United States Patent and Trademark Office

05/23/2019



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

Patent Law Works, LLP 310 East 4500 South, Suite 400 Salt Lake City, UT 84107 EXAMINER

ROSEN, NICHOLAS D

ART UNIT PAPER NUMBER

3625

DATE MAILED: 05/23/2019

	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
•	16/212 317	12/06/2018	Frik T. Boggard	10534-07842 US	3514	

TITLE OF INVENTION: CONFIRMING LOCAL MARKETPLACE TRANSACTION CONSUMMATION FOR ONLINE PAYMENT CONSUMMATION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	08/23/2019

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: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

			B - FEE(S) TRANS					
Complete and send to:	this form, together v Mail Stop ISSUE I Commissioner for P.O. Box 1450 Alexandria, Virgin	FEE Patents), by mail or fax, or	via EFS-Web.		By fax, send t	o: (571)-27	3-288
INSTRUCTIONS: This f further correspondence in below or directed otherw	ncluding the Patent, advar	nce orders and notificatio	n of maintenance fees wi	ill be mailed to the cu	rrent cor	respondence address a	s indicated unless	correcte
	7590 05/23/ Orks, LLP outh, Suite 400	N F P h I S au	Note: A certificate of mailing can only be used for domestic mailing Fee(s) Transmittal. This certificate cannot be used for any other accompapers. Each additional paper, such as an assignment or formal drawin 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 States Postal Service with sufficient postage for first class mail in an eaddressed to the Mail Stop ISSUE FEE address above, or being transn the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date				gs of the apanying ag, mus e United envelope mitted to	
			_				(Typed or pri	
			_					(Signature (Date
APPLICATION NO.	FILING DATE		FIRST NAMED INVENT	ENTOR ATTORN		RNEY DOCKET NO.	CONFIRMATION	N NO.
16/212,317	12/06/2018		Erik T. Bogaard	urd 10534-078		0534-07842 US	3514	
TITLE OF INVENTION	: CONFIRMING LOCA	L MARKETPLACE TR	ANSACTION CONSUM	MATION FOR ON	LINE PA	AYMENT CONSUM	IATION	
APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DU	JE PREV. PAID ISSU	JE FEE	TOTAL FEE(S) DUE	DATE DU	JE
nonprovisional	SMALL	\$500	\$0.00	\$0.00		\$500	08/23/20:	19
EXAM	IINER	ART UNIT	CLASS-SUBCLASS					
ROSEN, NIC	CHOLAS D	3625	705-044000					
Address form PTO/SF	ondence address (or Char 3/122) attached. ication (or "Fee Address" more recent) attached. Us	nge of Correspondence Indication form PTO/ e of a Customer	(1) The names of up or agents OR, altern (2) The name of a si registered attorney of 2 registered patent a listed, no name will	atively, ngle firm (having as or agent) and the nan ttorneys or agents. If be printed.	nt attorn a membenes of up	1er a		
PLEASE NOTE: Unle recorded, or filed for t (A) NAME OF ASSIG	ess an assignee is identific recordation, as set forth in GNEE	ed below, no assignee dat n 37 CFR 3.11 and 37 CI	ta will appear on the pate FR 3.81(a). Completion (B) RESIDENCE: (Cl	of this form is NOT	a substiti	ute for filing an assign	must have been pr ment.	reviousl
Please check the appropri	iate assignee category or	categories (will not be p	rinted on the patent) : \Box	Individual 🖵 Corp	oration c	or other private group of	ntity 🖵 Governm	nent
4a. Fees submitted:	☐Issue Fee ☐Publ	ication Fee (if required)	Advance Order	- # of Copies				
4b. Method of Payment:								
☐ Electronic Paymen			Non-electronic payment	-				
The Director is her	reby authorized to charge	the required fee(s), any	deficiency, or credit any	overpayment to Dep	osit Acc	ount No.		
Applicant asserting	tus (from status indicate ng micro entity status. See g small entity status. See g to regular undiscounted	e 37 CFR 1.29 37 CFR 1.27	NOTE: Absent a valid fee payment in the mic NOTE: If the application of I NOTE: Checking this entity status, as application of the Note of	ero entity amount wil on was previously un oss of entitlement to box will be taken to l	l not be a ider mici micro ei	accepted at the risk of to entity status, checking tity status.	application abandong this box will be	onment. e taken

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 _

Typed or printed name

Date _

Registration No.

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. 16/212,317 12/06/2018 Erik T. Bogaard 10534-07842 US 3514 **EXAMINER** 93219 7590 05/23/2019 Patent Law Works, LLP ROSEN, NICHOLAS D 310 East 4500 South, Suite 400 ART UNIT PAPER NUMBER Salt Lake City, UT 84107 3625 DATE MAILED: 05/23/2019

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 30 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.

	Application No. 16/212,317	Applicant(s) Bogaard, Erik T.				
Notice of Allowability	Examiner	Art Unit	AIA (FITF) Status			
	NICHOLAS D ROSEN	3625	No			
The MAILING DATE of this communication apperall claims being allowable, PROSECUTION ON THE MERITS IS (herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIC	OR REMAINS) CLOSED in this ap or other appropriate communication GHTS. This application is subject to	plication. If not n will be mailed	included in due course. THIS			
1. This communication is responsive to the amendment and Te		<u>9</u> .				
2. An election was made by the applicant in response to a rest restriction requirement and election have been incorporated		the interview of	on; the			
3. ✓ The allowed claim(s) is/are 21-38 and 41-42. As a result of Prosecution Highway program at a participating intellectual please see http://www.uspto.gov/patents/init_events/pg	al property office for the correspond	ling application	. For more information			
4. Acknowledgment is made of a claim for foreign priority unde Certified copies:	er 35 U.S.C. § 119(a)-(d) or (f).					
a) □All b) □ Some *c) □ None of the:						
1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this national stage application from the						
International Bureau (PCT Rule 17.2(a)).						
* Certified copies not received:						
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		y complying wil	th the requirements			
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. sheet. Replacement sheet(s) should be labeled as such in the heat	7 77	ings in the fron	t (not the back) of each			
6. DEPOSIT OF and/or INFORMATION about the deposit of B attached Examiner's comment regarding REQUIREMENT F						
Attachment(s)						
1. Notice of References Cited (PTO-892)	5. 🗌 Examiner's Amen	dment/Comme	ent			
2. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date	6. 🗹 Examiner's Stater	ment of Reaso	ns for Allowance			
 3. Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. Interview Summary (PTO-413), Paper No./Mail Date. 	7. Other					
/NICHOLAS D ROSEN/						
Primary Examiner, Art Unit 3625						

Art Unit: 3625

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Claims 21-38, 41, and 42 have been examined.

Allowable Subject Matter

Claims 21-29 are allowed.

Claims 30-38 are allowed.

Claim 41 is allowed.

Claim 42 is allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, O'Hara (U.S. Patent 7,581,257), discloses an Internet-based computer system for confirming that a proposed sale transaction has been consummated, said Internet-based computer system including a payment processor system comprising at least one computer device programmed to function (Abstract; Figures 1, 2, and 3; column 4, lines 3-19; column 5, lines 22-58), and in particular to: prior to a sale of an at least one item associated with an online store of a seller to a buyer, receive a request for said buyer to be able to purchase at least one item offered for sale by said online store, and in response to said request, generate a transaction-specific buyer acceptance identifier (column 2, lines 14-19; column 3, lines 26-42; column 4, lines 41-55; column 5, lines 44-58; column 6, line 60, through column 7, line 2). O'Hara discloses storing a buyer's payment information (column 4, lines 38-40).

Art Unit: 3625

O'Hara does not expressly disclose receiving the payment information, but it is well known to receive information, making it obvious to receive the payment information in order to store it as recited.

O'Hara does not expressly disclose that the transaction-specific buyer acceptance identifier comprises a combination of human-readable characters, but does disclose that, preferably, the transaction identification means is a number which may be generated by a random number generator (column 2, lines 20-34), and that entry of a transaction ID number provided by a random number generator may be done by manual entry by the buyer into the appropriate space (column 7, lines 12-23). This makes it *at least* obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention for the transaction-specific buyer acceptance identifier to comprise a combination of human-readable characters, both because numbers are commonly written in human-readable characters, and because manual entry of a number by the buyer into the appropriate space would be implausible if the number were not a combination of human-readable characters.

O'Hara discloses storing in computer-accessible memory a record comprising at least a relationship between the transaction-specific buyer acceptance identifier, and a buyer-specific identifier (column 2, lines 52-67; column 4, lines 3-19; column 5, lines 23-43; column 6, lines 17-26; column 8, lines 45-51), discloses acquiring a seller-specific identifier (column 7, lines 24-36); and discloses comparing the identifier of a transaction with a transaction-specific buyer acceptance identifier (Abstract; column 3, lines 26-42; column 5, lines 23-43; column 6, lines 34-51). O'Hara does not expressly disclose storing the seller-specific identifier, and comparing the identifier of the seller with the

Page 4

seller-specific identifier. However, Blythe (U.S. Patent Application Publication 2009/0171830) discloses comparing the merchant identifier in an authorization request with a merchant identifier of record, and if those are equivalent, approving a transaction (paragraph 53).

O'Hara further discloses, if the identifier of the transaction corresponds to the transaction-specific buyer acceptance identifier, charging an account associated with the buyer for an amount associated with the request to purchase at least one item (column 5, lines 23-43; column 8, lines 6-11 and lines 52-60; column 9, lines 11-13). Blythe, as above, teaches comparing merchant/seller identifiers. O'Hara does not disclose comparing the identifier of the buyer, received from a seller computer device, with the (stored) buyer-specific identifier, but discloses a buyer-specific identifier which "may be a password entered by the buyer to the trust entity computing system" (column 2, lines 52-67; column 4, lines 3-19; column 5, lines 23-43; column 6, lines 17-26; column 8, lines 45-51). However, O'Hara teaches away from receiving a buyer-specific identifier from a seller computer device (receiving it by other means would be a different issue). For example (column 7, lines 37-44), "The only sensitive information used in the transaction (buyer ID) is known only to the buyer and the transaction acquirer." The seller in O'Hara preferably does not possess the buyer ID or provide it to the transaction acquirer computing system.

The Double Patenting rejections previously made are withdrawn in view of Applicant's Terminal Disclaimer.

The claims as amended have been analyzed under 35 U.S.C.101, and although directed at some level to an abstract idea, confirming that a proposed sale transaction

Art Unit: 3625

has been consummated, the claims as currently amended are found to integrate the abstract idea into a practical application sufficiently that they are patent-eligible under §101. They do not amount merely to having a computer apply an abstract idea, or using communication between computers to carry out a commercial interaction that could plausibly be done without computers or telecommunication ("could not plausibly be done" does not require that there be no conceivable parallel without computers or telecommunication).

Claims 21 and 30 are parallel, and the above explanation applies to both.

Claim 41 is a system claim largely parallel to claim 21, with some additional limitations. Claim 41 is in one respect broader than claim 21, because claim 41 recites "send said transaction-specific buyer acceptance identifier ... to a mobile device of said buyer, wherein said mobile device of said buyer and said buyer computer device may be the same or different" where claim 21 recites "provide said transaction-specific buyer acceptance identifier to said buyer computer device". However, neither non-obviousness under §103 nor eligibility under §101 depends on the said transaction-specific buyer acceptance identifier being sent/provided to the same buyer computer device as that which is recited as having transmitted a request; claim 41 is therefore allowed as well. Claim 42 is a method claim parallel to system claim 41, and therefore allowed as well.

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."

Application/Control Number: 16/212,317 Page 6

Art Unit: 3625

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS D ROSEN, whose telephone number is (571)272-6762. The examiner can normally be reached on 9:00 AM-5:30 PM, M-F. Non-official/draft communications may be faxed to the examiner at 571-273-6762, or emailed to Nicholas.Rosen@uspto.gov.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Smith, can be reached on 571-272-6763. 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.

/NICHOLAS D ROSEN/ Primary Examiner, Art Unit 3625 May 15, 2019