Without acquiescing to the merits of this allegation, Applicant has amended the specification to accommodate the Examiner's objection. Accordingly, Applicant respectfully requests the objection to the specification be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 112

Claims 11 and 28-30 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Without acquiescing to the merits of this allegation, Applicant has cancelled claim 11, without prejudice or disclaimer, and amended independent claim 28 to accommodate the Examiner's rejection. Applicant contends the canceling and/or amending of these claims does not give rise to any implication regarding whether Applicant agrees with or acquiesces to this rejection.

Rejections under 35 U.S.C. § 102

Claims 1 and 4-10

Claims 1 and 4-10 stand under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 6,374,353 to Settsu et al. ("Settsu"). Applicant respectfully traverses the rejection and provides the following arguments to support patentability.

The Office Action indicates "[c]laims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (Office Action, p. 8). Without acquiescing to the merits of this allegation and for the purpose of

advancing prosecution of this Application, Applicant has amended independent claim 1 to substantially incorporate most of the features that were previously recited by dependent claim 2, now cancelled. The amendments to independent claim 1 presented herewith does not give rise to any implication regarding whether Applicant agrees with or acquiesces to this rejection.

Accordingly, Applicant believes independent claim 1 should be in condition for allowance. Applicant believes dependent claims 4-10 should likewise be in condition for allowance for at least the same reasons as the independent claims from which they depend and further in view of their own respective features. Accordingly, Applicant respectfully requests the rejection of claims 1 and 4-10 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Allowed Claims

Applicant thanks the Examiner for indicating the allowability of claims 12-22 in the Office Action. Applicant believes these claims should remain allowed even in light of the amendments to some of these claims presented herewith.

Allowable Subject Matter

Claims 2 and 3

Claims 2 and 3 stand objected to as allegedly “being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (Office Action, p. 8). Without acquiescing to the merits of this allegation, Applicant has cancelled dependent claim 2 without prejudice or disclaimer, thereby rendering moot the objection of the same.

Applicant contends the canceling of this claim does not give rise to any implication regarding whether Applicant agrees with or acquiesces to this objection. In regard to dependent claim 3, Applicant has written this claim into independent form incorporating most of the features that were previously recited by independent claim 1. The amendments to independent claim 3 presented herewith does not give rise to any implication regarding whether Applicant agrees with or acquiesces to this objection. Accordingly, Applicant respectfully requests the objection of claims 3 be reconsidered and withdrawn.

Addition of New Claims

Claims 31-37

New claims 31-37 have been added. From the discussion above, Applicant has traversed the rejections to independent claims 1 and 12. Applicant believes dependent claims 31-37 should likewise be allowable for at least the same reasons as the independent claims from which they respectively depend and further in view of their own respective features.

Withdraw of Claims 23-27

The Examiner has withdrawn claims 23-27 in the Office Action from examination in the Office Action. (Office Action, p. 3). Although the Examiner has not contacted Applicant's representatives to discuss this withdrawal of claims 23-27 or provided any reasoning for this withdrawal of claims 23-27, Applicant has cancelled claims 23-27, without prejudice or disclaimer, in this Amendment and Reply for the sole purpose of accommodating the Examiner's request. Applicant contends the canceling of

these claims does not give rise to any implication regarding whether Applicant agrees with or acquiesces to this withdrawal of claims 23-27.

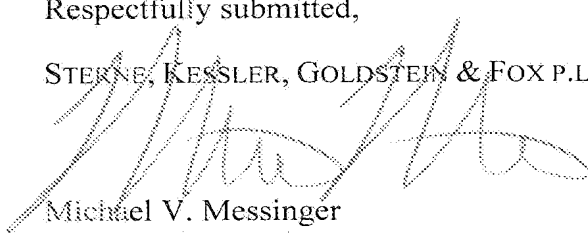
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicant
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Date: May 27, 2014

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1820655_1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video
and Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Second Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Notice of Prior and Concurrent Proceedings

Applicants hereby call to the attention of the Patent and Trademark Office the following reexamination proceedings involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,486)	Inter Partes Reexamination Certificate issued 10/10/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/000,466)	Inter Partes Reexamination Certificate issued 05/15/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,453)	Terminated
<i>Ex Parte</i> Reexamination of U.S. Patent No. 6,601,104 (Control No. 90/009,428)	Ex Parte Reexamination Certificate issued 02/28/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/000,478)	Inter Partes Reexamination Certificate issued 10/04/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,624,761 (Control No. 95/000,464)	Inter Partes Reexamination Certificate issued 06/12/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/000,479)	Inter Partes Reexamination Certificate issued 05/22/2012

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,714,747 (Control No. 95/001,517)	Patent Owner's Request for Rehearing Under 37 C.F.R. § 41.79 mailed 02/14/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,417,568 (Control No. 95/001,533)	Patent Owner's Corrected Request to Reopen Prosecution under 37 C.F.R. § 41.77(b) filed 03/11/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,777,651 (Control No. 95/001,581)	Patent Owner's Corrected Request to Reopen Prosecution under 37 C.F.R. § 41.77(b) filed 03/11/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,400,274 (Control No. 95/001,544)	Patent Owner's Corrected Request to Reopen Prosecution under 37 C.F.R. § 41.77(b) filed 03/11/2014

Applicants hereby call to the attention of the Patent and Trademark Office the following reexamination proceedings filed by Cellco Partnership d/b/a Verizon Wireless, involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/001,922)	Inter Partes Reexamination Certificate issued 12/05/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/001,923)	Patent Owner's Supplemental Reply to Action Closing Prosecution filed 02/27/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,352,300 (Control No. 95/001,924)	Right of Appeal Notice mailed 08/29/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,395,345 (Control No. 95/001,925)	Patent Owner's Supplemental Reply to Action Closing Prosecution filed 02/27/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/001,926)	Inter Partes Reexamination Certificate issued 01/08/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,415,530 (Control No. 95/001,927)	Inter Partes Reexamination Certificate issued 08/16/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/001,928)	Inter Partes Reexamination Certificate issued 01/08/2014

Applicants invite the Examiner to review the Requests for Reexamination, issued Office Actions, replies, and any other papers in the above-identified reexamination proceedings. If the Examiner is unable to obtain copies of papers in any reexamination proceeding, copies can be provided to the Examiner upon request. Those documents which may be material that are not already of record in this patent application are listed on the accompanying Form PTO/SB/08. For example, documents related to the reexaminations are listed as **NPL7-NPL14**.

Notice of Related Litigation

Applicants notify the Patent and Trademark Office of the following litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
1	<i>Realtime Data LLC d/b/a IXO v. Packeteer, Inc. et al.</i> , No. 6:08-cv-00144-LED (E.D. Texas)	Dismissed

Applicants also notify the Patent and Trademark Office of the following additional litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
2	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al.</i> No. 1:11-cv-06698-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00333-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
3	<i>Realtime Data LLC d/b/a IXO v. Morgan Stanley et al.</i> , No. 1:11-cv-06696-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00326-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
4	<i>Realtime Data LLC d/b/a IXO v. CME Group Inc., et al.</i> , No. 1:11-cv-06697-RJH (S.D. New York)	Opinion of the Court of Appeals for the

Atty. Dkt. No. 2855.0050007

	(transferred from E.D. Texas; No. 6:09-cv-00327-LED)	Federal Circuit received 01/27/2014
5	<i>Chicago Board Options Exchange, Inc., v. Realtime Data LLC d/b/a IXO</i> , No. 09-cv-4486 (N.D. Ill.)	Dismissed
6	<i>Thomson Reuters Corporation v. Realtime Data, LLC d/b/a IXO</i> , No. 1:09-cv-07868-RMB (S.D.N.Y)	Consolidated with Case No. 2
7	<i>Realtime Data, LLC d/b/a IXO v. CME Group Inc., et al. (II)</i> , No. 6:10-cv-246 (E.D. Texas)	Consolidated with Case No. 4
8	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al. (II)</i> , No. 6:10-cv-247 (E.D. Texas)	Consolidated with Case No. 2
9	<i>Realtime Data, LLC d/b/a IXO v. Morgan Stanley, et al. (II)</i> , No. 6:10-cv-248 (E.D. Texas)	Consolidated with Case No. 3
10	<i>Realtime Data, LLC d/b/a IXO v. MetroPCS Texas, LLC et al.</i> , No. 6:10-cv-00493 (E.D. Texas)	Notice of Appeal Filed

Information Disclosure Statement

Listed on accompanying IDS Forms PTO/SB/08a equivalent and PTO/SB/08b equivalent are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Atty. Dkt. No. 2855.0050007

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Copies of documents **NPL1-NPL14** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited as documents **US1-US4** on the attached IDS Forms are submitted.

Additionally, a copy of document **NPL15** is not provided in accordance with the U.S. Patent and Trademark Office Official Gazette notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system."

Applicants submit herewith Office Actions from the following co-pending, commonly-assigned U.S. Patent Application Nos.:

Atty. Dkt. No. 2855.0050007

Document **NPL1** is a copy of a Notice of Allowance mailed February 20, 2014, in the prosecution of co-pending, commonly-assigned U.S. Application No. 13/101,994.

Document **NPL2** is a copy of a Supplemental Notice of Allowance mailed February 25, 2014, in the prosecution of co-pending, commonly-assigned U.S. Application No. 12/857,238.

Document **NPL3** is a copy of a Non-Final Office Action mailed February 25, 2014, in the prosecution of co-pending, commonly-assigned U.S. Application No. 14/134,933.

Document **NPL4** is a copy of a Non-Final Office Action mailed February 27, 2014, in the prosecution of co-pending, commonly-assigned U.S. Application No. 14/134,926.

Document **NPL5** is a copy of a Final Office Action mailed April 8, 2014, in the prosecution of co-pending, commonly-assigned U.S. Application No. 09/969,987.

Document **NPL6** is a copy of a Non-Final Office Action mailed May 9, 2014, in the prosecution of co-pending, commonly-assigned U.S. Application No. 13/403,785.

The identification of these Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

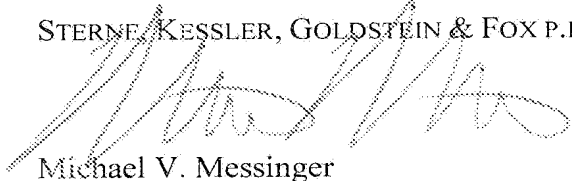
It is expected that the examiner will review the prosecution and cited art in the parent application nos. 10/076,013, filed February 13, 2002 (now U.S. Patent No. 7,386,046); 12/123,081, filed May 19, 2008 (now U.S. Patent No. 8,073,047); and 13/154,239, filed June 6, 2011 (now U.S. Patent No. 8,553,759), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicants
Registration No. 37,575

Date: May 27, 2014

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1826487_t

Atty. Dkt. No. 2855.0050007

Substitute for form 1449/PTO SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	1	of	2	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²	
	NPL1	Copy of Notice of Allowance for U.S. Appl. No. 13/101,994, mailed February 20, 2014, 5 pages.		
	NPL2	Copy of Supplemental Notice of Allowance for U.S. Appl. No. 12/857,238, mailed February 25, 2014, 2 pages.		
	NPL3	Copy of Non-Final Office Action for U.S. Appl. No. 14/134,933, mailed February 25, 2014, 7 pages.		
	NPL4	Copy of Non-Final Office Action for U.S. Appl. No. 14/134,926, mailed February 27, 2014, 16 pages.		
	NPL5	Copy of Final Office Action for U.S. Appl. No. 09/969,987, mailed April 8, 2014, 8 pages.		
	NPL6	Copy of Non-Final Office Action for U.S. Application No. 13/403785, mailed May 9, 2014, 5 pages.		
	NPL7	Declaration of Dr. James W. Modestino under 37 C.F.R. § 1.132 in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, executed November 29, 2013; 51 pages.		
	NPL8	Declaration of Dr. James W. Modestino under 37 C.F.R. § 1.132 in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, executed November 29, 2013; 49 pages.		
	NPL9	Declaration of Dr. James W. Modestino under 37 C.F.R. § 1.132 in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, executed November 29, 2013; 50 pages.		
	NPI10	Patent Owner's Supplemental Reply to Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, filed February 27, 2014, 10 pages.		

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

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	2	of	2	Attorney Docket Number	2855.0050007
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
	NPL11	Patent Owner's Supplemental Reply to Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, filed February 27, 2014, 9 pages.			
	NPL12	Corrected Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed March 11, 2014, 48 pages.			
	NPL13	Corrected Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed March 11, 2014, 39 pages.			
	NPL14	Corrected Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed March 11, 2014, 67 pages.			
	NPL15	U.S. Patent Application No. 14/251,453, James J. FALLON, "Data Compression Systems and Methods," filed April 11, 2014.			

1826475_1

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

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Electronic Patent Application Fee Transmittal

Application Number:	14033245			
Filing Date:	20-Sep-2013			
Title of Invention:	Systems and Methods for Video and Audio data Storage and Distribution.			
First Named Inventor/Applicant Name:	James J. Fallon			
Filer:	Michael V. Messinger			
Attorney Docket Number:	2855.0050007			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

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

Electronic Acknowledgement Receipt

EFS ID:	19136277
Application Number:	14033245
International Application Number:	
Confirmation Number:	9902
Title of Invention:	Systems and Methods for Video and Audio data Storage and Distribution.
First Named Inventor/Applicant Name:	James J. Fallon
Customer Number:	26111
Filer:	Michael V. Messinger/Lauren Harrison
Filer Authorized By:	Michael V. Messinger
Attorney Docket Number:	2855.0050007
Receipt Date:	27-MAY-2014
Filing Date:	20-SEP-2013
Time Stamp:	17:31:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 180
RAM confirmation Number	5300
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Miscellaneous Incoming Letter	28550050007cl.pdf	531069	no	2
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2		28550050007amendids.pdf	13180239	yes	28
			f4a490136c17423b333fe70ebbb37e7fcaa9150b		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Specification		2	4	
	Claims		5	13	
	Applicant Arguments/Remarks Made in an Amendment		14	18	
	Transmittal Letter		19	25	
	Information Disclosure Statement (IDS) Form (SB08)		26	28	
Warnings:					
Information:					
3	Non Patent Literature	NPL1_NOA_13101994_02202014.pdf	347089	no	5
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Warnings:					
Information:					
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Information:					
14	Non Patent Literature	NPL12_Corrected_PO_Request_to_Reopen_Prosecution_95001533_03112014.pdf	3524746	no	48
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Information:					
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Information:					

16	Non Patent Literature	NPL14_Corrected_PO_Request_to_Reopen_Prosecution_95001581_03112014.pdf	5231309 8dff8efa9cc9d811cfe4cc0a2239dfb6ee226349	no	67
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17	Fee Worksheet (SB06)	fee-info.pdf	29700 818d04e4cf6b17a7d4e090e1cf5577014232286b	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			40461751		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

MICHAEL V. MESSINGER
DIRECTOR
(202) 772-8667
MIKEM@SKGF.COM



May 27, 2014

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 9902
Art Unit 2634
Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 14/033,245; Filing Date: September 20, 2013
For: **Systems and Methods for Video and Audio Data Storage and Distribution**
Inventors: FALLON *et al.*
Our Ref: 2855.0050007

Commissioner:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization in the amount of \$180.00 to cover the Information Disclosure Statement fee;
2. Amendment and Reply Under 37 C.F.R. § 1.111;
3. Second Supplemental Information Disclosure Statement;
4. Form PTO/SB/08a (1 sheet) listing 4 documents (US1-US4);
5. Form PTO/SB/08b (2 sheets) listing 15 documents (NPL1-NPL15); and
6. Copies of cited documents (NPL1-NPL14).

The above-listed documents are filed electronically through EFS-Web.

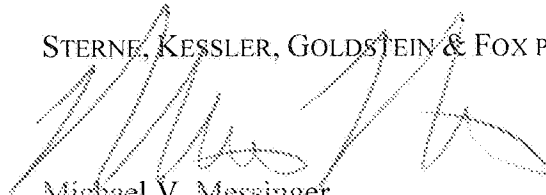
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
May 27, 2014
Page 2

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Michael V. Messinger", is written over the printed name and firm name.

Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

MVM/MRM/leh
Enclosures

1855219_1

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/033,245	Filing Date 09/20/2013	<input type="checkbox"/> To be Mailed
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ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$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).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	05/27/2014	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 30	Minus	** 30	= 0	X \$80 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X \$420 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						0	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
TOTAL ADD'L FEE						

* 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.

LIE
/DIANA BATES/

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

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



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

26111 7590 07/22/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BOCURE, TESFALDET

ART UNIT

PAPER NUMBER

2634

DATE MAILED: 07/22/2014

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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14/033,245

09/20/2013

James J. Fallon

2855.0050007

9902

TITLE OF INVENTION: Systems and Methods for Video and Audio data Storage and Distribution.

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	10/22/2014

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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.

26111 7590 07/22/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

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.
14/033,245	09/20/2013	James J. Fallon	2855.0050007	9902

TITLE OF INVENTION: Systems and Methods for Video and Audio data Storage and Distribution.

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	10/22/2014

EXAMINER	ART UNIT	CLASS-SUBCLASS
BOCURE, TESFALDET	2634	375-240000

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

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

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

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

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

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

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

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

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

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

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/033,245	09/20/2013	James J. Fallon	2855.0050007	9902

26111 7590 07/22/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BOCURE, TESFALDET

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 07/22/2014

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

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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.

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. 14/033,245	Applicant(s) FALLON ET AL.	
	Examiner TESFALDET BOCURE	Art Unit 2634	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to 5/27/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,3-10,12-22 and 28-37. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

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

* Certified copies not received: _____.

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

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

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

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>5/27/2014</u> | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input checked="" type="checkbox"/> Other <u>Interview Summary</u> . |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | |

/TESFALDET BOCURE/
Primary Examiner, Art Unit 2634

DETAILED ACTION

1. The present application is being examined under the pre-AIA first to invent provisions.
2. This office action (Notice of Allowance) is in response to the amendment and remarks filed on 5/27/2014. The statuses of the claims are: claims 2, 11 and 23-27 have been cancelled; and the pending claims 1, 3-10, 12-22 and 28-37, renumbered as claims 1-30 are now allowed.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 5/27/2014 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. Attached with this correspondence is the initialed copy of the IDS.

EXAMINER'S AMENDMENT

5. 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 amendment¹ was given in a telephone interview with Mr. Michael R. Malek (Reg. 65,211) on 7/11/2014.

The application has been amended as follows:

In the claims:

Claim 3 has been amended to read as follows:

3. (Currently Amended) A method, comprising:

determining a parameter or attribute of at least a portion of a data block;

selecting an access profile from among a plurality of access profiles based upon the determined parameter or attribute; and

compressing the at least the portion of the data block with one or more compressors utilizing information from the selected access profile to create one or more compressed data blocks, the information being indicative of the one or more compressors to apply to the at least the portion of the data block,

wherein the one or more compressors utilize at least one slow compress ~~encoders~~ encoder and at least one fast decompress ~~decoders~~ decoder, and

wherein compressing the at least the portion of the data block with the at least one slow compress ~~encoders~~ encoder takes more time than decompressing the at least the portion of the data block with the at least one fast decompress ~~decoders~~ decoder if the time were measured with the at least one slow compress ~~encoders~~ encoder and at least one fast decompress ~~decoders~~ decoder running individually on a common host system.

¹ the amendments to the claims and the remarks to claims 3, 18 and 19 are entirely based on the preliminary amendment sent by Mr. Malek to the Examiner on 7/9/2014. As to the amendments to claims 28 and 29, it is based on the proposal made by the Examiner.

Claim 18 has been amended to read as follows:

18. (Currently Amended) The method of claim 12, wherein the compressing comprises:

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to create one or more portions of the one or more compressed data blocks, the at least the portion of the data block having been compressed with the one or more selected asymmetric compressors to create the one or more portions of the one or more compressed data blocks, ~~and~~ wherein the storing comprises:

storing at least the one or more portions of the one or more compressed data blocks.

Claim 19 has been amended to read as follows:

19. (Currently Amended) The method of claim 18, further comprising:

retrieving and transmitting at least a portion of the at least one or more stored portions of the one or more compressed data blocks ~~occurs~~ in real-time; and

decompressing a portion of the at least transmitted portion of the at least one or more stored ~~the~~ portions of the one or more compressed data blocks after transmission in real-time.

Claim 28 has been amended to read as follows:

28. (Currently Amended) A method, comprising:

selecting one or more compressors based upon a number of reads of at least a portion of a compressed data block having audio or video data to identify one or more selected compressors; and

compressing at least a portion of a second data block with the one or more selected compressors using asymmetric data compression to provide a compressed data block.

Claim 29 has been amended to read as follows:

29. (Currently Amended) The method of claim 28, wherein the number of reads of the at least the portion of the compressed data block occurs within a given period of time.

Remarks:

6. The above Examiner's Amendment to the claims was made for the following reasons:

- a. The amendment to claim 28 was to refer to the 'read data' as a compressed data. It should be noted as disclosed, it the compressed pending data used to determine for the compression of new data block (claimed second).
- b. The amendment to claim 29 was made for same reason as above to claim 28.

- c. The amendments to claims 3,18 and 19 were made to correct for matter of forms.

Reasons for Allowance

7. The following is an examiner's statement of reasons for allowance: the claimed subject matter in claims is allowable because the arts of record fail to teach or fairly suggest in combinations to the claimed:

- d. A method, comprising:
 - determining a parameter or attribute of at least a portion of a data block having audio or video data:
 - selecting an access profile from among a plurality of access profiles based the determined parameter or attribute: and
 - compressing the at least the portion of the data block with one or more compressors using asymmetric data compression and information from the selected access profile to create one or more compressed data blocks, the information being indicative of the one or more compressors to apply to the at least the portion of the data block, as in claim 1. See figures 1,2 and corresponding text for selecting asymmetric data compression routing according to the data parameter or attribute and access profile as disclosed with respect to access profile tables disclosed in ¶[0064], [0069] and as shown in figures 1-3.
- e. A method, comprising:

determining a parameter or an attribute of at least a portion of a data block;

selecting one or more asymmetric compressors from among a plurality of compressors based upon the determined parameter or attribute;

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to provide one or more compressed data blocks; and storing at least a portion of the one or more compressed data blocks, as in claim 12. See figures 1,2 and corresponding text for selecting asymmetric data compression routing according to the data parameter or attribute and access profile as disclosed with respect to access profile tables disclosed in ¶[0064], [0069] and as shown in figures 1-3.

f. A method, comprising:

selecting one or more compressors based upon a number of reads of at least a portion of a compressed data block having audio or video data to identify one or more selected compressors; and

compressing at least a portion of a second data block with the one or more selected compressors using asymmetric data compression to provide a compressed data block, as in claim 28. See figure 2, access profile tables disclosed in ¶[0064], [0069] and corresponding text in ¶[0064], [0069] and [0074], where the compression routing (see steps 22-31 in figure 2) for the pending disc access, claimed second data block, is depending on the throughput of the

system having inherently data blocks compressed to be read.

8. 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

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

f. US patent numbers 6,725,225, 6,959,110, 7,548,657 issued to Scheps, Danskin et al., and Deaven and, US patent publication numbers 2007/0096954 and 2010/0011012 published to Boldt et al. and Rawson respectively disclose selection of compression/decompression algorithm according to the data parameter or attributes.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TESFALDET BOCURE whose telephone number is (571)272-3015. The examiner can normally be reached on Mon-Th, 8:30-6:00 and 8:30-5:00 2nd Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL C. WASHBURN can be reached on (571)272-5551. The fax phone

Art Unit: 2634

number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/TESFALDET BOCURE/
Primary Examiner, Art Unit 2634

/T. B./
Primary Examiner, Art Unit 2634

<i>Examiner-Initiated Interview Summary</i>	Application No.	Applicant(s)	
	14/033,245	FALLON ET AL.	
	Examiner	Art Unit	
	TESFALDET BOCURE	2634	

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

(1) TESFALDET BOCURE. (3) ____.

(2) Mr. Michael R. Malek (reg. # 65211). (4) ____.

Date of Interview: 11 July 2014.

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: 3, 18, 19, 28 and 29.

Identification of prior art discussed: None.

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...)

Examiner called Applicant's representative Mr. Michael Malek on 7/1/2014 for clarification and a proposed examiner amendment to claims 28 and 29. Mr. Malek send a proposal amendment to claims 28 and including claims 3, 18, 19 and 29 on 7/9/2014. Regarding the issue for clarification and support to the claimed subject matter in claim 28, during the further telephone interview on 7/11/2014, Mr. Malek made a reference to the table in specification and disclosed in ¶ [0069] [0074] and [0075] with respect to figure 2. Examiner agreed.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of 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

/TESFALDET BOCURE/ Primary Examiner, Art Unit 2634	
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Notice of References Cited	Application/Control No. 14/033,245		Applicant(s)/Patent Under Reexamination FALLON ET AL.	
	Examiner TESFALDET BOCURE		Art Unit 2634	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,723,225	04-2004	Scheps, Richard	205/687
*	B	US-6,959,110	10-2005	Danskin et al.	382/166
*	C	US-7,548,657	06-2009	Deaven, David M	382/243
*	D	US-2007/0096954	05-2007	Boldt et al.	341/050
*	E	US-2010/0011012	01-2010	Rawson, Andrew R.	707/101
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

WEST Search History for Application 14033245

Creation Date: 2014070721:04

Prior Art Searches

Query	DB	Op.	Plur.	Thes.	Date
@ad<="20010213"	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
Fallon.inv. or mcerlain.inv.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
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retrieving or throughput or throughputs)) or ((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes))) and (Fallon.inv. or mcerlain.inv.)	JPAB, DWPI, TDBD				
375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls. or 341/\$8.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
(375/240).ccls. or 375/240.01. ccls. or 375/240.02. ccls. or 341/50.ccls. or 341/51.ccls. or 341/126.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
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WEST Search History for Application 14033245

Creation Date: 2014071119:41

Prior Art Searches

Query	DB	Op.	Plur.	Thes.	Date
@ad<="20010213"	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
Fallon.inv. or mcerlain.inv.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
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(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same	PGPB, USPT, USOC,	OR	YES		07-07-2014

(assymmetric near4 (compressing or compression)) same (pending nea3 data)	EPAB, JPAB, DWPI, TDBD				
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375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls. or 341/\$8.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
(375/240).ccls. or 375/240.01. ccls. or 375/240.02. ccls. or 341/50.ccls. or 341/51.ccls. or 341/126.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		07-07-2014
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Fallon.inv. or mcerlain.inv.		OR	YES		07-11-2014

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375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls. or 341/\$8.ccls.	PGPB, USPT,	OR	YES		07-11-2014

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BIB DATA SHEET

CONFIRMATION NO. 9902

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.	
14/033,245	09/20/2013	375	2634	2855.0050007	
RULE					
APPLICANTS Realtime Data, LLC, Armonk, NY, Assignee (with 37 CFR 1.172 Interest); INVENTORS James J. Fallon, Armonk, NY; Stephen J. McErlain, New York, NY; ** CONTINUING DATA ***** This application is a CON of 13/154,239 06/06/2011 PAT 8553759 which is a CON of 12/123,081 05/19/2008 PAT 8073047 which is a CON of 10/076,013 02/13/2002 PAT 7386046 which claims benefit of 60/268,394 02/13/2001 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 10/08/2013					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /TESFALDET BOCURE/ Acknowledged Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	STATE OR COUNTRY NY	SHEETS DRAWINGS 4	TOTAL CLAIMS 30	INDEPENDENT CLAIMS 4
ADDRESS STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 UNITED STATES					
TITLE Systems and Methods for Video and Audio data Storage and Distribution.					
FILING FEE RECEIVED 3120	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

Search Notes 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

CPC- SEARCHED		
Symbol	Date	Examiner
((H03M7/30; H03M7/3084; 03M7/3059; G06F17/30153; G06F2212/40; G06F12/0246; G06F17/30501; G06F3/0679; G06F3/0688; H04L69/04; Y10S707/99931; Y10S707/99942;H04W28/06 H04N1/00236;H04N2201/3283; G11C29/40;	2/20/2014	TB
	7/1/2014	TB
CPC Search Updated	7/11/2014	TB

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
375	240, E7.094	2/20/2014	TB
707	E17.001	2/20/2014	TB
711	E12.008, 154,	2/20/2014	TB
709	247	2/20/2014	TB
708	203	2/20/2014	TB
375, 370, 348, 341, 711, 709, 382,358	Searched ALL (\$8.ccls.)	2/21/2014	TB
375, 370, 348, 341, 711, 709, 382,358	Search Updated ALL	7/1/2014	TB
375, 370, 348, 341, 711, 709, 382,358	Search Updated ALL (\$8.ccls.)	7/11/2014	TB

	/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634
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SEARCH NOTES

Search Notes	Date	Examiner
EAST and Inventor's name Searched	2/20/2104	TB
EAST Updated	2/21/2014	TB
CPC Search Note for IPC and USPC: (G06F17/30 OR G06F12/00 OR G06F12/02 OR H03M7/30 OR H04B1/66 OR H04N7/26 OR H04N11/02 OR H04J3/18).IPCR.)	2/21/2014	TB
CPC Search Note for IPC and USPC: (358/426.01 375/E7.144 382/232 382/239 382/244 370/477 704/500 704/504 707/999.001 710/74 341/51 369/60.01 455/72 708/203 709/247 711/113).CCLS. or (H04N1/41 H03M7/30 G11B20/00 H04B1/66 G10L19/00).IPCR.)	7/1/2014 and 7/11/2014	TB
CPC Seearch class/subclasses: ((H04N19/0026 G06F21/80 G11C29/40 G09G2340/02 H04B1/66 H04W28/06).CPC.	7/1/2014 and 7/11/2014	TB

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
375	240, 240.01, 204.02	7/11/2014	TB


/TESFALDET BOCURE/
Primary Examiner.Art Unit 2634

Issue Classification 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.	
	Examiner TESFALDET BOCURE	Art Unit 2634	

CPC						
Symbol					Type	Version
H03M		7	/	6094	F	2013-01-01
H03M		7	/	3084	I	2013-01-01
H03M		7	/	30	I	2013-01-01
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CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 30	
/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634 (Primary Examiner) _____ (Date) _____		07/11/2014 O.G. Print Claim(s) 1	O.G. Print Figure 1

Issue Classification 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634


<input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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-	2	16	18	12	34										
14	3	23	19	13	35										
2	4	24	20	30	36										
3	5	25	21	18	37										
4	6	26	22												
5	7	-	23												
6	8	-	24												
7	9	-	25												
8	10	-	26												
-	11	-	27												
15	12	27	28												
17	13	28	29												
19	14	29	30												
20	15	9	31												
21	16	10	32												

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 30	
/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634 (Primary Examiner) _____ (Date) _____		O.G. Print Claim(s) 1	O.G. Print Figure 1

<i>Index of Claims</i> 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

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

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant					<input type="checkbox"/> CPA					<input type="checkbox"/> T.D.					<input type="checkbox"/> R.1.47				
CLAIM		DATE																	
Final	Original	12/03/2013	02/22/2014	07/08/2014															
1	1	÷	✓	=															
-	2	÷	✓	-															
14	3	÷	✓	=															
2	4	÷	✓	=															
3	5	÷	✓	=															
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5	7	÷	✓	=															
6	8	÷	✓	=															
7	9	÷	✓	=															
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-	25	÷	N	N															
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-	27	÷	N	N															
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10	32			=															
11	33			=															
12	34			=															
13	35			=															
30	36			=															

<i>Index of Claims</i> 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

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

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant				<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
CLAIM		DATE							
Final	Original	12/03/2013	02/22/2014	07/08/2014					
18	37			=					

Substitute for form 1449/PTO

**SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	14/033,245
Filing Date	September 20, 2013
First Named Inventor	James J. FALLON
Art Unit	2634
Examiner Name	BOCURE, Tesfaldet
Attorney Docket Number	2855.0050007

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

1826473 1

Examiner Signature	/Tesfaldet Bocure/	Date Considered	07/11/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.B./
Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 503 of 642

Substitute for form 1449/PTO SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	1	of	2	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²	
	NPL1	Copy of Notice of Allowance for U.S. Appl. No. 13/101,994, mailed February 20, 2014, 5 pages.		
	NPL2	Copy of Supplemental Notice of Allowance for U.S. Appl. No. 12/857,238, mailed February 25, 2014, 2 pages.		
	NPL3	Copy of Non-Final Office Action for U.S. Appl. No. 14/134,933, mailed February 25, 2014, 7 pages.		
	NPL4	Copy of Non-Final Office Action for U.S. Appl. No. 14/134,926, mailed February 27, 2014, 16 pages.		
	NPL5	Copy of Final Office Action for U.S. Appl. No. 09/969,987, mailed April 8, 2014, 8 pages.		
	NPL6	Copy of Non-Final Office Action for U.S. Application No. 13/403785, mailed May 9, 2014, 5 pages.		
	NPL7	Declaration of Dr. James W. Modestino under 37 C.F.R. § 1.132 in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, executed November 29, 2013; 51 pages.		
	NPL8	Declaration of Dr. James W. Modestino under 37 C.F.R. § 1.132 in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, executed November 29, 2013; 49 pages.		
	NPL9	Declaration of Dr. James W. Modestino under 37 C.F.R. § 1.132 in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, executed November 29, 2013; 50 pages.		
	NP110	Patent Owner's Supplemental Reply to Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, filed February 27, 2014, 10 pages.		

Examiner Signature	/Tefaldet Bocure/	Date Considered	07/11/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known			
				Application Number	14/033,245		
				Filing Date	September 20, 2013		
				First Named Inventor	James J. FALLON		
				Art Unit	2634		
				Examiner Name	BOCURE, Tesfaldet		
Sheet	2	of	2	Attorney Docket Number	2855.0050007		
NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				T ²	
	NPL11	Patent Owner's Supplemental Reply to Action Closing Prosecution in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, filed February 27, 2014, 9 pages.					
	NPL12	Corrected Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, mailed March 11, 2014, 48 pages.					
	NPL13	Corrected Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, mailed March 11, 2014, 39 pages.					
	NPL14	Corrected Request to Reopen Prosecution Before the Examiner under 37 C.F.R. § 41.77(b) in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, mailed March 11, 2014, 67 pages.					
	NPL15	U.S. Patent Application No. 14/251,453, James J. FALLON, "Data Compression Systems and Methods," filed April 11, 2014.					

1826475_1

Examiner Signature	/Tefaldet Bocure/	Date Considered	07/11/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

**ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.B./
Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 505 of 642**

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **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.

1. CURRENT CORRESPONDENCE ADDRESS (Name) (See Block 1 for any change of Address)

26147 7544 07/22/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

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	PERSON NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
110013-145	09/20/2013	James J. Fallon	2855-0050007	9902

TITLE OF INVENTION: Systems and Methods for Video and Audio data Storage and Distribution.

APPL. CLASS	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PRIOR PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$900	\$0	\$0	\$900	10/22/2014

EXAMINER	ART UNIT	CLASSIFICATION
BOCURE/HSEAL/DIT	2634	375-249000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.303)

- ☐ Change of correspondence address (for Change of Correspondence Address form PTO/SB/122 attached)
- ☐ "Fee Address" indication for "Fee Address" Indication form PTO/SB/147 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 (existing 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 **Sterne, Kessler, Goldstein &**
 2 **Fox P.L.L.C.**
 3

3. ASSIGNEE NAME AND RESIDENTIAL 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)

Realtime Data LLC

Armonk, New York

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 **19-0036** (enclose an extra copy of this form)

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

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

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

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

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

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature

Date

Typed or printed name

Michael V. Messinger

Registration No.

37,575

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video and
Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Amendment Under 37 C.F.R. § 1.312

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Submitted herein is an Amendment Under 37 C.F.R. § 1.312. As payment of the issue fee has not yet been made or is filed herewith, Applicant respectfully submits that filing under 37 C.F.R. § 1.312 is proper. (M.P.E.P. § 714.16.)

It is believed that extensions of time are not required beyond those that may otherwise be provided for in documents accompanying this Amendment. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments to the Specification

1. Applicant respectfully requests ¶ [0080] of the Specification as filed on December 19, 2013 and as amended in the Amendment Under 37 C.F.R. § 1.111 that was filed on May 27, 2014 be amended as follows:

[0080] Fig. 3 illustrates a preferred embodiment of a data storage controller 120 as described in the above-incorporated U.S. Serial No. 09/775,905, now U.S. Patent No. 6,748,457, for implementing a bandwidth sensitive data compression protocol as described herein. The data storage controller 120 comprises a DSP (digital signal processor) 121 (or any other microprocessor device) that implements a data compression/decompression routine. The DSP 121 preferably employs a plurality of symmetric and asymmetric compression/ decompression as described herein. The data storage controller 120 further comprises at least one programmable logic device 122 (or volatile logic device). The programmable logic device 122 preferably implements the logic (program code) for instantiating and driving both a disk interface 114 and a bus interface 115 and for providing full DMA (direct memory access) capability for the disk and bus interfaces 114, 115. Further, upon host computer power-up and/or assertion of a system-level “reset” (e.g., PCI Bus reset), the DSP 121 initializes and programs the programmable logic device 122 before of the completion of initialization of the host computer. This advantageously allows the data storage controller 120 to be ready to accept and process commands from the host computer (via the bus 116) and retrieve boot data from the disk (assuming the data storage controller 120 is

implemented as the boot device and the hard disk stores the boot data (e.g., operating system, etc.))

2. Applicant respectfully requests ¶ [0083] of the Specification as filed on September 20, 2013 and as amended in the Amendment Under 37 C.F.R. § 1.111 that was filed on May 27, 2014 be further amended as follows:

[0083] The storage controller 120 further comprises computer reset and power up circuitry 128 (or “boot configuration circuit”) for controlling initialization (either cold or warm boots) of the host computer system and storage controller 120. A preferred boot configuration circuit and preferred computer initialization systems and protocols are described in U.S. Patent Application Serial No. 09/775,897, filed on February 2, 2001, entitled “System and Methods For Computer Initialization,” ~~now abandoned,~~ published as U.S. Patent Publication No. US 2001-0047473 A1, which is commonly assigned and incorporated herein by reference. Preferably, the boot configuration circuit 128 is employed for controlling the initializing and programming the programmable logic device 122 during configuration of the host computer system (i.e., while the CPU of the host is held in reset). The boot configuration circuit 128 ensures that the programmable logic device 122 (and possibly other volatile or partially volatile logic devices) is initialized and programmed before the bus 116 (such as a PCI bus) is fully reset. In particular, when power is first applied to the boot configuration circuit 128, the boot configuration circuit 28 generates a control signal to reset the local system (e.g., storage

controller 120) devices such as a DSP, memory, and I/O interfaces. Once the local system is powered-up and reset, the controlling device (such as the DSP 121) will then proceed to automatically determine the system environment and configure the local system to work within that environment. By way of example, the DSP 121 of the disk storage controller 120 would sense that the data storage controller 120 is on a PCI computer bus (expansion bus) and has attached to it a hard disk on an IDE interface. The DSP 121 would then load the appropriate PCI and IDE interfaces into the programmable logic device 122 prior to completion of the host system reset. Once the programmable logic device 122 is configured for its environment, the boot device controller is reset and ready to accept commands over the computer/expansion bus 116.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Previously Presented) A method, comprising:

determining a parameter or attribute of at least a portion of a data block having audio or video data;

selecting an access profile from among a plurality of access profiles based upon the determined parameter or attribute; and

compressing the at least the portion of the data block with one or more compressors using asymmetric data compression and information from the selected access profile to create one or more compressed data blocks, the information being indicative of the one or more compressors to apply to the at least the portion of the data.

2. (Cancelled)

3. (Currently Amended) A method, comprising:

determining a parameter or attribute of at least a portion of a data block;

selecting an access profile from among a plurality of access profiles based upon the determined parameter or attribute; and

compressing the at least the portion of the data block with one or more compressors utilizing information from the selected access profile to create one or more compressed data blocks, the information being indicative of the one or more compressors to apply to the at least the portion of the data block,

wherein the one or more compressors utilize at least one slow compress encoder and at least one slow fast decompress decoder, and

wherein compressing the at least the portion of the data block with the at least one slow compress encoder takes more time than decompressing the at least the portion of the data block with the at least one fast decompress decoder if the time were measured with the at least one slow compress encoder and the at least one fast decompress decoder running individually on a common host system.

4. (Previously Presented) The method of claim 1, wherein the data block is from among a plurality of data blocks, and wherein the compressing comprises:

compressing the plurality of data blocks to create the one or more compressed data blocks.

5. (Previously Presented) The method of claim 4, wherein the plurality of data blocks comprises:

one or more files.

6. (Previously Presented) The method of claim 1, wherein the one or more compressed data blocks comprise:

one or more files.

7. (Previously Presented) The method of claim 1, further comprising:

storing at least a portion of the one or more compressed data blocks in one or more files.

8. (Previously Presented) The method of claim 1, further comprising:
storing at least a portion of the one or more compressed data blocks.

9. (Previously Presented) The method of claim 8, further comprising:
retrieving at least a portion of the at least stored portion of the one or more
compressed data blocks;
transmitting the at least retrieved portion of the at least stored portion of the one
or more compressed data blocks over the Internet; and
decompressing the at least transmitted portion of the at least stored portion of the
one more compressed data blocks.

10. (Previously Presented) The method of claim 1, further comprising:
selecting the one or more compressors to compress the at least the portion of the
data block to create at least a second compressed data block based upon a number of
reads of at least a portion of a first compressed data block that was created from the at
least the portion of the data block.

11. (Cancelled)

12. (Previously Presented) A method, comprising:
determining a parameter or an attribute of at least a portion of a data block;
selecting one or more asymmetric compressors from among a plurality of
compressors based upon the determined parameter or attribute;

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to provide one or more compressed data blocks; and storing at least a portion of the one or more compressed data blocks.

13. (Previously Presented) The method of claim 18, further comprising: retrieving and transmitting at least a portion of the at least stored one or more portions of the one or more compressed data blocks based upon a user command.

14. (Previously Presented) The method of claim 18, further comprising: retrieving and transmitting at least a portion of the at least stored one or more portions of the one or more compressed data blocks based upon a user value.

15. (Previously Presented) The method of claim 18, further comprising: retrieving and transmitting at least a portion of the at least stored one or more portions of the one or more compressed data blocks based upon a utilized capacity of a portion of a memory device.

16. (Previously Presented) The method of claim 18, further comprising: retrieving and transmitting at least a portion of the at least stored one or more portions of the one or more compressed data blocks based upon a throughput of a communication channel used for transmission of the at least retrieved portion of the at least stored one or more portions of the one or more compressed data blocks.

17. (Previously Presented) The method of claim 18, wherein the at least stored

one or more portions of the one or more compressed data blocks comprises:

audio or video information.

18. (Previously Presented) The method of claim 12, wherein the compressing comprises:

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to create one or more portions of the one or more compressed data blocks, the at least the portion of the data block having been compressed with the one or more selected asymmetric compressors to create the one or more portions of the one or more compressed data blocks, and wherein the storing comprises:

storing at least the one or more portions of the one or more compressed data blocks.

19. (Previously Presented) The method of claim 18, further comprising:

retrieving and transmitting at least a portion of the at least one or more stored portions of the one or more compressed data blocks in real-time; and

decompressing a portion of the at least transmitted portion of the at least one or more stored portions of the one or more compressed data blocks after transmission in real-time.

20. (Previously Presented) The method of claim 12, wherein the selecting comprises:

selecting the one or more asymmetric compressors based upon the determined

parameter or attribute and a number of reads of the at least the portion of the data block.

21. (Previously Presented) The method of claim 12, further comprising:

decompressing at least a portion of the one or more compressed data blocks to provide one or more decompressed data blocks based upon a first number of reads of the least the portion of one or more compressed data blocks; and

recompressing at least a portion of the one or more decompressed data blocks with the one or more asymmetric compressors.

22. (Currently Amended) The method of claim 21, wherein the selection of the one or more asymmetric compressors for recompressing the at least the portion of the one or more decompressed data blocks was based upon a second number of reads of the at least the portion of the one or more compressed data blocks.

23. – 27. (Cancelled)

28. (Previously Presented) A method, comprising:

selecting one or more compressors based upon a number of reads of at least a portion of a compressed data block having audio or video data to identify one or more selected compressors; and

compressing at least a portion of a second data block with the one or more selected compressors using asymmetric data compression to provide a compressed data block.

29. (Previously Presented) The method of claim 28, wherein the number of reads of the at least the portion of the compressed data block occurs within a given period of time.

30. (Currently Amended) The method of claim 28, further comprising:
retrieving and transmitting [[a]] the at least the portion of the compressed block based upon a user command.

31. (Currently Amended) The method of claim 1, wherein the determining of the parameter or attribute of the at least the portion of the data block excludes determining based only upon reading a descriptor of the at least the portion of the data block.

32. (Previously Presented) The method of claim 1, wherein the at least the portion of the data block is from among a plurality of data blocks; and wherein the compressing comprises:

compressing at least a portion of the plurality of data blocks with the one or more compressors using the asymmetric data compression and the information to create the one or more compressed data blocks.

33. (Previously Presented) The method of claim 32, wherein the plurality of data blocks or the one or more compressed data blocks comprise:
at least a portion of a file.

34. (Previously Presented) The method of claim 1, wherein the compressing comprises:

compressing the at least the portion of the data block with the selected one or more asymmetric compressors to create one or more portions of the one or more compressed data blocks, the at least the portion of the data block having been compressed with the selected one or more asymmetric compressors to create the one or more portions of the one or more compressed data blocks, and further comprising:

storing at least the one or more portions of the one or more compressed data blocks.

35. (Previously Presented) The method of claim 34, further comprising:

retrieving at least a portion of the at least stored one or more portions of the one or more compressed data blocks;

transmitting the at least retrieved portion of the at least stored one or more portions of the one or more compressed data blocks over the Internet; and

decompressing the at least transmitted portion of the at least stored one or more portions of the one or more compressed data blocks in real-time.

36. (Previously Presented) The method of claim 18, further comprising:

retrieving at least a portion of the at least stored one or more portions of the one or more compressed data blocks based upon a utilized capacity of one or more central processing units (CPUs).

37. (Previously Presented) The method of claim 13, wherein the retrieving is based upon a utilized capacity of one or more central processing units (CPUs).

Remarks

Reconsideration of this Application and entry of the above Amendment is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3-10, 12-22, and 28-37 are allowed in the application, with claims 1, 3, 12, and 28 being the independent claims. Claims 3, 22, 30, and 31 are sought to be amended to correct formal matters in these claims without changing the scope thereof. Applicant reserves the right to prosecute similar or broader claims, with respect to the amended claims in the future. The Specification as filed on September 30, 2009 and as amended in the Amendment Under 37 C.F.R. § 1.111 that was filed on May 27, 2014 is sought to be further amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Allowed Claims

Claims 1, 3-10, 12-22, and 28-37

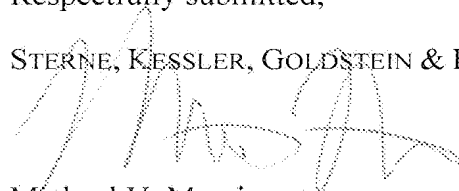
Applicant thanks the Examiner for indicating the allowability of claims 1, 3-10, 12-22, and 28-37 in the Notice of Allowability dated October 22, 2007.

Conclusion

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

Date: August 20, 2014

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(202) 371-2600
1892480_1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video
and Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Third Supplemental Information Disclosure Statement

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Notice of Prior and Concurrent Proceedings

Applicant hereby calls to the attention of the Patent and Trademark Office the following reexamination proceedings involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,486)	Inter Partes Reexamination Certificate issued 10/10/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/000,466)	Inter Partes Reexamination Certificate issued 05/15/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,453)	Terminated
<i>Ex Parte</i> Reexamination of U.S. Patent No. 6,601,104 (Control No. 90/009,428)	Ex Parte Reexamination Certificate issued 02/28/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/000,478)	Inter Partes Reexamination Certificate issued 10/04/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,624,761 (Control No. 95/000,464)	Inter Partes Reexamination Certificate issued 06/12/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/000,479)	Inter Partes Reexamination Certificate issued 05/22/2012

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,714,747 (Control No. 95/001,517)	Patent Owner's Request for Rehearing Under 37 C.F.R. § 41.79 mailed 02/14/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,417,568 (Control No. 95/001,533)	Order Remanding <i>Inter Partes</i> Reexamination Under 37 C.F.R. 41.77(d) to the Examiner mailed 05/29/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,777,651 (Control No. 95/001,581)	Order Remanding <i>Inter Partes</i> Reexamination Under 37 C.F.R. 41.77(d) to the Examiner mailed 05/29/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,400,274 (Control No. 95/001,544)	Order Remanding <i>Inter Partes</i> Reexamination Under 37 C.F.R. 41.77(d) to the Examiner mailed 05/29/2014

Applicant hereby calls to the attention of the Patent and Trademark Office the following reexamination proceedings filed by Cellco Partnership d/b/a Verizon Wireless, involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/001,922)	<i>Inter Partes</i> Reexamination Certificate issued 12/05/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/001,923)	Notice of Appeal filed 07/08/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,352,300 (Control No. 95/001,924)	<i>Inter Partes</i> Reexamination Certificate issued 08/04/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,395,345 (Control No. 95/001,925)	Right of Appeal Notice mailed 06/10/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/001,926)	<i>Inter Partes</i> Reexamination Certificate issued 01/08/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,415,530 (Control No. 95/001,927)	<i>Inter Partes</i> Reexamination Certificate issued 08/16/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/001,928)	<i>Inter Partes</i> Reexamination Certificate issued 01/08/2014

Applicant invites the Examiner to review the Requests for Reexamination, issued Office Actions, replies, and any other papers in the above-identified reexamination proceedings. If the Examiner is unable to obtain copies of papers in any reexamination proceeding, copies can be provided to the Examiner upon request. Those documents which may be material that are not already of record in this patent application are listed on the accompanying Form PTO/SB/08. For example, documents related to the reexaminations are listed as **NPL5-NPL8**.

Notice of Related Litigation

Applicant notifies the Patent and Trademark Office of the following litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
1	<i>Realtime Data LLC d/b/a IXO v. Packeteer, Inc. et al.</i> , No. 6:08-cv-00144-LED (E.D. Texas)	Dismissed

Applicant also notifies the Patent and Trademark Office of the following additional litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
2	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al.</i> No. 1:11-cv-06698-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00333-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
3	<i>Realtime Data LLC d/b/a IXO v. Morgan Stanley et al.</i> , No. 1:11-cv-06696-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00326-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
4	<i>Realtime Data LLC d/b/a IXO v. CME Group Inc., et al.</i> , No. 1:11-cv-06697-RJH (S.D. New York)	Opinion of the Court of Appeals for the

	(transferred from E.D. Texas; No. 6:09-cv-00327-LED)	Federal Circuit received 01/27/2014
5	<i>Chicago Board Options Exchange, Inc., v. Realtime Data LLC d/b/a IXO</i> , No. 09-cv-4486 (N.D. Ill.)	Dismissed
6	<i>Thomson Reuters Corporation v. Realtime Data, LLC d/b/a IXO</i> , No. 1:09-cv-07868-RMB (S.D.N.Y)	Consolidated with Case No. 2
7	<i>Realtime Data, LLC d/b/a IXO v. CME Group Inc., et al. (II)</i> , No. 6:10-cv-246 (E.D. Texas)	Consolidated with Case No. 4
8	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al. (II)</i> , No. 6:10-cv-247 (E.D. Texas)	Consolidated with Case No. 2
9	<i>Realtime Data, LLC d/b/a IXO v. Morgan Stanley, et al. (II)</i> , No. 6:10-cv-248 (E.D. Texas)	Consolidated with Case No. 3
10	<i>Realtime Data, LLC d/b/a IXO v. MetroPCS Texas, LLC et al.</i> , No. 6:10-cv-00493 (E.D. Texas)	Appeal Terminated

Information Disclosure Statement

Listed on accompanying IDS Form PTO/SB/08b equivalent are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicant has listed publication dates on the attached IDS Form based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Atty. Dkt. No. 2855.0050007

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

Copies of documents **NPL1-NPL8** are submitted.

Applicant submits herewith Office Actions from the co-pending U.S. Patent Application Nos.:

Document **NPL1** is a copy of a Final Office Action mailed June 18, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 13/118,122.

Atty. Dkt. No. 2855.0050007

Document **NPL2** is a copy of a Notice of Allowance mailed June 25, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/251,453.

Document **NPL3** is a copy of a Final Office Action mailed June 27, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/134,933.

Document **NPL4** is a copy of a Notice of Allowance mailed July 8, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/134,926.

The identification of these Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

It is expected that the examiner will review the prosecution and cited art in the parent application nos. 10/076,013, filed February 13, 2002 (now U.S. Patent No. 7,386,046); 12/123,081, filed May 19, 2008 (now U.S. Patent No. 8,073,047); and 13/154,239, filed June 6, 2011 (now U.S. Patent No. 8,553,759), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

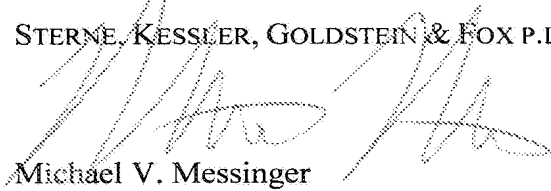
It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Form, and indicate in the official file wrapper of this patent application that the documents have been considered.

Atty. Dkt. No. 2855.0050007

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

Date: August 20, 2014

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(202) 371-2600

1891367_1.DOCX

Substitute for form 1449/PTO THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/033,245
				Filing Date	September 20, 2013
				First Named Inventor	James J. FALLON
				Art Unit	2634
				Examiner Name	BOCURE, Tesfaldet
Sheet	1	of	1	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		T ²
	NPL1	Copy of Final Office Action for U.S. Application No. 13/118,122, mailed June 18, 2014, 14 pages.		
	NPL2	Copy of Notice of Allowance for U.S. Appl. No. 14/251,453, mailed June 25, 2014; 8 pages.		
	NPL3	Copy of Final Office Action for U.S. Appl. No. 14/134,933, mailed June 27, 2014; 9 pages.		
	NPL4	Copy of Notice of Allowance for U.S. Appl. No. 14/134,926, mailed July 8, 2014, 9 pages.		
	NPL5	Right of Appeal Notice Under 37 C.F.R. § 1.953 in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, mailed June 9, 2014, 14 pages.		
	NPL6	Right of Appeal Notice Under 37 C.F.R. § 1.953 in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925 mailed June 10, 2014, 10 pages.		
	NPL7	Notice of Intent to Issue a Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed June 27, 2014, 7 pages.		
	NPL8	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed August 4, 2014, 4 pages.		

1891362_1.DOCX

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

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Electronic Patent Application Fee Transmittal

Application Number:	14033245			
Filing Date:	20-Sep-2013			
Title of Invention:	Systems and Methods for Video and Audio data Storage and Distribution.			
First Named Inventor/Applicant Name:	James J. Fallon			
Filer:	Michael V. Messinger/Ann-Marie Fazekas			
Attorney Docket Number:	2855.0050007			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	1501	1	960	960
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
Total in USD (\$)				1140

Electronic Acknowledgement Receipt

EFS ID:	19920100
Application Number:	14033245
International Application Number:	
Confirmation Number:	9902
Title of Invention:	Systems and Methods for Video and Audio data Storage and Distribution.
First Named Inventor/Applicant Name:	James J. Fallon
Customer Number:	26111
Filer:	Michael V. Messinger/Ann-Marie Fazekas
Filer Authorized By:	Michael V. Messinger
Attorney Docket Number:	2855.0050007
Receipt Date:	20-AUG-2014
Filing Date:	20-SEP-2013
Time Stamp:	18:25:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1140
RAM confirmation Number	4583
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		28550050007IFand3rdSupplIDS.pdf	10376319 ed87a9ade7a4d8281d768291af0d32faa3d9475f	yes	26
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Miscellaneous Incoming Letter		1	2	
	Issue Fee Payment (PTO-85B)		3	3	
	Amendment after Notice of Allowance (Rule 312)		4	4	
	Specification		5	7	
	Claims		8	16	
	Applicant Arguments/Remarks Made in an Amendment		17	18	
	Information Disclosure Statement (IDS) Form (SB08)		19	26	
Warnings:					
Information:					
2	Non Patent Literature	NPL1_FOA_13118122_06182014.pdf	425568 b714a6c0d021d367ed2a290c4ba92f8f77f875cf	no	14
Warnings:					
Information:					
3	Non Patent Literature	NPL2_NOA_14251453_06252014.pdf	430088 5173c673f00116facd34126593c86635943ba476	no	8
Warnings:					
Information:					
4	Non Patent Literature	NPL3_FOA_14134933_06272014.pdf	329800 afacad8ce45e0076d242c155007ce50a28835049	no	9
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Information:					
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Information:					
6	Non Patent Literature	NPL5_RAN_95001923_06092014.pdf	496972 f7c3c54c8bf37444d4f2417afc58f08583d378da	no	14

Warnings:					
Information:					
7	Non Patent Literature	NPL6_RAN_95001925_06102014.pdf	327226 cd8e02d381577590f3d86d673c966c8fa97f5175	no	10
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Information:					
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Warnings:					
Information:					
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Warnings:					
Information:					
10	Fee Worksheet (SB06)	fee-info.pdf	31531 4e124314d5e757a47b5a13fce2edc225ddc0592a	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			13470962		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

MICHAEL V. MESSINGER
DIRECTOR
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August 20, 2014

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 9902
Mail Stop Issue Fee

Re: Allowed U.S. Utility Patent Application
Appl. No. 14/033,245; Filed: September 20, 2013
For: **Systems and Methods for Video and Audio Data Storage and
Distribution**
Inventors: FALLON *et al.*
Our Ref: 2855.0050007

Commissioner:

In response to the **Notice of Allowance and Fee(s) Due** dated July 22, 2014, the following documents are transmitted for appropriate action by the U.S. Patent and Trademark Office:

1. Issue Fee Transmittal (Form PTOL-85);
2. Online Credit Card Payment Authorization for \$1,140.00 to cover:
\$960.00 – Issue Fee payment;
\$180.00 – Information Disclosure Statement Fee;
3. Amendment Under 37 C.F.R. §1.312;
4. Third Supplemental Information Disclosure Statement;
5. Form PTO/SB/08b (1 sheet) listing 8 documents (NPL1-NPL8); and
6. Copies of cited documents (NPL1-NPL8).

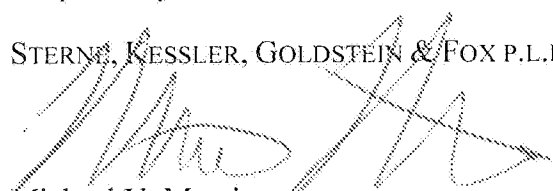
The above-listed documents are filed electronically through EFS-Web.

Commissioner for Patents
August 20, 2014
Page 2

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

MVM/MRM/aff
Enclosure

1886729_1



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.
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14/033,245

09/20/2013

James J. Fallon

2855.0050007

9902

26111 7590 08/28/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BOCURE, TESFALDET

ART UNIT

PAPER NUMBER

2634

MAIL DATE

DELIVERY MODE

08/28/2014

PAPER

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

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

DETAILED ACTION

1. The present application is being examined under the pre-AIA first to invent provisions.

Information Disclosure Statement

2. In response to the Information Disclosure Statements (IDSs) **after allowance** before payment of issue fee received on 8/20/2014, the following action has been taken:
THE PRESECUTION OF THIS CASE IS CLOSED AS OF THE DTAE THE NOTICE OF ALLOWANCE WAS MAILED ON 8/12/2014.

The IDS received on 8/20/2014 has been considered by the Examiner and the initialed copy of the IDS is attached with this correspondence.

Response to Amendment Under Rule CFR § 1.312

3. In response to amendment and remark received under Rule CFR § 1.312 on 8/20/2014, the following actions have taken:

The amendments to correct minor informalities in claims 3,22,30 and 31 do not constitute new matter nor raise new matter and have been entered; and

The amendment to update the related patent applications disclosed in ¶ [0080] and [0083] do not constitute new matter nor raise new matter and have been entered.

Conclusion

Art Unit: 2634

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TESHALDET BOCURE whose telephone number is (571)272-3015. The examiner can normally be reached on Mon-Th, 8:30-6:00 and 8:30-5:00 2nd Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL C. WASHBURN can be reached on (571)272-5551. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/TESHALDET BOCURE/
Primary Examiner, Art Unit 2634

/T. B./
Primary Examiner, Art Unit 2634

Response to Rule 312 Communication	Application No. 14/033,245	Applicant(s) FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634
<p align="center">-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</p> <p>1. <input checked="" type="checkbox"/> The amendment filed on <u>20 August 2014</u> under 37 CFR 1.312 has been considered, and has been:</p> <p>a) <input type="checkbox"/> entered.</p> <p>b) <input checked="" type="checkbox"/> entered as directed to matters of form not affecting the scope of the invention.</p> <p>c) <input type="checkbox"/> disapproved because the amendment was filed after the payment of the issue fee. Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.</p> <p>d) <input type="checkbox"/> disapproved. See explanation below.</p> <p>e) <input type="checkbox"/> entered in part. See explanation below.</p> <p>See attached office action.</p>		
		/TESFALDET BOCURE/ Primary Examiner, Art Unit 2634

/T.B./ 08/24/2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video and
Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Amendment Under 37 C.F.R. § 1.312

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Submitted herein is an Amendment Under 37 C.F.R. § 1.312. As payment of the issue fee has not yet been made or is filed herewith, Applicant respectfully submits that filing under 37 C.F.R. § 1.312 is proper. (M.P.E.P. § 714.16.)

It is believed that extensions of time are not required beyond those that may otherwise be provided for in documents accompanying this Amendment. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.



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.
-----------------	-------------	----------------------	---------------------	------------------

14/033,245

09/20/2013

James J. Fallon

2855.0050007

9902

26111 7590 10/22/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BOCURE, TESFALDET

ART UNIT

PAPER NUMBER

2634

MAIL DATE

DELIVERY MODE

10/22/2014

PAPER

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

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

Supplemental Notice of Allowability	Application No. 14/033,245 Examiner TESFALDET BOCURE	Applicant(s) FALLON ET AL. Art Unit 2634 AIA (First Inventor to File) Status No
--	---	---

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

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

1. ☒ This communication is responsive to IDS and amendment under Rule CFR § 1.312 filed on 8/20/14.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,3-10,12-22 and 28-37. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) ☐ All b) ☐ Some *c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>8/20/14</u> 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date ____ .	5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 6. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____.
---	--

/TESFALDET BOCURE/ Primary Examiner, Art Unit 2634	
---	--

DETAILED ACTION

1. The present application is being examined under the pre-AIA first to invent provisions.

Information Disclosure Statement

2. In response to the Information Disclosure Statements (IDSs) **after allowance** before payment of issue fee received on 8/20/2014, the following action has been taken:
THE PRESECUTION OF THIS CASE IS CLOSED AS OF THE DTAE THE NOTICE OF ALLOWANCE WAS MAILED ON 8/12/2014.

The IDS received on 8/20/2014 has been considered by the Examiner and the initialed copy of the IDS is attached with this correspondence.

Response to Amendment Under Rule CFR § 1.312

3. In response to amendment and remark received under Rule CFR § 1.312 on 8/20/2014, the following actions have taken:

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The amendment to update the related patent applications disclosed in ¶ [0080] and [0083] do not constitute new matter nor raise new matter and have been entered.

Conclusion

Art Unit: 2634


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TESHALDET BOCURE whose telephone number is (571)272-3015. The examiner can normally be reached on Mon-Th, 8:30-6:00 and 8:30-5:00 2nd Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL C. WASHBURN can be reached on (571)272-5551. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/TESHALDET BOCURE/
Primary Examiner, Art Unit 2634

/T. B./
Primary Examiner, Art Unit 2634

Index of Claims 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

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

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant						<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
CLAIM		DATE									
Final	Original	12/03/2013	02/22/2014	07/08/2014	10/14/2014						
1	1	÷	✓	=	=						
-	2	÷	✓	-	-						
14	3	÷	✓	=	=						
2	4	÷	✓	=	=						
3	5	÷	✓	=	=						
4	6	÷	✓	=	=						
5	7	÷	✓	=	=						
6	8	÷	✓	=	=						
7	9	÷	✓	=	=						
8	10	÷	✓	=	=						
-	11	÷	✓	-	-						
15	12	÷	=	=	=						
17	13	÷	=	=	=						
19	14	÷	=	=	=						
20	15	÷	=	=	=						
21	16	÷	=	=	=						
22	17	÷	=	=	=						
16	18	÷	=	=	=						
23	19	÷	=	=	=						
24	20	÷	=	=	=						
25	21	÷	=	=	=						
26	22	÷	=	=	=						
-	23	÷	N	N	-						
-	24	÷	N	N	-						
-	25	÷	N	N	-						
-	26	÷	N	N	-						
-	27	÷	N	N	-						
27	28	÷	✓	=	=						
28	29	÷	✓	=	=						
29	30	÷	✓	=	=						
9	31			=	=						
10	32			=	=						
11	33			=	=						
12	34			=	=						
13	35			=	=						
30	36			=	=						

<i>Index of Claims</i> 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

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

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47									
CLAIM		DATE							
Final	Original	12/03/2013	02/22/2014	07/08/2014	10/14/2014				
18	37			=	=				

OK TO ENTER: /T.B./

/T.B./ 10/14/2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video and
Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Amendment Under 37 C.F.R. § 1.312


Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Submitted herein is an Amendment Under 37 C.F.R. § 1.312. As payment of the issue fee has not yet been made or is filed herewith, Applicant respectfully submits that filing under 37 C.F.R. § 1.312 is proper. (M.P.E.P. § 714.16.)


It is believed that extensions of time are not required beyond those that may otherwise be provided for in documents accompanying this Amendment. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Issue Classification 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.	
	Examiner TESFALDET BOCURE	Art Unit 2634	

CPC						
Symbol					Type	Version
H03M		7	/	6094	F	2013-01-01
H03M		7	/	30	I	2013-01-01
H03M		7	/	3084	I	2013-01-01
			/			
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CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 30	
/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634 (Primary Examiner) _____ (Date) _____		10/14/2014 O.G. Print Claim(s) 1	O.G. Print Figure 1

Issue Classification 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	22	17	11	33										
-	2	16	18	12	34										
14	3	23	19	13	35										
2	4	24	20	30	36										
3	5	25	21	18	37										
4	6	26	22												
5	7	-	23												
6	8	-	24												
7	9	-	25												
8	10	-	26												
-	11	-	27												
15	12	27	28												
17	13	28	29												
19	14	29	30												
20	15	9	31												
21	16	10	32												

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 30	
/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634 (Primary Examiner) _____ (Date) _____		O.G. Print Claim(s) 1	O.G. Print Figure 1

Search Notes 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

CPC- SEARCHED		
Symbol	Date	Examiner
((H03M7/30; H03M7/3084; 03M7/3059; G06F17/30153; G06F2212/40; G06F12/0246; G06F17/30501; G06F3/0679; G06F3/0688; H04L69/04; Y10S707/99931; Y10S707/99942;H04W28/06 H04N1/00236;H04N2201/3283; G11C29/40;	2/20/2014	TB
	7/1/2014	TB
CPC Search Updated	7/11/2014	TB

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
375	240, E7.094	2/20/2014	TB
707	E17.001	2/20/2014	TB
711	E12.008, 154,	2/20/2014	TB
709	247	2/20/2014	TB
708	203	2/20/2014	TB
375, 370, 348, 341, 711, 709, 382,358	Searched ALL (\$8.ccls.)	2/21/2014	TB
375, 370, 348, 341, 711, 709, 382,358	Search Updated ALL	7/1/2014	TB
375, 370, 348, 341, 711, 709, 382,358	Search Updated ALL (\$8.ccls.)	7/11/2014	TB
375, 370, 348, 341, 711, 709, 382,35	Search Updated ALL	10/14/2014	TB

	/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634
--	--

SEARCH NOTES

Search Notes	Date	Examiner
EAST and Inventor's name Searched	2/20/2104	TB
EAST Updated	2/21/2014	TB
CPC Search Note for IPC and USPC: (G06F17/30 OR G06F12/00 OR G06F12/02 OR H03M7/30 OR H04B1/66 OR H04N7/26 OR H04N11/02 OR H04J3/18).IPCR.)	2/21/2014	TB
CPC Search Note for IPC and USPC: (358/426.01 375/E7.144 382/232 382/239 382/244 370/477 704/500 704/504 707/999.001 710/74 341/51 369/60.01 455/72 708/203 709/247 711/113).CCLS. or (H04N1/41 H03M7/30 G11B20/00 H04B1/66 G10L19/00).IPCR.)	7/1/2014 and 7/11/2014	TB
CPC Search class/subclasses: ((H04N19/0026 G06F21/80 G11C29/40 G09G2340/02 H04B1/66 H04W28/06).CPC.	7/1/2014 and 7/11/2014	TB
WEST, CPC and Invnetor's Name Search Updated	10/14/2014	TB

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
375	240, 240.01, 204.02	7/11/2014	TB
375	240, 240.01, 240.02	10/14/2014	TB

/TESFALDET BOCURE/
Primary Examiner.Art Unit 2634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: **Systems and Methods for Video
and Audio Data Storage and
Distribution**

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Third Supplemental Information Disclosure Statement

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Notice of Prior and Concurrent Proceedings

Applicant hereby calls to the attention of the Patent and Trademark Office the following reexamination proceedings involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,486)	Inter Partes Reexamination Certificate issued 10/10/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/000,466)	Inter Partes Reexamination Certificate issued 05/15/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,453)	Terminated
<i>Ex Parte</i> Reexamination of U.S. Patent No. 6,601,104 (Control No. 90/009,428)	Ex Parte Reexamination Certificate issued 02/28/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/000,478)	Inter Partes Reexamination Certificate issued 10/04/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,624,761 (Control No. 95/000,464)	Inter Partes Reexamination Certificate issued 06/12/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/000,479)	Inter Partes Reexamination Certificate issued 05/22/2012

/Tefaldet Bocure/

08/23/2014

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,714,747 (Control No. 95/001,517)	Patent Owner's Request for Rehearing Under 37 C.F.R. § 41.79 mailed 02/14/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,417,568 (Control No. 95/001,533)	Order Remanding <i>Inter Partes</i> Reexamination Under 37 C.F.R. 41.77(d) to the Examiner mailed 05/29/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,777,651 (Control No. 95/001,581)	Order Remanding <i>Inter Partes</i> Reexamination Under 37 C.F.R. 41.77(d) to the Examiner mailed 05/29/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,400,274 (Control No. 95/001,544)	Order Remanding <i>Inter Partes</i> Reexamination Under 37 C.F.R. 41.77(d) to the Examiner mailed 05/29/2014

Applicant hereby calls to the attention of the Patent and Trademark Office the following reexamination proceedings filed by Cellco Partnership d/b/a Verizon Wireless, involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/001,922)	<i>Inter Partes</i> Reexamination Certificate issued 12/05/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/001,923)	Notice of Appeal filed 07/08/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,352,300 (Control No. 95/001,924)	<i>Inter Partes</i> Reexamination Certificate issued 08/04/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,395,345 (Control No. 95/001,925)	Right of Appeal Notice mailed 06/10/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/001,926)	<i>Inter Partes</i> Reexamination Certificate issued 01/08/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,415,530 (Control No. 95/001,927)	<i>Inter Partes</i> Reexamination Certificate issued 08/16/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/001,928)	<i>Inter Partes</i> Reexamination Certificate issued 01/08/2014

/Tsfaldet Bocure/

08/23/2014

Atty. Dkt. No. 2855.0050007

Applicant invites the Examiner to review the Requests for Reexamination, issued Office Actions, replies, and any other papers in the above-identified reexamination proceedings. If the Examiner is unable to obtain copies of papers in any reexamination proceeding, copies can be provided to the Examiner upon request. Those documents which may be material that are not already of record in this patent application are listed on the accompanying Form PTO/SB/08. For example, documents related to the reexaminations are listed as NPL5-NPL8.

Notice of Related Litigation

Applicant notifies the Patent and Trademark Office of the following litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
1	<i>Realtime Data LLC d/b/a IXO v. Packeteer, Inc. et al.</i> , No. 6:08-cv-00144-LED (E.D. Texas)	Dismissed

Applicant also notifies the Patent and Trademark Office of the following additional litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
2	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al.</i> No. 1:11-cv-06698-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00333-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
3	<i>Realtime Data LLC d/b/a IXO v. Morgan Stanley et al.</i> , No. 1:11-cv-06696-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00326-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
4	<i>Realtime Data LLC d/b/a IXO v. CME Group Inc., et al.</i> , No. 1:11-cv-06697-RJH (S.D. New York)	Opinion of the Court of Appeals for the

	(transferred from E.D. Texas; No. 6:09-cv-00327-LED)	Federal Circuit received 01/27/2014
5	<i>Chicago Board Options Exchange, Inc., v. Realtime Data LLC d/b/a IXO</i> , No. 09-cv-4486 (N.D. Ill.)	Dismissed
6	<i>Thomson Reuters Corporation v. Realtime Data, LLC d/b/a IXO</i> , No. 1:09-cv-07868-RMB (S.D.N.Y)	Consolidated with Case No. 2
7	<i>Realtime Data, LLC d/b/a IXO v. CME Group Inc., et al. (II)</i> , No. 6:10-cv-246 (E.D. Texas)	Consolidated with Case No. 4
8	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al. (II)</i> , No. 6:10-cv-247 (E.D. Texas)	Consolidated with Case No. 2
9	<i>Realtime Data, LLC d/b/a IXO v. Morgan Stanley, et al. (II)</i> , No. 6:10-cv-248 (E.D. Texas)	Consolidated with Case No. 3
10	<i>Realtime Data, LLC d/b/a IXO v. MetroPCS Texas, LLC et al.</i> , No. 6:10-cv-00493 (E.D. Texas)	Appeal Terminated

Information Disclosure Statement

Listed on accompanying IDS Form PTO/SB/08b equivalent are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicant has listed publication dates on the attached IDS Form based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

/Tsfaldet Bocure/

08/23/2014

Atty. Dkt. No. 2855.0050007

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

Copies of documents **NPL1-NPL8** are submitted.

Applicant submits herewith Office Actions from the co-pending U.S. Patent Application Nos.:

Document **NPL1** is a copy of a Final Office Action mailed June 18, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 13/118,122.

/Tsfaldet Bocure/

08/23/2014

Atty. Dkt. No. 2855.0050007

Document **NPL2** is a copy of a Notice of Allowance mailed June 25, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/251,453.

Document **NPL3** is a copy of a Final Office Action mailed June 27, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/134,933.

Document **NPL4** is a copy of a Notice of Allowance mailed July 8, 2014, in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/134,926.

The identification of these Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

It is expected that the examiner will review the prosecution and cited art in the parent application nos. 10/076,013, filed February 13, 2002 (now U.S. Patent No. 7,386,046); 12/123,081, filed May 19, 2008 (now U.S. Patent No. 8,073,047); and 13/154,239, filed June 6, 2011 (now U.S. Patent No. 8,553,759), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Form, and indicate in the official file wrapper of this patent application that the documents have been considered.

/Tesfaldet Bocure/

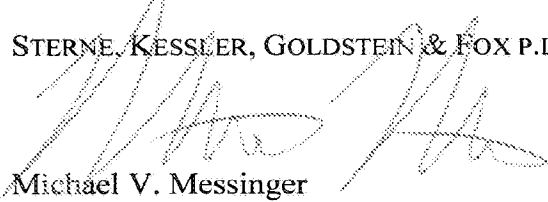
08/23/2014

Atty. Dkt. No. 2855.0050007

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

Date: August 20, 2014

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1891367_1.DOCX

Substitute for form 1449/PTO THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	14/033,245		
		Filing Date	September 20, 2013		
		First Named Inventor	James J. FALLON		
		Art Unit	2634		
		Examiner Name	BOCURE, Tesfaldet		
Sheet	1	of	1	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Copy of Final Office Action for U.S. Application No. 13/118,122, mailed June 18, 2014, 14 pages.	
	NPL2	Copy of Notice of Allowance for U.S. Appl. No. 14/251,453, mailed June 25, 2014; 8 pages.	
	NPL3	Copy of Final Office Action for U.S. Appl. No. 14/134,933, mailed June 27, 2014; 9 pages.	
	NPL4	Copy of Notice of Allowance for U.S. Appl. No. 14/134,926, mailed July 8, 2014, 9 pages.	
	NPL5	Right of Appeal Notice Under 37 C.F.R. § 1.953 in Inter Partes Reexamination of U.S. Patent No. 6,604,158, Control No. 95/001,923, mailed June 9, 2014, 14 pages.	
	NPL6	Right of Appeal Notice Under 37 C.F.R. § 1.953 in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925 mailed June 10, 2014, 10 pages.	
	NPL7	Notice of Intent to Issue a Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed June 27, 2014, 7 pages.	
	NPL8	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,352,300, Control No. 95/001,924, mailed August 4, 2014, 4 pages.	

1891362_1.DOCX

Examiner Signature	/Tefaldet Bocure/	Date Considered	10/20/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



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.
14/033,245	11/25/2014	8897356	2855.0050007	9902

26111 7590 11/05/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Realtime Data, LLC, Armonk, NY, Assignee (with 37 CFR 1.172 Interest);
James J. Fallon, Armonk, NY;
Stephen J. McErlain, New York, NY;

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

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

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	14/033,245
Filing Date	September 20, 2013
First Named Inventor	James J. FALLON
Art Unit	2634
Examiner Name	BOCURE, Tesfaldet
Attorney Docket Number	2855.0050007

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

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

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

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

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

b. ☐ Other _____

3. Fees

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

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to

a. ☒ Deposit Account No. 19-0036

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

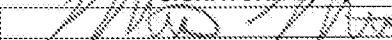
iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	November 28, 2014
Name (Print/Type)	Michael V. Messinger	Registration No.	37,575

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

1932357

Substitute for form 1449/PTO		Complete if Known	
FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	14/033,245
		Filing Date	September 20, 2013
		First Named Inventor	James J. FALLON
		Art Unit	2634
		Examiner Name	BOCURE, Tesfaldet
		Attorney Docket Number	2855.0050007
Sheet	1	of	1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Copy of Non-Final Office Action for U.S. Appl. No. 14/495,574, mailed October 23, 2014; 10 pages.	
	NPL2	Copy of Non-Final Office Action for U.S. Appl. No. 09/969,987, mailed October 23, 2014; 11 pages.	
	NPL3	Comments in Response to Examiner's Determination Under 37 C.F.R. 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, filed November 3, 2014; 30 pages.	
	NPL4	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, mailed November 3, 2014; 2 pages.	
	NPL5	Comments in Response to Examiner's Determination under 37 C.F.R. 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, filed November 10, 2014; 19 pages.	
	NPL6	Comments in Response to Examiner's Determination under 37 C.F.R. 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, filed November 10, 2014; 19 pages.	

1932337_1.DOCX

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

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web		PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)	
Application Number	14033245	
Filing Date	20-Sep-2013	
First Named Inventor	James Fallon	
Art Unit	2634	
Examiner Name	TESFALDET BOCURE	
Attorney Docket Number	2855.0050007	
Title	Systems and Methods for Video and Audio data Storage and Distribution.	
<p>An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.</p> <p>APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).</p> <p>A grantable petition requires the following items:</p> <p>(1) Petition fee; and</p> <p>(2) One of the following reasons:</p> <p>(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;</p> <p>(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or</p> <p>(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).</p>		
Petition Fee		
<div style="border: 1px solid black; padding: 5px;"> <input type="radio"/> Small Entity </div>		
<div style="border: 1px solid black; padding: 5px;"> <input type="radio"/> Micro Entity </div>		
<div style="border: 1px solid black; padding: 5px;"> <input checked="" type="radio"/> Regular Undiscounted </div>		
Reason for withdrawal from issue		

- ☐ One or more claims are unpatentable
- ☒ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- ☐ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

- ☐ I certify, in accordance with 37 CFR 1.4(d)(4) that :
- ☐ The RCE request ,submission, and fee have already been filed in the above-identified application on
- ☒ Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- ☒ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☐ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- ☐ A sole inventor
- ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application
- ☐ A joint inventor; all of whom are signing this e-petition

Signature	/Michael Messinger/
Name	Michael V. Messinger
Registration Number	37575

Electronic Patent Application Fee Transmittal

Application Number:	14033245			
Filing Date:	20-Sep-2013			
Title of Invention:	Systems and Methods for Video and Audio data Storage and Distribution.			
First Named Inventor/Applicant Name:	James J. Fallon			
Filer:	Michael V. Messinger/William Flanigen			
Attorney Docket Number:	2855.0050007			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Petition fee- 37 CFR 1.17(h) (Group III)	1464	1	140	140
Request for Continued Examination	1801	1	1200	1200
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1340



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

Decision Date : November 24, 2014

In re Application of :

James Fallon

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 14033245

Filed : 20-Sep-2013

Attorney Docket No : 2855.0050007

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed November 24, 2014, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 2634 for processing of the request for continuing examination under 37 CFR 1.114.

Office of Petitions

Electronic Acknowledgement Receipt

EFS ID:	20776179
Application Number:	14033245
International Application Number:	
Confirmation Number:	9902
Title of Invention:	Systems and Methods for Video and Audio data Storage and Distribution.
First Named Inventor/Applicant Name:	James J. Fallon
Customer Number:	26111
Filer:	Michael V. Messinger/William Flanigen
Filer Authorized By:	Michael V. Messinger
Attorney Docket Number:	2855.0050007
Receipt Date:	24-NOV-2014
Filing Date:	20-SEP-2013
Time Stamp:	10:40:09
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 1340
RAM confirmation Number	8999
Deposit Account	190036
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		28550050007_QPIDS.pdf	1529891	yes	13
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	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Transmittal Letter		1	2	
	Request for Continued Examination (RCE)		3	3	
	Quick Path Information Disclosure Statement		4	4	
	Transmittal Letter		5	11	
	Information Disclosure Statement (IDS) Form (SB08)		12	13	
Warnings:					
Information:					
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Warnings:					
Information:					
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Warnings:					
Information:					
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Warnings:					
Information:					
6	Non Patent Literature	NPL5_Comments_on_Examiners_Determination_95001544_11102014.pdf	894913	no	19
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Warnings:					
Information:					

7	Non Patent Literature	NPL6_Comments_on_Examiners_Determination_95001581_1102014.pdf	2337334 afa548c6d6aade46eb02b79462f4bf322e785c9e	no	46
Warnings:					
Information:					
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Warnings:					
Information:					
9	Fee Worksheet (SB06)	fee-info.pdf	31885 6560edfd2c705ba0948f819f71075003b08ddb9d	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			7175340		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

MICHAEL V. MESSINGER
DIRECTOR
(202) 772-8667
MIKEM@SKGF.COM



November 24, 2014

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Confirmation No. 9902
Art Unit 2634
Attn: Mail Stop 313(c)

Re: U.S. Utility Patent Application
Application No. 14/033,245; Filing Date: September 20, 2013
For: **Systems and Methods for Video and Audio Data Storage and Distribution**
Inventors: FALLON *et al.*
Our Ref: 2855.0050007

Commissioner:

Transmitted herewith for appropriate action are the following documents:

1. Authorization to charge the amount of \$1,520.00 to Deposit Account No. 19-0036 to cover:

\$180.00	Information Disclosure Statement Fee;
\$140.00	Petition to Withdraw from Issue after Payment of the Issue Fee (under 37 C.F.R. § 1.313(c)(2)); and
\$1,200.00	Request for Continued Examination Fee;
2. Request for Continued Examination (RCE) Transmittal (PTO/SB/30);
3. ePetition to Withdraw an Application from Issue After Payment of the Issue Fee under 37 C.F.R. 1.313(c)(2);
4. Quick Path Information Disclosure Statement (QPIDS) Transmittal (PTO/SB/09);
5. Fourth Supplemental Information Disclosure Statement;
6. Form PTO/SB/08a (1 sheet) listing 5 documents (**US1-US5**);
7. Form PTO/SB/08b (1 sheet) listing 6 documents (**NPL1-NPL6**); and
8. Copies of cited documents (**NPL1-NPL6**).

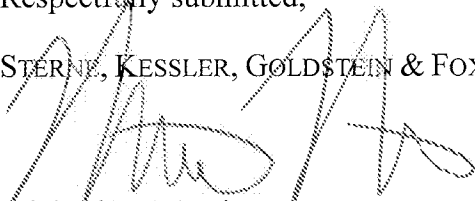
The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

MVM/MRM/wcf
Enclosures

1932361_1.DOCX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Realtime Data, LLC

Appl. No.: 14/033,245

Filed: September 20, 2013

For: Systems and Methods for Video and
Audio Data Storage and Distribution

Confirmation No.: 9902

Art Unit: 2634

Examiner: BOCURE, Tesfaldet

Atty. Docket: 2855.0050007

Fourth Supplemental Information Disclosure Statement

Mail Stop 313(c)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

Notice of Prior and Concurrent Proceedings

Applicant hereby calls to the attention of the Patent and Trademark Office the following reexamination proceedings involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,486)	Inter Partes Reexamination Certificate issued 10/10/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/000,466)	Inter Partes Reexamination Certificate issued 05/15/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/000,453)	Terminated
<i>Ex Parte</i> Reexamination of U.S. Patent No. 6,601,104 (Control No. 90/009,428)	Ex Parte Reexamination Certificate issued 02/28/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/000,478)	Inter Partes Reexamination Certificate issued 10/04/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,624,761 (Control No. 95/000,464)	Inter Partes Reexamination Certificate issued 06/12/2012
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/000,479)	Inter Partes Reexamination Certificate issued 05/22/2012

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,714,747 (Control No. 95/001,517)	Patent Owner's Request for Rehearing Under 37 C.F.R. § 41.79 mailed 02/14/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,417,568 (Control No. 95/001,533)	Patent Owner's Comments in Response to Examiner's Determination Under 37 C.F.R. 41.77(d) filed 11/03/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,777,651 (Control No. 95/001,581)	Patent Owner's Comments in Response to Examiner's Determination under 37 C.F.R. 41.77(e) filed 11/10/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,400,274 (Control No. 95/001,544)	Patent Owner's Comments in Response to Examiner's Determination under 37 C.F.R. 41.77(e) filed 11/10/2014

Applicant hereby calls to the attention of the Patent and Trademark Office the following reexamination proceedings filed by Cellco Partnership d/b/a Verizon Wireless, involving patents that are commonly-assigned with the patent in the above-identified patent application:

Proceeding	Status
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,321,937 (Control No. 95/001,922)	Inter Partes Reexamination Certificate issued 12/05/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 6,604,158 (Control No. 95/001,923)	Patent Owner's Appeal Brief filed 09/22/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,352,300 (Control No. 95/001,924)	Inter Partes Reexamination Certificate issued 08/04/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,395,345 (Control No. 95/001,925)	Inter Partes Reexamination Certificate issued 11/03/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,161,506 (Control No. 95/001,926)	Inter Partes Reexamination Certificate issued 01/08/2014
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,415,530 (Control No. 95/001,927)	Inter Partes Reexamination Certificate issued 08/16/2013
<i>Inter Partes</i> Reexamination of U.S. Patent No. 7,378,992 (Control No. 95/001,928)	Inter Partes Reexamination Certificate issued 01/08/2014

Applicant invites the Examiner to review the Requests for Reexamination, issued Office Actions, replies, and any other papers in the above-identified reexamination proceedings. If the Examiner is unable to obtain copies of papers in any reexamination proceeding, copies can be provided to the Examiner upon request. Those documents which may be material that are not already of record in this patent application are listed on the accompanying Form PTO/SB/08. For example, documents related to the reexaminations are listed as NPL3-NPL6.

Notice of Related Litigation

Applicant notifies the Patent and Trademark Office of the following litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
1	<i>Realtime Data LLC d/b/a IXO v. Packeteer, Inc. et al.</i> , No. 6:08-cv-00144-LED (E.D. Texas)	Dismissed

Applicant also notifies the Patent and Trademark Office of the following additional litigation involving U.S. Patents commonly-owned with the current patent application, the subject matter of which may be related to the present patent application:

No.	Case	Status
2	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al.</i> No. 1:11-cv-06698-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00333-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
3	<i>Realtime Data LLC d/b/a IXO v. Morgan Stanley et al.</i> , No. 1:11-cv-06696-RJH (S.D. New York) (transferred from E.D. Texas; 6:09-cv-00326-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014

4	<i>Realtime Data LLC d/b/a IXO v. CME Group Inc., et al.</i> , No. 1:11-cv-06697-RJH (S.D. New York) (transferred from E.D. Texas; No. 6:09-cv-00327-LED)	Opinion of the Court of Appeals for the Federal Circuit received 01/27/2014
5	<i>Chicago Board Options Exchange, Inc., v. Realtime Data LLC d/b/a IXO</i> , No. 09-cv-4486 (N.D. Ill.)	Dismissed
6	<i>Thomson Reuters Corporation v. Realtime Data, LLC d/b/a IXO</i> , No. 1:09-cv-07868-RMB (S.D.N.Y)	Consolidated with Case No. 2
7	<i>Realtime Data, LLC d/b/a IXO v. CME Group Inc., et al. (II)</i> , No. 6:10-cv-246 (E.D. Texas)	Consolidated with Case No. 4
8	<i>Realtime Data LLC d/b/a IXO v. Thomson Reuters Corporation et al. (II)</i> , No. 6:10-cv-247 (E.D. Texas)	Consolidated with Case No. 2
9	<i>Realtime Data, LLC d/b/a IXO v. Morgan Stanley, et al. (II)</i> , No. 6:10-cv-248 (E.D. Texas)	Consolidated with Case No. 3
10	<i>Realtime Data, LLC d/b/a IXO v. MetroPCS Texas, LLC et al.</i> , No. 6:10-cv-00493 (E.D. Texas)	Appeal Terminated

Information Disclosure Statement

Listed on accompanying IDS Forms PTO/SB/08a equivalent and PTO/SB/08b equivalent are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed after payment of the Issue Fee. The required fee is provided through authorization to deduct the amount of **\$180.00** from Deposit Account No. 19-0036 in payment of the fee under 37 C.F.R. § 1.17(p); in addition, I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

Copies of documents **NPL1-NPL6** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of the U.S. patents cited as documents **US1-US5** on the attached IDS Forms are submitted.

Applicants submit herewith Office Actions from the co-pending U.S. Patent Application Nos.:

Document **NPL1** is a copy of a Non-Final Office Action mailed October 23, 2014 in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 14/495,574.

Document **NPL2** is a copy of a Non-Final Office Action mailed October 23, 2014 in the prosecution of co-pending, commonly-assigned U.S. Patent Application No. 09/969,987.

The identification of these Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

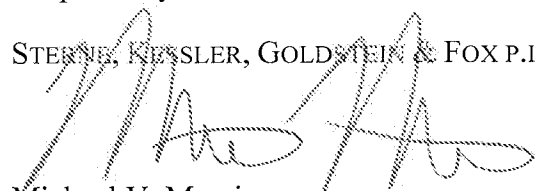
It is expected that the examiner will review the prosecution and cited art in the parent application nos. 13/154,239, filed June 6, 2011 (now U.S. Patent No. 8,553,759); 12/123,081, filed May 19, 2008 (now U.S. Patent No. 8,073,047); and 10/076,013, filed February 13, 2002 (now U.S. Patent No. 7,386,046), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

Date: _____

November 24, 2014

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1932353_1.DOCX

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 11/26/2014

KVESTAL	SALE	#00000006	Mailroom Dt:	11/24/2014	190036	14033245
		01	FC : 1806	180.00	DA	

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

PATENT WITHDRAWAL NOTICE

DATE WITHDRAWN

11/28/2014

WITHDRAWAL NUMBER

27409

The following application has been **WITHDRAWN** from the

11/25/2014

SERIAL NO.

14033245

PATENT NUMBER

8897356

TITLE

SYSTEMS AND METHODS FOR VIDEO AND AUDIO DATA STORAGE AND DISTRIBUTION.

NAME AND ADDRESS

JAMES FALLON
Armonk, NY

REASON FOR WITHDRAWAL

Auto-petition to withdraw - Granted

APPROVED

/Kimberly Terrell/, Manager

Patent Publication Branch
Office of Data Management



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.
14/033,245	09/20/2013	James J. Fallon	2855.0050007	9902

26111 7590 12/10/2014
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BOCURE, TESFALDET

ART UNIT	PAPER NUMBER
----------	--------------

2634

MAIL DATE	DELIVERY MODE
-----------	---------------

12/10/2014

PAPER

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

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

Supplemental Notice of Allowability	Application No. 14/033,245	Applicant(s) FALLON ET AL.	
	Examiner TESFALDET BOCURE	Art Unit 2634	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to IDS and RCE filed on 11/24/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,3-10,12-22 and 28-37. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

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

* Certified copies not received: _____.

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

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

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

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>11/24/2014</u> | 6. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | |

/TESFALDET BOCURE/
Primary Examiner, Art Unit 2634

DETAILED ACTION

1. The present application is being examined under the pre-AIA first to invent provisions.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/2014 has been entered.

Information Disclosure Statement

3. In response to the Information Disclosure statement (IDS) **after Allowance and before the payment of issue fee** received on 11/24/2014, the following action has been taken:

THE PROSECUTION OF THIS CASE IS CLOSED AS OF THE DATE THE NOTICE OF ALLOWANCE WAS MAILED ON 10/22/2014.

The information disclosure statement (IDS) submitted on 09/05/2014 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

Art Unit: 2634

statement is being considered by the examiner. Attached with this correspondence is the initialed copy of the IDS.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TESHALDET BOCURE whose telephone number is (571)272-3015. The examiner can normally be reached on Mon-Th, 8:30-6:00 and 8:30-5:00 2nd Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL C. WASHBURN can be reached on (571)272-5551. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/TESHALDET BOCURE/
Primary Examiner, Art Unit 2634

Application/Control Number: 14/033,245
Art Unit: 2634

Page 4

/T. B./
Primary Examiner, Art Unit 2634

Substitute for form 1449/PTO FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	14/033,245		
		Filing Date	September 20, 2013		
		First Named Inventor	James J. FALLON		
		Art Unit	2634		
		Examiner Name	BOCURE, Tesfaldet		
Sheet	1	of	1	Attorney Docket Number	2855.0050007

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Copy of Non-Final Office Action for U.S. Appl. No. 14/495,574, mailed October 23, 2014; 10 pages.	
	NPL2	Copy of Non-Final Office Action for U.S. Appl. No. 09/969,987, mailed October 23, 2014; 11 pages.	
	NPL3	Comments in Response to Examiner's Determination Under 37 C.F.R. 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,417,568, Control No. 95/001,533, filed November 3, 2014; 30 pages.	
	NPL4	Inter Partes Reexamination Certificate in Inter Partes Reexamination of U.S. Patent No. 7,395,345, Control No. 95/001,925, mailed November 3, 2014; 2 pages.	
	NPL5	Comments in Response to Examiner's Determination under 37 C.F.R. 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,400,274, Control No. 95/001,544, filed November 10, 2014; 19 pages.	
	NPL6	Comments in Response to Examiner's Determination under 37 C.F.R. 41.77(e) in Inter Partes Reexamination of U.S. Patent No. 7,777,651, Control No. 95/001,581, filed November 10, 2014; 19 pages.	

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Examiner Signature	/Tefaldet Bocure/	Date Considered	11/30/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.B./
Cisco Systems, Inc., IPR2018-01384, Ex. 1005, p. 591 of 642

WEST Search History for Application 14033245

Creation Date: 2014113022:00

Prior Art Searches


Query	DB	Op.	Plur.	Thes.	Date
@ad<="20010213"	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
Fallon.inv. or mcerlain.inv.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
(Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes)	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (pending near3 (file\$ or data\$ or application\$))	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same	PGPB, USPT, USOC,	OR	YES		11-30-2014

(assymetric near4 (compressing or compression)) same (pending nea3 data)	EPAB, JPAB, DWPI, TDBD				
((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes) same (assymetric near4 (compressing or compression))	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
(selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same ((assymetric\$ or (lempel adj2 ziv)) near4 (compressing or compression)) same (pending nea3 data)	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
((selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)) and (@ad<="20010213")	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes)) and (@ad<="20010213")	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
(((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes) and @ad<="20010213") or ((selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs) and @ad<="20010213"))	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
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or throughput or throughputs)) or ((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes))) and (Fallon.inv. or mcerlain.inv.)	JPAB, DWPI, TDBD				
375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
375/\$8.ccls. or 348/\$8.ccls. or 370/\$8.ccls. or 382/\$8.ccls. or 341/\$8.ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
((375/240)).ccls. or 375/240.01. ccls. or 375/240.02. ccls. or (341/50).ccls. or (341/51).ccls. or (341/126).ccls.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
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(((selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)) or ((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes))) and (((375/240)).ccls. or 375/240.01. ccls. or 375/240.02. ccls. or (341/50).ccls. or (341/51).ccls. or (341/126).ccls.)	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014


(((selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)) or ((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes))) and (@ad<="20010213") and ((await\$3 or pending) near3 (file\$ or data\$ or application\$))	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
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retrieve or retrieving or throughput or throughputs)) or ((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes)))	DWPI, TDBD				
("5109451" "6057790" "6735195" "8867610" "8880862").PN.	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014
((("5109451" "6057790" "6735195" "8867610" "8880862").PN.) and (((selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (read or reading or write or writing or retrieve or retrieving or throughput or throughputs)) or ((Selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same (parameter or parameters or attribute or attributes)) or ((selecting or select or choose or choosing) near4 ((compress or compression or compressing) near4 (algorithm or algorithms or mode or modes)) same ((assymetric\$ or (lempel adj2 ziv)) near4 (compressing or compression)) same (pending nea3 data)))	PGPB, USPT, USOC, EPAB, JPAB, DWPI, TDBD	OR	YES		11-30-2014

<i>Index of Claims</i> 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634


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

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	12/03/2013	02/22/2014	07/08/2014	10/14/2014	11/30/2014			
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14	3	÷	✓	=	=	=			
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5	7	÷	✓	=	=	=			
6	8	÷	✓	=	=	=			
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<i>Index of Claims</i> 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.
	Examiner TESFALDET BOCURE	Art Unit 2634

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

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Final	Original	12/03/2013	02/22/2014	07/08/2014	10/14/2014	11/30/2014			
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Issue Classification 	Application/Control No. 14033245	Applicant(s)/Patent Under Reexamination FALLON ET AL.	
	Examiner TESFALDET BOCURE	Art Unit 2634	

CPC					
Symbol				Type	Version
H03M		7	6094	F	2013-01-01
H03M		7	30	I	2013-01-01
H03M		7	3084	I	2013-01-01

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
		30	
(Assistant Examiner)	(Date)		
/TESFALDET BOCURE/ Primary Examiner.Art Unit 2634	11/30/2014	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

