

2018-102

**United States Court of Appeals
for the Federal Circuit**

In re: WINDY CITY INNOVATIONS, LLC,

Petitioner.

*Petition for Writ of Mandamus to the Patent Trial and Appeal Board (PTAB) of the
U.S. Patent and Trademark Office, Case Nos IPR2016-001156, IPR2017-00709*

RESPONSE TO PETITION FOR WRIT OF MANDAMUS

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October 24, 2017

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

In Re: Windy City Innovations, LLC v. _____

Case No. 18-102

CERTIFICATE OF INTEREST

Counsel for the:

(petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

Facebook, Inc.

certifies the following (use "None" if applicable; use extra sheets if necessary):

1. Full Name of Party Represented by me	2. Name of Real Party in interest (Please only include any real party in interest NOT identified in Question 3) represented by me is:	3. Parent corporations and publicly held companies that own 10% or more of stock in the party
Facebook, Inc.	None	None

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court (**and who have not or will not enter an appearance in this case**) are:

COOLEY, LLP: Heidi L. Keefe, Mark R. Weinstein, Phillip E. Morton, Lowell D. Mead, Daniel Knauss, Andrew Mace

FORM 9. Certificate of Interest

Form 9
Rev. 10/17

5. The title and number of any case known to counsel to be pending in this or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal. *See* Fed. Cir. R. 47.4(a)(5) and 47.5(b). (The parties should attach continuation pages as necessary).

IPR2016-01156, IPR2017-0709

Windy City Innovations, LLC v. Facebook, Inc., U.S. District Court, Northern District of California, Case No. 4:16-cv-1730-YGR (N.D. Cal.)

10/24/2017

Date

/s/ Heidi L. Keefe

Signature of counsel

Heidi L. Keefe

Printed name of counsel

Please Note: All questions must be answered

cc: All Counsel

Reset Fields

TABLE OF CONTENTS

	Page
STATEMENT OF RELATED CASES.....	vi
I. COUNTERSTATEMENT OF THE ISSUES	1
II. COUNTERSTATEMENT OF FACTS	1
A. Windy City Wasted the One Year Statute of Limitations Under 35 U.S.C. § 315(b) by Filing in the Wrong District and Doggedly Refusing to Identify the Asserted Claims of the Patents-in-Suit	1
B. Facebook’s June 3, 2016 IPR Petitions.....	5
C. Windy City’s Belated Identification of Asserted Claims and Facebook’s Subsequent Joinder Petition on the ’245 Patent.....	6
D. Windy City’s Eleventh-Hour Petition for Writ of Mandamus	9
III. SUMMARY OF THE ARGUMENT.....	9
IV. ARGUMENT.....	12
A. Windy City Waived Its Right to Challenge the Board’s Authority Under § 315(c) To Grant Joinder Under These Circumstances	12
B. Windy City Has Failed To Show Entitlement to the Writ.....	13
1. Windy City Has Not Shown Any “Clear and Indisputable” Entitlement To A Writ of Mandamus	14
2. Windy City Does Not Show That It Has No Other Adequate Means to Attain the Relief It Desires	19
3. Windy City Does Not Show That Issuance of the Writ is Appropriate Under These Circumstances.....	20
V. CONCLUSION	21

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Baldwin Cty. Welcome Ctr. v. Brown</i> , 466 U.S. 147 (1984).....	18
<i>Chevron, U.S.A., Inc. v. Nat. Res. Def. Council, Inc.</i> , 467 U.S. 837 (1984).....	19
<i>In re Cuozzo Speed Techs., LLC</i> , 793 F.3d 1268 (Fed. Cir. 2015), <i>aff'd</i> , <i>Cuozzo Speed Techs., LLC v. Lee</i> , 136 S. Ct. 2131 (2016).....	13, 14, 18, 20
<i>Heckler v. Chaney</i> , 470 U.S. 821 (1985).....	19
<i>Network Protection Scis., LLC v. Fortinet, Inc.</i> , No. C 12-01106 WHA, 2013 WL 1949051 (N.D. Cal. May 9, 2013)	4
<i>Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.</i> , 868 F.3d 1013 (Fed. Cir. 2017)	17, 20
<i>Pivonka v. Axelrod</i> , No. 2008-1413, 2009 WL 405816 (Fed. Cir. Feb. 19, 2009) (unpublished disposition)	12
<i>Straight Path IP Grp., Inc. v. Apple Inc.</i> , No. C 16-03582 WHA, 2017 WL 1365124 (N.D. Cal. Apr. 13, 2017)	10
<i>Target Corp. v. Destination Maternity Corp.</i> , IPR2014-00508, Paper 28 (P.T.A.B. Feb. 12, 2015).....	14, 15, 16
<i>In re Watts</i> , 354 F.3d 1362 (Fed. Cir. 2004)	12
<i>Windy City Innovations, LLC v. Facebook, Inc.</i> , U.S. District Court, Northern District of California, Case No. 4:16-cv-1730-YGR (N.D. Cal.).....	vi

TABLE OF AUTHORITIES
(continued)

	Page(s)
Statutes	
28 U.S.C.	
§ 1404(a).....	3
35 U.S.C.	
§ 315(b).....	<i>passim</i>
§ 315(c).....	<i>passim</i>
§ 316.....	15
Other Authorities	
37 C.F.R.	
§ 42.1(b).....	15, 16
§ 42.122(b).....	15, 18
Fed. R. Civ. P. 15(c).....	18
Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,758 (Aug. 14, 2012).....	15

STATEMENT OF RELATED CASES

No other appeal in or from the same proceeding in the Patent and Trial Appeal Board (PTAB) of the U.S. Patent and Trademark Office was previously before this or any other appellate court.

The following cases are known to counsel for Respondent Facebook, Inc. to be pending in another court and may be affected by this Court's decision in this matter: *Windy City Innovations, LLC v. Facebook, Inc.*, U.S. District Court, Northern District of California, Case No. 4:16-cv-1730-YGR (N.D. Cal.). That litigation involves allegations of infringement of U.S. Patent No. 8,458,245, the patent that is the subject of the decision challenged in the petition for writ of mandamus.

I. COUNTERSTATEMENT OF THE ISSUES

1. In the proceedings before the Board, Windy City never challenged the Board's authority under 35 U.S.C. § 315(c) to join Facebook to the IPR proceeding – it makes that challenge for the first time in its Petition for Writ of Mandamus. Did Windy City waive this challenge?

2. If Windy City did not waive its challenge to the Board's authority under § 315(c), has Windy City shown that the Board clearly and indisputably abused its discretion in instituting IPR2017-00709 and joining it with IPR2016-01156, as required in order to be entitled to the extraordinary relief of a writ of mandamus?

3. Even if Windy City did not waive its challenge and has shown that it has a clear and indisputable right to relief, has Windy City shown that it has no other adequate means to attain the relief it seeks, as required by this Court's precedents to obtain mandamus relief?

II. COUNTERSTATEMENT OF FACTS

A. Windy City Wasted the One Year Statute of Limitations Under 35 U.S.C. § 315(b) by Filing in the Wrong District and Doggedly Refusing to Identify the Asserted Claims of the Patents-in-Suit

On June 2, 2015, Windy City filed its Complaint for patent infringement against Facebook in the U.S. District Court for the Western District of North Carolina, alleging infringement of U.S. Patent Nos. 8,407,356, 8,458,245, 8,473,552, and 8,694,657. (Ex. A (“Complaint”).) Windy City served its Complaint

the following day, and thus, the one year statute of limitations for filing petitions for *Inter Partes* Review (IPR) under 35 U.S.C. § 315(b) expired on June 3, 2016.

The Complaint presented two problems at the outset whose resolution would eventually swallow up the entire one year statute of limitations. First, the patents-in-suit collectively include **830** issued claims, and the Complaint made no attempt to identify the specific patent claims that were allegedly being infringed by Facebook. The Complaint did not even bother to include separate causes of action for each of the four asserted patents, instead reciting a single cause of action with the blunderbuss allegation that “Facebook’s Accused Instrumentalities meet claims of the patents-in-suit.” (Complaint, ¶23.)

Accordingly, on July 24, 2015, Facebook filed a Motion to Dismiss with the district court on the ground that the Complaint did not provide adequate notice of Windy City’s infringement allegations. The motion argued that the Complaint “deprives Facebook of any meaningful way of defending itself because Facebook is left to speculate as to which specific claims in which specific patents are being read onto which specific Facebook products.” (Ex. B, at 8.) As will be explained below, Windy City’s tactic of suing on patents with an enormous number of possible asserted claims, yet refusing to identify the specific claims at issue, threatened to frustrate Facebook’s ability to seek meaningful review of the patents-in-suit under the America Invents Act (AIA).

The second problem was that Windy City filed the suit in the wrong district – the Western District of North Carolina, an inconvenient district that had no meaningful connection to the dispute. Facebook accordingly filed a motion to transfer the action to the Northern District of California under 28 U.S.C. § 1404(a).

Nothing happened in the district court for several months. Discovery had not yet opened and the case was effectively suspended pending rulings on Facebook’s motions. On March 10, 2016, the action was reassigned to a different judge, the Honorable Graham C. Mullen, who six days later issued an order granting Facebook’s transfer motion. Explaining that “[t]his Court cannot stand as a willing repository for cases which have no real nexus to this district,” the district court transferred the action to the Northern District of California. (Ex. C, at 7 (citation omitted).) The district court did not rule on Facebook’s motion to dismiss.

Further delays followed once the case was transferred to the Northern District of California. The Northern District of California issued a scheduling order providing for a Case Management Conference (CMC) to take place on July 7, 2016 – more than one month after the expiration of the one year statute of limitations under the AIA. Under the Patent Local Rules of that district, a plaintiff in a patent case is ordinarily not required to serve its identification of asserted claims until 14 days after the CMC. (*See* Patent Local Rules, U.S. District Court for the Northern District of California, Rule 3-1(a), <http://www.cand.uscourts.gov/localrules/patent> (last visited

October 22, 2017).) Under the district court’s schedule, therefore, Facebook would not learn which of the 830 claims in the patents-in-suit was actually asserted – and thus the proper focus for *inter partes* review – until after the one year statute of limitations under § 315(b) expired. The district court also did not rule on Facebook’s long-pending motion to dismiss.

The enormous number of potentially-asserted claims presented practical obstacles to seeking effective *inter partes* review of the patents-in-suit. Aside from logistical and filing fee issues, filing IPR petitions against so many claims would not have been a productive use of the Board’s resources considering that only a tiny fraction of those claims would ever be the subject of trial. As one judge in the Northern District of California observed, “[i]t is impractical for either side to present fifteen claims at trial. Successful patent plaintiffs almost always present only one, two or three claims to a jury.” *Network Protection Scis., LLC v. Fortinet, Inc.*, No. C 12-01106 WHA, 2013 WL 1949051, at *3 (N.D. Cal. May 9, 2013). It was therefore important to find out, before expiration of the one year statute of limitations under § 315(b), which of the 830 claims at issue would be relevant to the case.

Facebook accordingly filed an expedited motion seeking to compel Windy City to identify specific asserted claims by May 4, 2016. (Ex. D.) Facebook explained that the one year statute of limitations was “fast approaching,” and that it was “not requesting early disclosure of infringement contentions, only an

identification of the claims Windy City intends to assert.” (*Id.*, at 1-2 and n.1.) Windy City opposed the motion and refused to provide an early identification. On May 17, 2016, the district court denied the motion in a docket entry order; although denying the motion, the court stated that it would “require a preliminary election of asserted claims and prior art and employ a form of order modeled by the Federal Circuit. The parties shall address the topic in their Joint Case Management Conference Statement.” (Ex. E.)

But the district court’s scheduling order did not call for the Case Management Statement to be filed until July 18, 2016, which was more than one month after expiration of the one year statute of limitations under § 315(b). Thus, although the district court reassured Facebook that it would someday know the identity of the asserted claims, that day would not come until after the deadline for IPR filings.

B. Facebook’s June 3, 2016 IPR Petitions

Facebook nevertheless filed its IPR petitions on June 3, 2016, and did its best to identify those claims it thought were the most representative, and thus, most potentially relevant to the dispute. This task obviously entailed some degree of guesswork and a delicate act of balancing two dueling considerations: (a) challenging a large number of claims to maximize the chances of covering the claims that may be the subject of the underlying dispute, but (b) choosing a reasonable number of claims so as to avoid making the proceedings unmanageable, or otherwise

placing an undue burden on the Board. This balancing act permitted Facebook to challenge more claims in some patents, but fewer in others. With respect to the '657 patent, for example, Facebook challenged only eight of the 671 separate claims in that patent, noting that “[i]n order to best conserve the resources of the Board, the Petitioner has chosen to challenge only a handful of claims, which appear to be representative of other claims.” (Ex. F, at 7.) With respect to the '245 patent, Facebook challenged claims 1-15, 17, and 18, out of the 58 claims in that patent. (Petition, Ex. A (“Joinder Decision”), at 4.) On December 15, 2016, the Board instituted trial on all of those claims. (*Id.*)

C. Windy City’s Belated Identification of Asserted Claims and Facebook’s Subsequent Joinder Petition on the '245 Patent

Windy City did eventually identify its asserted claims. But as the Joinder Decision observed, that did not happen until October 19, 2016 – more than four months after the IPR petitions were filed. (*Id.*, at 4.) With respect to the '245 patent,¹ Windy City identified claims 19 and 22-25 as allegedly infringed. (*Id.*) This identification thus conveniently omitted all of the claims of the '245 patent that Facebook had challenged in the IPR petition that had been instituted by the Board.

¹ Facebook filed a second IPR petition and joinder with respect to the '657 patent as well as the '245 patent. Windy City’s writ appears to focus only on the '245 patent and does not challenge joinder with respect to the '657 patent.

Facebook accordingly filed a petition for IPR with respect to claims 19 and 22-25 of the '245 patent, and with it, a timely motion for joinder under 35 U.S.C. § 315(c) urging the Board to institute trial on claims 19 and 22-25, on substantially the same grounds as the instituted claims. Facebook's petition did not add any new prior art and explained in detail why claims 19 and 22-25 were unpatentable for the same reasons as claims 1-15, 17, and 18 on which trial had been instituted. (Ex. G.)

On February 17, 2017, Windy City filed its opposition to Facebook's motion for joinder. (Ex. H.) Windy City's opposition did not challenge the Board's authority to grant the motion for joinder under 35 U.S.C. § 315(c). Windy City instead focused on supposed differences between claims 19 and 22-25 and the originally-instituted claims of the '245 patent. (*Id.*) Windy City thus did not present to the Board any of the arguments it now makes in its petition for writ of mandamus.

The Board granted Facebook's motion for joinder on August 1, 2017. (Joinder Decision.) The Board observed that the language of claims 19 and 22-25 "is very similar to that of several of the claims on which we instituted review in the 1156 IPR." (*Id.*, at 6.) The Joinder Decision also observed that "Facebook's arguments and evidence supporting its contention that the present challenged claims are unpatentable are substantially similar to its arguments and evidence with respect to the corresponding claims in the 1156 IPR." (*Id.*, at 7-8.) The Board thus concluded that "upon review of the present Petition, we conclude that it presents substantially

similar arguments and evidence as presented in the 1156 IPR, and that any differences are not substantial enough to impose an undue burden on Windy City beyond its existing burden in the 1156 IPR.” (*Id.* at 8.) Windy City does not challenge any of those findings in its petition for writ of mandamus.

The Joinder Decision also explained that joinder “is inherently a fact-specific inquiry that depends on the circumstances of each individual case.” (*Id.* at 9.) The Board recounted Facebook’s numerous yet ultimately unsuccessful attempts to ascertain the identity of the asserted claims before filing its IPR petitions:

Facebook attempted multiple times to ascertain which claims of the ’245 patent were actually the subject of Windy City’s infringement allegations. For example, Facebook filed a Motion to Dismiss for lack of specificity in the Complaint, which raised the issue and prompted Windy City to respond. *See* Ex. 3001. Facebook also attempted to negotiate an agreement whereby Windy City would identify a reasonable subset of the 800+ possible claims, and also filed a motion seeking an order compelling Windy City to do so. *See* Ex. 1013; Ex. 1014. We are not persuaded Facebook should be penalized for failing to guess accurately which claims Windy City intended to assert considering the circumstances here, particularly the sheer number of possible claims.

(*Id.*) The Board subsequently issued a scheduling order allowing Windy City to file a “Supplemental Patent Owner’s Response” addressing newly-instituted claims 19 and 22-25 by September 11, 2017.

Windy City’s supplemental response confirmed the Board’s earlier finding that the challenge to claims 19 and 22-25 presented substantially the same issues as the challenge to the originally-instituted claims. Windy City’s supplemental

response did not include any new evidence and largely recycled the same arguments it made as to the originally-instituted claims. (Ex. I; *see also* Ex. J.) Windy City's supplemental response, as with its opposition to the motion for joinder, made no mention of the Board's authority to proceed with the joined proceeding under 35 U.S.C. § 315(c).

D. Windy City's Eleventh-Hour Petition for Writ of Mandamus

Although Windy City was served with the Joinder Decision on August 1, 2017, Windy City waited until October 16, 2017 to seek mandamus relief. The oral hearing on the IPR for the '245 patent (for both the originally-instituted claims and the claims in the joined proceeding) took place on October 19, 2017, just three days after the filing of Windy City's writ petition. Windy City did not raise the joinder issue during the oral hearing before the PTAB.

III. SUMMARY OF THE ARGUMENT

Windy City's petition for a writ of mandamus should be denied. Windy City waived its right to challenge the Board's authority to institute same-party joinder under § 315(c) and has failed to demonstrate entitlement to the extraordinary remedy of mandamus relief. But Windy City's petition fails even if the Court chooses to consider the Petition on its merits.

It is hard to imagine a scenario that more clearly illustrates the wisdom of allowing same-party joinder under § 315(c) than the one presented in this case. As one prominent district court judge recently observed:

Our patent system has descended from a time-honored system wherein a few selected claims of one or two patents would be asserted to a regime in which entire “portfolios” of patents are hurled at successful lines of products in the hope that somehow, in some way, at least one of the claims will stick. The burden this portfolio practice places on judges and juries has become enormous.

Straight Path IP Grp., Inc. v. Apple Inc., No. C 16-03582 WHA, 2017 WL 1365124, at *2 (N.D. Cal. Apr. 13, 2017). The underlying suit against Facebook presents a textbook example of this new “regime,” with Windy City asserting a patent portfolio having more than 830 potentially-asserted claims.

The unmanageability of this new regime threatens to undercut Congress’ purpose in creating the IPR procedure. By asserting a portfolio of multiple patents containing hundreds of claims, and steadfastly delaying the case through various stalling tactics, a patent owner can “run out the clock” on the one year statute of limitations under § 315(b) before identifying specifically-asserted claims. This is becoming a common tactic among non-practicing entities (NPEs). The cost and sheer unmanageability of seeking IPR on so many claims has caused some in this situation to give up on IPR altogether.

As demonstrated in **Part II.C** above, Facebook did everything in its power to obtain an identification of asserted claims before the statute of limitations ran out.

But Windy City stalled the case, first by frivolously filing suit in a far-flung district with no meaningful connection to the dispute (resulting in a delay in opening discovery while proper venue was pursued), and then by obstructing attempts to obtain an earlier identification of asserted claims. This case illustrates that despite every best effort, sometimes it is simply not possible to obtain a meaningful identification of asserted claims before the IPR statute of limitations runs out.

The joinder provision of § 315(c), as applied by the Board in the present case, provides one tool to combat this type of patent owner gamesmanship. The Board in the present case allowed Facebook to join IPR2017-00709 and IPR2016-01156 with respect to the five claims that Windy City first asserted in the litigation *after* Facebook filed its IPR petition. The Board specifically found – and Windy City does not challenge in its Petition – that these joined claims presented substantially the same issues as the already-instituted claims. The Board’s decision to allow joinder under these circumstances thus did not “subvert[] the intent of Congress,” as Windy City contends. (Petition, at 15.) It instead served the purposes of Congress by preserving IPR as an effective tool for the modern regime of portfolio-based patent assertions, typified by the case brought by Windy City.

Allowing a petitioner such as Facebook to join an instituted IPR petition it filed presents a reasonable interpretation of § 315(c) by the PTO, to which this Court should give deference. Under 35 U.S.C. § 315(c), “[i]f the Director institutes an

inter partes review, the Director, in his or her discretion, may join as a party to that inter partes review any person who properly files a petition under section 311,” where the Director determines it is warranted. As explained below, the statute on its face does not directly address whether Facebook could join IPR2016-01156. The PTAB fully and exhaustively considered this question in an earlier panel decision, and its conclusion should be afforded deference by this Court.

IV. ARGUMENT

A. Windy City Waived Its Right to Challenge the Board’s Authority Under § 315(c) To Grant Joinder Under These Circumstances

This Court’s precedents make clear that arguments not raised before the Board will ordinarily not be considered. *See In re Watts*, 354 F.3d 1362, 1367 (Fed. Cir. 2004) (“[I]t is important that the applicant challenging a decision not be permitted to raise arguments on appeal that were not presented to the Board. We have frequently declined to hear arguments that the applicant failed to present to the Board.”); *see also Pivonka v. Axelrod*, No. 2008-1413, 2009 WL 405816, at *2 (Fed. Cir. Feb. 19, 2009) (unpublished disposition) (holding that patent owner waived its right to challenge the Board’s decision to proceed with an interference proceeding where patent owner raised its challenge for the first time on appeal).

As explained in **Part II.C** above, Windy City had at least two opportunities to challenge the Board’s authority under § 315(c) to allow Facebook to join IPR2016-01156 – its February 17, 2017 opposition to the motion for joinder, and its

September 11, 2017 supplemental response.² Because Windy City did not challenge the Board's authority to allow joinder under § 315(c) before the Board, it should not be permitted to raise the issue for the first time before this Court.

Windy City's waiver is particularly inexcusable in light of the fact that, as Windy City correctly observes, two of the judges in the Joinder Decision issued a separate concurrence expressing concerns with whether the Board had authority under § 315(c) to allow joinder under these circumstances. (Joinder Decision, at 13.) Windy City nevertheless did not raise the issue in its subsequent Supplemental Response, or raise the issue during the oral hearing held on October 19, 2017. Windy City has waived the right to challenge the Board's authority to grant joinder now.

B. Windy City Has Failed To Show Entitlement to the Writ

This Court's precedents also make clear that a party seeking a writ of mandamus must show three conditions: (1) that Windy City has no other adequate means to attain the relief it desires; (2) that its right to issuance of the writ is "clear and indisputable"; and (3) that issuance of the writ is appropriate under these circumstances. *See In re Cuozzo Speed Techs., LLC*, 793 F.3d 1268, 1274-75 (Fed.

² Windy City also did not raise the issue of joinder during the October 19, 2017 oral hearing before the PTAB on IPR2016-01156. Because that hearing took place just a few days ago, the transcript of that hearing was not available at the time this brief was filed.

Cir. 2015), *aff'd*, *Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131 (2016). Windy City has failed to show any of these three prongs.

1. Windy City Has Not Shown Any “Clear and Indisputable” Entitlement To A Writ of Mandamus

This prong ultimately collapses into a single inquiry about the underlying question – does § 315(c) authorize the Board to join Facebook to IPR2016-01156, an IPR proceeding to which it was the petitioner? But Windy City has a further burden – in order to obtain the extraordinary remedy of mandamus relief, it must also show its right to the writ is “**clear and indisputable.**” *Cuozzo*, 793 F.3d at 1274 (emphasis added). It is thus not enough for Windy City to simply argue that the PTO erred in its interpretation of § 315(c) – Windy City must also show that the error was “clear and indisputable.” *Id.* Windy City has not come close to meeting that burden.

The joinder statute in question, 35 U.S.C. § 315(c), provides that “[i]f the Director institutes an inter partes review, the Director, in his or her discretion, may join as a party to that inter partes review any person who properly files a petition under section 311,” if the requirements for IPR are satisfied. The statute does not directly address whether a petitioner can be joined to its own earlier-filed IPR petition, and the statutory language also does not address which issues may be considered in a joined petition. The PTAB provided an extensive discussion of these issues in the expanded panel decision in *Target Corp. v. Destination Maternity Corp.*, IPR2014-00508, Paper 28 (P.T.A.B. Feb. 12, 2015) (attached as Ex. K

(hereafter “*Target*”). For example, the Board in *Target* explained that “the statute does not exclude a person who is already a petitioner in an instituted review proceeding that is the subject of the joinder analysis.” (*Id.*, at 7.) The PTAB observed that the statute allows “*any person*” who properly files a petition under section 311 to join an IPR proceeding. (*Id.*, at 8 (italics in original).) Had Congress intended the joinder provision of § 315(c) to permit joinder only by those who are strangers to the IPR proceeding, the PTAB observed, Congress could easily have written § 315(c) to state that joinder is only available for “any non-party,” or words of similar effect. (*Id.*) This is consistent with the PTO’s regulations governing joinder, which state that “[j]oinder may be requested by a patent owner, or petitioner.” 37 C.F.R. § 42.122(b) (2012) (underlining added).

The Board also concluded that the joinder provision of § 315(c) is not limited to parties – it also encompasses joinder of issues and thus allows additional claims to be added to an IPR proceeding. The Board explained that by also encompassing joinder of issues, § 315(c) allowed IPR to more fully serve its purpose of streamlining and reducing litigation costs:

The policy basis for construing our rules for these proceedings, which were prescribed as mandated by 35 U.S.C. § 316, is expressed in 37 C.F.R. § 42.1(b): The rules “shall be construed so as to ensure the just, speedy, and inexpensive resolution of every proceeding.” *See also* Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,758 (Aug. 14, 2012) (stating the same). Thus, even if some claims of the ’563 patent were to be found unpatentable in IPR2013-00531, by removing the discretion to join claim 21, as well as the new challenges presented

in the instant proceeding, the case would necessarily have to go back to the district court for a separate determination as to those claims and challenges not at issue in IPR2013-00531. That could result in a waste of judicial resources, increase the litigation costs to both parties, and be contrary to the purpose of ensuring a “just, speedy, and inexpensive resolution.”

(*Target*, at 12-13 (underlining added).)

The Board’s above-quoted rationale mirrors the situation presented here. Windy City identified its asserted claims of the ’245 patent only after Facebook filed its IPR petition, and that selection was obviously motivated by the desire to thwart Facebook’s originally-filed and instituted IPR petitions. Without the joinder of claims 19 and 22-25, the patentability of those claims could not have been resolved in IPR2016-01156, necessitating additional proceedings before the district court on those claims. This waste of resources was particularly inexcusable considering the Board’s findings – unchallenged by Windy City here – that claims 19 and 22-25 were substantially similar to the claims challenged in the first IPR petition.

The Board’s use of joinder here clearly furthered the policy of ensuring “the just, speedy, and inexpensive resolution of every proceeding.” 37 C.F.R. § 42.1(b). Had Facebook challenged all 58 claims of the ’245 patent in its initial IPR petition, the result would have been a more unwieldy proceeding involving needless challenges to claims that Windy City later chose not to assert. By allowing Facebook to use joinder to add the five asserted claims belatedly identified by Windy City, the

resulting proceeding spared the Board and the parties from the burden of having to consider the validity of dozens of claims.

This Court did not resolve the question of whether § 315(c) permitted same-party joinder in *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013 (Fed. Cir. 2017). Facebook acknowledges that two concurring judges expressed their belief that it was “unlikely that Congress intended that petitioners could employ the joinder provision to circumvent the time bar by adding time-barred issues to an otherwise timely proceeding, whether the petitioner seeking to add new issues is the same party that brought the timely proceeding, as in this case, or the petitioner is a new party.” *Id.* at 1020 (Dyk, J. concurring, joined by Wallach, J.). But Facebook respectfully submits that this concern is somewhat overblown when considered in view of the facts here.

The present case does not present a situation in which joinder under § 315(c) was used to inject brand new issues into an IPR proceeding. The Board made extensive findings, not challenged by Windy City, that the newly-added claims were substantially the same, and presented substantially the same issues, as the claims challenged in the original IPR petition, on which trial had been instituted. The policy behind the statute of limitations was not offended by allowing joinder in this

situation.³ To the contrary, as demonstrated above, allowing joinder under § 315(c) enables the Board in appropriate circumstances to ameliorate the impact of patent owner gamesmanship in identification of asserted claims. The PTO's regulations also require that any requests for joinder be filed no later than one month after the institution date. *See* 37 C.F.R. § 42.122(b). This further reduces any concerns with circumvention of the statute of limitations under § 315(b) by requiring joinder requests to be filed in a short window after institution.

Windy City has thus not shown any “clear and indisputable” entitlement to a writ of mandamus. *See Cuozzo*, 793 F.3d at 1274. Windy City may not agree with the PTO's interpretation of § 315(c), but Windy City cannot seriously dispute that the agency's decision to allow joinder under these circumstances was at least debatable – and not a “clear and indisputable” error. Windy City's arguments also

³ The use of joinder in this case is conceptually similar to the doctrine of “relation back” in civil litigation in which an amended complaint filed after the statute of limitations has expired can “relate[] back” to the filing date of an earlier-filed timely complaint, provided that the amended complaint arises from the same conduct, transaction, or occurrence as the earlier complaint. *See* Fed. R. Civ. P. 15(c). As the Supreme Court explained, relation back does not offend the policy behind statutes of limitations because “a party who has been notified of litigation concerning a particular occurrence has been given all the notice that statutes of limitations were intended to provide.” *Baldwin Cty. Welcome Ctr. v. Brown*, 466 U.S. 147, 149 n.3 (1984). Similarly, the use of joinder here does not offend the policy behind the statute of limitations of § 315(b) because once IPR has been instituted on a claim in a timely IPR proceeding, the patent owner cannot claim surprise or unfair prejudice from having other substantially similar claims added to that proceeding.

fail to acknowledge the deference this Court must afford to the PTO's interpretation of § 315(c). *See, e.g., Chevron, U.S.A., Inc. v. Nat. Res. Def. Council, Inc.*, 467 U.S. 837, 844 (1984) (noting that “considerable weight should be accorded to an executive department’s construction of a statutory scheme it is entrusted to administer.”); *see also Heckler v. Chaney*, 470 U.S. 821, 832 (1985) (noting that “courts generally will defer to an agency’s construction of the statute it is charged with implementing, and to the procedures it adopts for implementing that statute.”).

2. Windy City Does Not Show That It Has No Other Adequate Means to Attain the Relief It Desires

Windy City also does not adequately explain why it has no other adequate means to attain the relief it seeks because it fails to address the obvious question – why is this issue ripe for resolution *right now*? The Board held an oral hearing on the IPR petition a few days ago on October 19, 2017, and will soon issue its Final Decision on the merits.

To the extent Windy City had not already waived the issue, Facebook submits that it would make far more sense to address it after the issuance of a Final Decision, when the administrative record before the PTAB is complete. For example, if the Board were to confirm the patentability of claims 19 and 22-25, that could ameliorate the supposed harm to Windy City from the Joinder Decision. Although Facebook is confident in the merits of its challenges to those claims, the fact remains that the Board could resolve the issues relating to claims 19 and 22-25 in a number of

different ways that could obviate the need to address the statutory question that Windy City presses now on an incomplete agency record.

Windy City also does not address the jurisdictional elephant in the room – is the Joinder Decision reviewable by this Court after a Final Decision by the Board? If the answer is “yes,” a writ of mandamus directed to that issue would clearly be improper because the requested relief could be obtained through a proper appeal of the Final Decision. But Windy City does not address this issue at all in its petition.

Facebook acknowledges that the question of appealability of a decision under § 315(c) has not been directly addressed, either in *Nidec Motor* or by any other panel. *See Nidec Motor*, 868 F.3d 1013. Nevertheless, this Court would need to resolve this issue first to determine the threshold issue of whether Windy City has no other adequate means to attain the relief it seeks. Because Windy City made no attempt whatsoever to address this argument, it has failed to meet its heavy burden of showing entitlement to mandamus relief and its petition is defective on its face.

3. Windy City Does Not Show That Issuance of the Writ is Appropriate Under These Circumstances

The final factor in considering a request for mandamus relief is whether issuance of the writ is appropriate under these circumstances. *Cuozzo*, 793 F.3d at 1274-75. For all of the reasons explained above, it is not.

V. CONCLUSION

The Board's interpretation of § 315(c) recognizes the modern era of patent litigation, exemplified by this case, in which non-practicing entities (NPEs) attempt to thwart IPR petitions by asserting numerous patents containing an enormous number of potentially assertable claims. The PTO's interpretation of § 315(c) gives the Board the flexibility, in appropriate circumstances, to allow a successful IPR petitioner to join a limited number of additional issues that arose after the filing of the initial IPR petition.

The Board properly exercised that discretion here by joining claims 19 and 22-25, which presented substantially the same issues, to IPR2016-01156. Windy City waived any challenge to the Board's authority in the proceedings below, and has not come close to showing that the PTO's interpretation of § 315(c) is clearly and indisputably wrong, let alone that its application of the statute to the facts of this case was an abuse of discretion. The petition for writ of mandamus should be denied.

Dated: October 24, 2017

/s/ Heidi L. Keefe

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EXHIBITS IN SUPPORT

TABLE OF CONTENTS

Document Description	Exhibit
Plaintiff's Original Complaint for Patent Infringement, with exhibits	Exhibit A
Defendant Facebook Inc.'s Memorandum in Support of Motion to Dismiss Pursuant to FRCP 12(b)(6)	Exhibit B
Order granting Facebook's Motion to Change Venue	Exhibit C
Facebook, Inc.'s Administrative Motion Regarding the Identification of Asserted Claims	Exhibit D
Order denying Facebook's Administrative Motion (ECF docket text entry only)	Exhibit E
Petition for Inter Partes Review of U.S. Patent No. 8,694,657 (excerpt)	Exhibit F
Motion for Joinder Under U.S.C. §315(c) and 37 C.F.R. §§42.22 and 42.122(b) to Related Inter Partes Review IPR2016-01156	Exhibit G
Windy City Innovations, LLC's Opposition to Facebook Inc.'s Motion for Joinder	Exhibit H
Supplemental Patent Owner's Response	Exhibit I
Petitioner's Supplemental Reply	Exhibit J
<i>Target Corp. v. Destination Maternity Corp.</i> , IPR2014-00508, Paper 28 (P.T.A.B. Feb. 12, 2015)	Exhibit K

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

WINDY CITY INNOVATIONS, LLC,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

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Civil Action No. 15-cv-102

JURY TRIAL DEMANDED

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Windy City Innovations, LLC (“Windy City”) files this Original Complaint against Defendant Facebook, Inc. (“Facebook”) for patent infringement under 35 U.S.C. § 271 and alleges, based on its own personal knowledge with respect to its own actions and based upon information and belief with respect to all others’ actions, as follows:

THE PARTIES

1. Plaintiff Windy City is a limited liability company organized and existing under the laws of the State of Delaware, and maintains its principal place of business at 195 North Harbor Drive, Suite 5403, Chicago, Illinois 60601.

2. Defendant Facebook, Inc. is a Delaware corporation with its headquarters at 1601 Willow Road, Menlo Park, California 94025. Facebook is registered to conduct business in the State of North Carolina. Facebook has designated Corporation Service Company, 327 Hillsborough St., Raleigh, North Carolina 27603 as its agent for service of process.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.* This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Facebook because, among other things, Facebook has committed acts of patent infringement and/or has induced and contributed to acts of patent infringement by others in North Carolina, including in this district, and has engaged in continuous and systematic activities in North Carolina, including the operation of its 160-acre data center in Rutherford County located at 284 Social Circle, Forest City, North Carolina 28043.

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b) because, among other things, Facebook is subject to personal jurisdiction in this district, Facebook has regularly conducted business in this judicial district, Facebook has a regularly established place of business in this judicial district in Rutherford County at 284 Social Circle, Forest City, North Carolina 28043, and certain of the acts complained of herein occurred in this judicial district.

PATENTS-IN-SUIT

6. On March 26, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,407,356 (the “356 patent”) entitled “Real Time Communications System.” A true and correct copy of the ’356 patent is attached hereto as Exhibit A.

7. On June 4, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,458,245 (the “245 patent”) entitled “Real Time

Communications System.” A true and correct copy of the ’245 patent is attached hereto as Exhibit B.

8. On June 25, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,473,552 (the “’552 patent”) entitled “Communications System.” A true and correct copy of the ’552 patent is attached hereto as Exhibit C.

9. On April 8, 2014, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,694,657 (the “’657 patent”) entitled “Real Time Communications System.” A true and correct copy of the ’657 patent is attached hereto as Exhibit D.

10. By assignment, Windy City owns all rights, title, and interest in the ’356, ’245, ’552, and ’657 patents (the “patents-in-suit”) and possesses all rights of recovery.

FACTUAL ALLEGATIONS

11. The patents-in-suit generally cover a real time communications system for managing and facilitating communication of digital data, including different media types across networks. The patents-in-suit also generally cover a computer network (i.e., a server network) that arbitrates permissions and distribution of multimedia information messages utilizing, for example, an application program interface (“API”).

12. In or around the year 1996, Daniel Marks, the inventor of the patents-in-suit, was hired by executives at American Information Systems and asked to develop a communications system for employees at American Information Systems to more easily communicate and share various types of information over the Internet.

13. Daniel Marks thereafter designed and developed a computerized communications system with software that, *inter alia*, creates a virtual connection among

individual computers via the Internet, permits access to the connection in accordance with predefined rules (e.g., user identity), arbitrates communications in accordance with predefined rules, and provides an application programming interface multiplexing and demultiplexing communications by message type.

14. Daniel Marks is the named inventor on six issued patents claiming various aspects of his inventions. For example, some embodiments feature a controller computer that arbitrates communications between participator computers, using predefined rules and parameter, such as user identities and censorship settings. As another example, some embodiments feature a controller computer with an application programming interface that multiplexes and demultiplexes messages and creates a virtual connection between, for example, channels, private messages, and multimedia objects between the controller computer and participator computers. As yet another example, some embodiments feature a controller computer that facilitates communication of digital data between participator computers by using, for example, authenticated user identities and pointer-triggered messages to fetch digital communication data.

15. In addition to his involvement with Windy City, Daniel Marks currently serves as an Associate Research Professor in the Department of Electrical Engineering and Computer Engineering at Duke University in Durham, North Carolina.

16. Facebook owns and operates the widely used website located on the World Wide Web at <http://www.facebook.com> (“Facebook.com”). Facebook.com offers functionality that enables Facebook users to create and virtually connect to a network of contacts, share multimedia files with all or some of those contacts, establish private groups, customize privacy settings, and communicate in real time via Facebook’s chat and messages

functionalities. Facebook.com’s private group, chat, and messages features are real time communications systems for communicating different media types over the Internet, and also arbitrate permissions and distribution of multimedia information messages utilizing, for example, an application program interface (e.g., Facebook’s internal APIs, Facebook’s APIs for developers). “Facebook.com” refers to the Facebook.com website, client software (including, e.g., plug-ins, third-party applications, or helper applications), Facebook’s internal and developer APIs, servers and computers that are used to support the described functionalities, including facilitating communications and virtual connections between users of Facebook.com, and includes any improvements, modifications, enhancements, fixes, updates, upgrades and future versions through trial.

17. Facebook uses its website to obtain advertising revenue by placing advertisements on its web pages.

18. Facebook offers mobile apps, including the Facebook app and the Facebook Messenger app (“Facebook apps”). Facebook apps offer functionality that enables Facebook users to create and virtually connect to a network of contacts, share multimedia files with all or some of those contacts, establish private chats, customize privacy settings, and communicate in real time. The Facebook apps offer the functionality to communicate different media types over the Internet, and also arbitrate permissions and distribution of multimedia information messages utilizing, for example, an application program interface (e.g., Facebook’s internal APIs, Facebook’s APIs for developers). “Facebook apps” refers to the Facebook app, the Facebook Messenger app, client software (including, e.g., plug-ins, third-party applications, or helper applications), Facebook’s internal and developer APIs, servers and computers that are used to support the described functionalities, including

facilitating communications and virtual connections between users of the Facebook apps, and includes any improvements, modifications, enhancements, fixes, updates, upgrades and future versions through trial.

19. Facebook offers these apps for download on mobile devices, including for example, iOS devices through Apple's App Store, Windows Phones and Microsoft Surface tablets through the Windows Store, Android devices through Google's Play Store, and Amazon devices through Amazon's Appstore.

20. Facebook.com and the Facebook apps are collectively referred to as "Facebook's Accused Instrumentalities."

COUNT ONE: PATENT INFRINGEMENT BY FACEBOOK

21. Plaintiff incorporates by reference the preceding paragraphs as if fully set forth herein.

22. As described below, Facebook has infringed and continues to infringe the patents-in-suit.

23. Facebook's Accused Instrumentalities meet claims of the patents-in-suit. For example, Facebook includes or operates a controller computer that arbitrates communications between participator computers of end users, using predefined rules and parameters, such as user identities (e.g., Facebook accounts or account identifiers, etc.) and censorship settings (e.g., blocked users, private chat settings, private groups, privacy settings, muted conversations, device capability restrictions, etc.). As another example, Facebook includes or operates a controller computer with an application programming interface (e.g., Facebook's internal APIs, Facebook's APIs for developers, etc.) that multiplexes and demultiplexes messages and creates a virtual connection between, for example, channels, private messages,

and multimedia objects (e.g., private groups, private chats, group chats, video chats, messages with text, hyperlinks, video, audio, or graphics, etc.) between the controller computer and participator computers of end users. As yet another example, Facebook includes or operates a controller computer that facilitates communication of digital data (e.g., text, hyperlinks, video, audio, or graphics, etc.) between participator computers of end users by using, for example, authenticated user identities (e.g., Facebook accounts or identifiers, etc.) and pointer-triggered messages (e.g., messages, including notifications, with URLs, IP addresses, or other location/address identifiers, etc.) to fetch digital communication data.

24. Facebook makes, uses, provides, sells and/or imports Facebook's Accused Instrumentalities within the United States or into the United States without authority from Windy City.

25. Facebook therefore infringes the patents-in-suit under 35 U.S.C. § 271(a) with Facebook's Accused Instrumentalities.

26. Facebook has actual knowledge of all patents-in-suit at least as of the filing of this Complaint for Patent Infringement.

27. Facebook indirectly infringes the patents-in-suit by inducing infringement by others, such as end-users and application developers, because Facebook, for example, instructs and/or requires these third parties to make, use, sell, offer to sell or import Facebook's Accused Instrumentalities in or into the United States. Facebook additionally indirectly infringes the patents-in-suit by encouraging, facilitating and instructing its users to use the inventions while they use Facebook's Accused Instrumentalities. Facebook does this by, without limitation, modifying, in response to user actions, the configuration of user computers and devices and by encouraging users to use their computers and devices, so

modified, to interact with Facebook's Accused Instrumentalities, thereby inducing use of the claimed inventions. Facebook also provides APIs for use by application developers.

28. Facebook takes the above actions intending to cause infringing acts by others.

29. Facebook is aware of the patents-in-suit and knows that others' actions, if taken, would constitute infringement of those patents. Alternatively, Facebook believes there is a high probability that others would infringe the patents-in-suit but remains willfully blind to the infringing nature of others' actions. Facebook therefore infringes the patents-in-suit under 35 U.S.C. § 271(b).

30. Facebook indirectly infringes the patents-in-suit by contributing to infringement by others, such as end-users and application developers, by providing within the United States software components for operating Facebook's Accused Instrumentalities and interacting with end user client software and platforms. These software components are known by Facebook to be especially made or adapted for use in Facebook's Accused Instrumentalities. These software components constitute a material part of the inventions claimed in the patents-in-suit, and are used to practice one or more processes/methods covered by the claims of the patents-in-suit. Such Facebook-related components are, for example, the software components that perform the authentication functionality claimed in the patents-in-suit, the software components that query Facebook servers to perform arbitration of computer connections, the software components comprising Facebook's internal APIs and APIs for application developers, the software components that perform the multiplexing and demultiplexing of messages, and the software components that install Facebook's Accused Instrumentalities on a computer or server.

31. Facebook knows these Facebook-related components to be especially made or

especially adapted for use in an infringement of the patents-in-suit and are not a staple article or commodity of commerce suitable for substantial non-infringing use. Alternatively, Facebook believes there is a high probability that others would infringe the patents-in-suit but remains willfully blind to the infringing nature of others' actions. Facebook therefore infringes the patents-in-suit under 35 U.S.C. § 271(c).

32. Facebook's acts of infringement have caused damage to Windy City. Windy City is entitled to recover from Facebook the damages sustained by Windy City as a result of Facebook's wrongful acts in an amount subject to proof at trial. In addition, the infringing acts and practices of Facebook have caused, are causing, and, unless such acts and practices are enjoined by the Court, will continue to cause immediate and irreparable harm to Windy City for which there is no adequate remedy at law, and for which Windy City is entitled to injunctive relief under 35 U.S.C. § 283.

33. To the extent that Facebook releases any new version of Facebook's Accused Instrumentalities, such instrumentalities meet the claims of the patents-in-suit and infringe 35 U.S.C. § 271(a)-(c) in ways analogous to Facebook's current infringement described above.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury for all issues so triable.

PRAYER FOR RELIEF

1. A judgment that Facebook has directly infringed the patents-in-suit, contributorily infringed the patents-in-suit, and/or induced the infringement of the patents-in-suit;
2. A preliminary and permanent injunction preventing Facebook and its officers, directors, agents, servants, employees, attorneys, licensees, successors, and assigns, and those in

active concert or participation with it, from directly infringing, contributorily infringing, and/or inducing the infringement of the patents-in-suit;

3. A ruling that this case be found to be exceptional under 35 U.S.C. § 285, and a judgment awarding to Plaintiff its attorneys' fees incurred in prosecuting this action;

4. A judgment and order requiring Facebook to pay Plaintiff damages under 35 U.S.C. § 284, including supplemental damages for any continuing post-verdict infringement up until entry of final judgment, with an accounting, as needed;

5. A judgment and order requiring Facebook to pay Plaintiff the costs of this action (including all disbursements);

6. A judgment and order requiring Facebook to pay Plaintiff pre-judgment and post-judgment interest on the damages awarded;

7. A judgment and order requiring that in the event a permanent injunction preventing future acts of infringement is not granted, that Plaintiff be awarded a compulsory ongoing licensing fee; and

8. Such other and further relief as the Court may deem just and proper.

Dated: June 2, 2015

Respectfully submitted,

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(12) **United States Patent Marks**

(10) **Patent No.:** US 8,407,356 B1
 (45) **Date of Patent:** Mar. 26, 2013

(54) **REAL TIME COMMUNICATIONS SYSTEM**

(76) Inventor: **Daniel L Marks**, Urbana, IL (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1521 days.

(21) Appl. No.: **11/836,633**

(22) Filed: **Aug. 9, 2007**

Related U.S. Application Data

(63) Continuation of application No. 09/399,578, filed on Sep. 20, 1999, which is a continuation of application No. 08/617,658, filed on Apr. 1, 1996, now Pat. No. 5,956,491.

(51) **Int. Cl.**
G06F 15/16 (2006.01)

(52) **U.S. Cl.** 709/230; 709/204; 709/206

(58) **Field of Classification Search** 709/204-206, 709/230

See application file for complete search history.

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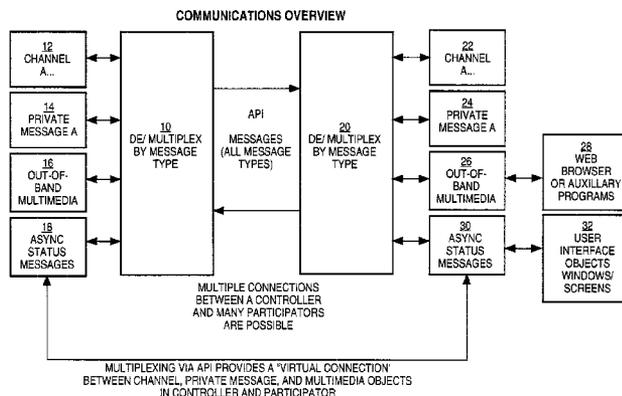
Primary Examiner — Patrice Winder

(74) *Attorney, Agent, or Firm* — Peter K. Trzyna, Esq.

(57) **ABSTRACT**

A computerized human communication arbitrating and distributing system, including a controller digital computer and a plurality of participator digital computers, each of the participator computers including an input device for receiving human-input information from a human user and an output device for presenting information to the user, each said user having a user identity. A connection, such as Internet, links the controller computer with each of the participator computers. Controller software runs on the controller computer to arbitrate in accordance with predefined rules including said user identity, which ones of the participator computers can interact in one of a plurality of groups through the controller computer and to distribute real time data to the respective ones of the groups. Participator software runs on each of the participator computers to handle a user interface permitting one said user to send a multimedia information message to the controller computer, which arbitrates which of the participator computers receive the multimedia information message and conveys the multimedia information message to the selected participator computers to present the multimedia information to the respective user.

37 Claims, 22 Drawing Sheets



US 8,407,356 B1

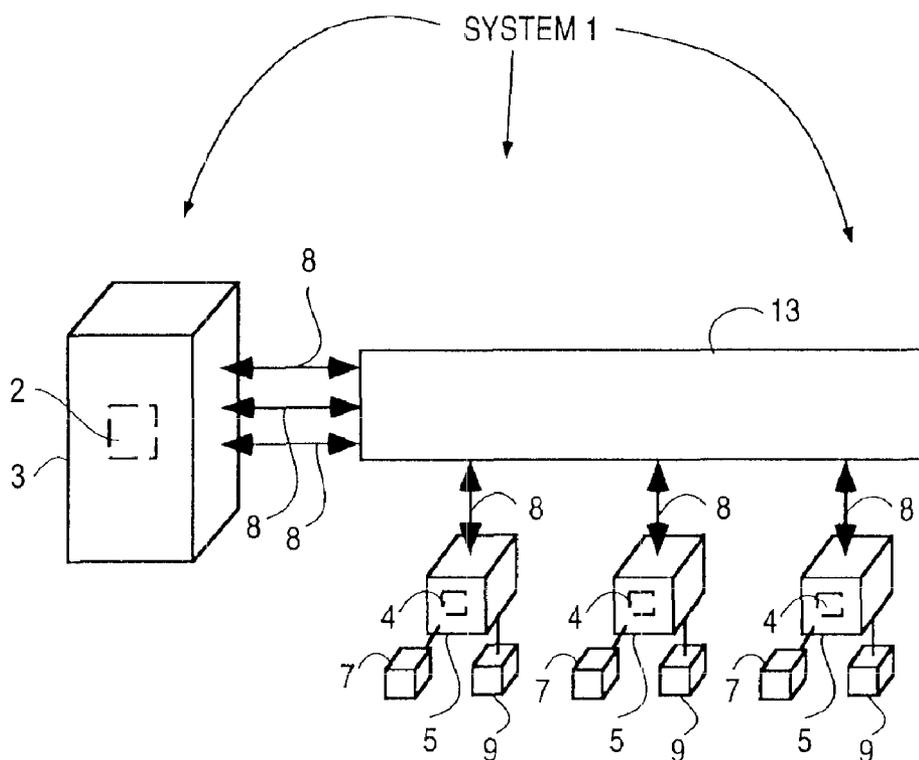
Page 2

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- “Amendment and Response” filed on Mar. 22, 2010, for U.S. Appl. No. 11/510,463, filed Aug. 24, 2006, by inventor Daniel L. Marks.
- “Corrected Amendment and Response” filed on Apr. 1, 2010, for U.S. Appl. No. 11/510,463, filed Aug. 24, 2006, by inventor Daniel L. Marks.
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FIG. 1



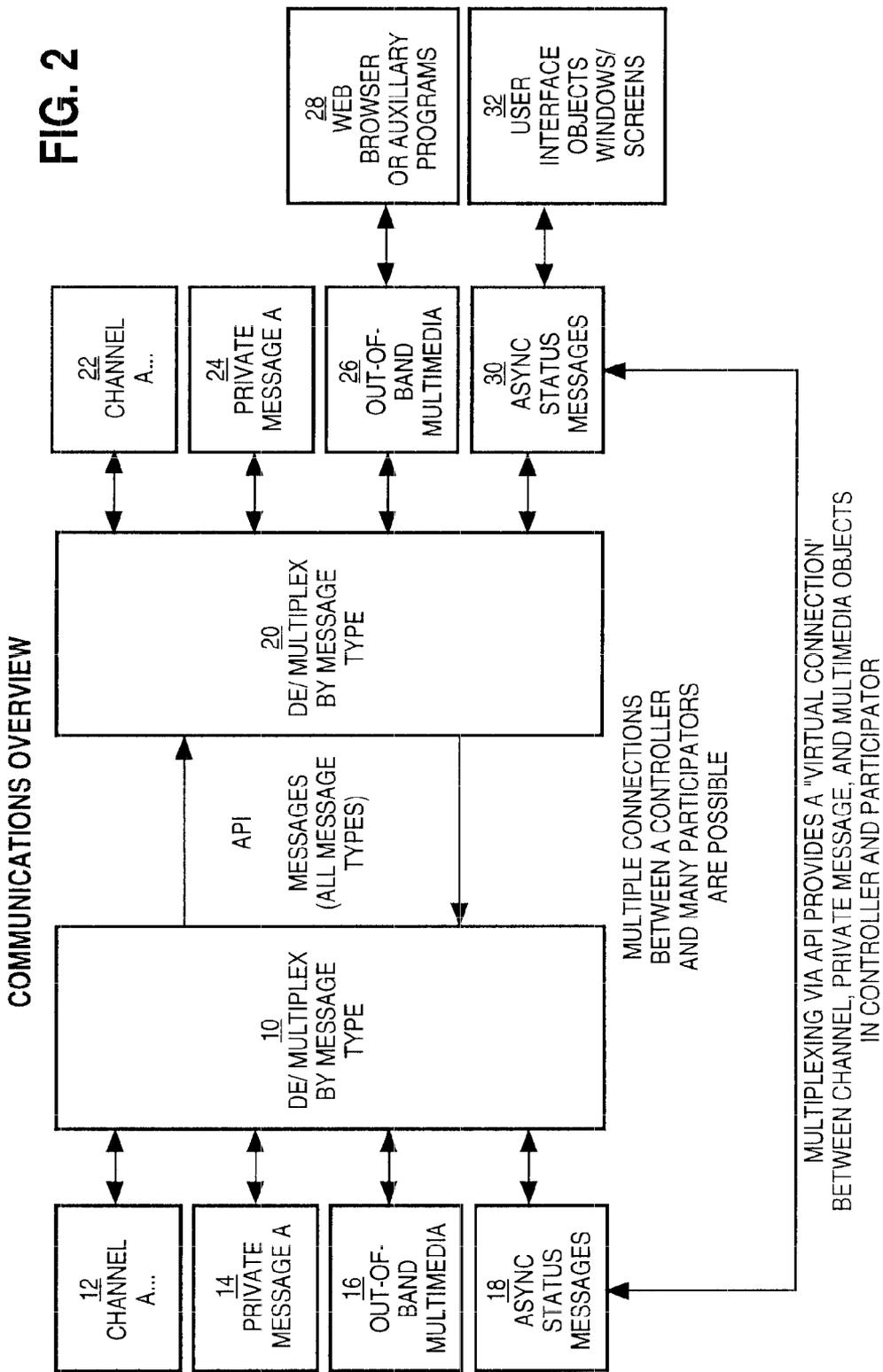


FIG. 3

DATA AND COMMUNICATIONS
DEPENDENCY DIAGRAM CONTROLLER
GROUP CHANNEL STRUCTURE

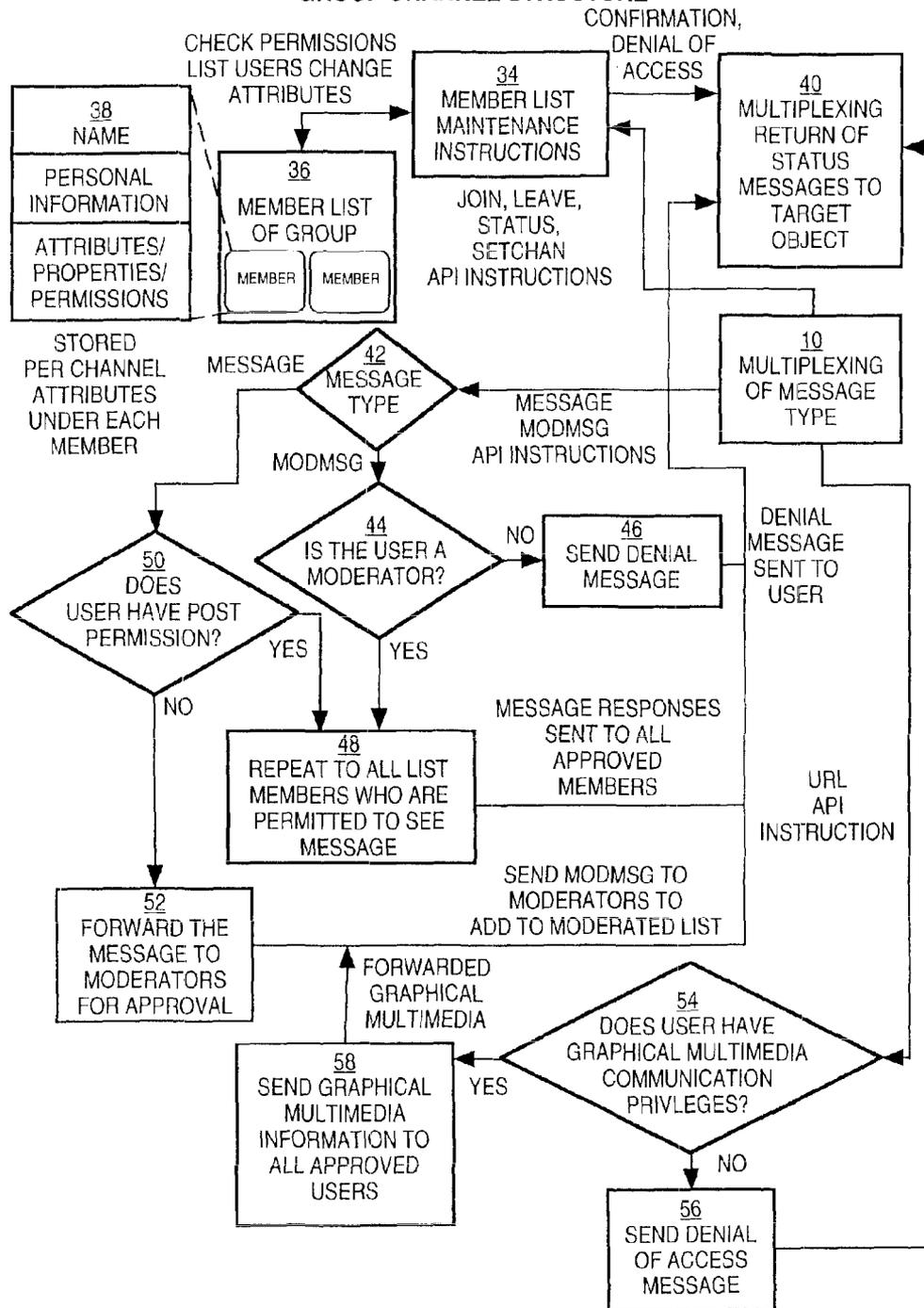


FIG. 4

CENTRAL CONTROLLER LOOP COMMUNICATIONS

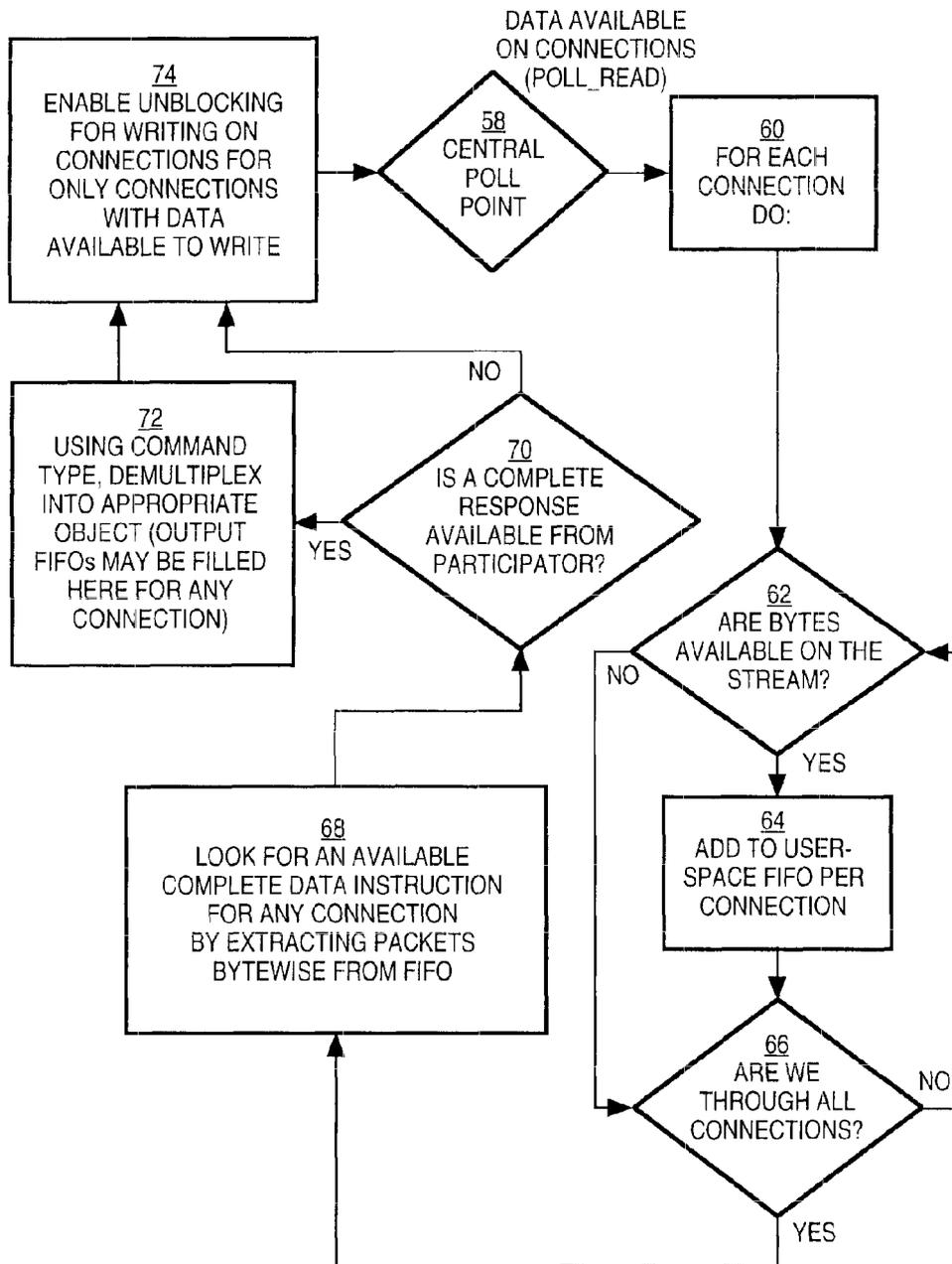


FIG. 5

CLIENT CHANNEL DATA STRUCTURE AND INFORMATION FLOW DIAGRAM

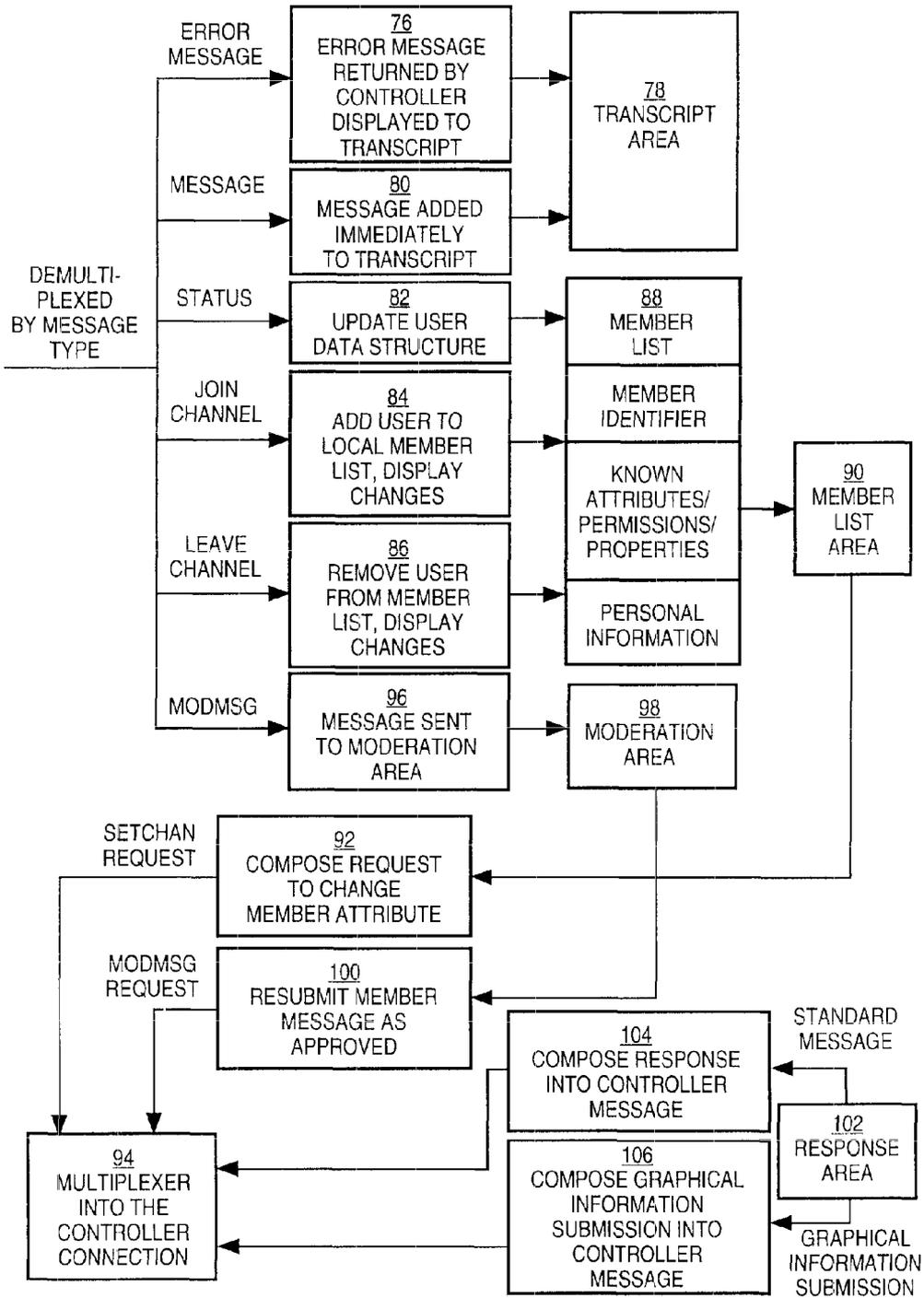


FIG. 6

PARTICIPATION SOFTWARE OUT-OF-BAND MULTIMEDIA
OUT-OF-BAND MULTIMEDIA INFORMATION FLOW DIAGRAM

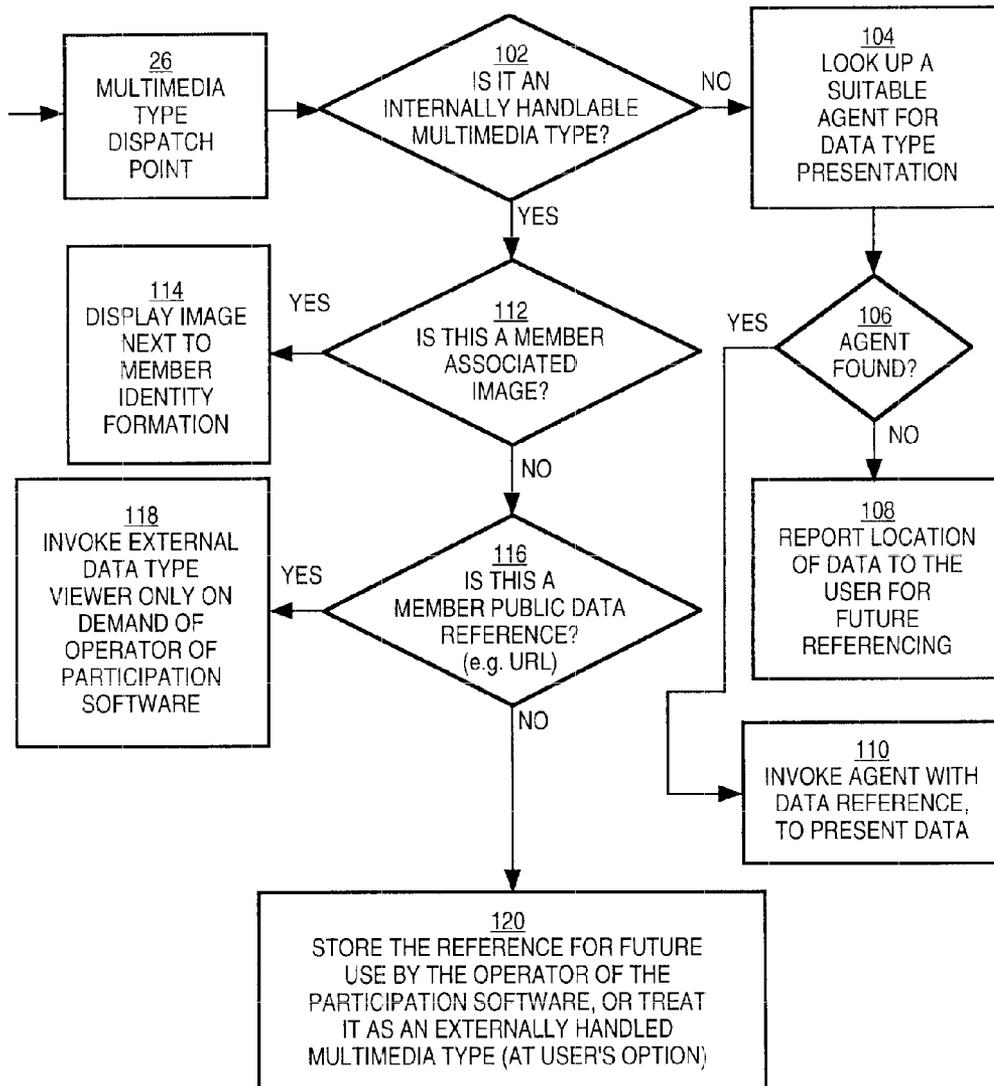


FIG. 7

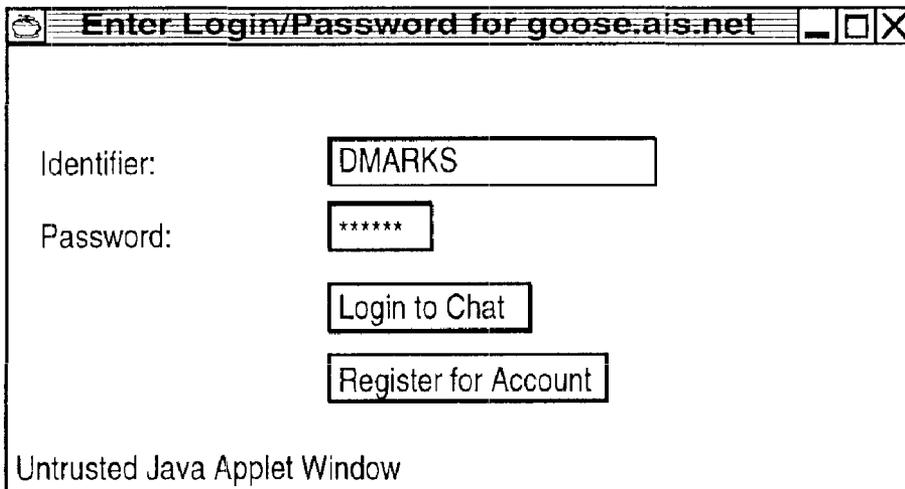


FIG. 8

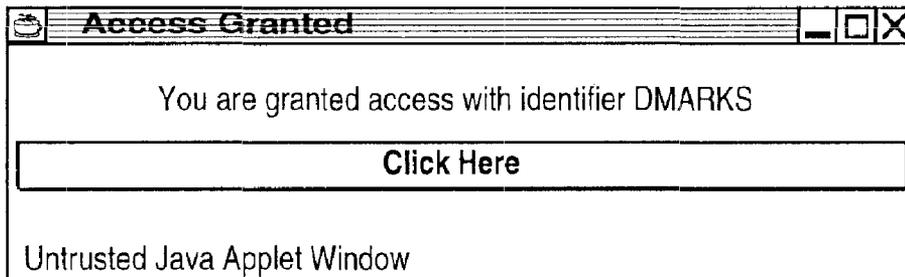


FIG. 9

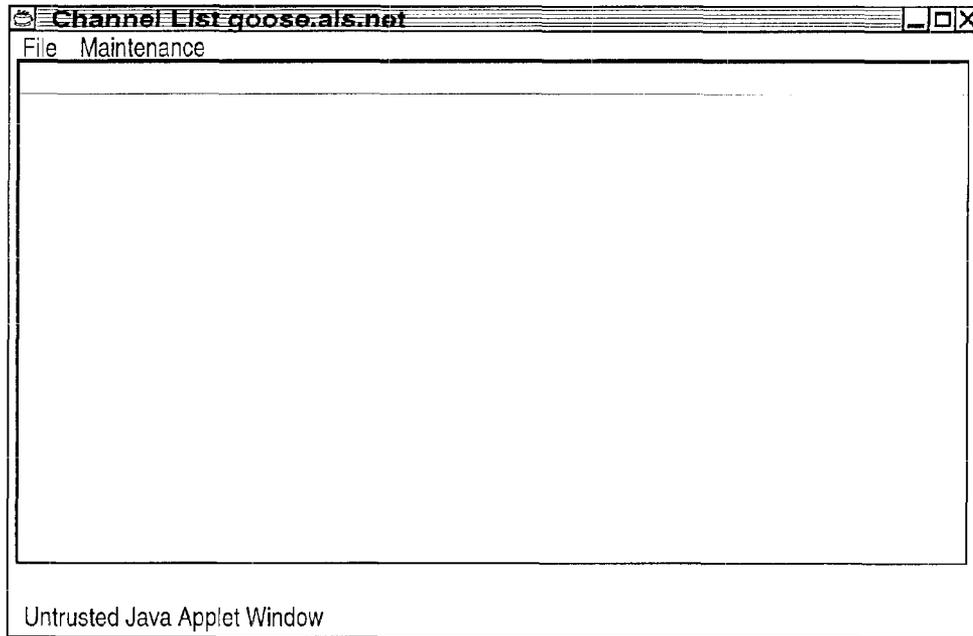


FIG. 10

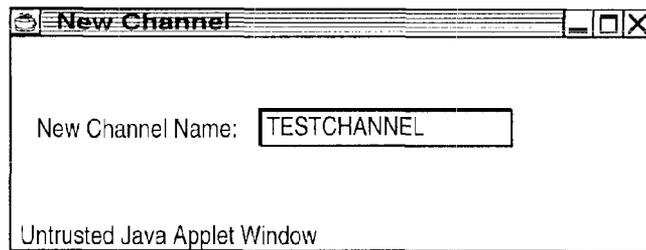


FIG. 11

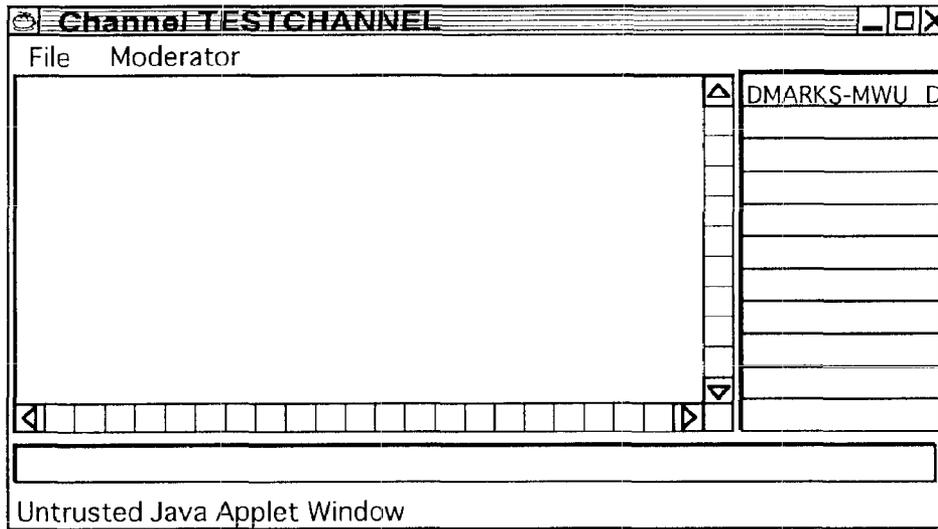


FIG. 12

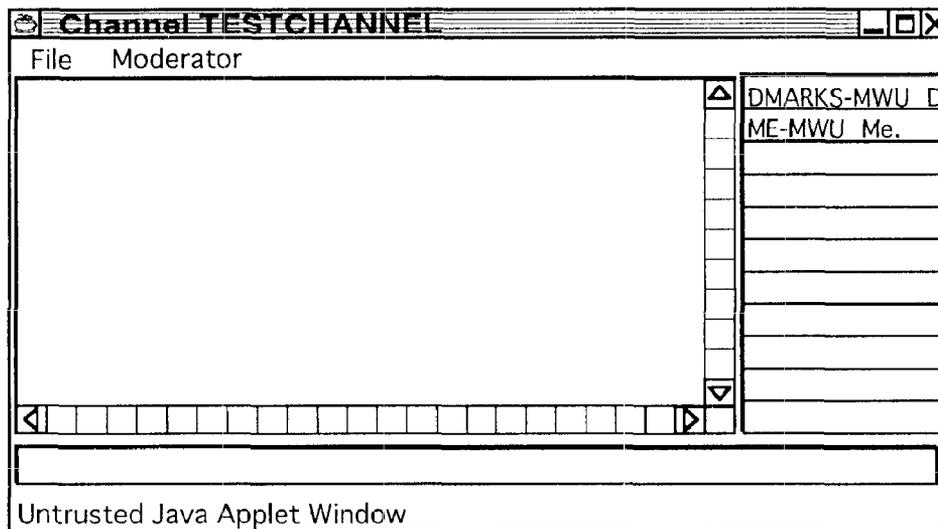


FIG. 13

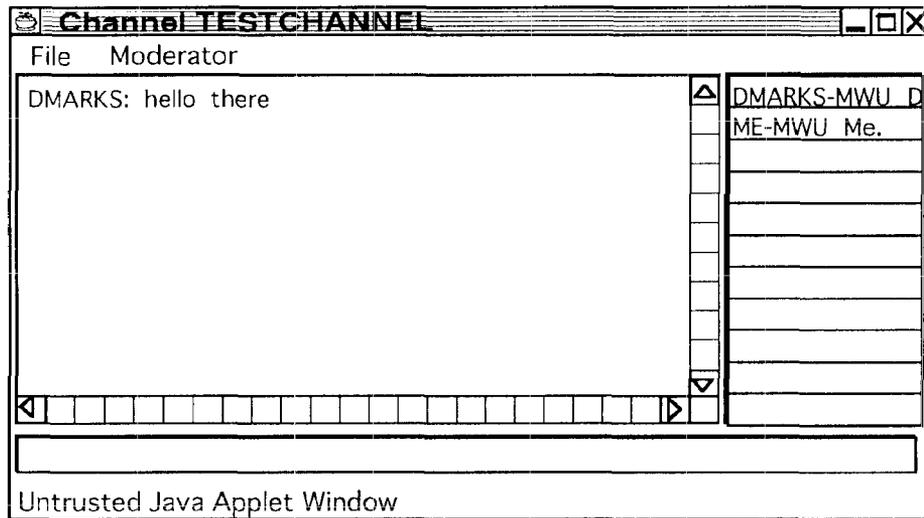


FIG. 14

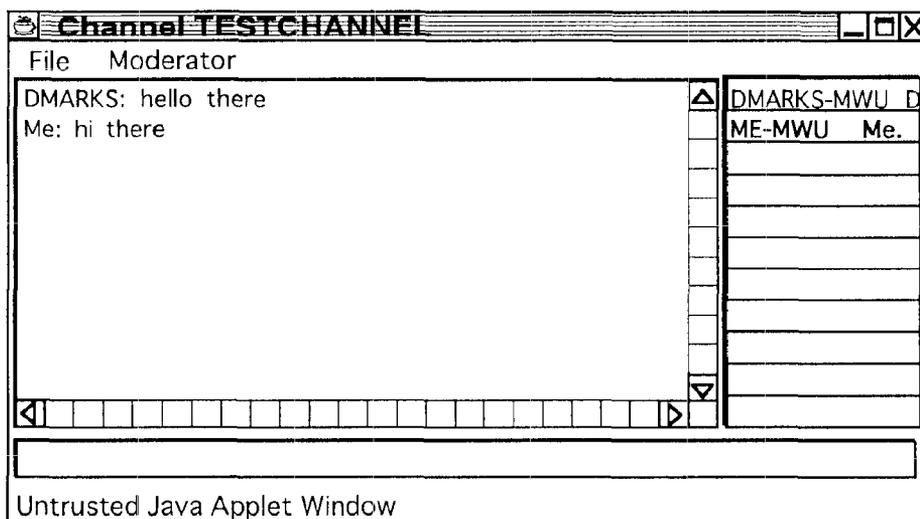


FIG. 15

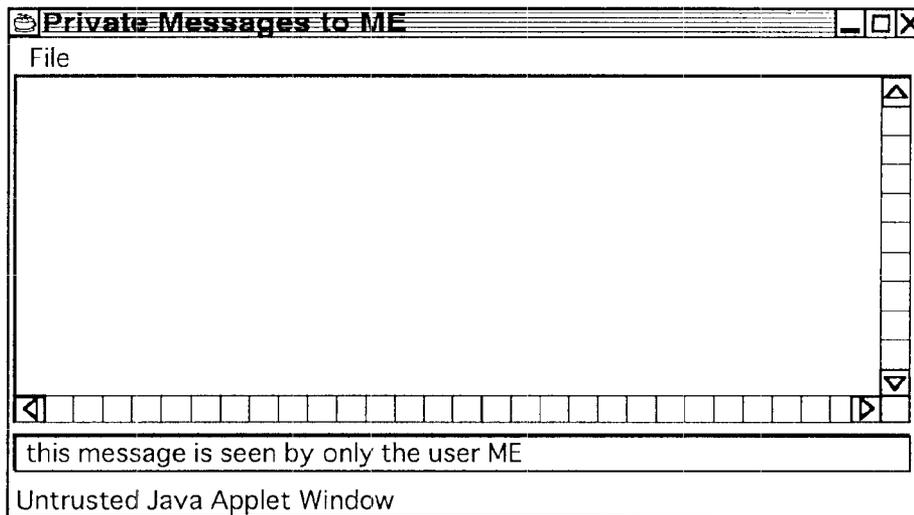


FIG. 16

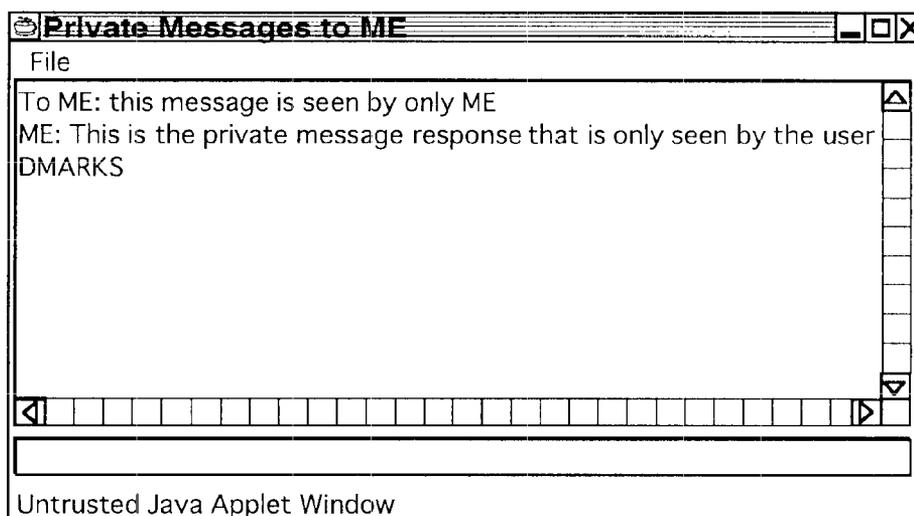


FIG. 17

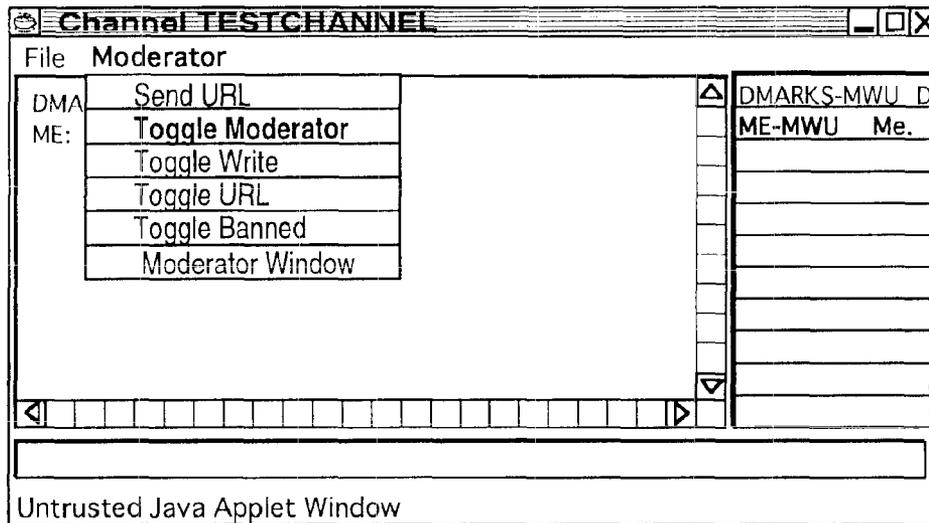


FIG. 18

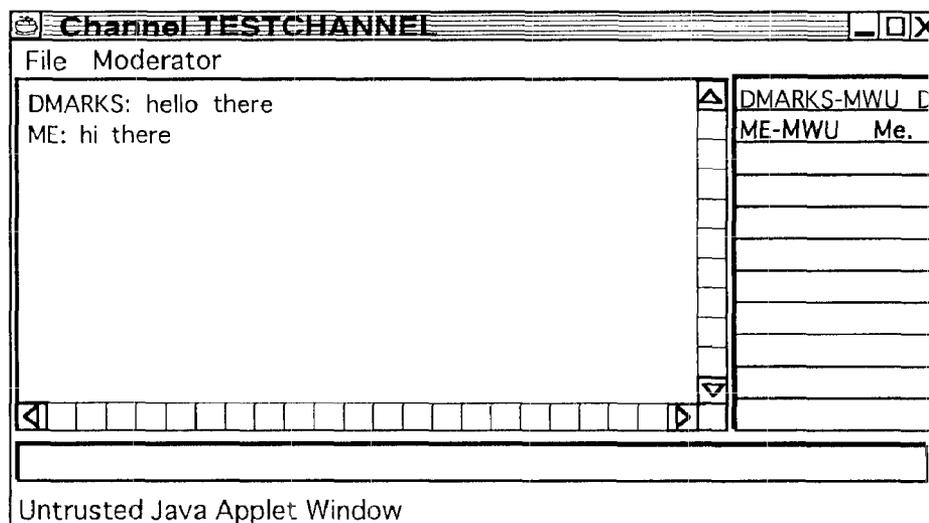


FIG. 19

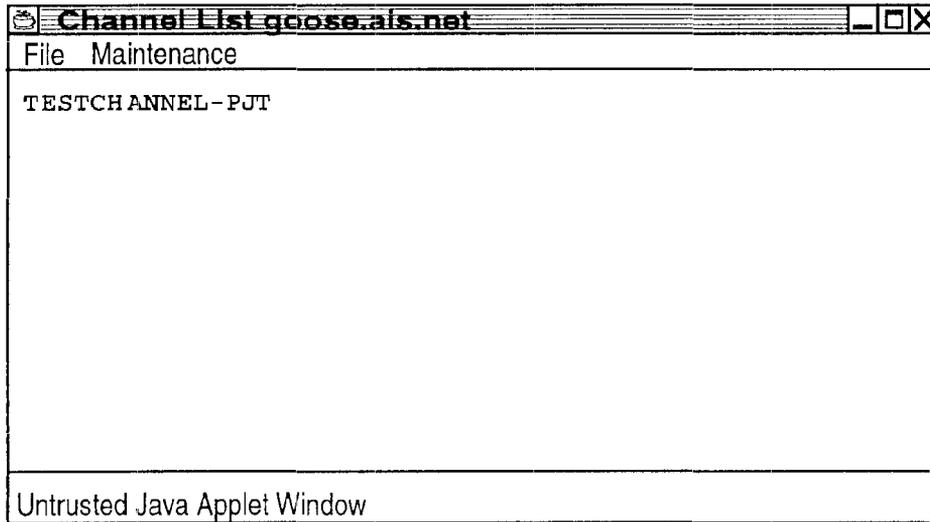


FIG. 20

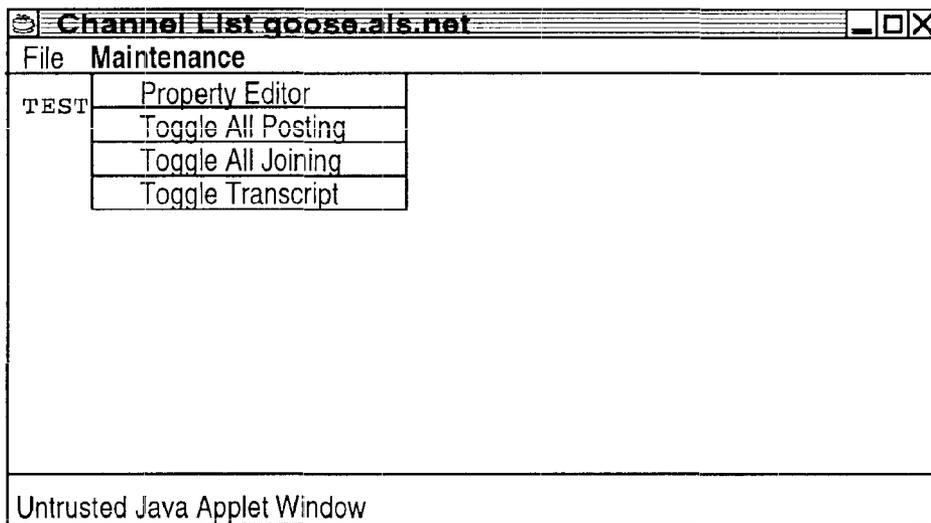


FIG. 21

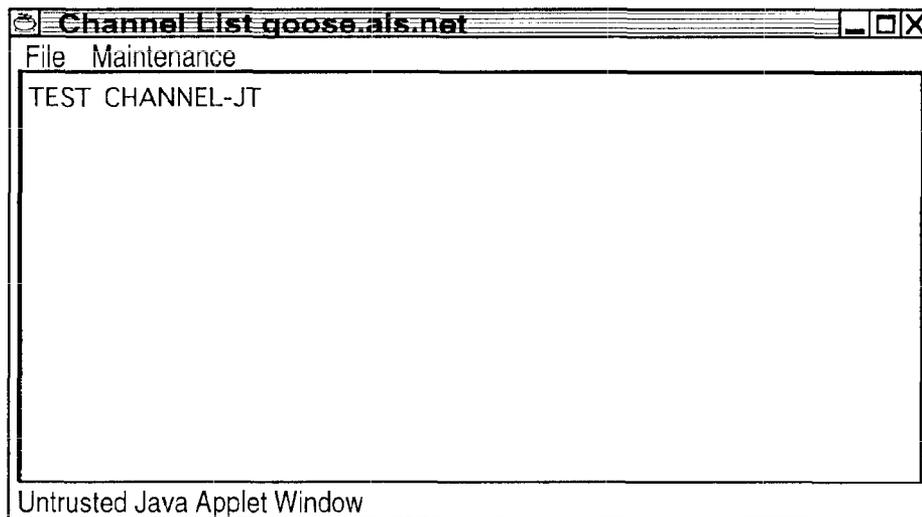


FIG. 22

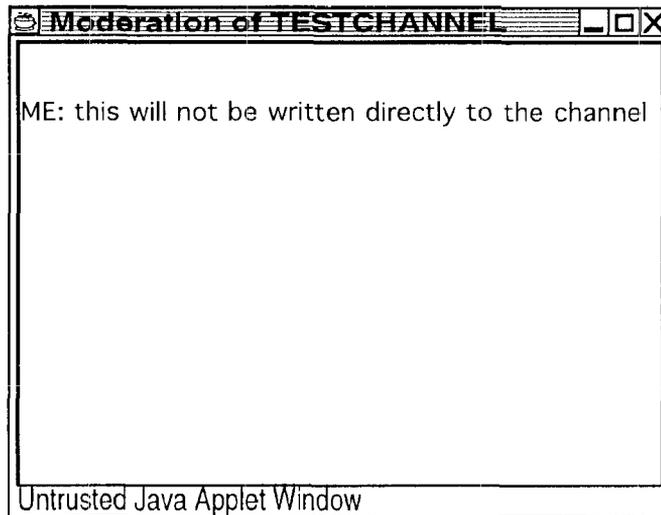


FIG. 23

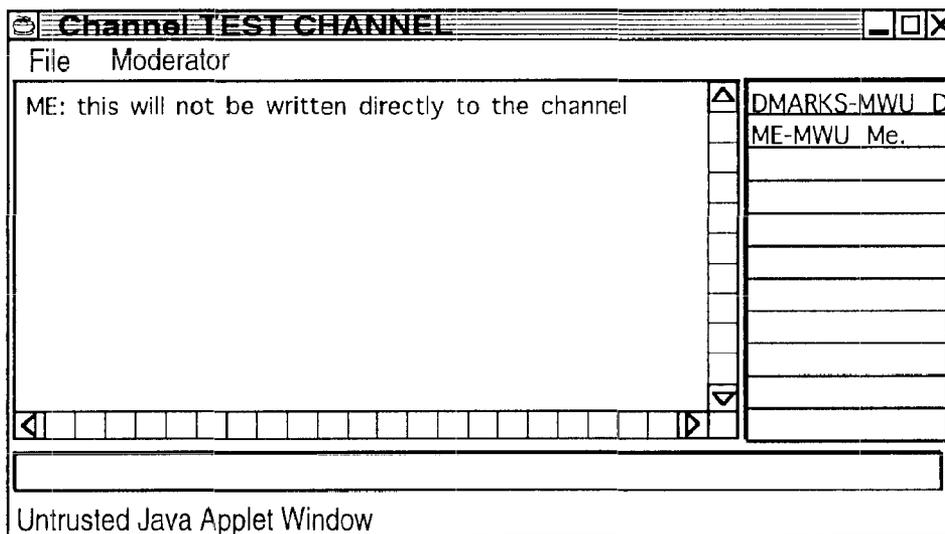


FIG. 24

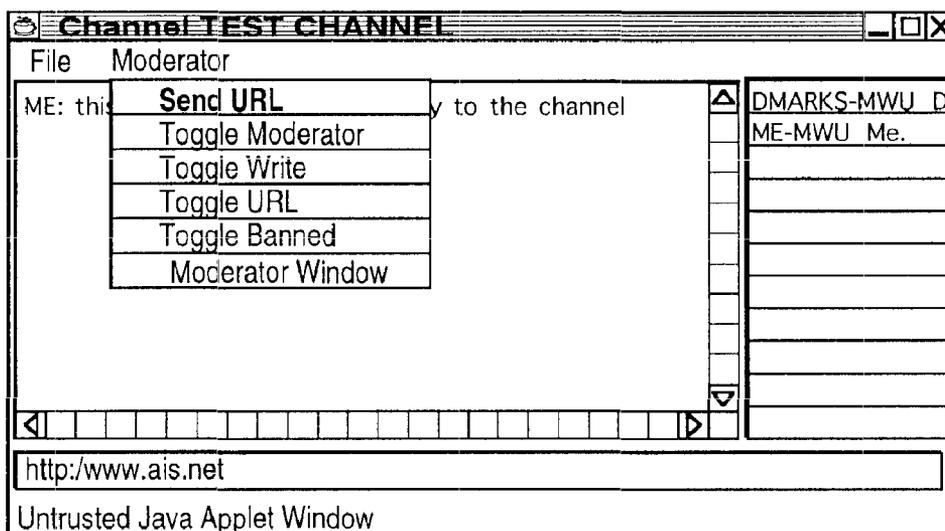


FIG. 25

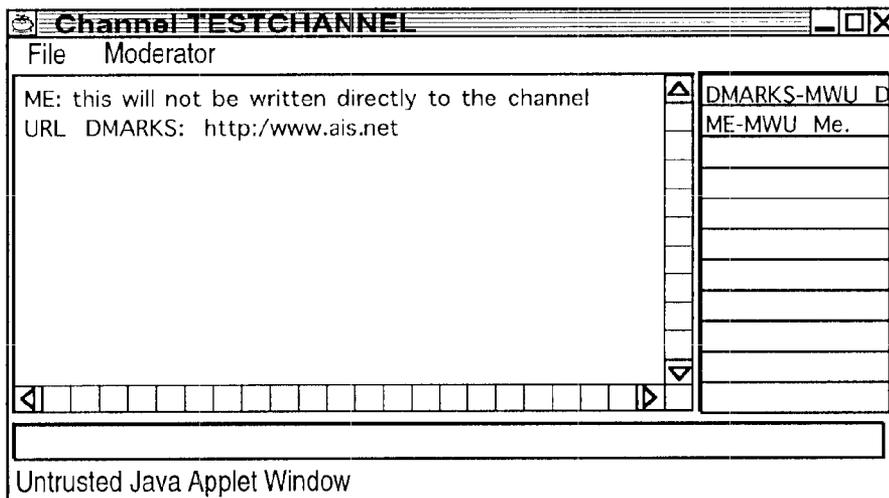


FIG. 26

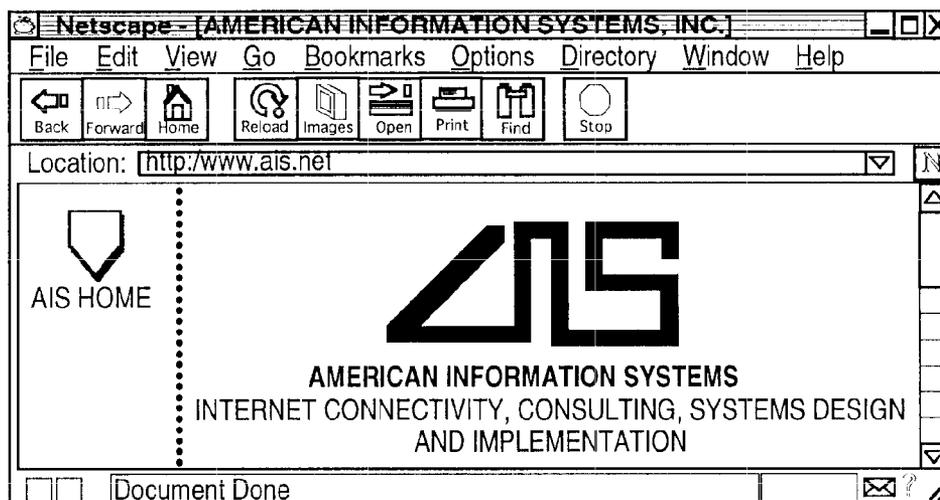


FIG. 27

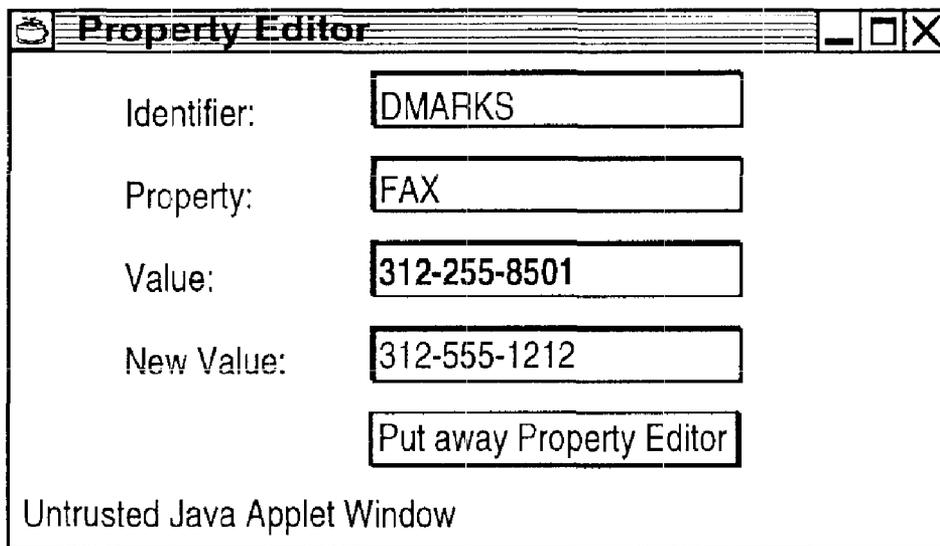


FIG. 28

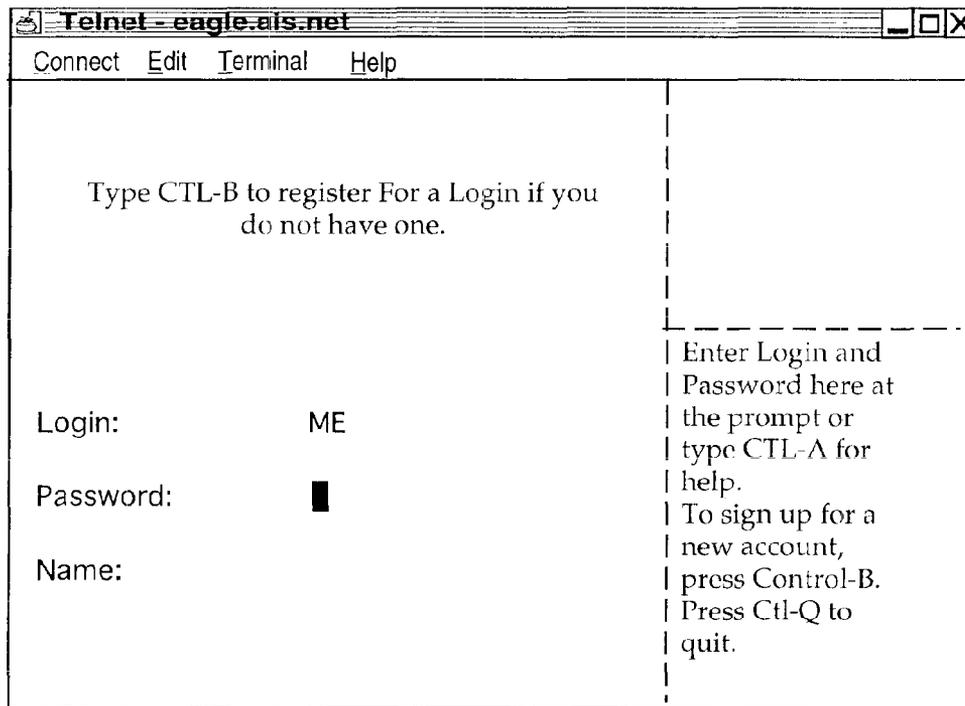


FIG. 29

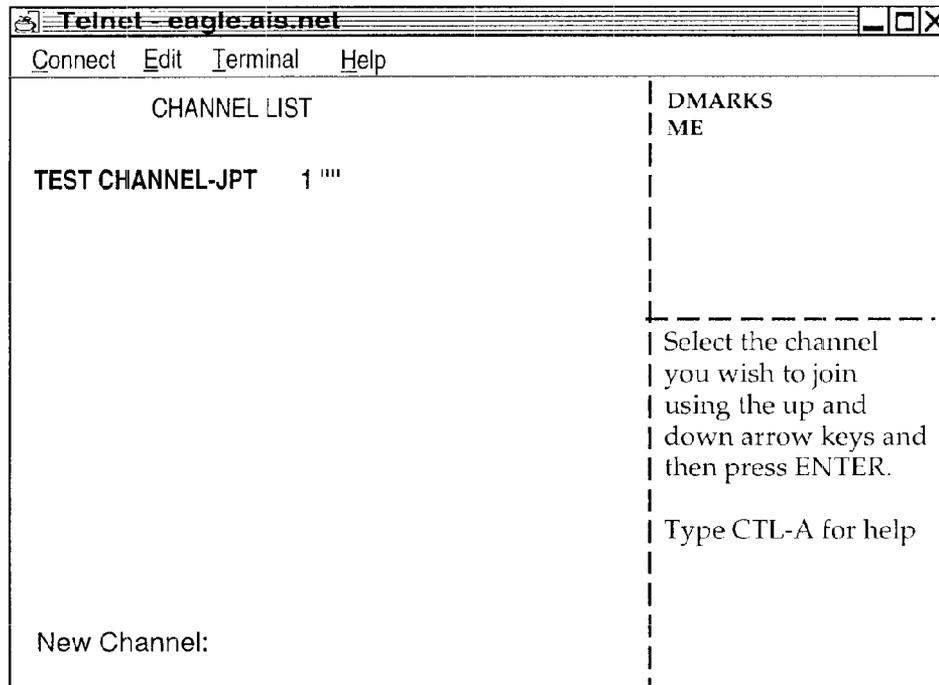


FIG. 30

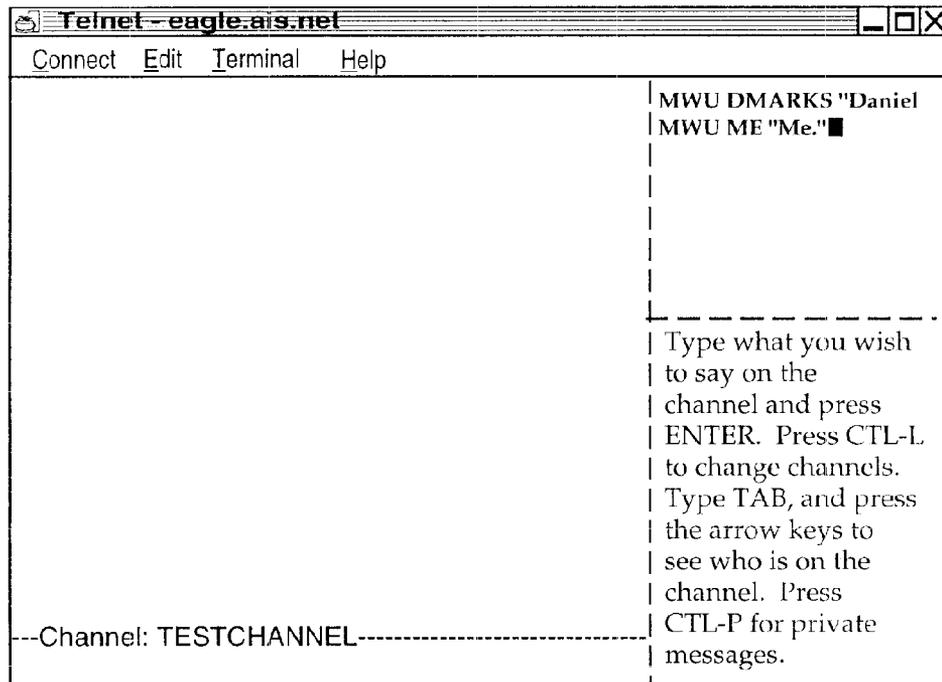


FIG. 31

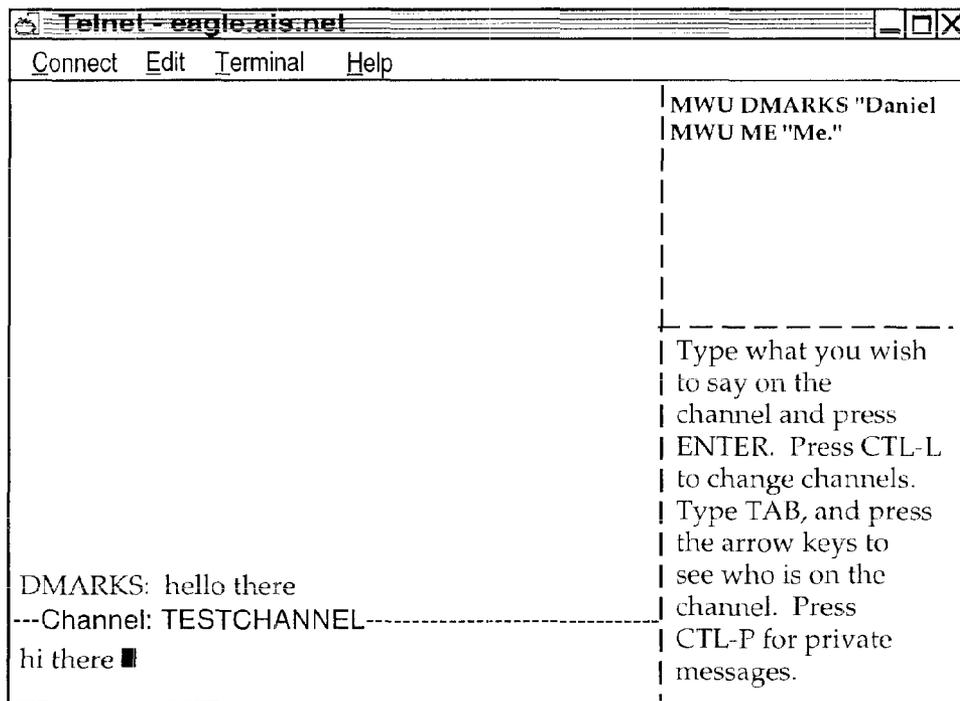


FIG. 32

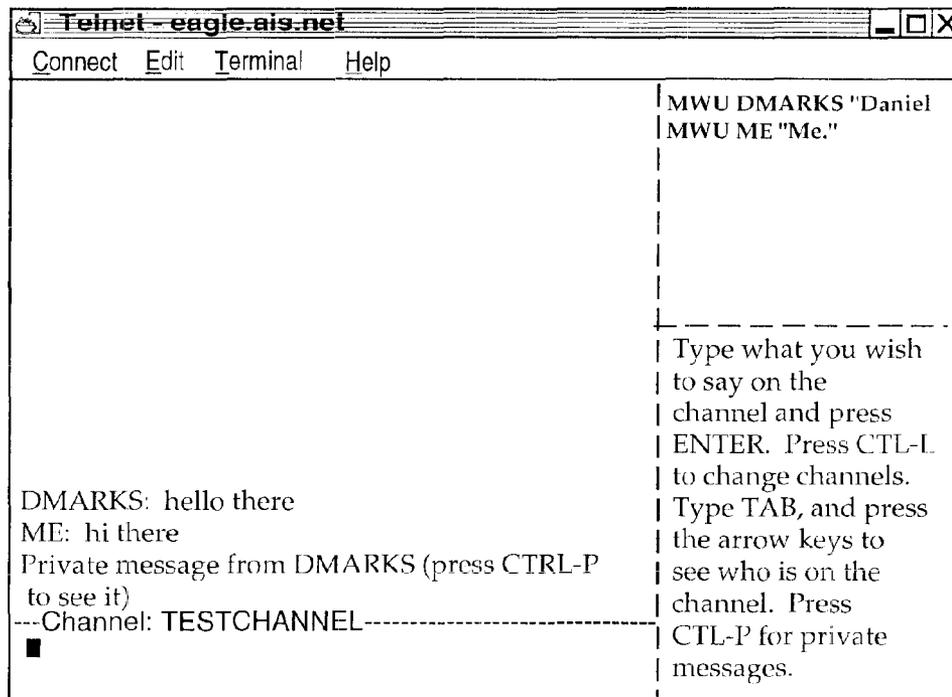


FIG. 33

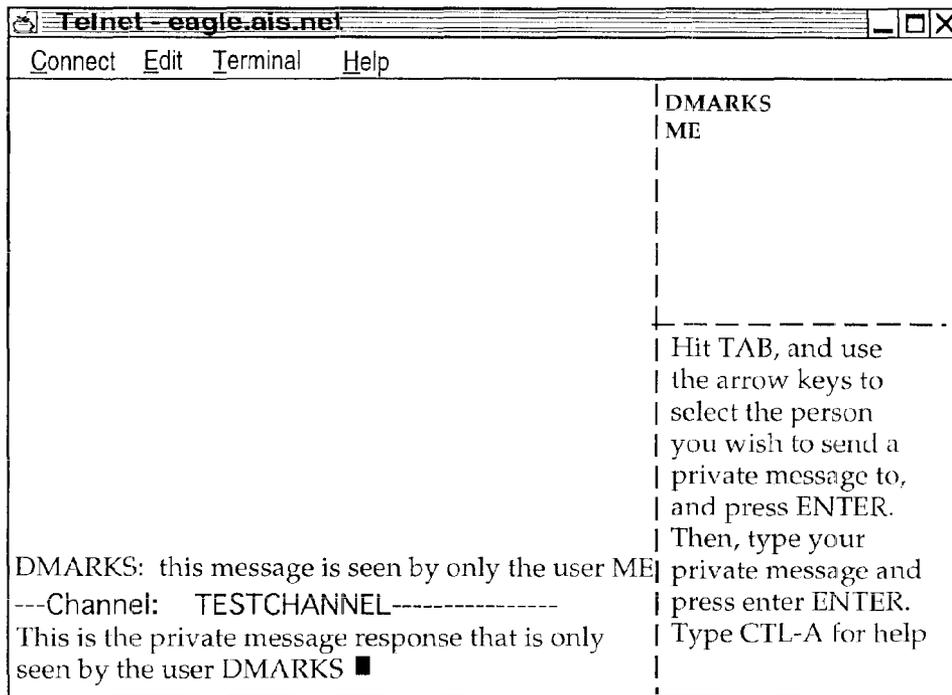
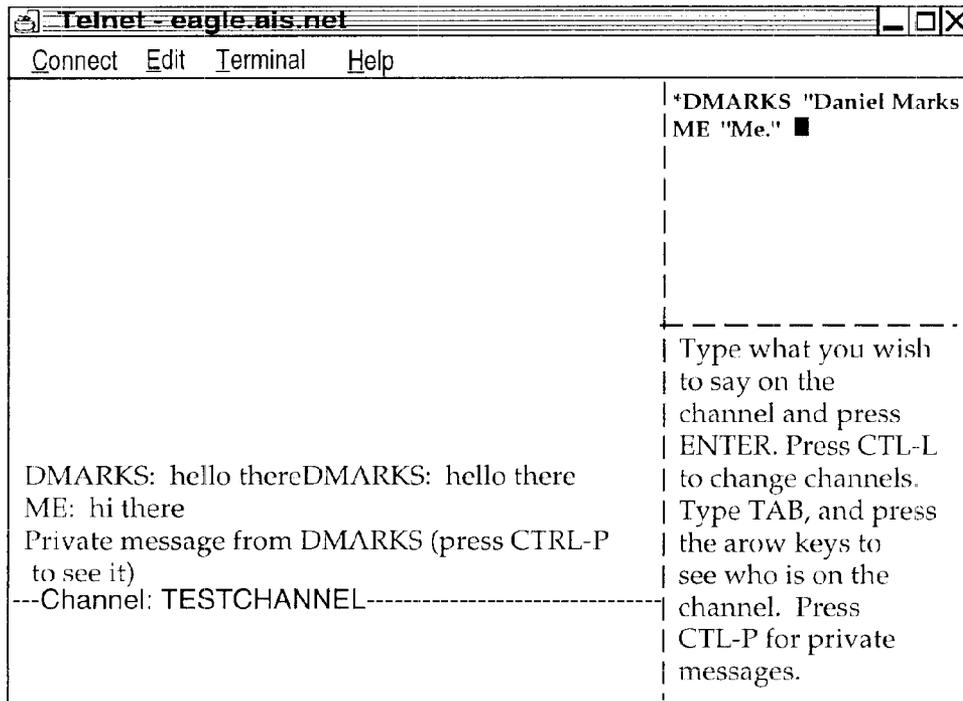


FIG. 34



US 8,407,356 B1

1

REAL TIME COMMUNICATIONS SYSTEM

I. PRIORITY DATA

The present patent application is a continuation of and
incorporates by reference U.S. patent application Ser. No. 5
09/399,578 filed by the same inventor on Sep. 20, 1999, and
incorporates by reference U.S. patent application Ser. No.
08/617,658, now U.S. Pat. No. 5,956,491, titled Group Com-
munications Multiplexing System that was filed by the same
inventor on Apr. 1, 1996; and U.S. patent application Ser. No.
11/780,352 filed by the same inventor on Jul. 19, 2007, aban- 10
doned. U.S. patent application Ser. No. 09/399,578, filed Sep.
20, 1999, is a continuation of U.S. patent application Ser. No.
08/617,658, filed Apr. 1, 1996, issuing as U.S. Pat. No. 5,956,
491, on Sep. 21, 1999.

II. FIELD OF INVENTION

This invention is directed to an apparatus, a manufacture,
and methods for making and using the same, in a field of
digital electrical computer systems. More particularly, the
present invention is directed to a digital electrical computer
system involving a plurality of participator computers linked 25
by a network to at least one of a plurality of participator
computers, the participator computers operating in conjunc-
tion with the controller computer to handle multiplexing
operations for communications involving groups of some of
the participator computers.

III. BACKGROUND OF THE INVENTION

Multiplexing group communications among computers
ranges from very simple to very complex communications
systems. At a simple level, group communications among
computers involves electronic mail sent in a one way trans-
mission to all those in a group or subgroup using, say, a local
area network. Arbitrating which computers receive electronic
mail is a rather well understood undertaking.

On a more complex level, corporations may link remote
offices to have a conference by computer. A central computer
can control the multiplexing of what appears as an electronic
equivalent to a discussion involving many individuals.

Even more complex is linking of computers to communi-
cate in what has become known as a "chat room." Chat room
communications can be mere text, such as that offered locally
on a file server, or can involve graphics and certain multime-
dia capability, as exemplified by such Internet service provid- 50
ers as America On Line. Multiplexing in multimedia is more
complex for this electronic environment.

On the Internet, "chat room" communications analogous to
America On Line have not been developed, at least in part
because Internet was structured for one-way communications
analogous to electronic mail, rather than for real time group
chat room communications. Further, unlike the an Internet
service provider, which has control over both the hardware
platform and the computer program running on the platform
to create the "chat room", there is no particular control over
the platform that would be encountered on the Internet.
Therefore, development of multiplexing technology for such
an environment has been minimal.

Even with an emergence of the World Wide Web, which
does have certain graphical multimedia capability, sophisti- 65
cated chat room communication multiplexing has been the
domain of the Internet service providers. Users therefore have

2

a choice between the limited audience of a particular Internet
Service provider or the limited chat capability of the Internet.

IV. SUMMARY OF THE INVENTION

It is an object of the present invention to overcome such
limitations of the prior art and to advance and improve the
technology of group computer multiplexing to enable better
computerized group communications.

It is another object of the present invention to provide a
computerized human communication arbitrating and distrib-
uting system.

It is yet another object of the present invention to provide a
group communication multiplexing system involving a con-
troller digital computer linked to a plurality of participator
computers to organize communications by groups of the par-
ticipator computers.

It is still another object of the present invention to link the
controller computer and the plurality of computers with
respective software coordinated to arbitrate multiplexing
activities.

It is still a further object of the present invention to provide
a chat capability suitable for handling graphical, textual, and
multimedia information in a platform independent manner.

These and other objects and utilities of the invention, which
apparent from the discussion herein, are addressed by a com-
puterized human communication arbitrating and distributing
system. The system includes a controller digital electrical
computer and a plurality of participator digital computers,
each of the participator computers including an input device
for receiving human-input information and an output device
for presenting information to a user having a user identity. A
connection such as the Internet links the controller computer
with each of the participator computers.

Controller software runs on the controller computer, pro-
gramming the controller computer to arbitrate in accordance
with predefined rules including said user identity, which ones
of the participator computers can interact in one of a plurality
of groups communicating through the controller computer
and to distribute real time data to the respective ones of the
groups.

Participator software runs on each of the participator com-
puters to program each of the participator computers to oper-
ate a user interface. The user interface permits one of the users
to send and/or receive a multimedia information message to
the controller computer, which arbitrates which of the partici-
pator computers receives the multimedia information mes-
sage. The controller computer also conveys the multimedia
information message to the selected participator computers to
present the multimedia information to the respective user.

Therefore, for a computer system involving a plurality of
programmed participator computers running the participator
computer program can interact through a programmed con-
troller computer with the controller computer multiplexing
the communications for groups formed from the plurality, as
well as arbitrating communications behavior.

V. BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a depiction of hardware suitable for performing
the present invention;

FIG. 2 is a communications overview of the present inven-
tion.

FIG. 3 is a data and communications dependency diagram
for the controller group channel structure of the present
invention.

US 8,407,356 B1

3

FIG. 4 is a flow chart of the central controller loop communications for the controller computer.

FIG. 5 is a client channel data structure and information flow diagram of the present invention.

FIG. 6 is a participator software out-of-band multimedia information flow diagram of the present invention.

FIG. 7 is an illustration of a login/password screen of the present invention.

FIG. 8 is an illustration of a confirmation screen of the present invention.

FIG. 9 is an illustration of a channel list area screen of the present invention.

FIG. 10 is an illustration of a New Channel option pull-down menu screen of the present invention.

FIG. 11 is an illustration of a member on a new channel screen of the present invention.

FIG. 12 is an illustration of a second member on the new channel screen of the present invention.

FIG. 13 is an illustration of a communication on the new channel screen of the present invention.

FIG. 14 is an illustration of a private message window on the new channel screen of the present invention.

FIG. 15 is an illustration of a private message displayed on the private message window on the new channel screen of the present invention.

FIG. 16 is a further illustration of the private message on the private message window on new channel screen of the present invention.

FIG. 17 is an illustration of an attribute revocation on the new channel screen of the present invention.

FIG. 18 is a further illustration of the new channel screen of the present invention.

FIG. 19 is an illustration of the channel list window screen of the present invention.

FIG. 20 is an illustration of the toggle posting option on a screen of the present invention.

FIG. 21 is an illustration of a moderated version of the new channel screen of the present invention.

FIG. 22 is an illustration of a communication on a moderation window screen of the present invention.

FIG. 23 is an illustration of the communication passed on to the moderated version of the new channel screen of the present invention.

FIG. 24 is an illustration of a communication, for sending a graphical multimedia message, on to the moderated version of the new channel screen of the present invention.

FIG. 25 is an illustration of a communication, for passing a URL (Uniform Resource Locator) to channel members, on a moderator pull-down menu screen of the present invention.

FIG. 25 is an illustration, showing the name of the URL, on a moderated version of the new channel screen of the present invention.

FIG. 26 is an illustration of data associated with the graphical multimedia message on a moderated version of the new channel screen of the present invention.

FIG. 27 is an illustration of a proprietary editor, suitable for a dialog to change tokens, on a screen of the present invention.

FIG. 28 is an illustration of a text-based interface login/password screen of the present invention.

FIG. 29 is an illustration of a text-based interface group screen of the present invention.

FIG. 30 is another illustration of a text-based interface group screen of the present invention.

FIG. 31 is another illustration of a text-based interface group screen of the present invention.

FIG. 32 is an illustration of a text-based interface private message screen of the present invention.

4

FIG. 33 is another illustration of a text-based interface private message screen of the present invention.

FIG. 34 is another illustration of a text-based interface group with moderator screen of the present invention.

VI. DETAILED DESCRIPTION OF THE DRAWINGS

In providing a detailed description of a preferred embodiment of the present invention, reference is made to an appendix hereto, including the following items.

Appendix Contents

- ALLUSER C
- ALLUSER H
- CHANNEL C
- CHANNEL H
- CHANNEL HLP
- CLIST C
- CLIST H
- CLIST HLP
- EDITUSER C
- EDITUSER H
- ENTRYFRM C
- ENTRYFRM H
- ENTRYFRM HLP
- HELP C
- HELP H
- HELPSCR C
- HELPSCR H
- LINEEDIT C
- LINEEDIT H
- LIST C
- LIST H
- LOGIN HLP
- MAIN C
- MAKEFILE
- MESSAGE C
- MESSAGE H
- MODERAT HLP
- PRIVATE C
- PRIVATE H
- PRIVATE HLP
- SOCKIO C
- SOCKIO H
- STR C
- STR H
- UCCLIENT
- USER C
- USER H
- WINDOW C
- WINDOW H

Note that the appendix includes code for two different embodiments: a Telnet embodiment and a JAVA embodiment. Documentation and error messages, help files, log files, are also included in the appendix. While platform controlled embodiments are within the scope of the invention, it is particularly advantageous to have a platform independent embodiment, i.e., an embodiment that is byte code compiled.

Referring now to FIG. 1, the overall functioning of a computerized human communication arbitrating and distributing System 1 of the present invention is shown with odd numbers designating hardware or programmed hardware, and even numbers designating computer program logic and data flow. The System 1 includes a digital Controller Computer 3, such

US 8,407,356 B1

5

as an Internet service provider-type computer. The Controller Computer 3 is operating with an operating system.

System 1 also includes a plurality of digital Participator Computers 5, each of which may be an IBM-compatible personal computer with a processor and a DOS operating system. Each of the Participator Computers 5 includes an Input Device 7 for receiving human-input information from a respective human user. The Input Device 7 can be, for example, a keyboard, mouse or the like. Each of the Participator Computers 5 also includes an Output Device 9 for presenting information to the respective user. The Output Device 9 can be a monitor, printer (such as a dot-matrix or laser printer), or preferably both are used. Each of the Participator Computers 5 also includes a Memory 11, such as a disk storage means.

The System 1 includes a Connection 13 located between, so as to link, the Controller Computer 3 with each of the Participator Computers 5. The Connection 13 can be an Internet or more particularly, a World Wide Web connection.

The Controller Computer 3 is running and under the control of Controller Software 2, which directs the Controller Computer 3 to arbitrate in accordance with predefined rules including a user identity, which ones of the Participator Computers 5 can interact in one of a plurality of groups through the Controller Computer 3 and to distribute real time data to the respective ones of the groups.

The Participator Computers 5 are each running and under the control of Participator Software 4, which directs each of the Participator Computers 5 to handle a user Interface 6 permitting one said user to send a multimedia information Message 8 to the Controller Computer 3, which arbitrates which of the Participator Computers 5 receives the multimedia information Message 8 and which conveys the multimedia information Message 8 to the selected participator computers 5 to present the multimedia information Message 8 to the respective user.

The present invention comprehends communicating all electrically communicable multimedia information as Message 8, by such means as pointers, for example, URLs. URLs can point to pre-stored audio and video communications, which the Controller Computer 3 can fetch and communicate to the Participator Computers 5.

Turning now to FIG. 2, there is shown a communications overview of the present invention. Beginning with the Controller Computer Software 2, reference is made to Block 10, which illustrates demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block 10 links to Block 12, which is illustrative of channel A Block 10 also links to Block 14, which illustrates handling private message A. Block 10 also links to Block 16, illustrative of handling out-of-band media. Block 10 additionally links to Block 18, which illustrates asynchronous status messages.

Multiple connections between the controller computer 3 and a plurality of participator computers 5 permit communication implemented via the interplay of controller software 2 and participator software 4. With particular regard to the participator software 4 illustrated in FIG. 2, Block 20 is illustrative of demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block 20 links to Block 22, which is illustrative of channel A Block 20 also links to Block 24, which illustrates handling private message A. Block 20 also links to Block 26, illustrative of handling out-of-band media via Block 28, which is illustrative of a Web browser or auxiliary computer program. Block 20 also links to Block 30, which illustrates

6

asynchronous status message handling via Block 32, illustrative of user interface objects windows and screens.

De/multiplexing via API provides a "virtual connection" between Channel, Private Message, and Multimedia objects in the controller computer 3 and each participator computer 5. An alternate architecture is to allow for a separate connection between each object so that multiplexing/demultiplexing is not necessary and each object handles its own connection. This would influence system performance, however.

Turning now to FIG. 3, a data and communications dependency diagram controller group channel structure is illustrated. Beginning from what is designated as a portion of Block 10 the logic flows to Block 34 to consider JOIN, LEAVE, STATUS, SETCHAN API instructions. Block 34 examines member list maintenance instructions, accessing Block 36 to check permissions, list users, and change attributes. Note the exploded window 38 shows a display of member information including a user's name, personal information, and attributes/properties/permissions (operations involving the subsequently discussed tokens), i.e., stored per channel attributes under each member. In any case, confirmation or denial of access is communicated via Block 40 for multiplexing return of status messages to a target object.

From the portion of Block 10, the logic flows to Block 42 for MESSAGE and MODMSG API instructions. Block 42 tests which of the two instructions were received, and for MODMSG, the logic flows to Block 44, which tests whether the user is a moderator. If the user is not a moderator, the logic flows to Block 46, which sends a denial message through Block 40. If, however, the in Block 44 the user is a moderator, the logic flows to Block 48 for a repeat to all list members who are permitted to see the message, via Block 40.

Returning to Block 42, if MESSAGE is detected, the logic flows to Block 50, which tests whether a user has post permission. If the user has post permission, the logic flows to Block 48, etc. If the user does not have post permission, the logic flows to Block 52 to forward the message to moderators for approval, via Block 40.

Additionally, the logic flows from Block 10 to Block 54 for a URL API instruction. Block 54 tests whether the user has graphical multimedia communication privileges, and if not, the logic flows via Block 56, which sends a denial message via Block 40. Otherwise, if the user does have graphical multimedia communications privileges in Block 54, Block 58 sends graphical multimedia information to all approved users via Block 40.

Turning now to FIG. 4, central controller loop communications is illustrated. For the data on central poll point 58 (see Appendix POLL_POINT), a "do" loop begins at Block 60 for each connection. Block 62 tests whether bytes are available on the data stream. If they are, the bytes are added to user space FIFO per connection at Block 64, leading to Block 66, which tests whether there are any more connections. Note that in FIG. 4, if there are no more bytes available in Block 62, the logic skips to Block 66, and if Block 66 is not finished with all connections, the loop returns to Block 62. When all connections have been completed in Block 62, the logic flows to Block 68, which looks for an available complete data instruction for any connection by extracting packets byte-wise from the FIFO. Thereafter, Block 70 tests whether there is a complete response available from the participator computer. If the response is complete, the logic flows to Block 72 which, using a command type, demultiplexes into an appropriate object (output FIFOs may be filled here for any connection). The logic from Block 72 joins the "no" branch from Block 70 at

US 8,407,356 B1

7

Block 74, which enables unblocking for writing connections for only connections with data available to write, looping back to Block 58.

FIG. 5 shows a client channel data structure and information flow diagram. From a message that is demultiplexed by message type, there are six possibilities: ERROR MESSAGE, MESSAGE, STATUS, JOINCHANNEL, LEAVECHANNEL, and MODMSG. ERROR MESSAGE is communicated to Block 76, where the error message is displayed to the transcript in the transcript area of Block 80. MESSAGE is communicated to Block 78 where the message is immediately added to the transcript in transcript area 78. STATUS is communicated to Block 82 to update user data structure; JOINCHANNEL is communicated to Block 84 to remove a user from the member list and display the change; and LEAVECHANNEL is communicated to Block 86. From Block 82, Block 84, and Block 88, the logic flows to Block 88, which includes a member list, a member identifier, known attributes/permissions/properties, and personal information. From Block 88, the logic proceeds to Block 90, a member list area, and on to Block 92 to compose a request to change a member attribute. This "SETCHAN request is then communicated to Block 94, which is the multiplexer leading to the controller computer connection.

MODMSG is communicated to Block 96, which sends the message to the moderation area of Block 98, and then to Block 100 to resubmit a member message as approved, thereby conveying a MODMSG request to Block 94.

Note that a response is prepared in the response area of Block 102. If the response is a standard message, it is conveyed to Block 104 to compose the response into a controller message, thereby sending a MESSAGE request to box 94. If, however, the message is a graphical information submission, the logic flows from Block 102 to Block 106 to compose the graphical information submission into a controller message, thereby sending a URL request to Block 94.

FIG. 6 is a participator software out-of-band multimedia information flow diagram, which begins with Block 26, the multimedia type patch point. Block 26 leads to Block 102, which tests whether there is an internally handlable multimedia type. If not, Block 104 looks up a suitable agent for data type presentation, which leads to Block 106, which tests whether an agent was found. If not, Block 108 reports location of data to the user for future referencing. If the agent is found in Block 106, the logic flows to Block 110, which invokes the agent with a data reference to present the data.

If the multimedia type is internally handlable from Block 102, the logic flows to Block 112, which tests whether this is a member associated image. If it is a member associated image, Block 114 displays the image next to member identity information, and if it is not, the logic flows to Block 116, which tests if this is a member public data reference (e.g., a URL). If a URL is detected at Block 116, Block 118 invokes an external data type viewer only on demand of the operator of the participator software, and otherwise Block 120 stores the reference for future use by the operator of the participator software, or treats the reference as an externally handled multimedia type (at the user's option).

With further regard to the manner of interaction between the controller computer 3 and the participator computers 5, and their respective computer programs 2 and 4, includes a moderation capability that is controlled, or arbitrated, pursuant to system 1 recognizing user identity. Note that using the user identity for moderation purposes is a use additional to the use of the user identity for security purposes.

One embodiment of the present invention is to bring chat capability to the internet and World Wide Web. However,

8

another embodiment involves non-internet relay chat. In either embodiment, System 1 is state driven such that synchronous and asynchronous messages can be communicated. For an asynchronous notification, each message is sent through the system 1 (API), which updates the information on the output device of the participator computers 5. For a synchronous notification, a participator computer 5 must interrogate the system 1 for a message.

With regard to the arbitrating of the controller computer 3 is directed by the controller computer program 2 to use "identity tokens", which are pieces of information associated with user identity. The pieces of information are stored in memory 11 in a control computer database, along with personal information about the user, such as the user's age. The control computer database serves as a repository of tokens for other programs to access, thereby affording information to otherwise independent computer systems. In the database, the storage of tokens can be by user, group, and content, and distribution controls can also be placed on the user's tokens as well as the database.

Each token is used to control the ability of a user to gain access to other tokens in a token hierarchy arbitration process. The arbitration also includes controlling a user's ability to moderate communications involving a group or subgroup of the participator computers 5. Once in a group, temporary tokens are assigned for priority to moderate/submoderate groups (a group is sometimes known as a channel in multiplexing terminology).

Accordingly, tokens are used by the controller computer 5 to control a user's group priority and moderation privileges, as well as controlling who joins the group, who leaves the group, and the visibility of members in the group. Visibility refers to whether a user is allowed to know another user is in the chat group.

Tokens are also used to permit a user's control of identity, and in priority contests between 2 users, for example, a challenge as to whether a first user can see a second user.

Censorship, which broadly encompasses control of what is said in a group, is also arbitrated by means of the tokens. Censorship can control of access to system 1 by identity of the user, which is associated with the user's tokens. By checking the tokens, a user's access can be controlled per group, as well as in giving group priority, moderation privileges, etc.

Censorship also can use the tokens for real time control of data (ascii, text, video, audio) from and to users, as well as control over multimedia URLs—quantity, type, and subject.

With regard to controlling communications in a group (which is in essence a collection of user identities), control extends to seeing messages, seeing the user, regulating the size of the communication, as well as the ability to see and write to a specific user. Control further extends to the ability to send multimedia messages.

Note that tokens for members in group can involve multiples formed in real time, say, within the span of a conversation. For example, for private communication, tokens are immediately formed to define a group of 2 users. Hierarchical groups within groups can also be formed, with each inheriting the properties of the group before it. Thus, a subgroup can include up to all members or more by adding any surplus to the former group.

With further regard to the controller computer 3, e.g., a server, information is controlled for distribution to the user interfaces at selected ones of the participator computers 5. The controller computer program, in one embodiment, can be a resident program interface (such as a JAVA application). There can be a token editor object (window/tear down, etc.)

per group, private communication, user, channel listings, user listings, etc. Each can link up in a token hierarchy for arbitration control.

The controller computer **5**, by means of the controller computer program **2**, keeps track of states and asynchronous messages as well as generating a synchronous message as a user logs in or interrogates system **1**.

With regard to multimedia information messages **8**, such messages are of independent data types, e.g., audio/video data types. The content of the message (e.g., a URL.) permits the System **1** to automatically determine the handling of the message: either the Controller Computer **3** passes the content of Message **8** directly, or the Controller Computer **3** determines from the Message **8** how to find the content, say via Netscape. Accordingly, Message **8** can communicate video and sound (or other multimedia, e.g., a URL) to users, subject only to the server arbitration controls over what can be sent.

Turning now to an illustration of using the invention, the session starts with verifying the user's identity (at FIG. 7). The login/password screen is shown, and the user enters his/her assigned login/password combination and clicks the "Login To Chat" button. If the password was entered correctly, a confirmation box appears on the screen.

Then the channel list area is shown at FIG. 8. The Channel List area is a window which shows a list of all of the groups currently on the server in active communication. Because no one is yet connected in this example, there are no groups currently available on the screen.

To create a new group, the "New Channel" option is selected from a pull-down menu (at FIG. 9). The name of the channel is entered by the input device **7**.

If the user has permission (this one does), a new channel is created for the group (at FIG. 10). The window that displays the channel area has three regions: the bottom region, where responses are entered; the largest region, where a transcript of the communication is followed; and the rightmost region, which lists the group's current members. This list is continuously updated with asynchronously generated status messages received immediately when a new member joins the group. Only "DMARKS" is currently in this group. The "MWU" is the properties currently associated with DMARKS—the ability to moderate, write to the channel, and send multimedia messages.

A new member has joined the channel, and the member list status area is updated right away (at FIG. 11). This new member has a login of "ME."

The user DMARKS now types "hello there" into the response area and presses RETURN (at FIG. 12). This message is passed to the controller computer **5**, which sends the message to all channel members, i.e., those using participator computers **5**, including DMARKS.

The user ME now sends a message to the controller: "hi there" (at FIG. 13). This message is also sent to all members by the controller computer **5**. Now user DMARKS clicks (using input device **7**, a mouse) on the name of the user "ME" in the member list window. The participator software **4** will now create a private message window, so that the users ME and DMARKS can exchange private messages. Private messages are only sent to the intended recipient by the controller, and no one else.

A private message window appears in response to DMARKS's request to open private communications with ME (at FIG. 14). Now DMARKS types a message into the private message window's response area to ME: "this message is seen only by the user ME." When complete, the participator software **4** will forward this message to the controller computer **3**.

In response, the user ME has entered "This is the private message response that is only seen by the user DMARKS," which has been forwarded to user DMARKS (at FIG. 15). This message is displayed immediately on DMARKS's window.

DMARKS now returns to the channel window for the group "TESTCHANNEL" (at FIG. 16). To modify the permission attributes associated with user ME on the channel TEST CHANNEL, DMARKS (who is a moderator of the channel), clicks on the user ME in the member list to select ME, pulls down the Moderator menu, and selects "Toggle Moderator." This removes the moderator privileges from ME.

As a result of the attribute revocation, the "M" has disappeared from next to ME's name in the member list (at FIG. 17), indicating that the property is no longer associated with the user ME.

Now DMARKS returns to the Channel List window (at FIG. 18). DMARKS wishes to fully moderate the contents of the channel TESTCHANNEL, censoring all unwanted communications to the channel. DMARKS returns to the channel list, and selects the channel TESTCHANNEL by clicking on its name in the channel list.

Now DMARKS selects the "Toggle All Posting" option in the Maintenance pull-down menu (at FIG. 19). This will turn off the channel property "posting," (or sending communications to the channel without moderator approval) which will be indicated by the removal of the letter "P" from next to the name TESTCHANNEL (at FIG. 20).

Now the letter "P" is removed from after the name TESTCHANNEL in the Channel List window (at FIG. 21), indicating that this channel is now moderated and will only have free posting ability by designated members.

Now, type user ME (who is also on channel TESTCHANNEL) wishes to send communications: "this will not be written directly to the channel" (at FIG. 22). The controller, instead of sending it immediately to the channel to be seen by all members, will instead forward the message to the moderators for approval. The moderator, DMARKS, will then see the message on the Moderation Window, which provides a preview of any messages to be sent. To approve a message for general viewing, DMARKS now clicks on the message.

Now that DMARKS has clicked directly on the message, it is displayed inside the group's Channel window for all members to see (at FIG. 23).

DMARKS now wishes to send a graphical multimedia message. This implementation sends graphical multimedia images by allowing a channel member to specify an Internet URL of a graphical multimedia resource to be presented to the group members. In this example, DMARKS wishes to send the URL "http://www.ais.net" (corresponding to the World Wide Web home page of American Information Systems, Inc.) to the channel members. DMARKS enters the URL into the response window, and selects "Send URL" from the Moderator pull-down menu (at FIG. 24).

The controller computer **5** now passes the URL to the channel members. This participator software **4** performs two actions in response to the graphical multimedia display request. The first is to put the name of the URL onto the transcript of the group's channel, so that it can be read by group members. The second response is to have the participator software show the data associated with the graphical multimedia message in a human interpretable way (at FIG. 25). To do this, the participator software **6** either uses built in rules to decide how the graphical multimedia data is to be presented, or locates another program suitable to present the data. In this case, the software **6** is utilizing Netscape Navigator, a program for displaying graphical multimedia docu-

US 8,407,356 B1

11

ments specified by a URL (at FIG. 26). Inside the Navigator window, the graphical multimedia content, the home page of AIS, is shown.

Finally, DMARKS wishes to manually modify the attribute tokens associated with the user (at FIG. 27). The user invokes the Property Editor dialog, which allows the user to view and change the tokens associated with a user. A property of a given user is determined by the Identifier and Property names. An old value of the property is shown, and a token value can be changed in the “New Value” field. With this property editor, a user with sufficient permissions (tokens) can change any of the tokens or security parameters of any user, or a user’s ability to change security parameters can be restricted.

To start with an alternate embodiment using a text-based interface, a user is presented by the login/password screen (at FIG. 28). This screen is where a user enters the information that proves his/her identity. The user must now enter his/her login and password to identify themselves.

After the user has been identified by the controller the Channel List screen appears (at FIG. 29). The names of channels and their associated properties are shown on this screen. By using the arrow keys and highlighting the desired channel, ME may enter any publicly joinable group. Currently, there is only one group TESTCHANNEL, which ME will join.

Now the screen for the channel TESTCHANNEL appears (at FIG. 29). The screen is split into four regions. The bottom left region is the response line, where messages users wish to enter appear. The upper left region is the transcript area where the communications of the group’s channel appear as they occur. The upper right region is the Member List region, where a continuously updated list of members’ names appear, with their attributes.

A message appears in the transcript area. The controller has forwarded a message to the group from DMARKS, “hello there” (at FIG. 31), which is seen by all members of the group, including ME. Now ME will respond, by entering “hi there” into the response area.

When ME is finished entering his response, the participator software forwards the response to the controller, which sends it to the members of the channel. In the transcript area, the participator software notifies the user that it has received a private message from DMARKS, which is waiting inside the private message screen. To see the private message, ME presses the private message screen hot key.

A private message screen appears (at FIG. 32), and the private message from DMARKS is at the bottom of the transcript area. Now to reply, ME types his response into the response area.

Now ME will return to the screen for the channel TESTCHANNEL. The member list area has changed because DMARKS has revoked ME’s moderator permission. ME is no longer permitted to see the permissions of other users, so this information has been removed from his display (at FIG. 33). The only information he can see now is who is moderator (at FIG. 34). A “*” next to the identifier of a member of the group indicates the member is a moderator of the group. ME is no longer a moderator, and therefore a “*” does not appear the identifier ME.

To further exemplify the use of the present invention, the following is a transcript of communications produced in accordance herewith.

POWERQUALITY JOHNMUNG: unclear about meaning of “first contingency”
 POWERQUALITY SAM: mike, that is correct on IEEE 519
 POWERQUALITY SKLEIN: In assessing network security (against outage) the first contingencies are tested to see how

12

the power system should be reconfigured to avoid getting a second contingency and cascading into an outage.

POWERQUALITY MSTEARS: These outages point out the need for reliability as part of the overall customer picture of PQ

POWERQUALITY BRIAN: Hi Jennifer, hit crt-p for private messagae

POWERQUALITY SKLEIN: In simpler terms, a single point failure shouldn’t crash the system.

POWERQUALITY SKLEIN: Are we all chatted out?

POWERQUALITY ANDYV: brian, johnmung has been banned!!! why?

POWERQUALITY BRIAN: no way, new subject

POWERQUALITY BRIAN: just a sec, andy

POWERQUALITY BRIAN: No banning on this channel, John is back on

POWERQUALITY TKEY: ieee 519 limits the harmonic current a customer can inject back into the pcc and limit the vthd the utility provides at the PCC

POWERQUALITY JOHNMUNG: thanks guys, for unbanning me—i’ve been thrown out of better places than this!

POWERQUALITY BRIAN: New subject . . . now . . .

POWERQUALITY BRIAN: good one john . . . :)

POWERQUALITY MSTEARS: For critical facilities dual feeds or other backup capability need to be economically evaluated to keep the facility in operation

POWERQUALITY SAM: John, I remember that club very well

POWERQUALITY JOHNMUNG: question: please comment on frequency of complaints involving spikes, sags or harmonics

POWERQUALITY WARD: Problems caused by sags is the main complaint.

POWERQUALITY BRIAN: What subject does anyone want to see the next chat

POWERQUALITY WARD: Surges is probably next; harmonics really don’t cause that many problems, although they are certainly there.

POWERQUALITY ANDYV: what is the solution ward?

POWERQUALITY TKEY: Agree they are the most frequent (sags) and the panel sesion on the cost of voltage sags at PES drew 110 people

POWERQUALITY SAM: harmonics tend to be an interior problem within a facility, rather than on the distribution system

POWERQUALITY WARD: The best solution is making the equipment less susceptible to sags. This requires working with the manufacturers.

POWERQUALITY ANDYV: won’t that cost more

POWERQUALITY MSTEARS: The complaint of surges covers many things in the customers eyes sags have become a real problem because they are harder to resolve

POWERQUALITY GRAVELY: John—The latest EPRI results confirms the 90+% of the time SGS are the problem and short term ones.

POWERQUALITY WINDSONG: What is the topic for the 25??

POWERQUALITY WARD: Each problem can be dealt with as it occurs, but the time involved gets very expensive.

POWERQUALITY JOHNMUNG: making equipment less susceptible causes legal problems for manufacturers—as each improvemnt can be cited by compinant as example of malfeasance

POWERQUALITY WARD: AndyV: The cost to the manufacturer increases. The overall cost to everyone involved decreases.

US 8,407,356 B1

13

POWERQUALITY TKEY: customer pays any way you cut it, if the eqpt is more immune customers pay only once instead of every time the process fails

POWERQUALITY BRIAN: The topic is regarding Power Quality

POWERQUALITY BRIAN: This chat is available for every-
one 24 hours a day

POWERQUALITY ANDYV: ddorr>>will the manufacturer spend more to produce a better product

POWERQUALITY WARD: And as Tom says, the cost to the
customer is far less.

POWERQUALITY BRIAN: This chat will be functioning 24
hrs/day

POWERQUALITY BRIAN: please use it

POWERQUALITY BRIAN: The next panel discussion is
Nov 15th

POWERQUALITY WARD: Andy, that's where standards
come in.

POWERQUALITY SKLEIN: Is the customer capable of
resolving the fingerpointing among the manufacturers and
utilities?

POWERQUALITY DDORR: andy, only if the end users
create a market for pq compatible eqpt by demanding better
products

POWERQUALITY MSTEARS: The manufacturers prob-
lems in including fixes is being competative with some who
doesn't provide the fix

POWERQUALITY ANDYV: how will we educate the gen-
eral consumer?

POWERQUALITY GRAVELY: Is it possible to have a basic
theme topic or some core questions for 15 Nov chat?

POWERQUALITY WARD: Stan, the customer cannot be
expected to resolve the fingerpointing. The manufacturers
and utilities need to work together.

POWERQUALITY ANDYV: about power quality and reli-
ability?

POWERQUALITY SKLEIN: If electric power is going to be
treated as a fungible commodity, there has to be a definition.
Like, everyone knows what number 2 heating oil is.

POWERQUALITY SAM: Ideally a manufacturer would not
be able to compete if they don't add the protective function in
their products, but alot more public education is required
before we get to this point.

POWERQUALITY WARD: Andy, there are many ways to
educate the customers, but they require a lot of contact
between the utility and the customers. The Western Resources
Power Technology Center in Wichita is doing it, just as an
example.

POWERQUALITY DDORR: standard power vs premium
power is one solution as is std qpt vs Pq compatible eqpt

POWERQUALITY SKLEIN: I want to buy number 2 electric
power and to be able to check the nameplates of my appli-
ances to be sure they can take it. Just like I buy regular
gasoline.

POWERQUALITY MSTEARS: Sam—I agree, that is partly
the utilities responsibility since we serve the customers

POWERQUALITY BBOYER: What differentiates number 2
from number 1?

POWERQUALITY SKLEIN: I used the analogy of number 2
heating oil. I don't know what number 1 heating oil is.

POWERQUALITY DDORR: Number two has cap switching
and all the normal utility operational events while number one
is much better

POWERQUALITY SKLEIN: Perhaps we can just say regu-
lar vs high test.

POWERQUALITY SAM: mike, yes a joint effort between
the utility, manufacturer and standards jurisdictions is a goal

14

for utilicorp as we move forward with offering from our
strategic marketing partners, and bring PQ technologies to the
public

POWERQUALITY TKEY: We are finding that many mfgs
5 want to produce pq compatible equipment, but they have no
clue as to what to test for

POWERQUALITY ANDYV: Tom>>will the IEC standards
help?

POWERQUALITY TKEY: Its up to the utility to help define
normal events IEC will take time

POWERQUALITY SKLEIN: You can't have a commodity
product with all the variation in specifications we have been
discussing. It has to be regular, premium, and super premium
or it won't work.

POWERQUALITY JOHNMUNG: Tom as a former manu-
facturer i sympathize—your work at PEAC is invaluable but
anecdotal knowledge from utility people on the firing line is
equally important

POWERQUALITY TKEY: Super premium, does that mean a
UPS?

POWERQUALITY ANDYV: how do you stop a facility from
affecting you super-premium power?

POWERQUALITY TKEY: John, Good Point

POWERQUALITY SAM: Tkey, a ups, local generation or
redundant service

POWERQUALITY SKLEIN: This is what I meant earlier by
electricity being a non-virtualizable service. You can't make
each customer see the power system as though they had their
own dedicated generating plant.

POWERQUALITY BRIAN: THE CHAT CHANNEL WILL
BE OPEN 24/HRS/DAY 7 DAYS A WEEK

POWERQUALITY TKEY: I must sign out for about 5 min-
utes but I'll be back

POWERQUALITY BRIAN: OK TOM

POWERQUALITY MSTEARS: PQ for facilities need to be
done with a system perspective to to get the right resolution

POWERQUALITY BBOYER: Andy's question is still rel-
evant—how do stop a facility from downgrading utility ser-
vice to other customers?

POWERQUALITY BRIAN: MIKE>>LETS SWITCH
BACK TO RETAIL WHEELING

POWERQUALITY WARD: You work with that customer to
do whatever is needed to correct their disturbances.

POWERQUALITY BBOYER: Be more specific

POWERQUALITY MSTEARS: Interaction between facil-
ities can be evaluated and designed for

POWERQUALITY JOHNMUNG: as a key to hardening it
helps to identify the most sensitive circuits, i.e. microproces-
sor logic, test for vulnerability under common surges, sags,
rfi, and then notify users that their equipment contains these
subsystems—for a start

POWERQUALITY BRIAN: hi DOUG

POWERQUALITY GRAVELY: Brian: Are you saving this
session as a file? Can we get a list of chat session participants?

POWERQUALITY BRIAN: s, we may

POWERQUALITY DMARKS: gravelly: hit TAB and use the
arrow keys to page through the list of participants

POWERQUALITY SKLEIN: Will the session be available
for downloading?

POWERQUALITY BRIAN: yes, Mike we will publish in PQ
Magazine

POWERQUALITY WARD: Part of the agreement for high
quality power should be that the customer receiving the power
will not disturb the utility system.

US 8,407,356 B1

15

POWERQUALITY BRIAN: if john let's us

POWERQUALITY GRAVELY: I tried that, however, net-cruiser has a software problem and I cannot see all of the names.

POWERQUALITY SAM: most utilities rules and regulations already require that a customer not put anything back out on the utility system

POWERQUALITY BRIAN: MIKE G.>>WE WILL PUBLISH THIS IN PQ MAG NEXT MONTH IF ASNDY US

POWERQUALITY BRIAN: HOW ABOUT IT ANDY?

POWERQUALITY ANDYV: ok

POWERQUALITY BRIAN: COOL

POWERQUALITY WARD: Standards will have to be set for what constitutes a disturbance, and then the utility should work with customers, install filters, etc., to be sure they stay within the rules.

POWERQUALITY BRIAN: THANKS ANDY

POWERQUALITY ANDYV: a meeting review or a summary of events

POWERQUALITY GRAVELY: It would be good to take a few minutes to recommend how the 15 Nov session could be more effective.

POWERQUALITY BRIAN: A SYNAPSE OF THIS CHAT WILL BE IN NEXT MONTHS PQ MAG

POWERQUALITY WINDSONG:

POWERQUALITY SKLEIN: I don't get PQ mag. Will it be on the Net?

POWERQUALITY BRIAN: STAN SIGN UP FOR IT ON OUR HOME PAGE

POWERQUALITY DOUGC: the transcript of this conference will be available on the EnergyOne pages.

POWERQUALITY BRIAN: YOU CAN SIGN UP ON LINE
POWERQUALITY BRIAN: HTTP://WWW.UTILICORP.COM

POWERQUALITY WINDSONG: Good comment Gravelly Comments from the users would be greatly appreciated!!

POWERQUALITY SAM: PQ magazine is available online on the UCU Internet bulletin board, <http://www.utilicorp.com>

POWERQUALITY ANDYV: or link from powerquality.com

POWERQUALITY BRIAN: YOU CAN GET A FREE MAG SUBSCRIPTION FROM UTILICORP'S HOME PAGE

POWERQUALITY SKLEIN: Thanks

POWERQUALITY BRIAN: ALSO, THERE IS A PQ FORUM ON OUR HOME PAGE

POWERQUALITY JOHN MUNG: for nov 15 shall we pick five key topics? suggest health care, energy storage rfi/emc as a few topics—also new gas turbine 25 kw generator just announce today—just some suggestions

POWERQUALITY BRIAN: GOOD SUGGESTION JOHN
POWERQUALITY ANDYV: lets develop an outline of topics for next time.

POWERQUALITY BRIAN: OK

POWERQUALITY GRAVELY: One suggestion for 15 Nov—Have participants place a list of desired topics on your other chat box and prioritize by interest level.

POWERQUALITY SKLEIN: How about deregulation and retail wheeling.

POWERQUALITY BRIAN: COMMENTS SHOULD BE SENT TO ME BY EMAIL

POWERQUALITY BRIAN: BSPENCER@UTILICORP.COM

POWERQUALITY BRIAN: 15 minutes remaining

POWERQUALITY ANDYZYREK: Let's discuss the new standard IEEE 1159.

POWERQUALITY ANDYV: may be we could generate an online questionnaire to see what people are needing discussed.

16

POWERQUALITY BRIAN: but the chat is available for 24 hrs/day 7 days a week

POWERQUALITY ANDYV: what does IEEE1159 address?

POWERQUALITY BRIAN: Please send all suggestion to me for our next chat

POWERQUALITY BRIAN: Bobbin is not banned now

POWERQUALITY BRIAN: my fault

POWERQUALITY ANDYZYREK: New PQ measuring techniques. We have not received our issue yet.

POWERQUALITY ANDYV: You should have it my now.

POWERQUALITY BRIAN: Bobbin is not banned anymore

POWERQUALITY ANDYV: you can e-mail me or john at: editors@powerquality.com

POWERQUALITY BRIAN: is two hours right fdo rhtis feature

POWERQUALITY JOHN MUNG: do i understand that many programmable logic controllers can be hardened by addition of simple CVT like a sola?

POWERQUALITY ANDYZYREK: Yes, but it is being delivered by snail mail.

POWERQUALITY ANDYV: no 2nd class

POWERQUALITY BRIAN: 15 minutes to go

POWERQUALITY ANDYV: Please e-mail me you complete name and address and I will mail you one today 1st class . . . now is that serice or what?

POWERQUALITY BRIAN: Is two hours long enough for thtis chat?

POWERQUALITY TKEY: Im back

POWERQUALITY WARD: Brian, I think two hours is about right.

POWERQUALITY BRIAN: hi tom

POWERQUALITY BRIAN: good . . .

POWERQUALITY ANDYV: yes I agree 2 hrs

POWERQUALITY BRIAN: anyone else

POWERQUALITY ANDYV: it the time of day correct?

POWERQUALITY BRIAN: questions now

POWERQUALITY SKLEIN: The topic foremost in my mind right now is what to eat for lunch. I enjoyed the discussion, which I understand has been historic in some sense. But I think I will sign off now and go eat.

POWERQUALITY SAM: 2 hours seems to work very well

POWERQUALITY DANIELH: time of day is good

POWERQUALITY BILLMANN: 2 hrs is fine

POWERQUALITY MSTEARS: Two hours work well, the middle of the day allows east and west coast to be involved

POWERQUALITY BRIAN: good, Will everyone be back for the next chat

POWERQUALITY GRAVELY: Brian, I will forward my recommendations on email, thanks.

POWERQUALITY BILLMANN: yes i'll be back

POWERQUALITY ANDYZYREK: Brian, would it be possible to have a forum published on your home page prior to Nov 15.

POWERQUALITY BRIAN: I would like to do another chat before Nov 15th, any thoughts

POWERQUALITY ANDY: U bet

POWERQUALITY SAM: I believe that this chat may set an attendance record for most participants during a first session

POWERQUALITY JOHN MUNG: a parting thought—"harmonics make the music rich, they make the tone inspring—harmonics in your power line WILL BLOW THE BUILDINGS WIRING" tM MUNGENAST

POWERQUALITY BRIAN: Your're all invited to return

POWERQUALITY BRIAN: the next chat

POWERQUALITY BRIAN: This chat feature will help set standards of how we view our industry

US 8,407,356 B1

19

POWERQUALITY BRIAN: next chat is 10-12
 POWERQUALITY BRIAN: ct
 POWERQUALITY BRIAN: nov 15th
 POWERQUALITY BRIAN: bye
 POWERQUALITY RB: thanks
 POWERQUALITY BRIAN: no prob, tell all
 POWERQUALITY ANDY: Is anyone still here talking about power quality?
 POWERQUALITY DAVE: Just signed on that is what I was trying to find out
 POWERQUALITY ANDY: the PQ chat was running from 11:00-1:00est
 POWERQUALITY ANDY: Were you involved then?
 POWERQUALITY DAVE: No I just got a chance to sign on now
 POWERQUALITY ANDY: there were some great discussions.
 POWERQUALITY ANDY: The transcripts will be available to down load at utilicorp.com Brian Spencer says.
 POWERQUALITY ANDY: What is your experience in PQ
 POWERQUALITY DAVE: That is what I was looking for, are they available to down load now, I work in a data center and have worked with UPS systems for about 12 years
 POWERQUALITY DAVE: I did field service for Exide
 POWERQUALITY ANDY: Brian just went to Lunch in KS I don't know when it will availalbe.
 POWERQUALITY DAVE: Thanks for the Info on the down-loads, I hope they do this again
 POWERQUALITY ANDY: so do I.
 POWERQUALITY DAVE: What is your experience on PQ
 POWERQUALITY ANDY: I am the editor or Power quality mag.
 POWERQUALITY DAVE: Good mag., I pick up alot in it
 POWERQUALITY ANDY: do your receive power quality assurance magazine?
 POWERQUALITY ANDY: great glad to hear it.
 POWERQUALITY DAVE: We get it at work but I have asked to have it sent to my home
 POWERQUALITY ANDY: did you get the latest issue with the lighting on the cover?
 POWERQUALITY DAVE: Not yet, have seen it on line though
 POWERQUALITY ANDY: great.
 POWERQUALITY ANDY: any suggestion for editorial?
 POWERQUALITY DAVE:
 POWERQUALITY DAVE: no it is good
 POWERQUALITY ANDY: ok.
 POWERQUALITY ANDY: I am currently editing an article about VRLA battery charging.
 POWERQUALITY DAVE: I am working on a resonant problem with Utility and was looking for info
 POWERQUALITY ANDY: explain
 POWERQUALITY ANDY: by the way my e-mail is andy@powerquality.com
 POWERQUALITY DAVE: we are running a lot of 5th har. across our system in a large data center
 POWERQUALITY ANDY: I see
 POWERQUALITY ANDY: I will try to address this in an upcoming issue. may be march/april or even sooner.
 POWERQUALITY DAVE: we have 4800 kw of UPS cap on two transformers and we have alot of 5th on our other boards
 POWERQUALITY ANDY: If you are interested in writing up a case history including you solutions I would like to review it and poss. publish
 POWERQUALITY MSTONEHAM: Is this chat session still active?
 POWERQUALITY ANDY: YES

20

POWERQUALITY ANDY: We can't get enough! ! !
 POWERQUALITY DAVE: when we can get it fixed, It looks like we have a problem with input filtering on a couple of UPS,s
 5 POWERQUALITY ANDY: input fro the utility or a generator?
 POWERQUALITY DAVE: utility
 POWERQUALITY MSTONEHAM: I understand there was a chat session earlier today with some guest "chatters". Is there an archive of the discussion since I missed it?
 10 POWERQUALITY DAVE: we have 66 kv to 12 kv then to 480 v by 4 trans on property
 POWERQUALITY ANDY: What are you leaning towards in a solution dave
 15 POWERQUALITY ANDY: MTONEHAM>>yes but I don't know when. contact BSPENCER@utilicorp.com
 POWERQUALITY DAVE: the computer seem to have no problem, but we have alot of motor heating/bad PF
 POWERQUALITY MSTONEHAM: Thanks!
 20 POWERQUALITY DAVE: we currently are working with a consultant but I am looking for more info
 POWERQUALITY ANDY: will capacitors solve your problem
 POWERQUALITY ANDY:
 25 POWERQUALITY ANDY: there also is a forum under utilicorp.com where you can post you questions.
 POWERQUALITY DAVE: Each 600 kw UPS has Input filtering/may need trap for 5th
 POWERQUALITY ANDY: or you can access it form powerquality.com
 30 POWERQUALITY DAVE: thanks
 POWERQUALITY ANDY: Talk to ya later dave
 POWERQUALITY DAVE: is PQ.com your Mag
 POWERQUALITY ANDY: bye
 35 POWERQUALITY DAVE: bye
 POWERQUALITY ANDY: yes
 POWERQUALITY DAVE: thanks
 POWERQUALITY ANDY: :-)
 POWERQUALITY MSTONEHAM:
 40 POWERQUALITY MSTONEHAM: Is anyone else hear?
 There doesn't seem to be much traffic.
 POWERQUALITY MSTONEHAM:
 POWERQUALITY CILCOJRG: Hello—is the conference over?
 45 POWERQUALITY CILCOJRG:
 POWERQUALITY CILCOJRG: hello
 POWERQUALITY BRIAN: yes
 POWERQUALITY BRIAN: the conference was from 10-12 ct
 50 POWERQUALITY BRIAN: someone gave out the wrong information
 POWERQUALITY BRIAN: hello cilco
 POWERQUALITY BRIAN: anyone still there
 SUPPORT BRIAN: hi all
 55 SUPPORT BRIAN: anyone there
 POWERQUALITY BRIAN: jenny>>are you there
 POWERQUALITY CJBOUTCHER: is anyone here a utility employee?
 POWERQUALITY BRIAN: Hi chris
 60 POWERQUALITY BRIAN: how are you?
 POWERQUALITY CJBOUTCHER: hi brian it is quiet in here
 POWERQUALITY BRIAN: the conference was at 10:00ct
 POWERQUALITY CJBOUTCHER: ah I see
 65 POWERQUALITY CJBOUTCHER: when is the next one?
 POWERQUALITY BRIAN: nov 15th
 POWERQUALITY BRIAN: 10-12

21

POWERQUALITY BRIAN: ct
 POWERQUALITY CJBOUTCHER: is the channel open at other times?
 POWERQUALITY BRIAN: yes 24 hours a day
 POWERQUALITY CJBOUTCHER: but not much discussion?
 POWERQUALITY BRIAN: not right now,
 POWERQUALITY BRIAN: cya
 POWERQUALITY CJBOUTCHER: bye
 POWERQUALITY BRIAN: hi jenny
 POWERQUALITY JOSH: hello?
 POWERQUALITY BRIAN: hi dan
 POWERQUALITY BRIAN: hi dan
 POWERQUALITY BRIAN: are you awake yet?
 POWERQUALITY BRIAN: just giving present this a.m.
 POWERQUALITY BRIAN: :)
 POWERQUALITY BRIAN: who is guest96
 POWERQUALITY GUEST96: test

While a particular embodiment of the present invention has been disclosed, it is to be understood that various different modifications are possible and are within the true spirit of the invention, the scope of which is to be determined with reference to the claims set forth below. There is no intention, therefore, to limit the invention to the exact disclosure presented herein as a teaching of one embodiment of the invention.

The invention claimed is:

1. A method of communicating content among users using of a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method comprising:
 - authenticating a first user identity and a second user identity according to permissions retrieved from the repository of tokens of the database;
 - affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity;
 - affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;
 - running controller software on the controller computer, in accordance with predefined rules, to direct arbitration of which ones of the participator computers interactively connect within a group of the participator computers;
 - providing an API on the controller computer, the API multiplexing and demultiplexing API messages by type, creating a virtual connection and providing the virtual connection between channels, private messages, and multimedia objects in the controller computer and the participator computers; and
 - communicating real-time messages within the group of the interactively connected said participator computers.
2. The method of claim 1, wherein the communicating content includes communicating at least one of sound, video, graphic, pointer, and multimedia content.
3. The method of claim 2, wherein said at least one comprises at least two.
4. The method of claim 2, wherein said at least one comprises at least three.
5. The method of claim 2, wherein said at least one comprises at least four.
6. The method of claim 2, wherein said at least one comprises at least five.

22

7. The method of claim 1, wherein the communicating content includes communicating a pointer that allows the content to be produced on demand.
8. The method of claim 1, wherein the API includes API messages.
9. The method of claim 1, wherein communications among the controller computer and the participator computers are mediated via API messages.
10. The method of claim 9, wherein the API messages include JOIN, LEAVE, STATUS, SETCHAN, and MODMSG instructions.
11. The method of claim 9, wherein the API messages include MESSAGE and MODMSG instructions.
12. The method of claim 1, wherein the controller software includes multiplexing and de-multiplexing operations carried out as a message type on API messages.
13. The method of claim 12, wherein the message type includes ERROR MESSAGE, MESSAGE, STATUS, JOINCHANNEL, LEAVECHANNEL, and MODMSG.
14. The method of claim 1, further including determining censorship of the content.
15. The method of claim 1, wherein the controller computer determines censorship.
16. The method of claim 1, wherein the communicating is conducted over the network, including the Internet.
17. The method of claim 1, wherein the communicating content includes communicating content invoked with a URL.
18. The method of claim 1, wherein the controller software comprises a JAVA™ application.
19. An apparatus to communicate content among users of a computer system, the computer system comprising:
 - a controller computer system, including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, in communication with each of the participator computers by authenticating a first user identity and a second user identity according to permissions retrieved from the repository of tokens of the database, wherein the controller computer is running controller software, in accordance with predefined rules, to direct arbitration of which ones of the participator computers interactively connect within a group of the participator computers, to provide an API on the controller computer, whereby the API multiplexes and demultiplexes API messages by type, to create a virtual connection and provide the virtual connection between channels, private messages, and multimedia objects in the controller computer and the participator computers, and to allow communication of real-time messages within the group of the interactively connected said participator computers.
20. The apparatus of claim 19, wherein the content includes at least one of sound, video, graphic, pointer, and multimedia content.
21. The apparatus of claim 20, wherein said at least one comprises at least two.
22. The apparatus of claim 20, wherein said at least one comprises at least three.
23. The apparatus of claim 20, wherein said at least one comprises at least three.
24. The apparatus of claim 20, wherein said at least one comprises at least four.
25. The apparatus of claim 19, wherein the controller software comprises a JAVA™ application.

23

26. The apparatus of claim 19, wherein the content includes a pointer which allows the content to be produced on demand.

27. The apparatus of claim 19, wherein the API includes API messages.

28. The apparatus of claim 19, wherein communications among the controller computer and the participator computers are mediated via API messages.

29. The apparatus of claim 28, wherein the API messages include at least one of JOIN, LEAVE, STATUS, SETCHAN, and MODMSG instructions.

30. The apparatus of claim 28, wherein the message type includes at least one of ERROR MESSAGE, MESSAGE, STATUS, JOINCHANNEL, LEAVECHANNEL, and MODMSG.

31. The apparatus of claim 19, wherein the controller software includes multiplexing and de-multiplexing operations carried out as a message type on API messages.

32. The apparatus of claim 31, wherein the API messages include at least one of MESSAGE and MODMSG instructions.

33. The apparatus of claim 19, wherein the computer system determines censorship of the content.

34. The apparatus of claim 19, wherein the controller computer determines censorship.

35. The apparatus of claim 19, wherein the content is communicated over a network, including the Internet.

24

36. The apparatus of claim 19, wherein the content is communicated by invoking a URL.

37. An apparatus comprising:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of independent participator computers which are otherwise independent of each other, via the Internet network, communicating with the participator computers by authenticating a first user identity and a second user identity according to permissions retrieved from the repository of tokens of the database, the controller computer running controller software, in accordance with predefined rules, directing arbitration of which ones of the participator computers interact within a group of the participator computers, providing an API on the controller computer, whereby the API is multiplexing and demultiplexing API messages by type, creating a virtual connection and providing the virtual connection between channels, private messages, and multimedia objects in the controller computer and the participator computers, and providing communication of real-time messages within the group of the interactively connected said participator computers.

* * * * *

(12) **United States Patent Marks**

(10) **Patent No.:** US 8,458,245 B1
 (45) **Date of Patent:** Jun. 4, 2013

(54) **REAL TIME COMMUNICATIONS SYSTEM**

FOREIGN PATENT DOCUMENTS

(76) Inventor: **Daniel L Marks**, Urbana, IL (US)

EP 336 552 A2 10/1989

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 620 days.

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(22) Filed: **Aug. 24, 2006**

(Continued)

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(63) Continuation of application No. 09/399,578, filed on Sep. 20, 1999, and a continuation of application No. 08/617,658, filed on Apr. 1, 1996, now Pat. No. 5,956,491, said application No. 09/399,578 is a continuation of application No. 08/617,658, filed on Apr. 1, 1996, now Pat. No. 5,956,491.

Primary Examiner — Patrice Winder

(74) *Attorney, Agent, or Firm* — Peter K. Trzyna, Esq.

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G06F 15/16 (2006.01)

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 USPC **709/202**; 709/206; 709/207; 709/217

(58) **Field of Classification Search**
 USPC 709/204, 205; 715/753
 See application file for complete search history.

(57) **ABSTRACT**

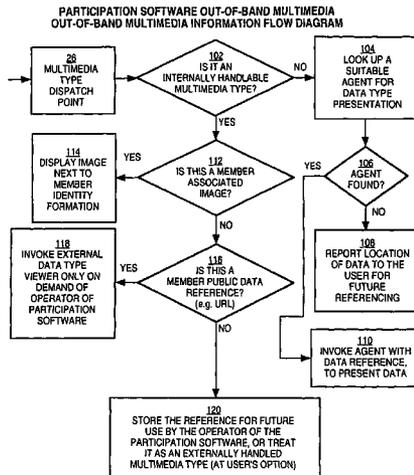
A computerized human communication arbitrating and distributing system, including a controller digital computer and a plurality of participator digital computers, each of the participator computers including an input device for receiving human-input information from a human user and an output device for presenting information to the user, each said user having a user identity. A connection, such as Internet, links the controller computer with each of the participator computers. Controller software runs on the controller computer to arbitrate in accordance with predefined rules including said user identity, which ones of the participator computers can interact in one of a plurality of groups through the controller computer and to distribute real time data to the respective ones of the groups. Participator software runs on each of the participator computers to handle a user interface permitting one said user to send a multimedia information message to the controller computer, which arbitrates which of the participator computers receive the multimedia information message and conveys the multimedia information message to the selected participator computers to present the multimedia information to the respective user.

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58 Claims, 22 Drawing Sheets



US 8,458,245 B1

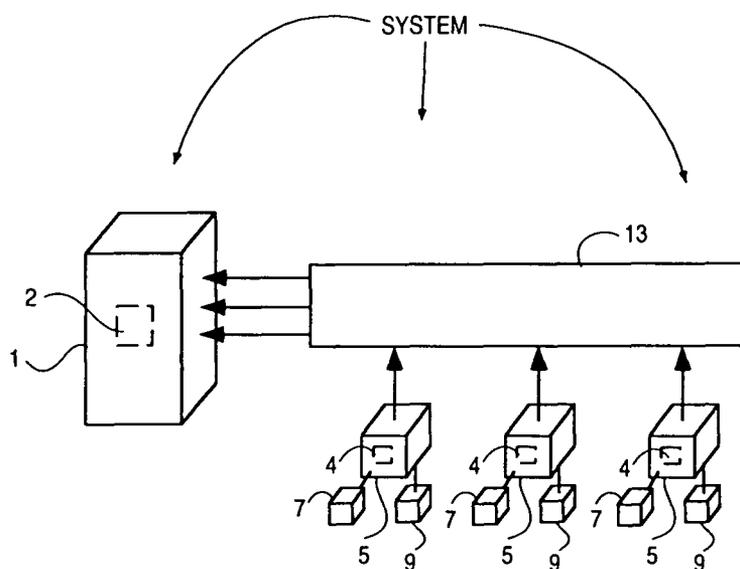
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FIG. 1



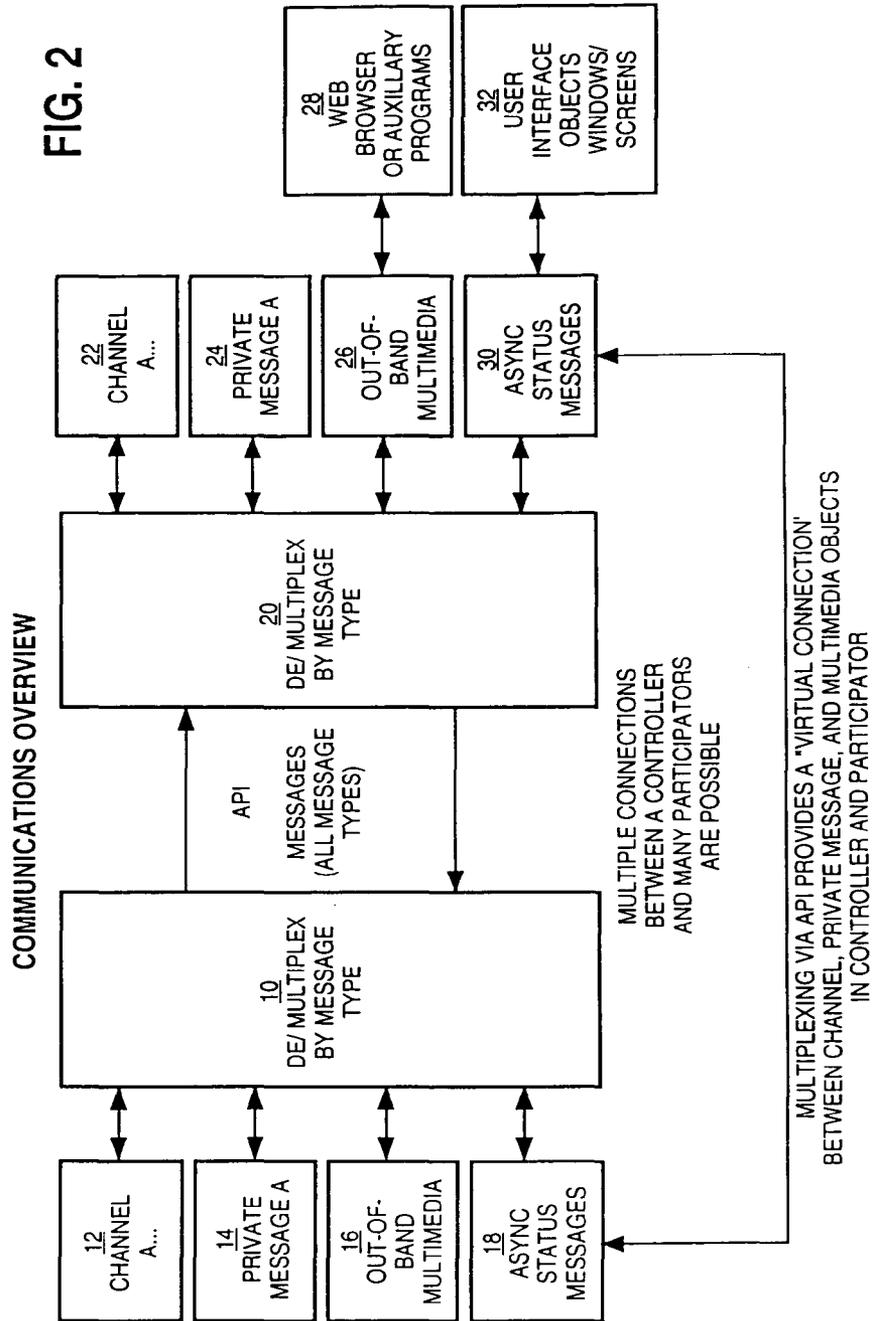


FIG. 3

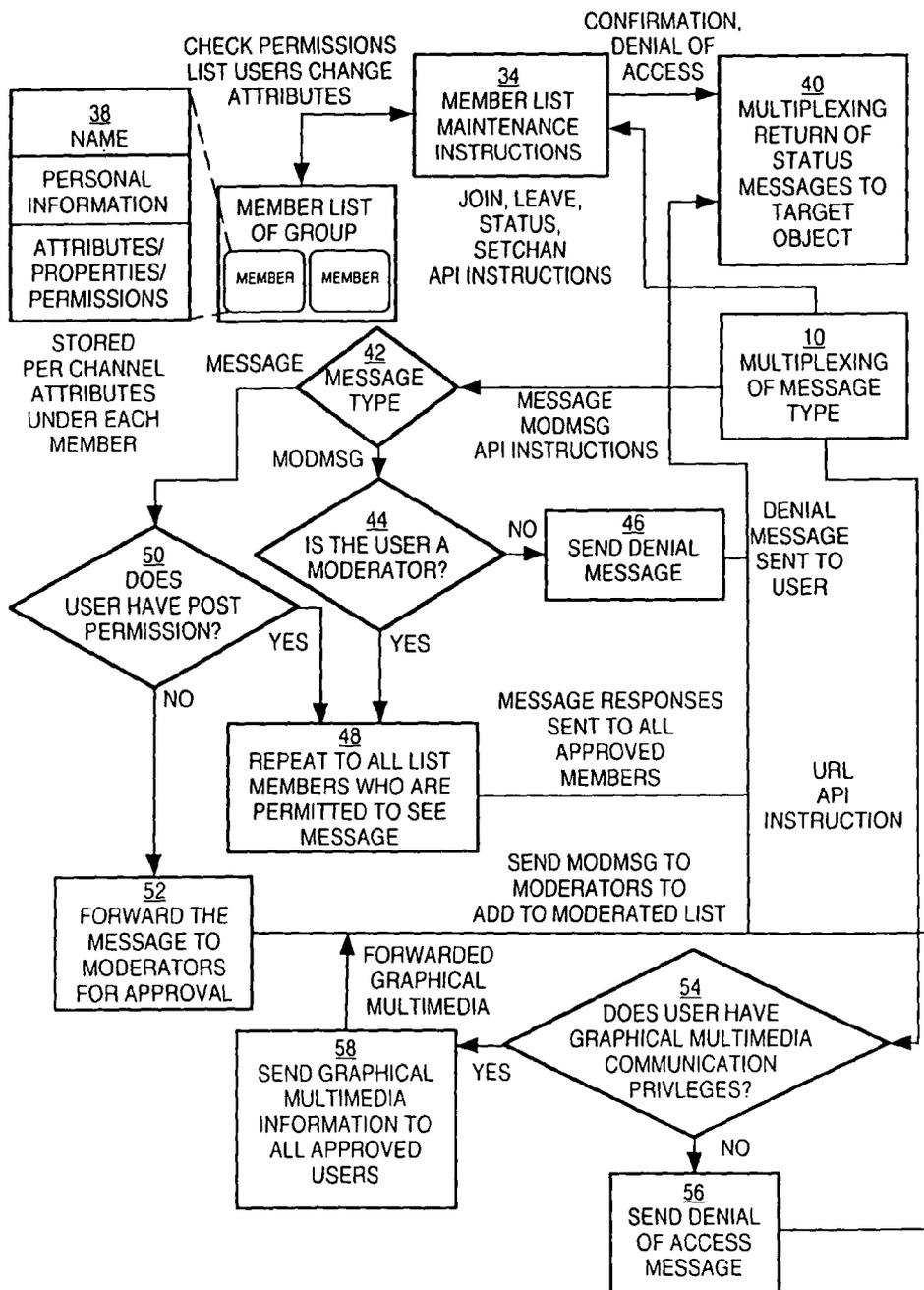


FIG. 4

CENTRAL CONTROLLER LOOP COMMUNICATIONS

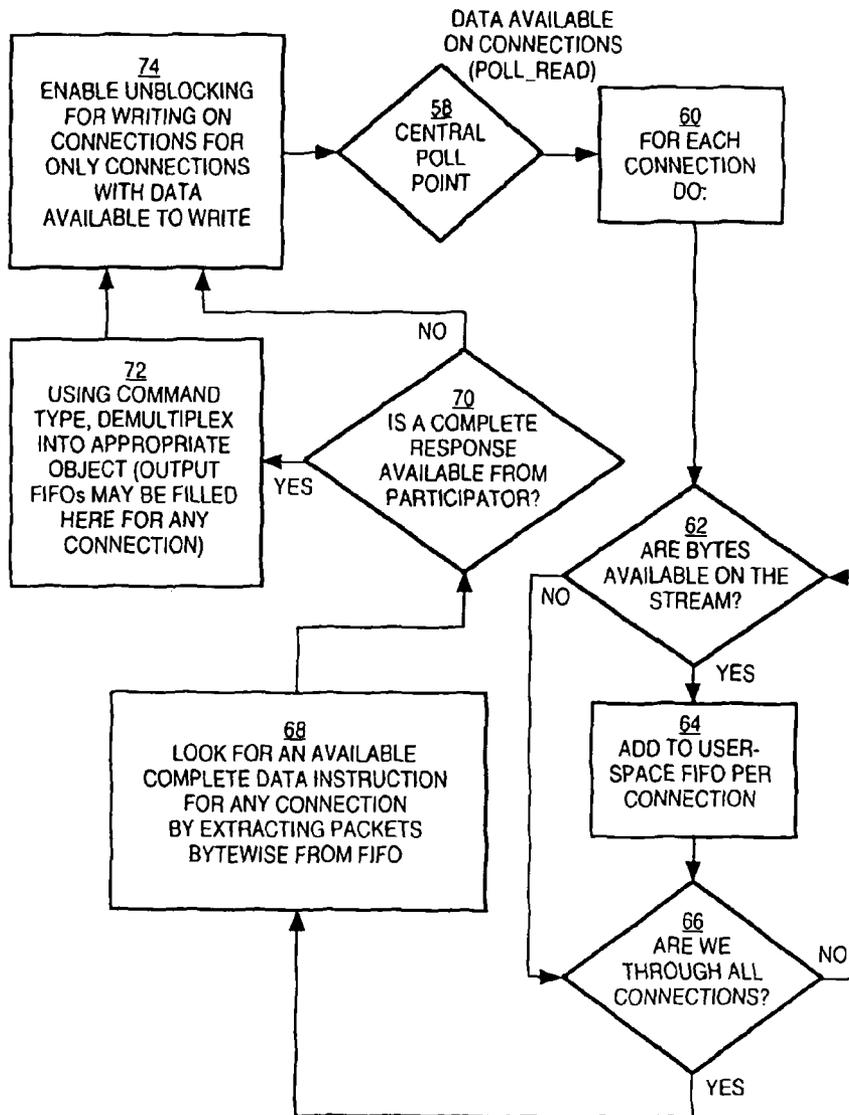


FIG. 5

CLIENT CHANNEL DATA STRUCTURE AND INFORMATION FLOW DIAGRAM

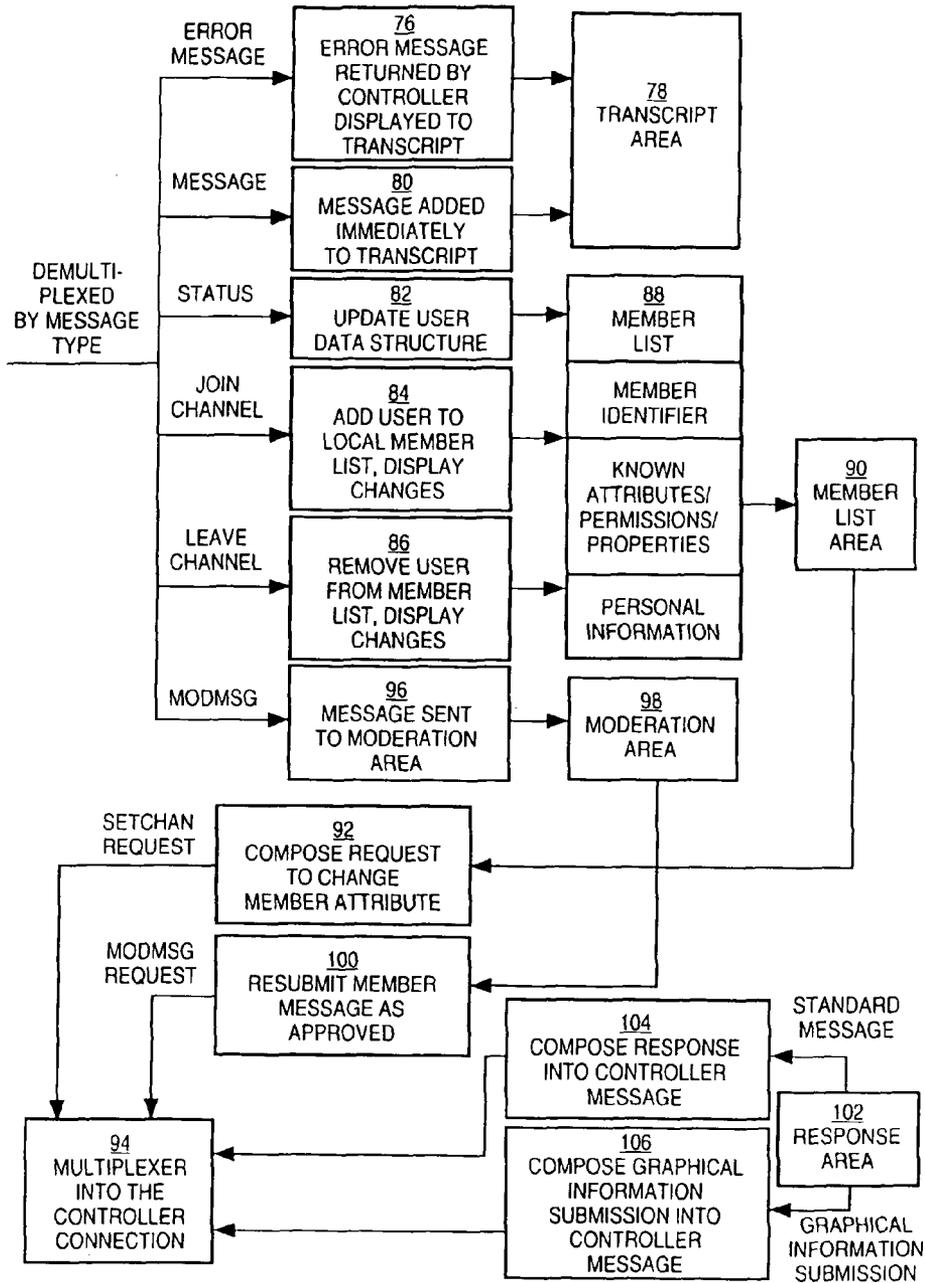


FIG. 6

PARTICIPATION SOFTWARE OUT-OF-BAND MULTIMEDIA
OUT-OF-BAND MULTIMEDIA INFORMATION FLOW DIAGRAM

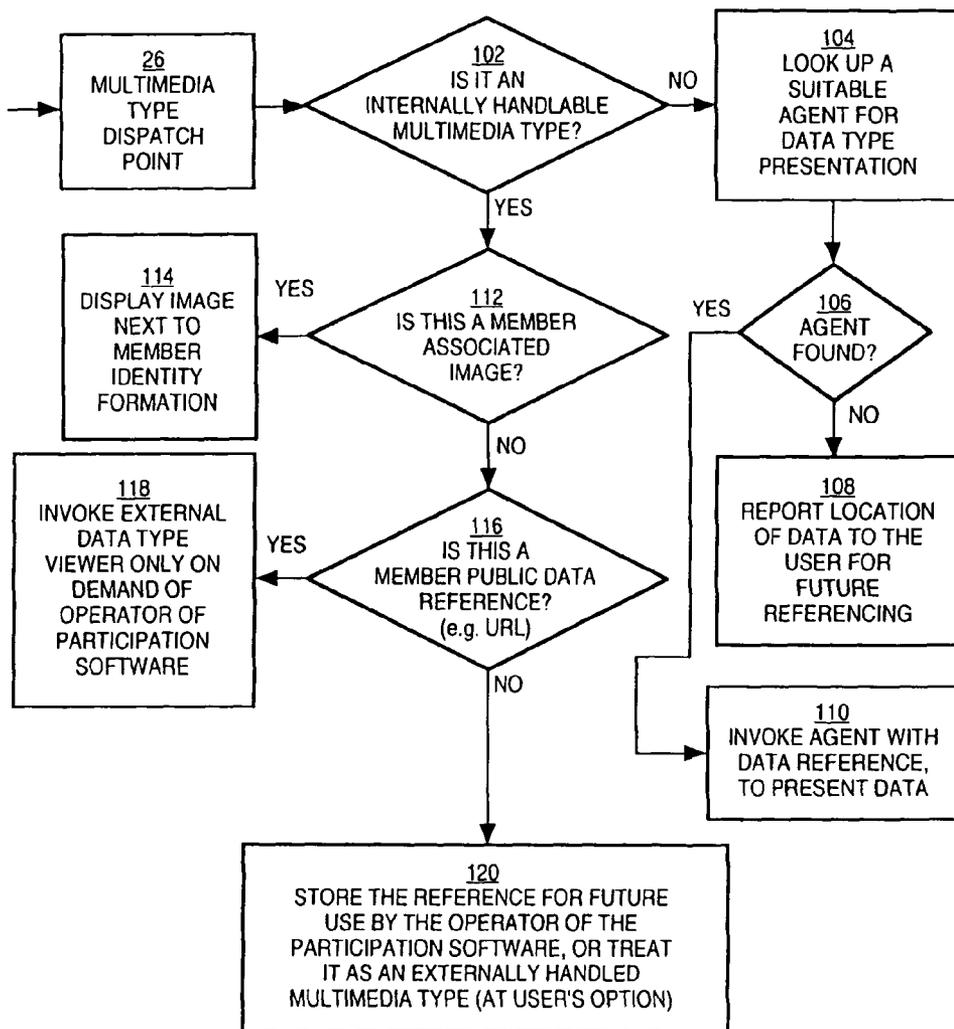


FIG. 7

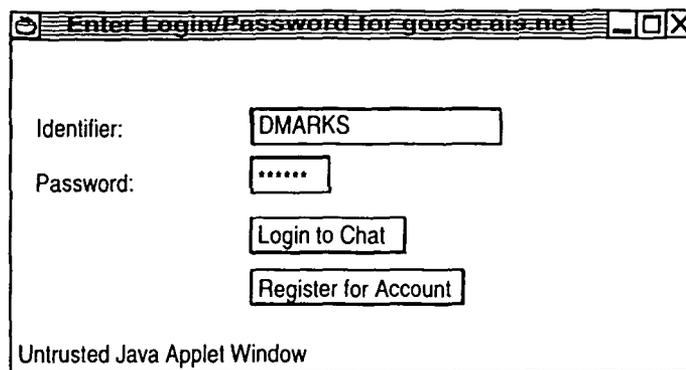


FIG. 8

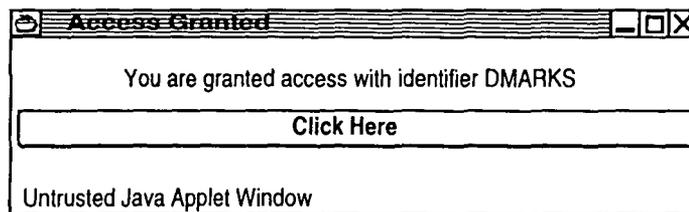


FIG. 9

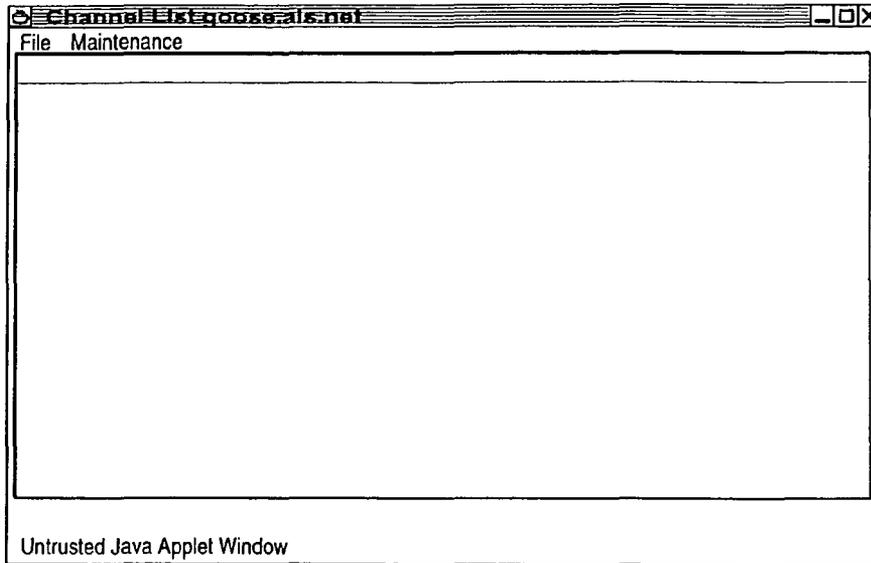


FIG. 10

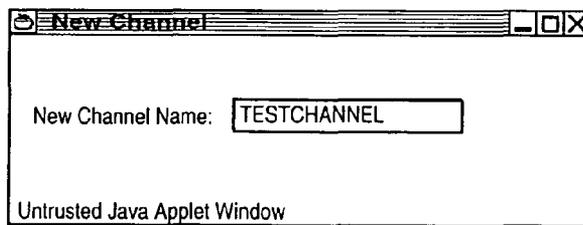


FIG. 11

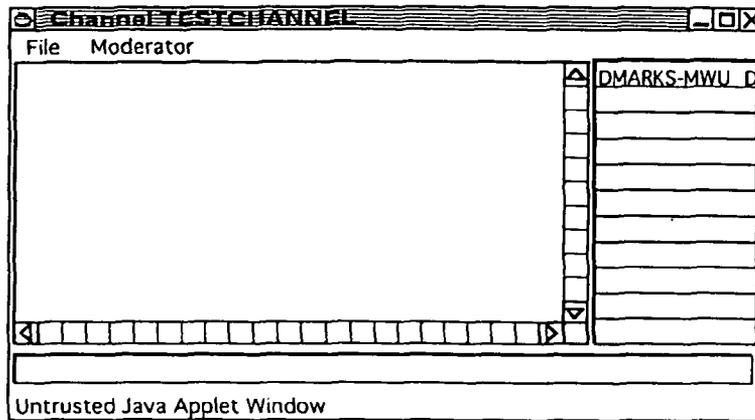


FIG. 12

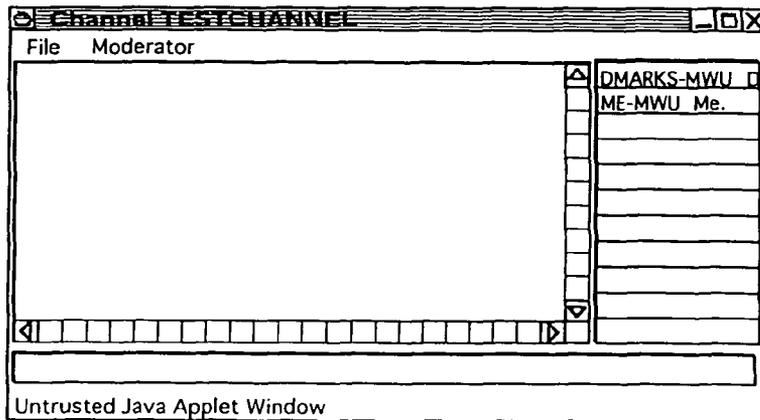


FIG. 13

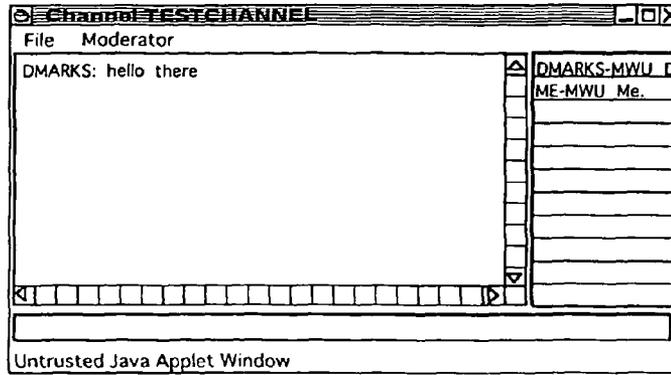


FIG. 14

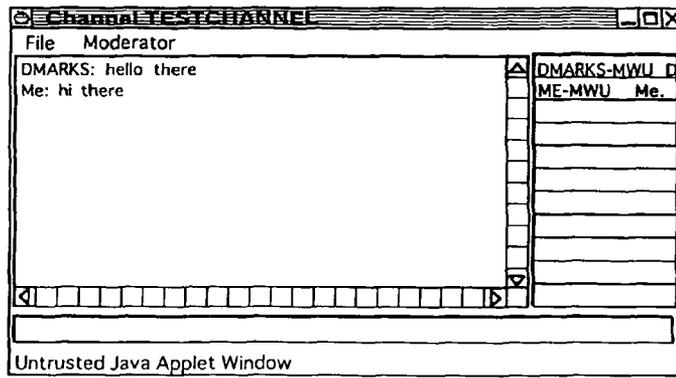


FIG. 15

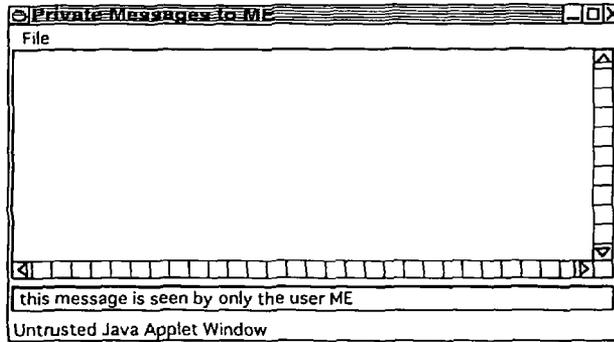


FIG. 16

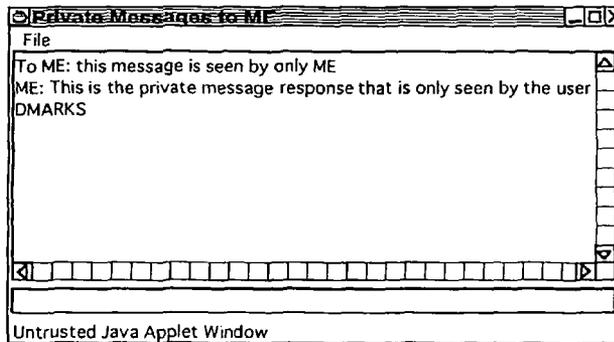


FIG. 17

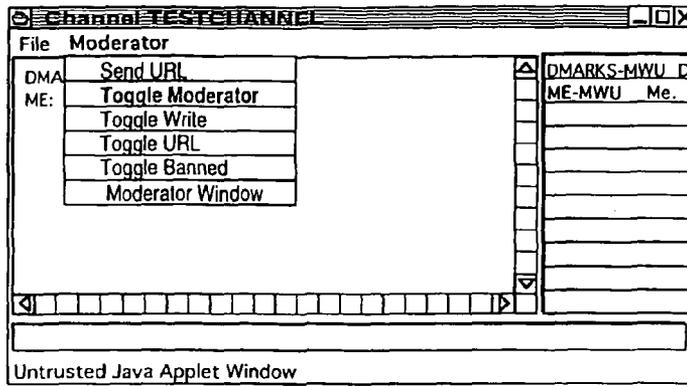


FIG. 18

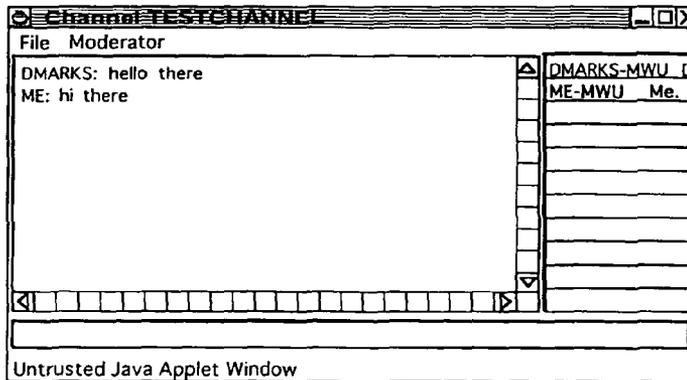


FIG. 19

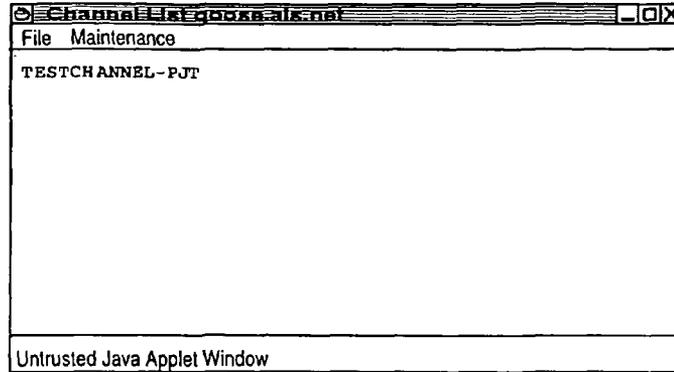


FIG. 20

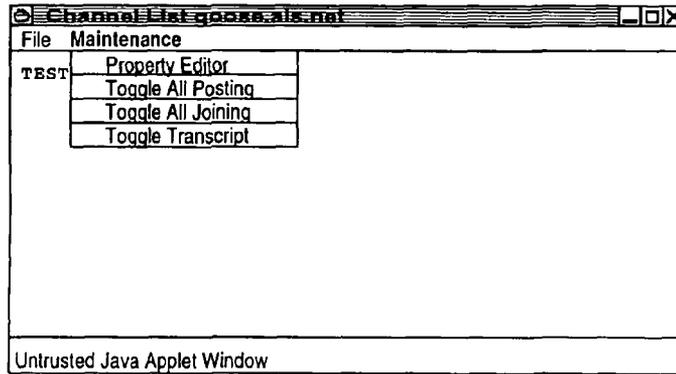


FIG. 21

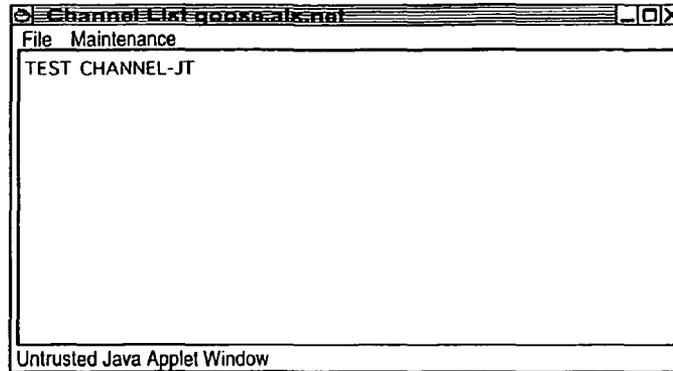


FIG. 22

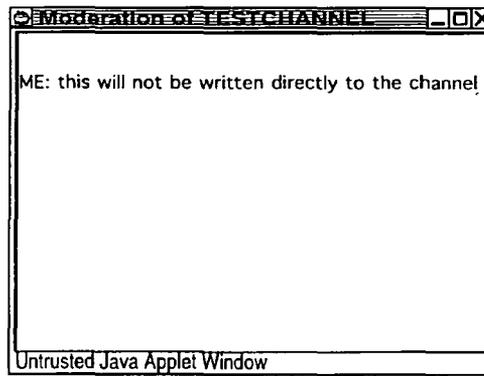


FIG. 23

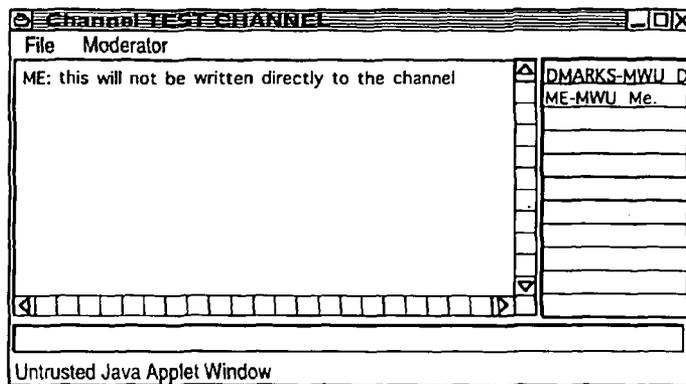


FIG. 24

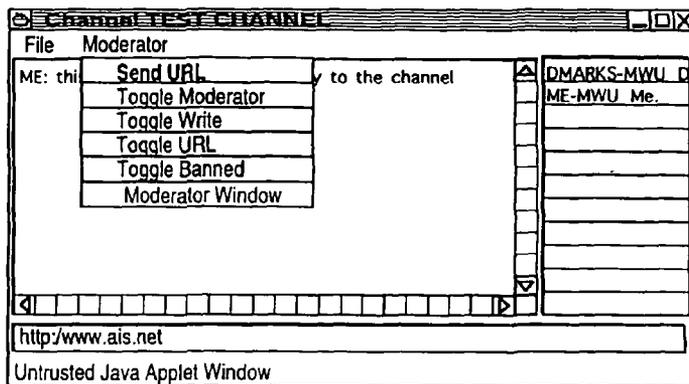


FIG. 25

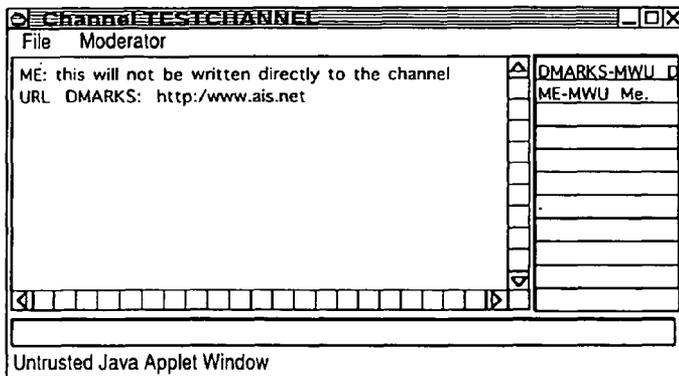


FIG. 26

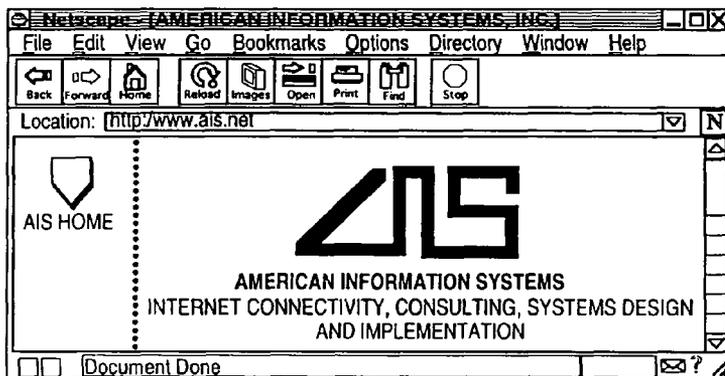


FIG. 27

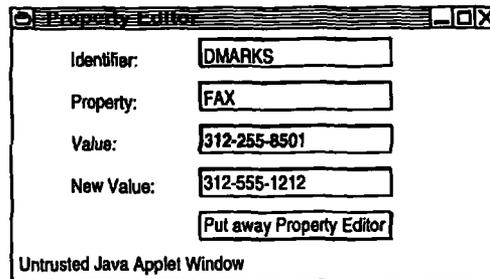


FIG. 28

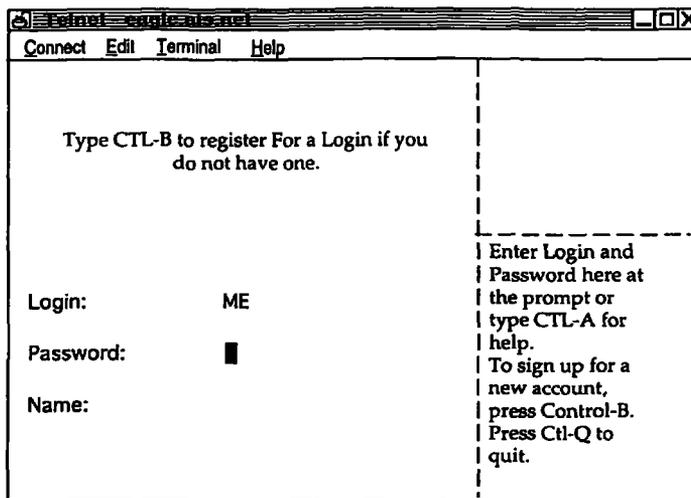


FIG. 29

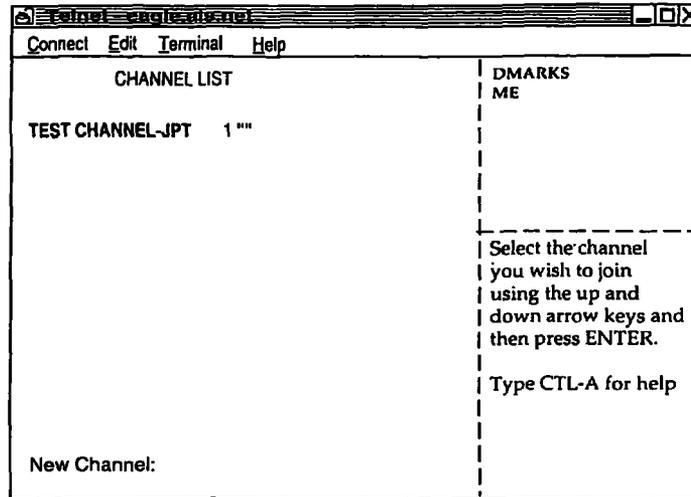


FIG. 30

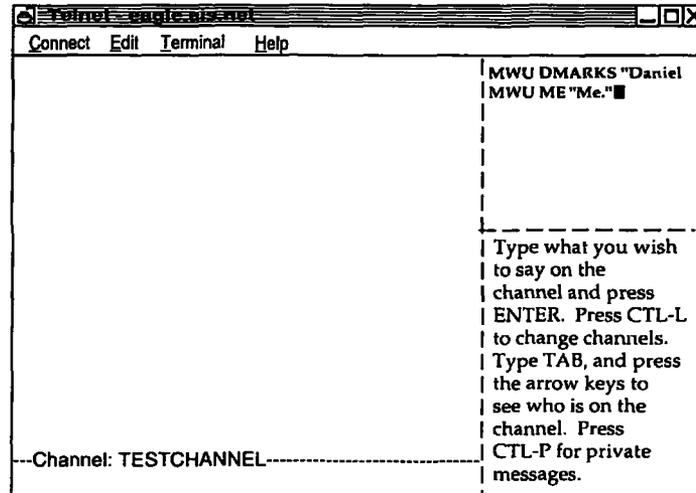


FIG. 31

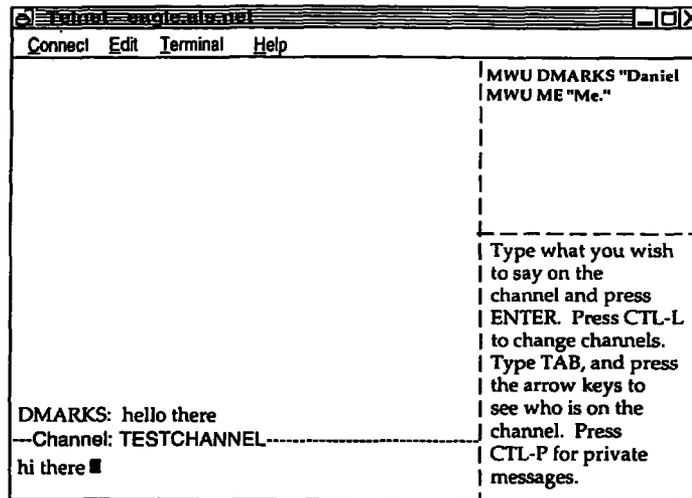


FIG. 32

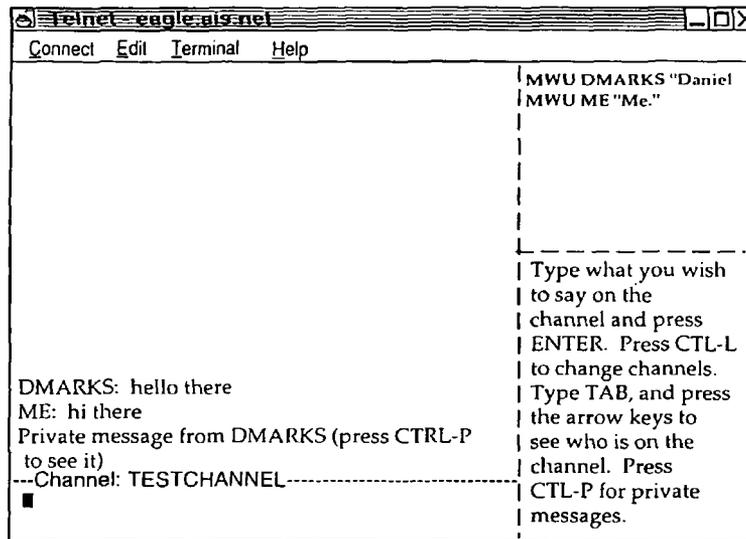


FIG. 33

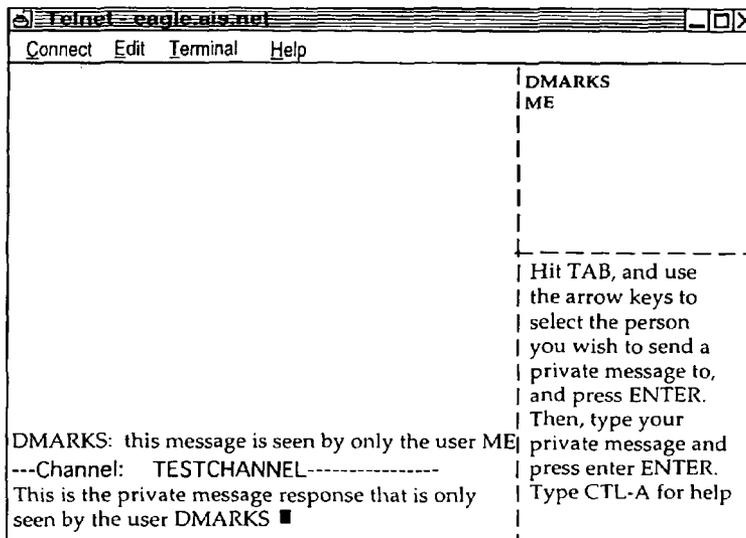
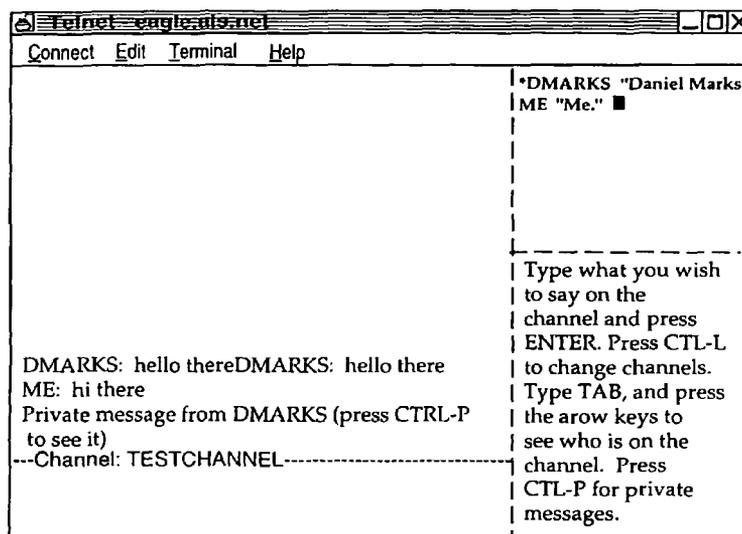


FIG. 34



US 8,458,245 B1

1

REAL TIME COMMUNICATIONS SYSTEM

I. PRIORITY DATA

The present patent application is a continuation of and incorporates by reference U.S. patent application Ser. No. 09/399,578 filed by the same inventor on Sep. 20, 1999, as well as U.S. patent application Ser. No. 08/617,658, issuing as U.S. Pat. No. 5,956,491, on Sep. 21, 1999, titled Group Communications Multiplexing System that was filed by the same inventor on Apr. 1, 1996. U.S. patent application Ser. No. 09/399,578, filed Sep. 20, 1999, is a continuation of U.S. patent application Ser. No. 08/617,658, filed Apr. 1, 1996, issuing as U.S. Pat. No. 5,956,491, on Sep. 21, 1999.

II. FIELD OF INVENTION

This invention is directed to an apparatus, a manufacture, and methods for making and using the same, in a field of digital electrical computer systems. More particularly, the present invention is directed to a digital electrical computer system involving a plurality of participator computers linked by a network to at least one of a plurality of participator computers, the participator computers operating in conjunction with the controller computer to handle multiplexing operations for communications involving groups of some of the participator computers.

III. BACKGROUND OF THE INVENTION

Multiplexing group communications among computers ranges from very simple to very complex communications systems. At a simple level, group communications among computers involves electronic mail sent in a one way transmission to all those in a group or subgroup using, say, a local area network. Arbitrating which computers receive electronic mail is a rather well understood undertaking.

On a more complex level, corporations may link remote offices to have a conference by computer. A central computer can control the multiplexing of what appears as an electronic equivalent to a discussion involving many individuals.

Even more complex is linking of computers to communicate in what has become known as a "chat room." Chat room communications can be mere text, such as that offered locally on a file server, or can involve graphics and certain multimedia capability, as exemplified by such Internet service providers as America On Line. Multiplexing in multimedia is more complex for this electronic environment.

On the Internet, "chat room" communications analogous to America On Line have not been developed, at least in part because Internet was structured for one-way communications analogous to electronic mail, rather than for real time group chat room communications. Further, unlike the an Internet service provider, which has control over both the hardware platform and the computer program running on the platform to create the "chat room", there is no particular control over the platform that would be encountered on the Internet. Therefore, development of multiplexing technology for such an environment has been minimal.

Even with an emergence of the World Wide Web, which does have certain graphical multimedia capability, sophisticated chat room communication multiplexing has been the domain of the Internet service providers. Users therefore have a choice between the limited audience of a particular Internet Service provider or the limited chat capability of the Internet.

IV. SUMMARY OF THE INVENTION

It is an object of the present invention to overcome such limitations of the prior art and to advance and improve the

2

technology of group computer multiplexing to enable better computerized group communications.

It is another object of the present invention to provide a computerized human communication arbitrating and distributing system.

It is yet another object of the present invention to provide a group communication multiplexing system involving a controller digital computer linked to a plurality of participator computers to organize communications by groups of the participator computers.

It is still another object of the present invention to link the controller computer and the plurality of computers with respective software coordinated to arbitrate multiplexing activities.

It is still a further object of the present invention to provide a chat capability suitable for handling graphical, textual, and multimedia information in a platform independent manner.

These and other objects and utilities of the invention, which are apparent from the discussion herein, are addressed by a computerized human communication arbitrating and distributing system. The system includes a controller digital electrical computer and a plurality of participator digital computers, each of the participator computers including an input device for receiving human-input information and an output device for presenting information to a user having a user identity. A connection such as the Internet links the controller computer with each of the participator computers.

Controller software runs on the controller computer, programming the controller computer to arbitrate in accordance with predefined rules including said user identity, which ones of the participator computers can interact in one of a plurality of groups communicating through the controller computer and to distribute real time data to the respective ones of the groups.

Participator software runs on each of the participator computers to program each of the participator computers to operate a user interface. The user interface permits one of the users to send and/or receive a multimedia information message to the controller computer, which arbitrates which of the participator computers receives the multimedia information message. The controller computer also conveys the multimedia information message to the selected participator computers to present the multimedia information to the respective user.

Therefore, for a computer system involving a plurality of programmed participator computers running the participator computer program can interact through a programmed controller computer with the controller computer multiplexing the communications for groups formed from the plurality, as well as arbitrating communications behavior.

V. BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a depiction of hardware suitable for performing the present invention;

FIG. 2 is a communications overview of the present invention.

FIG. 3 is a data and communications dependency diagram for the controller group channel structure of the present invention.

FIG. 4 is a flow chart of the central controller loop communications for the controller computer.

FIG. 5 is a client channel data structure and information flow diagram of the present invention.

FIG. 6 is a participator software out-of-band multimedia information flow diagram of the present invention.

FIG. 7 is an illustration of a login/password screen of the present invention.

US 8,458,245 B1

3

FIG. 8 is an illustration of a confirmation screen of the present invention.

FIG. 9 is an illustration of a channel list area screen of the present invention.

FIG. 10 is an illustration of a New Channel option pull-down menu screen of the present invention.

FIG. 11 is an illustration of a member on a new channel screen of the present invention.

FIG. 12 is an illustration of a second member on the new channel screen of the present invention.

FIG. 13 is an illustration of a communication on the new channel screen of the present invention.

FIG. 14 is an illustration of a private message window on the new channel screen of the present invention.

FIG. 15 is an illustration of a private message displayed on the private message window on the new channel screen of the present invention.

FIG. 16 is a further illustration of the private message on the private message window on new channel screen of the present invention.

FIG. 17 is an illustration of an attribute revocation on the new channel screen of the present invention.

FIG. 18 is a further illustration of the new channel screen of the present invention.

FIG. 19 is an illustration of the channel list window screen of the present invention.

FIG. 20 is an illustration of the toggle posting option on a screen of the present invention.

FIG. 21 is an illustration of a moderated version of the new channel screen of the present invention.

FIG. 22 is an illustration of a communication on a moderation window screen of the present invention.

FIG. 23 is an illustration of the communication passed on to the moderated version of the new channel screen of the present invention.

FIG. 24 is an illustration of a communication, for sending a graphical multimedia message, on to the moderated version of the new channel screen of the present invention.

FIG. 25 is an illustration of a communication, for passing a URL (Uniform Resource Locator) to channel members, on a moderator pull-down menu screen of the present invention.

FIG. 25 is an illustration, showing the name of the URL, on a moderated version of the new channel screen of the present invention.

FIG. 26 is an illustration of data associated with the graphical multimedia message on a moderated version of the new channel screen of the present invention.

FIG. 27 is an illustration of a proprietary editor, suitable for a dialog to change tokens, on a screen of the present invention.

FIG. 28 is an illustration of a text-based interface login/password screen of the present invention.

FIG. 29 is an illustration of a text-based interface group screen of the present invention.

FIG. 30 is another illustration of a text-based interface group screen of the present invention.

FIG. 31 is another illustration of a text-based interface group screen of the present invention.

FIG. 32 is an illustration of a text-based interface private message screen of the present invention.

FIG. 33 is another illustration of a text-based interface private message screen of the present invention.

4

FIG. 34 is another illustration of a text-based interface group with moderator screen of the present invention.

VI. DETAILED DESCRIPTION OF THE DRAWINGS

In providing a detailed description of a preferred embodiment of the present invention, reference is made to an appendix hereto, including the following items.

APPENDIX CONTENTS

- ALLUSER C
- ALLUSER H
- CHANNEL C
- CHANNEL H
- CHANNEL HLP
- CLIST C
- CLIST H
- CLIST HLP
- EDITUSER C
- EDITUSER H
- ENTRYFRM C
- ENTRYFRM H
- ENTRYFRM HLP
- HELP C
- HELP H
- HELPSCR C
- HELPSCR H
- LINEEDIT C
- LINEEDIT H
- LIST C
- LIST H
- LOGIN HLP
- MAIN C
- MAKEFILE
- MESSAGE C
- MESSAGE H
- MODERAT HLP
- PRIVATE C
- PRIVATE H
- PRIVATE HLP
- SOCKIO C
- SOCKIO H
- STR C
- STR H
- UCCLIENT
- USER C
- USER H
- WINDOW C
- WINDOW H

Note that the appendix includes code for two different embodiments: a Tellnet embodiment and a JAVA embodiment. Documentation and error messages, help files, log files, are also included in the appendix. While platform controlled embodiments are within the scope of the invention, it is particularly advantageous to have a platform independent embodiment, i.e., an embodiment that is byte code compiled.

Referring now to FIG. 1, the overall functioning of a computerized human communication arbitrating and distributing System 1 of the present invention is shown with odd numbers designating hardware or programmed hardware, and even numbers designating computer program logic and data flow. The System 1 includes a digital Controller Computer 3, such as an Internet service provider-type computer. The Controller Computer 3 is operating with an operating system.

US 8,458,245 B1

5

System 1 also includes a plurality of digital Participator Computers 5, each of which may be an IBM-compatible personal computer with a processor and a DOS operating system. Each of the Participator Computers 5 includes an Input Device 7 for receiving human-input information from a respective human user. The Input Device 7 can be, for example, a keyboard, mouse or the like. Each of the Participator Computers 5 also includes an Output Device 9 for presenting information to the respective user. The Output Device 9 can be a monitor, printer (such as a dot-matrix or laser printer), or preferably both are used. Each of the Participator Computers 5 also includes a Memory 11, such as a disk storage means.

The System 1 includes a Connection 13 located between, so as to link, the Controller Computer 3 with each of the Participator Computers 5. The Connection 13 can be an Internet or more particularly, a World Wide Web connection.

The Controller Computer 3 is running and under the control of Controller Software 2, which directs the Controller Computer 3 to arbitrate in accordance with predefined rules including a user identity, which ones of the Participator Computers 5 can interact in one of a plurality of groups through the Controller Computer 3 and to distribute real time data to the respective ones of the groups.

The Participator Computers 5 are each running and under the control of Participator Software 4, which directs each of the Participator Computers 5 to handle a user Interface 6 permitting one said user to send a multimedia information Message 8 to the Controller Computer 3, which arbitrates which of the Participator Computers 5 receives the multimedia information Message 8 and which conveys the multimedia information Message 8 to the selected participator computers 5 to present the multimedia information Message 8 to the respective user.

The present invention comprehends communicating all electrically communicable multimedia information as Message 8, by such means as pointers, for example, URLs. URLs can point to pre-stored audio and video communications, which the Controller Computer 3 can fetch and communicate to the Participator Computers 5.

Turning now to FIG. 2, there is shown a communications overview of the present invention. Beginning with the Controller Computer Software 2, reference is made to Block 10, which illustrates demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block 10 links to Block 12, which is illustrative of channel A Block 10 also links to Block 14, which illustrates handling private message A. Block 10 also links to Block 16, illustrative of handling out-of-band media. Block 10 additionally links to Block 18, which illustrates asynchronous status messages.

Multiple connections between the controller computer 3 and a plurality of participator computers 5 permit communication implemented via the interplay of controller software 2 and participator software 4. With particular regard to the participator software 4 illustrated in FIG. 2, Block 20 is illustrative of demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block 20 links to Block 22, which is illustrative of channel A Block 20 also links to Block 24, which illustrates handling private message A. Block 20 also links to Block 26, illustrative of handling out-of-band media via Block 28, which is illustrative of a Web browser or auxiliary computer program. Block 20 also links to Block 30, which illustrates asynchronous status message handling via Block 32, illustrative of user interface objects windows and screens.

6

De/multiplexing via API provides a “virtual connection” between Channel, Private Message, and Multimedia objects in the controller computer 3 and each participator computer 5. An alternate architecture is to allow for a separate connection between each object so that multiplexing/demultiplexing is not necessary and each object handles its own connection. This would influence system performance, however.

Turning now to FIG. 3, a data and communications dependency diagram controller group channel structure is illustrated. Beginning from what is designated as a portion of Block 10 the logic flows to Block 34 to consider JOIN, LEAVE, STATUS, SETCHAN API instructions. Block 34 examines member list maintenance instructions, accessing Block 36 to check permissions, list users, and change attributes. Note the exploded window 38 shows a display of member information including a user’s name, personal information, and attributes/properties/permissions (operations involving the subsequently discussed tokens), i.e., stored per channel attributes under each member. In any case, confirmation or denial of access is communicated via Block 40 for multiplexing return of status messages to a target object.

From the portion of Block 10, the logic flows to Block 42 for MESSAGE and MODMSG API instructions. Block 42 tests which of the two instructions were received, and for MODMSG, the logic flows to Block 44, which tests whether the user is a moderator. If the user is not a moderator, the logic flows to Block 46, which sends a denial message through Block 40. If, however, the in Block 44 the user is a moderator, the logic flows to Block 48 for a repeat to all list members who are permitted to see the message, via Block 40.

Returning to Block 42, if MESSAGE is detected, the logic flows to Block 50, which tests whether a user has post permission. If the user has post permission, the logic flows to Block 48, etc. If the user does not have post permission, the logic flows to Block 52 to forward the message to moderators for approval, via Block 40.

Additionally, the logic flows from Block 10 to Block 54 for a URL API instruction. Block 54 tests whether the user has graphical multimedia communication privileges, and if not, the logic flows via Block 56, which sends a denial message via Block 40. Otherwise, if the user does have graphical multimedia communications privileges in Block 54, Block 58 sends graphical multimedia information to all approved users via Block 40.

Turning now to FIG. 4, central controller loop communications is illustrated. For the data on central poll point 58 (see Appendix POLL_POINT), a “do” loop begins at Block 60 for each connection. Block 62 tests whether bytes are available on the data stream. If they are, the bytes are added to user space FIFO per connection at Block 64, leading to Block 66, which tests whether there are any more connections. Note that in FIG. 4, if there are no more bytes available in Block 62, the logic skips to Block 66, and if Block 66 is not finished with all connections, the loop returns to Block 62. When all connections have been completed in Block 62, the logic flows to Block 68, which looks for an available complete data instruction for any connection by extracting packets byte-wise from the FIFO. Thereafter, Block 70 tests whether there is a complete response available from the participator computer. If the response is complete, the logic flows to Block 72 which, using a command type, demultiplexes into an appropriate object (output FIFOs may be filled here for any connection). The logic from Block 72 joins the “no” branch from Block 70 at Block 74, which enables unblocking for writing connections for only connections with data available to write, looping back to Block 58.

US 8,458,245 B1

7

FIG. 5 shows a client channel data structure and information flow diagram. From a message that is demultiplexed by message type, there are six possibilities: ERROR MESSAGE, MESSAGE, STATUS, JOINCHANNEL, LEAVECHANNEL, and MODMSG. ERROR MESSAGE is communicated to Block 76, where the error message is displayed to the transcript in the transcript area of Block 80. MESSAGE is communicated to Block 78 where the message is immediately added to the transcript in transcript area 78. STATUS is communicated to Block 82 to update user data structure; JOINCHANNEL is communicated to Block 84 to remove a user from the member list and display the change; and LEAVECHANNEL is communicated to Block 86. From Block 82, Block 84, and Block 88, the logic flows to Block 88, which includes a member list, a member identifier, known attributes/permissions/properties, and personal information. From Block 88, the logic proceeds to Block 90, a member list area, and on to Block 92 to compose a request to change a member attribute. This "SETCHAN request is then communicated to Block 94, which is the multiplexer leading to the controller computer connection.

MODMSG is communicated to Block 96, which sends the message to the moderation area of Block 98, and then to Block 100 to resubmit a member message as approved, thereby conveying a MODMSG request to Block 94.

Note that a response is prepared in the response area of Block 102. If the response is a standard message, it is conveyed to Block 104 to compose the response into a controller message, thereby sending a MESSAGE request to box 94. If, however, the message is a graphical information submission, the logic flows from Block 102 to Block 106 to compose the graphical information submission into a controller message, thereby sending a URL request to Block 94.

FIG. 6 is a participator software out-of-band multimedia information flow diagram, which begins with Block 26, the multimedia type patch point. Block 26 leads to Block 102, which tests whether there is an internally handlable multimedia type. If not, Block 104 looks up a suitable agent for data type presentation, which leads to Block 106, which tests whether an agent was found. If not, Block 108 reports location of data to the user for future referencing. If the agent is found in Block 106, the logic flows to Block 110, which invokes the agent with a data reference to present the data.

If the multimedia type is internally handlable from Block 102, the logic flows to Block 112, which tests whether this is a member associated image. If it is a member associated image, Block 114 displays the image next to member identity information, and if it is not, the logic flows to Block 116, which tests if this is a member public data reference (e.g., a URL). If a URL is detected at Block 116, Block 118 invokes an external data type viewer only on demand of the operator of the participator software, and otherwise Block 120 stores the reference for future use by the operator of the participator software, or treats the reference as an externally handled multimedia type (at the user's option).

With further regard to the manner of interaction between the controller computer 3 and the participator computers 5, and their respective computer programs 2 and 4, includes a moderation capability that is controlled, or arbitrated, pursuant to system 1 recognizing user identity. Note that using the user identity for moderation purposes is a use additional to the use of the user identity for security purposes.

One embodiment of the present invention is to bring chat capability to the internet and World Wide Web. However, another embodiment involves non-internet relay chat. In either embodiment, System 1 is state driven such that synchronous and asynchronous messages can be communicated.

8

For an asynchronous notification, each message is sent through the system 1 (API), which updates the information on the output device of the participator computers 5. For a synchronous notification, a participator computer 5 must interrogate the system 1 for a message.

With regard to the arbitrating of the controller computer 3 is directed by the controller computer program 2 to use "identity tokens", which are pieces of information associated with user identity. The pieces of information are stored in memory 11 in a control computer database, along with personal information about the user, such as the user's age. The control computer database serves as a repository of tokens for other programs to access, thereby affording information to otherwise independent computer systems. In the database, the storage of tokens can be by user, group, and content, and distribution controls can also be placed on the user's tokens as well as the database.

Each token is used to control the ability of a user to gain access to other tokens in a token hierarchy arbitration process. The arbitration also includes controlling a user's ability to moderate communications involving a group or subgroup of the participator computers 5. Once in a group, temporary tokens are assigned for priority to moderate/submoderate groups (a group is sometimes known as a channel in multiplexing terminology).

Accordingly, tokens are used by the controller computer 5 to control a user's group priority and moderation privileges, as well as controlling who joins the group, who leaves the group, and the visibility of members in the group. Visibility refers to whether a user is allowed to know another user is in the chat group.

Tokens are also used to permit a user's control of identity, and in priority contests between 2 users, for example, a challenge as to whether a first user can see a second user.

Censorship, which broadly encompasses control of what is said in a group, is also arbitrated by means of the tokens. Censorship can control of access to system 1 by identity of the user, which is associated with the user's tokens. By checking the tokens, a user's access can be controlled per group, as well as in giving group priority, moderation privileges, etc.

Censorship also can use the tokens for real time control of data (ascii, text, video, audio) from and to users, as well as control over multimedia URLs—quantity, type, and subject.

With regard to controlling communications in a group (which is in essence a collection of user identities), control extends to seeing messages, seeing the user, regulating the size of the communication, as well as the ability to see and write to a specific user. Control further extends to the ability to send multimedia messages.

Note that tokens for members in group can involve multiples formed in real time, say, within the span of a conversation. For example, for private communication, tokens are immediately formed to define a group of 2 users. Hierarchical groups within groups can also be formed, with each inheriting the properties of the group before it. Thus, a subgroup can include up to all members or more by adding any surplus to the former group.

With further regard to the controller computer 3, e.g., a server, information is controlled for distribution to the user interfaces at selected ones of the participator computers 5. The controller computer program, in one embodiment, can be a resident program interface (such as a JAVA application). There can be a token editor object (window/tear down, etc.) per group, private communication, user, channel listings, user listings, etc. Each can link up in a token hierarchy for arbitration control.

The controller computer **5**, by means of the controller computer program **2**, keeps track of states and asynchronous messages as well as generating a synchronous message as a user logs in or interrogates system **1**.

With regard to multimedia information messages **8**, such messages are of independent data types, e.g., audio/video data types. The content of the message (e.g., a URL) permits the System **1** to automatically determine the handling of the message: either the Controller Computer **3** passes the content of Message **8** directly, or the Controller Computer **3** determines from the Message **8** how to find the content, say via Netscape. Accordingly, Message **8** can communicate video and sound (or other multimedia, e.g., a URL) to users, subject only to the server arbitration controls over what can be sent.

Turning now to an illustration of using the invention, the session starts with verifying the user's identity (at FIG. 7). The login/password screen is shown, and the user enters his/her assigned login/password combination and clicks the "Login To Chat" button. If the password was entered correctly, a confirmation box appears on the screen.

Then the channel list area is shown at FIG. 8. The Channel List area is a window which shows a list of all of the groups currently on the server in active communication. Because no one is yet connected in this example, there are no groups currently available on the screen.

To create a new group, the "New Channel" option is selected from a pull-down menu (at FIG. 9). The name of the channel is entered by the input device **7**.

If the user has permission (this one does), a new channel is created for the group (at FIG. 10). The window that displays the channel area has three regions: the bottom region, where responses are entered; the largest region, where a transcript of the communication is followed; and the rightmost region, which lists the group's current members. This list is continuously updated with asynchronously generated status messages received immediately when a new member joins the group. Only "DMARKS" is currently in this group. The "MWU" is the properties currently associated with DMARKS—the ability to moderate, write to the channel, and send multimedia messages.

A new member has joined the channel, and the member list status area is updated right away (at FIG. 11). This new member has a login of "ME."

The user DMARKS now types "hello there" into the response area and presses RETURN (at FIG. 12). This message is passed to the controller computer **5**, which sends the message to all channel members, i.e., those using participator computers **5**, including DMARKS.

The user ME now sends a message to the controller: "hi there" (at FIG. 13). This message is also sent to all members by the controller computer **5**. Now user DMARKS clicks (using input device **7**, a mouse) on the name of the user "ME" in the member list window. The participator software **4** will now create a private message window, so that the users ME and DMARKS can exchange private messages. Private messages are only sent to the intended recipient by the controller, and no one else.

A private message window appears in response to DMARKS's request to open private communications with ME (at FIG. 14). Now DMARKS types a message into the private message window's response area to ME: "this message is seen only by the user ME." When complete, the participator software **4** will forward this message to the controller computer **3**.

In response, the user ME has entered "This is the private message response that is only seen by the user DMARKS,"

which has been forwarded to user DMARKS (at FIG. 15). This message is displayed immediately on DMARKS's window.

DMARKS now returns to the channel window for the group "TESTCHANNEL" (at FIG. 16). To modify the permission attributes associated with user ME on the channel TEST CHANNEL, DMARKS (who is a moderator of the channel), clicks on the user ME in the member list to select ME, pulls down the Moderator menu, and selects "Toggle Moderator." This removes the moderator privileges from ME.

As a result of the attribute revocation, the "M" has disappeared from next to ME's name in the member list (at FIG. 17), indicating that the property is no longer associated with the user ME.

Now DMARKS returns to the Channel List window (at FIG. 18). DMARKS wishes to fully moderate the contents of the channel TESTCHANNEL, censoring all unwanted communications to the channel. DMARKS returns to the channel list, and selects the channel TESTCHANNEL by clicking on its name in the channel list.

Now DMARKS selects the "Toggle All Posting" option in the Maintenance pull-down menu (at FIG. 19). This will turn off the channel property "posting," (or sending communications to the channel without moderator approval) which will be indicated by the removal of the letter "P" from next to the name TESTCHANNEL (at FIG. 20).

Now the letter "P" is removed from after the name TESTCHANNEL in the Channel List window (at FIG. 21), indicating that this channel is now moderated and will only have free posting ability by designated members.

Now, type user ME (who is also on channel TESTCHANNEL) wishes to send communications: "this will not be written directly to the channel" (at FIG. 22). The controller, instead of sending it immediately to the channel to be seen by all members, will instead forward the message to the moderators for approval. The moderator, DMARKS, will then see the message on the Moderation Window, which provides a preview of any messages to be sent. To approve a message for general viewing, DMARKS now clicks on the message.

Now that DMARKS has clicked directly on the message, it is displayed inside the group's Channel window for all members to see (at FIG. 23).

DMARKS now wishes to send a graphical multimedia message. This implementation sends graphical multimedia images by allowing a channel member to specify an Internet URL of a graphical multimedia resource to be presented to the group members. In this example, DMARKS wishes to send the URL "http://www.ais.net" (corresponding to the World Wide Web home page of American Information Systems, Inc.) to the channel members. DMARKS enters the URL into the response window, and selects "Send URL" from the Moderator pull-down menu (at FIG. 24).

The controller computer **5** now passes the URL to the channel members. This participator software **4** performs two actions in response to the graphical multimedia display request. The first is to put the name of the URL onto the transcript of the group's channel, so that it can be read by group members. The second response is to have the participator software show the data associated with the graphical multimedia message in a human interpretable way (at FIG. 25). To do this, the participator software **6** either uses built in rules to decide how the graphical multimedia data is to be presented, or locates another program suitable to present the data. In this case, the software **6** is utilizing Netscape Navigator, a program for displaying graphical multimedia docu-

US 8,458,245 B1

11

ments specified by a URL (at FIG. 26). Inside the Navigator window, the graphical multimedia content, the home page of AIS, is shown.

Finally, DMARKS wishes to manually modify the attribute tokens associated with the user (at FIG. 27). The user invokes the Property Editor dialog, which allows the user to view and change the tokens associated with a user. A property of a given user is determined by the Identifier and Property names. An old value of the property is shown, and a token value can be changed in the “New Value” field. With this property editor, a user with sufficient permissions (tokens) can change any of the tokens or security parameters of any user, or a user’s ability to change security parameters can be restricted.

To start with an alternate embodiment using a text-based interface, a user is presented by the login/password screen (at FIG. 28). This screen is where a user enters the information that proves his/her identity. The user must now enter his/her login and password to identify themselves.

After the user has been identified by the controller the Channel List screen appears (at FIG. 29). The names of channels and their associated properties are shown on this screen. By using the arrow keys and highlighting the desired channel, ME may enter any publicly joinable group. Currently, there is only one group TESTCHANNEL, which ME will join.

Now the screen for the channel TESTCHANNEL appears (at FIG. 29). The screen is split into four regions. The bottom left region is the response line, where messages users wish to enter appear. The upper left region is the transcript area where the communications of the group’s channel appear as they occur. The upper right region is the Member List region, where a continuously updated list of members’ names appear, with their attributes.

A message appears in the transcript area. The controller has forwarded a message to the group from DMARKS, “hello there” (at FIG. 31), which is seen by all members of the group, including ME. Now ME will respond, by entering “hi there” into the response area.

When ME is finished entering his response, the participator software forwards the response to the controller, which sends it to the members of the channel. In the transcript area, the participator software notifies the user that it has received a private message from DMARKS, which is waiting inside the private message screen. To see the private message, ME presses the private message screen hot key.

A private message screen appears (at FIG. 32), and the private message from DMARKS is at the bottom of the transcript area. Now to reply, ME types his response into the response area.

Now ME will return to the screen for the channel TESTCHANNEL. The member list area has changed because DMARKS has revoked ME’s moderator permission. ME is no longer permitted to see the permissions of other users, so this information has been removed from his display (at FIG. 33). The only information he can see now is who is moderator (at FIG. 34). A “*” next to the identifier of a member of the group indicates the member is a moderator of the group. ME is no longer a moderator, and therefore a “*” does not appear the identifier ME.

To further exemplify the use of the present invention, the following is a transcript of communications produced in accordance herewith.

POWERQUALITY JOHN MUNG: unclear about meaning of “first contingency”
 POWERQUALITY SAM: mike, that is correct on IEEE 519
 POWERQUALITY SKLEIN: In assessing network security (against outage) the first contingencies are tested to see how

12

the power system should be reconfigured to avoid getting a second contingency and cascading into an outage.

POWERQUALITY MSTEARS: These outages point out the need for reliability as part of the overall customer picture of PQ

POWERQUALITY BRIAN: Hi Jennifer, hit crt-p for private message

POWERQUALITY SKLEIN: In simpler terms, a single point failure shouldn’t crash the system.

POWERQUALITY SKLEIN: Are we all chatted out?

POWERQUALITY ANDYV: brian, johnmung has been banned!!! why?

POWERQUALITY BRIAN: no way, new subject

POWERQUALITY BRIAN: just a sec, andy

POWERQUALITY BRIAN: No banning on this channel, John is back on

POWERQUALITY TKEY: IEEE 519 limits the harmonic current a customer can inject back into the pcc and limit the vthd the utility provides at the PCC

POWERQUALITY JOHN MUNG: thanks guys, for unbanning me—I’ve been thrown out of better places than this!

POWERQUALITY BRIAN: New subject . . . now . . .

POWERQUALITY BRIAN: good one john . . . :)

POWERQUALITY MSTEARS: For critical facilities dual feeds or other backup capability need to be economically evaluated to keep the facility in operation

POWERQUALITY SAM: John, I remember that club very well

POWERQUALITY JOHN MUNG: question: please comment on frequency of complaints involving spikes, sags or harmonics

POWERQUALITY WARD: Problems caused by sags is the main complaint.

POWERQUALITY BRIAN: What subject does anyone want to see the next chat

POWERQUALITY WARD: Surges is probably next; harmonics really don’t cause that many problems, although they are certainly there.

POWERQUALITY ANDYV: what is the solution ward?

POWERQUALITY TKEY: Agree they are the most frequent (sags) and the panel session on the cost of voltage sags at PES drew 110 people

POWERQUALITY SAM: harmonics tend to be an interior problem within a facility, rather than on the distribution system

POWERQUALITY WARD: The best solution is making the equipment less susceptible to sags. This requires working with the manufacturers.

POWERQUALITY ANDYV: won’t that cost more

POWERQUALITY MSTEARS: The complaint of surges covers many things in the customer’s eyes sags have become a real problem because they are harder to resolve

POWERQUALITY GRAVELY: John—The latest EPRI results confirm the 90+% of the time SGS are the problem and short term ones.

POWERQUALITY WINDSONG: What is the topic for the 25??

POWERQUALITY WARD: Each problem can be dealt with as it occurs, but the time involved gets very expensive.

POWERQUALITY JOHN MUNG: making equipment less susceptible causes legal problems for manufacturers—as each improvement can be cited by complainant as example of malfeasance

POWERQUALITY WARD: AndyV: The cost to the manufacturer increases. The overall cost to everyone involved decreases.

US 8,458,245 B1

13

POWERQUALITY TKEY: customer pays any way you cut it, if the eqpt is more immune customers pay only once instead of every time the process fails

POWERQUALITY BRIAN: The topic is regarding Power Quality

POWERQUALITY BRIAN: This chat is available for every-
one 24 hours a day

POWERQUALITY ANDYV: ddorr>>will the manufacturer spend more to produce a better product

POWERQUALITY WARD: And as Tom says, the cost to the
customer is far less.

POWERQUALITY BRIAN: This chat will be functioning 24
hrs/day

POWERQUALITY BRIAN: please use it

POWERQUALITY BRIAN: The next panel discussion is
Nov 15th

POWERQUALITY WARD: Andy, that's where standards
come in.

POWERQUALITY SKLEIN: Is the customer capable of
resolving the fingerpointing among the manufacturers and
utilities?

POWERQUALITY DDORR: andy, only if the end users
create a market for pq compatible eqpt by demanding better
products

POWERQUALITY MSTEARS: The manufacturers prob-
lems in including fixes is being competative with some who
doesn't provide the fix

POWERQUALITY ANDYV: how will we educate the gen-
eral consumer?

POWERQUALITY GRAVELY: Is it possible to have a basic
theme topic or some core questions for 15 Nov chat?

POWERQUALITY WARD: Stan, the customer cannot be
expected to resolve the fingerpointing. The manufacturers
and utilities need to work together.

POWERQUALITY ANDYV: about power quality and reli-
ability?

POWERQUALITY SKLEIN: If electric power is going to be
treated as a fungible commodity, there has to be a definition.
Like, everyone knows what number 2 heating oil is.

POWERQUALITY SAM: Ideally a manufacturer would not
be able to compete if they don't add the protective function in
their products, but alot more public education is required
before we get to this point.

POWERQUALITY WARD: Andy, there are many ways to
educate the customers, but they require a lot of contact
between the utility and the customers. The Western Resources
Power Technology Center in Wichita is doing it, just as an
example.

POWERQUALITY DDORR: standard power vs premium
power is one solution as is std qpt vs Pq compatible eqpt

POWERQUALITY SKLEIN: I want to buy number 2 electric
power and to be able to check the nameplates of my appli-
ances to be sure they can take it. Just like I buy regular
gasoline.

POWERQUALITY MSTEARS: Sam—I agree, that is partly
the utilities responsibility since we serve the customers

POWERQUALITY BBOYER: What differentiates number 2
from number 1?

POWERQUALITY SKLEIN: I used the analogy of number 2
heating oil. I don't know what number 1 heating oil is.

POWERQUALITY DDORR: Number two has cap switching
and all the normal utility operational events while number one
is much better

POWERQUALITY SKLEIN: Perhaps we can just say regu-
lar vs high test.

POWERQUALITY SAM: mike, yes a joint effort between
the utility, manufacturer and standards jurisdictions is a goal

14

for utilicorp as we move forward with offering from our
strategic marketing partners, and bring PQ technologies to the
public

POWERQUALITY TKEY: We are finding that many mfgs
5 want to produce pq compatible equipment, but they have no
clue as to what to test for

POWERQUALITY ANDYV: Tom>>will the IEC standards
help?

POWERQUALITY TKEY: Its up to the utility to help define
normal events IEC will take time

POWERQUALITY SKLEIN: You can't have a commodity
product with all the variation in specifications we have been
discussing. It has to be regular, premium, and super premium
or it won't work.

POWERQUALITY JOHNMUNG: Tom as a former manu-
facturer i sympathize—your work at PEAC is invaluable but
anecdotal knowledge from utility people on the firing line is
equally important

POWERQUALITY TKEY: Super premium, does that mean a
UPS?

POWERQUALITY ANDYV: how do you stop a facility from
affecting you super-premium power?

POWERQUALITY TKEY: John, Good Point

POWERQUALITY SAM: Tkey, a ups, local generation or
redundant service

POWERQUALITY SKLEIN: This is what I meant earlier by
electricity being a non-virtualizable service. You can't make
each customer see the power system as though they had their
own dedicated generating plant.

POWERQUALITY BRIAN: THE CHAT CHANNEL WILL
BE OPEN 24/HRS/DAY 7 DAYS A WEEK

POWERQUALITY TKEY: I must sign out for about 5 min-
utes but I'll be back

POWERQUALITY BRIAN: OK TOM

POWERQUALITY MSTEARS: PQ for facilities need to be
done with a system perspective to to get the right resolution

POWERQUALITY BBOYER: Andy's question is still rel-
evant—how do stop a facility from downgrading utility ser-
vice to other customers?

POWERQUALITY BRIAN: MIKE>>LETS SWITCH
BACK TO RETAIL WHEELING

POWERQUALITY WARD: You work with that customer to
do whatever is needed to correct their disturbances.

POWERQUALITY BBOYER: Be more specific

POWERQUALITY MSTEARS: Interaction between facil-
ities can be evaluated and designed for

POWERQUALITY JOHNMUNG: as a key to hardening it
helps to identify the most sensitive circuits, i.e. microproces-
sor logic, test for vulnerability under common surges, sags,
rfi, and then notify users that their equipment contains these
subsystems—for a start

POWERQUALITY BRIAN: hi DOUG

POWERQUALITY GRAVELY: Brian: Are you saving this
session as a file? Can we get a list of chat session participants?

POWERQUALITY BRIAN: s, we may

POWERQUALITY DMARKS: gravely: hit TAB and use the
arrow keys to page through the list of participants

POWERQUALITY SKLEIN: Will the session be available
for downloading?

POWERQUALITY BRIAN: yes, Mike we will publish in PQ
Magazine

POWERQUALITY WARD: Part of the agreement for high
quality power should be that the customer receiving the power
will not disturb the utility system.

POWERQUALITY BRIAN: if john let's us . . .

US 8,458,245 B1

15

POWERQUALITY GRAVELY: I tried that, however, net-cruiser has a software problem and I cannot see all of the names.

POWERQUALITY SAM: most utilities rules and regulations already require that a customer not put anything back out on the utility system

POWERQUALITY BRIAN: MIKE G.>>WE WILL PUBLISH THIS IN PQ MAG NEXT MONTH IF ASNDY LETS US

POWERQUALITY BRIAN: HOW ABOUT IT ANDY?

POWERQUALITY ANDYV: ok

POWERQUALITY BRIAN: COOL

POWERQUALITY WARD: Standards will have to be set for what constitutes a disturbance, and then the utility should work with customers, install filters, etc., to be sure they stay within the rules.

POWERQUALITY BRIAN: THANKS ANDY

POWERQUALITY ANDYV: a meeting review or a summary of events

POWERQUALITY GRAVELY: It would be good to take a few minutes to recommend how the 15 Nov session could be more effective.

POWERQUALITY BRIAN: A SYNAPSE OF THIS CHAT WILL BE IN NEXT MONTHS PQ MAG

POWERQUALITY WINDSONG:

POWERQUALITY SKLEIN: I don't get PQ mag. Will it be on the Net?

POWERQUALITY BRIAN: STAN SIGN UP FOR IT ON OUR HOME PAGE

POWERQUALITY DOUGC: the transcript of this conference will be available on the EnergyOne pages.

POWERQUALITY BRIAN: YOU CAN SIGN UP ON LINE
POWERQUALITY BRIAN: HTTP://WWW.UTILICORP.COM

POWERQUALITY WINDSONG: Good comment Gravelly Comments from the users would be greatly appreciated!!

POWERQUALITY SAM: PQ magazine is available online on the UCU Internet bulletin board, <http://www.utilicorp.com>

POWERQUALITY ANDYV: or link from powerquality.com

POWERQUALITY BRIAN: YOU CAN GET A FREE MAG SUBSCRIPTION FROM UTILICORP'S HOME PAGE

POWERQUALITY SKLEIN: Thanks

POWERQUALITY BRIAN: ALSO, THERE IS A PQ FORUM ON OUR HOME PAGE

POWERQUALITY JOHNMUNG: for nov 15 shall we pick five key topics? suggest health care, energy storage rfi/emc as a few topics—also new gas turbine 25 kw generator just announce today—just some suggestions

POWERQUALITY BRIAN: GOOD SUGGESTION JOHN
POWERQUALITY ANDYV: lets develop an outline of topics for next time.

POWERQUALITY BRIAN: OK

POWERQUALITY GRAVELY: One suggestion for 15 Nov—Have participants place a list of desired topics on your other chat box and prioritize by interest level.

POWERQUALITY SKLEIN: How about deregulation and retail wheeling.

POWERQUALITY BRIAN: COMMENTS SHOULD BE SENT TO ME BY EMAIL

POWERQUALITY BRIAN: BSPENCER@UTILICORP.COM

POWERQUALITY BRIAN: 15 minutes remaining

POWERQUALITY ANDYZYREK: Let's discuss the new standard IEEE 1159.

POWERQUALITY ANDYV: may be we could generate an online questionnaire to see what people are needing discussed.

16

POWERQUALITY BRIAN: but the chat is available for 24 hrs/day 7 days a week

POWERQUALITY ANDYV: what does IEEE1159 address?

POWERQUALITY BRIAN: Please send all suggestion to me for our next chat

POWERQUALITY BRIAN: Bobbin is not banned now

POWERQUALITY BRIAN: my fault

POWERQUALITY ANDYZYREK: New PQ measuring techniques. We have not received our issue yet.

POWERQUALITY ANDYV: You should have it my now.

POWERQUALITY BRIAN: Bobbin is not banned anymore

POWERQUALITY ANDYV: you can e-mail me or john at: editors@powerquality.com

POWERQUALITY BRIAN: is two hours right fdo rhtis feature

POWERQUALITY JOHNMUNG: do i understand that many programmable logic controllers can be hardened by addition of simple CVT like a sola?

POWERQUALITY ANDYZYREK: Yes, but it is being delivered by snail mail.

POWERQUALITY ANDYV: no 2nd class

POWERQUALITY BRIAN: 15 minutes to go

POWERQUALITY ANDYV: Please e-mail me you complete name and address and I will mail you one today 1st class . . . now is that serice or what?

POWERQUALITY BRIAN: Is two hours long enough for thhis chat?

POWERQUALITY TKEY: Im back

POWERQUALITY WARD: Brian, I think two hours is about right.

POWERQUALITY BRIAN: hi tom

POWERQUALITY BRIAN: good . . .

POWERQUALITY ANDYV: yes I agree 2 hrs

POWERQUALITY BRIAN: anyone else

POWERQUALITY ANDYV: it the time of day correct?

POWERQUALITY BRIAN: questions now . . .

POWERQUALITY SKLEIN: The topic foremost in my mind right now is what to eat for lunch. I enjoyed the discussion, which I understand has been historic in some sense. But I think I will sign off now and go eat.

POWERQUALITY SAM: 2 hours seems to work very well

POWERQUALITY DANIELH: time of day is good

POWERQUALITY BILLMANN: 2 hrs is fine

POWERQUALITY MSTEARS: Two hours work well, the middle of the day allows east and west coast to be involved

POWERQUALITY BRIAN: good, Will everyone be back for the next chat

POWERQUALITY GRAVELY: Brian, I will forward my recommendations on email, thanks.

POWERQUALITY BILLMANN: yes i'll be back

POWERQUALITY ANDYZYREK: Brian, would it be possible to have a forum published on your home page prior to Nov 15.

POWERQUALITY BRIAN: I would like to do another chat before Nov 15th, any thoughts

POWERQUALITY ANDY: U bet

POWERQUALITY SAM: I believe that this chat may set an attendance record for most participants during a first session

POWERQUALITY JOHNMUNG: a parting thought—"harmonics make the music rich, they make the tone inspring—harmonics in your power line WILL BLOW THE BUILDINGS WIRING" tM MUNGENAST

POWERQUALITY BRIAN: Your're all invited to return

POWERQUALITY BRIAN: the next chat

POWERQUALITY BRIAN: This chat feature will help set standards of how we view our industry

US 8,458,245 B1

17

POWERQUALITY WARD: For me this was two hours very well spent, and it was quite enjoyable.
 POWERQUALITY BRIAN: Tell a colleague about our chat Nov 15th
 POWERQUALITY BRIAN: Thanks Ward
 POWERQUALITY BRIAN: I would like to do this on a weekly basis, any thoughts yet
 POWERQUALITY GRAVELY: John: talk it up in Germany!!
 POWERQUALITY ANDY: I would like to thank utilicorp and everyone envolved.
 POWERQUALITY BRIAN: Thanks Andy for your help
 POWERQUALITY WARD: Did this notice go out to the Power Globe mailing list?
 POWERQUALITY BRIAN: No, but could help us Ward with that
 POWERQUALITY BRIAN: Lets all get the word out about this chat
 POWERQUALITY WARD: I'm on the list and will be glad to forward anything you wish to it.
 POWERQUALITY BRIAN: Please use it whenever you wish, even schedule your own chats whenever
 POWERQUALITY JOHNUNG: MANY THANKS TO UTILICORP AND ALL INVOLVED—FROM AN OLD STEAM BOATER :-)
 POWERQUALITY BRIAN: thanks ward
 POWERQUALITY BRIAN: Hi duane
 POWERQUALITY BRIAN: This chat is offically over, but do stick around for foir more chatting
 POWERQUALITY BRIAN: Thanks to all, cya on Nov 15th
 POWERQUALITY MSTEARS: Ward, Tom, and John I appreciate your participation
 POWERQUALITY BRIAN: Thanks Guys and Ladies!!!!!!!!!!!!
 POWERQUALITY SWPPD: WHAT IS HAPPENING ON NOV. 15
 POWERQUALITY BRIAN: our next chat with a panel of experts
 POWERQUALITY BRIAN: topic yet to be decided
 POWERQUALITY DPSWOBO: Hi Brian, Sorry I was on the phone and could not respond right away. Did I get the time incorrectly for the chat?
 POWERQUALITY BRIAN: please send us a suggestions
 POWERQUALITY ANDY: good bye ;-)
 POWERQUALITY BRIAN: Yeah, but stick around to chat with some friends
 POWERQUALITY BRIAN: We had a total of 50 people and avg of 20 people at one time
 POWERQUALITY BRIAN: Thanks everyone!!!Lunch Time
 POWERQUALITY BRIAN: Next Chat Nov 15th at 10-12 ct
 POWERQUALITY BRIAN: But this chat line is available 24 hrs/day/7 days a week
 POWERQUALITY BRIAN: Please use it whenever
 POWERQUALITY GRAVELY: Thanks to the panel and Utilicorp for the session!
 POWERQUALITY BRIAN: Talk to your collegues and friends about any particular topic
 POWERQUALITY BRIAN: Come see our home page for new topics and chats
 POWERQUALITY BRIAN: http://www.utilicorp.com
 POWERQUALITY BRIAN: Thanks Power Quality Assurance Magazine and All our panel members
 POWERQUALITY BRIAN: :)
 POWERQUALITY SWPPD: MISSED THIS SESSION. ICAN WE GET HARD COPY INFO?

18

POWERQUALITY BRIAN: yes swwp, it will be published in pq mag and our home page
 POWERQUALITY BRIAN: catch our next session on nov 15th
 5 POWERQUALITY BRIAN: 10-12 ct
 POWERQUALITY SWPPD: THANKS A BUNCH!!
 POWERQUALITY SWPPD: GOOD BYE!
 POWERQUALITY BRIAN: no prob
 POWERQUALITY BRIAN: cya
 10 POWERQUALITY DESWETT:
 POWERQUALITY TKEY: Good session brian, dorr and I will be signing off now, look forward to the next session
 POWERQUALITY DPSWOBO: Thanks for the info on the next session, we will get on next time
 15 POWERQUALITY DMARKS: I hope everyone enjoyed this session.
 POWERQUALITY MSTEARS: I am logging off Thanks
 POWERQUALITY SAM: This is Tony and I am watching the action . . . we made history. Great work guys.
 20 POWERQUALITY BRIAN: Lunch time
 POWERQUALITY BRIAN: Next chat is nov 15th
 POWERQUALITY BRIAN: 10-12ct
 POWERQUALITY BRIAN: please continuie to look at utilicorp's hp
 25 POWERQUALITY BRIAN: for more info
 POWERQUALITY BRIAN: email if you have any questions regarding the chat
 POWERQUALITY BRIAN: bspencer@utilicorp.com
 POWERQUALITY BRIAN: later
 30 SUPPORT BRIAN: hi guys
 SUPPORT BRIAN: success
 SUPPORT BRIAN: yess!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!
 !!!!!!!!!!!!!!!!!!!!!
 SUPPORT BRIAN: thanks for the help
 35 SUPPORT BRIAN: cya
 POWERQUALITY BRIAN: next chat on Nov 15th
 POWERQUALITY BRIAN: 10-12 ct
 POWERQUALITY BRIAN: any suggestion on topics please contact me by email
 40 POWERQUALITY BRIAN: bspencer@utilicorp.com
 POWERQUALITY BRIAN: hi chuck
 POWERQUALITY BRIAN: hi randy
 POWERQUALITY CPREECS: hello brian
 POWERQUALITY BRIAN: How are you chuck
 45 POWERQUALITY CPREECS: how has the participation been?
 POWERQUALITY BRIAN: I am sorry you missed the offical chat, but do come back at any time for some chatting
 POWERQUALITY BRIAN: great 20 people avg. 50 total people
 POWERQUALITY CPREECS: ?yes, i got some conflicting info
 POWERQUALITY BRIAN: transcripts will be in PQ mag next month and on utilicorp's home page
 55 POWERQUALITY CPREECS: what were the topics discussed?
 POWERQUALITY BRIAN: how is that chuck
 POWERQUALITY BRIAN: power quality, standards,
 POWERQUALITY BRIAN: retail wheeling
 60 POWERQUALITY BRIAN: cya, lunch time
 POWERQUALITY CPREECS: later
 POWERQUALITY BRIAN: bye all
 POWERQUALITY BRIAN: email me chuck
 POWERQUALITY RB: sorry I missed it. I got 12-2 est off
 65 the net. bye.
 POWERQUALITY BRIAN: sorry RB
 POWERQUALITY BRIAN: miss information

US 8,458,245 B1

19

POWERQUALITY BRIAN: next chat is 10-12
POWERQUALITY BRIAN: ct
POWERQUALITY BRIAN: nov 15th
POWERQUALITY BRIAN: bye
POWERQUALITY RB: thanks
POWERQUALITY BRIAN: no prob, tell all
POWERQUALITY ANDY: Is anyone still here talking about power quality?
POWERQUALITY DAVE: Just signed on that is what I was trying to find out
POWERQUALITY ANDY: the PQ chat was running from 11:00-1:00est
POWERQUALITY ANDY: Were you involved then?
POWERQUALITY DAVE: No I just got a chance to sign on now
POWERQUALITY ANDY: there were some great discussions.
POWERQUALITY ANDY: The transcripts will be available to down load at utilicorp.com Brian Spencer says.
POWERQUALITY ANDY: What is your experience in PQ
POWERQUALITY DAVE: That is what I was looking for, are they available to down load now, I work in a data center and have worked with UPS systems for about 12 years
POWERQUALITY DAVE: I did field service for Exide
POWERQUALITY ANDY: Brian just went to Lunch in KS I don't know when it will availalbe.
POWERQUALITY DAVE: Thanks for the Info on the down-loads, I hope they do this again
POWERQUALITY ANDY: so do I.
POWERQUALITY DAVE: What is your experience on PQ
POWERQUALITY ANDY: I am the editor or Power quality mag.
POWERQUALITY DAVE: Good mag., I pick up alot in it
POWERQUALITY ANDY: do your receive power quality assurance magazine?
POWERQUALITY ANDY: great glad to hear it.
POWERQUALITY DAVE: We get it at work but I have asked to have it sent to my home PS
POWERQUALITY ANDY: did you get the latest issue witht the lighting on the cover?
POWERQUALITY DAVE: Not yet, have seen it on line though
POWERQUALITY ANDY: great.
POWERQUALITY ANDY: any suggestion for editorial?
POWERQUALITY DAVE:
POWERQUALITY DAVE: no it is good
POWERQUALITY ANDY: ok.
POWERQUALITY ANDY: I am currently editing an article about VRLA battery charging.
POWERQUALITY DAVE: I am working on a resonant problem with Utility and was looking for info
POWERQUALITY ANDY: explain
POWERQUALITY ANDY: by the way my e-mail is andy@powerquality.com
POWERQUALITY DAVE: we are running a lot of 5th har. across our system in a large data center
POWERQUALITY ANDY: I see
POWERQUALITY ANDY: I will try to address this in an upcoming issue. may be march/april or even sooner.
POWERQUALITY DAVE: we have 4800 kw of UPS cap on two transformers and we have alot of 5th on our other boards
POWERQUALITY ANDY: If you are interested in writing up a case history including you solutions I would like to review it and poss. publish
POWERQUALITY MSTONEHAM: Is this chat session still active?
POWERQUALITY ANDY: YES
POWERQUALITY ANDY: We can't get enough! ! !

20

POWERQUALITY DAVE: when we can get it fixed, It looks like we have a problem with input filtering on a couple of UPS,s
POWERQUALITY ANDY: input fro the utility or a genera-
5 tor?
POWERQUALITY DAVE: utility
POWERQUALITY MSTONEHAM: I understand there was a chat session earlier today with some guest "chatters". Is there an archive of the discussion since I missed it?
10 POWERQUALITY DAVE: we have 66 kv to 12 kv then to 480 v by 4 trans on property
POWERQUALITY ANDY: What are you leaning towards in a solution dave
POWERQUALITY ANDY: MTONEHAM>>yes but I don't
15 know when. contact BSPENCER@utilicorp.com
POWERQUALITY DAVE: the computer seem to have no problem, but we have alot of motor heating/bad PF
POWERQUALITY MSTONEHAM: Thanks!
POWERQUALITY DAVE: we currently are working with a
20 consultant but I am looking for more info
POWERQUALITY ANDY: will capacitors solve your pto-blem
POWERQUALITY ANDY:
POWERQUALITY ANDY: there also is a forum under utili-
corp.com where you can post you questions.
POWERQUALITY DAVE: Each 600 kw UPS has Input filtering/may need trap for 5th
POWERQUALITY ANDY: or you can access it form pow-
erquality.com
30 POWERQUALITY DAVE: thanks
POWERQUALITY ANDY: Talk to ya later dave
POWERQUALITY DAVE: is PQ.com your Mag
POWERQUALITY ANDY: bye
POWERQUALITY DAVE: bye
35 POWERQUALITY ANDY: yes
POWERQUALITY DAVE: thanks
POWERQUALITY ANDY: :-)
POWERQUALITY MSTONEHAM:
POWERQUALITY MSTONEHAM: Is anyone else hear?
40 There doesn't seem to be much traffic.
POWERQUALITY MSTONEHAM:
POWERQUALITY CILCOJRG: Hello—is the conference over?
POWERQUALITY CILCOJRG:
45 POWERQUALITY CILCOJRG: hello
POWERQUALITY BRIAN: yes
POWERQUALITY BRIAN: the conference was from 10-12 ct
POWERQUALITY BRIAN: someone gave out the wrong
50 information
POWERQUALITY BRIAN: hello cilco
POWERQUALITY BRIAN: anyone still there
SUPPORT BRIAN: hi all
SUPPORT BRIAN: anyone there
55 POWERQUALITY BRIAN: jenny>>are you there
POWERQUALITY CJBOUTCHER: is anyone here a utility employee?
POWERQUALITY BRIAN: Hi chris
POWERQUALITY BRIAN: how are you?
60 POWERQUALITY CJBOUTCHER: hi brian it is quiet in here
POWERQUALITY BRIAN: the conference was at 10:00ct
POWERQUALITY CJBOUTCHER: ah I see
POWERQUALITY CJBOUTCHER: when is the next one?
65 POWERQUALITY BRIAN: nov 15th
POWERQUALITY BRIAN: 10-12
POWERQUALITY BRIAN: ct

US 8,458,245 B1

21

POWERQUALITY CJBOUTCHER: is the channel open at other times?
 POWERQUALITY BRIAN: yes 24 hours a dfay
 POWERQUALITY CJBOUTCHER: but not much discusion?
 POWERQUALITY BRIAN: not right now,
 POWERQUALITY BRIAN: cya
 POWERQUALITY CJBOUTCHER: bye
 POWERQUALITY BRIAN: hi jenny
 POWERQUALITY JOSH: hello?
 POWERQUALITY BRIAN: hi dan
 POWERQUALITY BRIAN: hi dan
 POWERQUALITY BRIAN: are you awake yet?
 POWERQUALITY BRIAN: just giving present this a.m.
 POWERQUALITY BRIAN: :)
 POWERQUALITY BRIAN: who is guest96
 POWERQUALITY GUEST96: test

While a particular embodiment of the present invention has been disclosed, it is to be understood that various different modifications are possible and are within the true spirit of the invention, the scope of which is to be determined with reference to the claims set forth below. There is no intention, therefore, to limit the invention to the exact disclosure presented herein as a teaching of one embodiment of the invention.

The invention claimed is:

1. A computer apparatus distributing a communication over an Internet network, the apparatus including:
 - a controller computer system adapted to communicate responsive to a respective authenticated user identity corresponding respectively to each of a plurality of participator computers,
 - each said participator computer communicatively connected to said Internet network, each said participator computer programmed to enable the communication, the communication including at least one of a pre-stored sound, video, graphic, and multimedia,
 - the controller computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other; wherein
 - one said authenticated user identity is used to communicate a pointer-triggered private message from a first of said participator computers to said controller computer and from said controller computer to a second of said participator computers that invokes said pointer-triggered private message to fetch and receive the communication from a computer other than said first or said second said participator computers in real time over the Internet network such that the second of said participator computers internally determines whether or not the second of the participator computers can present the communication, if it is determined that the second of the participator computers can not present the communication then obtaining an agent with an ability to present the communication, and otherwise presenting the communication independent of the first of the independent participator computers and the computer.
2. The apparatus of claim 1, wherein the computer system includes a world wide web communication.
3. The apparatus of claim 1, wherein the computer system includes data representing sound communications.

22

4. The apparatus of claim 1, wherein the computer system includes data representing video communications.
5. The apparatus of claim 1, wherein the computer system includes data representing sound and video communications.
6. The apparatus system of claim 1, wherein the computer system further determines that the message is not censored.
7. An apparatus to communicate via an Internet network, the apparatus including:
 - a computer system communicatively connected to each of a plurality of participator computers responsive to communication of a respective login name and a password corresponding to a respective user identity,
 - a first of the participator computers running software communicating a private message to the computer system, the private message comprising a pointer, the computer system, including a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other, wherein
 - the first participator computer of the computer system is running software communicating the private message to a second of the participator computers, and
 - the second of the participator computers is running software receiving a communication via the pointer provided within the private message from the first of the participator computers,
 - the communication being sent in real time and via the Internet network,
 - the communication including pre-stored data representing at least one of video, a graphic, sound, and multimedia, such that the second of the participator computers determines internally whether or not the second of the participator computers can present the communication,
 - if it is determined that the second of the participator computers can not present the communication then obtaining an agent with an ability to present the communication, and
 - otherwise presenting the communication independent of the first of the independent participator computers.
8. The apparatus of claim 7, wherein the computer system further determines that the message is not censored.
9. The apparatus of claim 7, wherein the computer system includes the pointer as a pointer that causes the communication to be produced on demand.
10. The apparatus of claim 7, wherein the computer system includes data representing video communications.
11. The apparatus of claim 7, wherein the computer system includes data representing sound communications.
12. The apparatus of claim 7, wherein the computer system includes data representing sound and video communications.
13. The apparatus of claim 7, wherein the computer system includes messaging data representing at least one of text communications and ASCII communications.
14. The apparatus of claim 7, wherein the computer system includes data representing a member-associated image communications.
15. The apparatus of claim 7, wherein the computer system provides a chat channel via the Internet network between at least two of the plurality of independent computers.
16. The apparatus of claim 7, wherein the computer system includes at least one message as an out-of-band communication.

US 8,458,245 B1

23

17. The apparatus of claim 8, wherein the computer system includes a user age corresponding to each of the user identities.

18. The apparatus of claim 17, wherein the computer system includes messaging data representing at least one of text communications and ASCII communications.

19. An apparatus to receive a communication via an Internet network, the apparatus including:

- a computer system, and
- a plurality of participator computers,

- each of the participator computers communicatively connected to the computer system responsive to each of the plurality of participator computers being associated with a respective login name and a password;
- a first of the plurality of participator computers being programmed to communicate such that a private message is sent to the computer system,
- the private message including a pointer pointing to a communication that includes pre-stored data representing at least one of a video, a graphic, sound, and multimedia;

- the computer system, including a computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other; wherein

- the computer system communicates the private message to a second of the plurality of participator computers; and

- the second participator computer is programmed to receive the communication provided within the private message, which originates from the first participator computer,

- the communication being sent in real time and via the Internet network, and the second participator computer internally determines whether or not the second participator computer can present the pre-stored data, if it is determined that the second participator computer can not present the pre-stored data then obtaining an agent with an ability to present the pre-stored data, and otherwise presenting the pre-stored data independent of the first participator computer.

20. The apparatus of claim 19, wherein the computer system is further programmed to determine whether the pointer is not censored.

21. The apparatus of claim 19, wherein the computer system is further programmed to determine whether the message is not censored.

22. The apparatus of claim 19, wherein the pointer produces the communication on demand.

23. The apparatus of claim 19, wherein the communication includes the pre-stored data representing the video.

24. The apparatus of claim 19, wherein the communication includes the pre-stored data representing the sound.

25. The apparatus of claim 19, wherein the communication includes the pre-stored data representing the sound and the video.

26. The apparatus of claim 19, wherein the computer system is further programmed to determine whether the communication is not censored.

27. The apparatus of claim 19, wherein the message includes pre-stored data representing at least one of text and ASCII.

28. The apparatus of claim 19, wherein the communication includes data representing a member-associated image.

24

29. The apparatus of claim 19, wherein the computer system is further programmed to form a chat channel via the Internet network, between at least two of the plurality of independent computers.

30. The apparatus of claim 19, wherein the computer system is further programmed to communicate the message as an out-of-band communication message.

31. The apparatus of claim 19, wherein the computer system stores a user age corresponding to each of the user identities.

32. The apparatus of claim 31, wherein the pre-stored data represents the sound.

33. The apparatus of claim 31, wherein the pre-stored data represents the video.

34. The apparatus of claim 31, wherein the pre-stored data represents the sound and the video.

35. The apparatus of claim 31, wherein the message includes pre-stored data representing at least one of text and ASCII.

36. The apparatus of claim 19, wherein the pre-stored data represents the multimedia.

37. A communication apparatus to allow communication via an Internet network, the apparatus including:

- a plurality of participator computers,
- each of the participator computers communicatively connected to a computer system responsive to each of the plurality of the participator computers being associated with a login name and a password,

- the computer system including a computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent from each other; wherein the participator computers of the computer system allow a first of the user identities and a second of the user identities to form a group in which members send private communications in real time and via the Internet network, and receive communications from another member,

- one of the private communications including a pointer that produces a pointer-triggered message on demand,
- one of the communications including pre-stored data representing sound, and

- one of the communications including pre-stored data representing at least one of text and ASCII, wherein one of the participator computers that receives the one of the communications including the pre-stored data internally determines whether or not the one of the participator computers can present the pre-stored data, if it is determined that the one of the participator computer can not present the pre-stored data then obtaining an agent with an ability to present the communication, and otherwise presenting the pre-stored data.

38. Apparatus to communicate via an Internet network, the apparatus including:

- a computer system interactively connected with a plurality of participator computers responsive to receiving information indicative of a first user identity corresponding to a first of the plurality of participator computers and responsive to receiving information indicative of a second user identity corresponding to a second of the plurality of participator computers,
- the first of the plurality of participator computers running software,
- the second of the plurality of participator computers running software,

25

the computer system, including the participator computers and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other, the computer system 5 allowing the first user identity and the second user identity to form a group in which members can communicate by sending private communications, and receiving communications from another of the members, in real time and via the Internet network, wherein 10 one of the private communications includes a pointer that produces a pointer-triggered message on demand, one of the communications including pre-stored data representing sound, and one of the communications include pre-stored data representing at least one of text and ASCII, wherein one of the participator computers that receives the pre-stored data internally determines whether or not the one of the participator computers can present the pre-stored data, if it is determined that the one of the participator computer can not present the pre-stored data then obtaining an agent with an ability to present the communication, and otherwise presenting the pre-stored data.

39. The apparatus of claim 38, wherein the group includes a third of said participator computers.

40. The apparatus of claim 38, wherein the computer system further determines that one of the communications is not censored.

41. An apparatus to distribute a communication via an Internet network, the apparatus including: 30 a first participator computer communicatively connected to a computer system, the first independent computer being connected in association with a user identity, and a private communication link between the first participator computer and a second participator computer, the computer system including a computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other; wherein 40 the first participator computer privately communicates a pointer within a private message from the first independent computer to the computer system, and the second participator computer receives the pointer within the private message from the computer system and invokes the pointer to fetch and to receive the private communication from the first participator computer, via the private communication link, in real time, and via the Internet network, wherein the private communication includes pre-stored data representing at least one of a video, a graphic, sound, and multi-

26

media, and the second participator computer internally determines whether or not the second participator computer can present the communication, if it is determined that the second participator computer can not present the communication then obtaining an agent with an ability to present the communication, and otherwise presenting the communication independent of the first participator computer.

42. The apparatus of claim 41, wherein the computer system is further programmed to determine whether the pointer is censored.

43. The apparatus of claim 41, wherein the computer system is further programmed to determine whether the data are censored.

44. The apparatus of claim 43, wherein the communication includes data representing the pre-stored sound, and at least one of text and ASCII.

45. The apparatus of claim 41, wherein the pointer produces the communication on demand.

46. The apparatus of claim 45, wherein the communication includes the pre-stored data representing the sound.

47. The apparatus of claim 41, wherein the communication includes the pre-stored data representing the video.

48. The apparatus of claim 41, wherein the communication includes the pre-stored data representing the sound.

49. The apparatus of claim 41, wherein the communication includes the pre-stored data representing the sound and the video.

50. The apparatus of claim 41, wherein the communication includes the pre-stored data representing the multimedia.

51. The apparatus of claim 41, wherein the data includes data representing a member-associated image.

52. The apparatus of claim 41, wherein the computer system is further programmed to allow chat communication in real time via the Internet network.

53. The apparatus of claim 41, wherein the computer system is further programmed to communicate out-of-band communication.

54. The apparatus of claim 41, wherein the wherein the pre-stored data represents the multimedia.

55. The apparatus of claim 41, wherein the computer system communicates asynchronous and synchronous communication.

56. The apparatus of claim 55, wherein the communication includes the pre-stored data representing the sound.

57. The apparatus of claim 55, wherein the communication includes the pre-stored data representing the video.

58. The apparatus of claim 55, wherein the communication includes the pre-stored data representing the sound and the video.

* * * * *



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(12) **United States Patent Marks**

(10) **Patent No.:** US 8,473,552 B1
(45) **Date of Patent:** Jun. 25, 2013

(54) **COMMUNICATIONS SYSTEM**

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(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 952 days.

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(Continued)

(63) Continuation of application No. 09/399,578, filed on Sep. 20, 1999, which is a continuation of application No. 08/617,658, filed on Apr. 1, 1996, now Pat. No. 5,956,491.

Primary Examiner — Patrice Winder

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(51) **Int. Cl.**
G06F 15/16 (2006.01)

(57) **ABSTRACT**

(52) **U.S. Cl.**
USPC **709/206; 709/204; 709/225**

A computerized human communication arbitrating and distributing system, including a controller digital computer and a plurality of participator digital computers, each of the participator computers including an input device for receiving human-input information from a human user and an output device for presenting information to the user, each said user having a user identity. A connection, such as Internet, links the controller computer with each of the participator computers. Controller software runs on the controller computer to arbitrate in accordance with predefined rules including said user identity, which ones of the participator computers can interact in one of a plurality of groups through the controller computer and to distribute real time data to the respective ones of the groups. Participator software runs on each of the participator computers to handle a user interface permitting one said user to send a multimedia information message to the controller computer, which arbitrates which of the participator computers receive the multimedia information message and conveys the multimedia information message to the selected participator computers to present the multimedia information to the respective user.

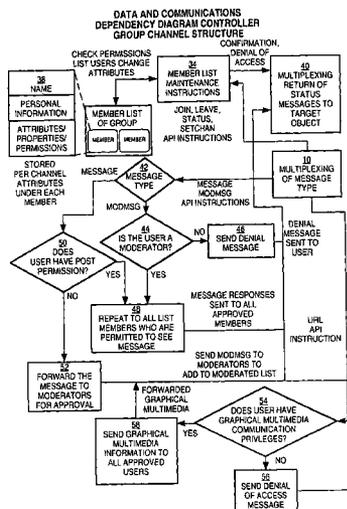
(58) **Field of Classification Search**
USPC 709/204–207, 225
See application file for complete search history.

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64 Claims, 22 Drawing Sheets



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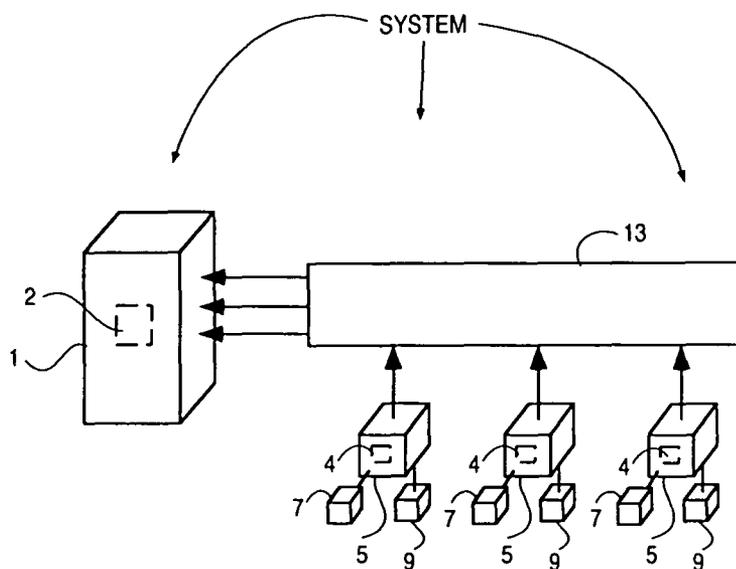
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FIG. 1



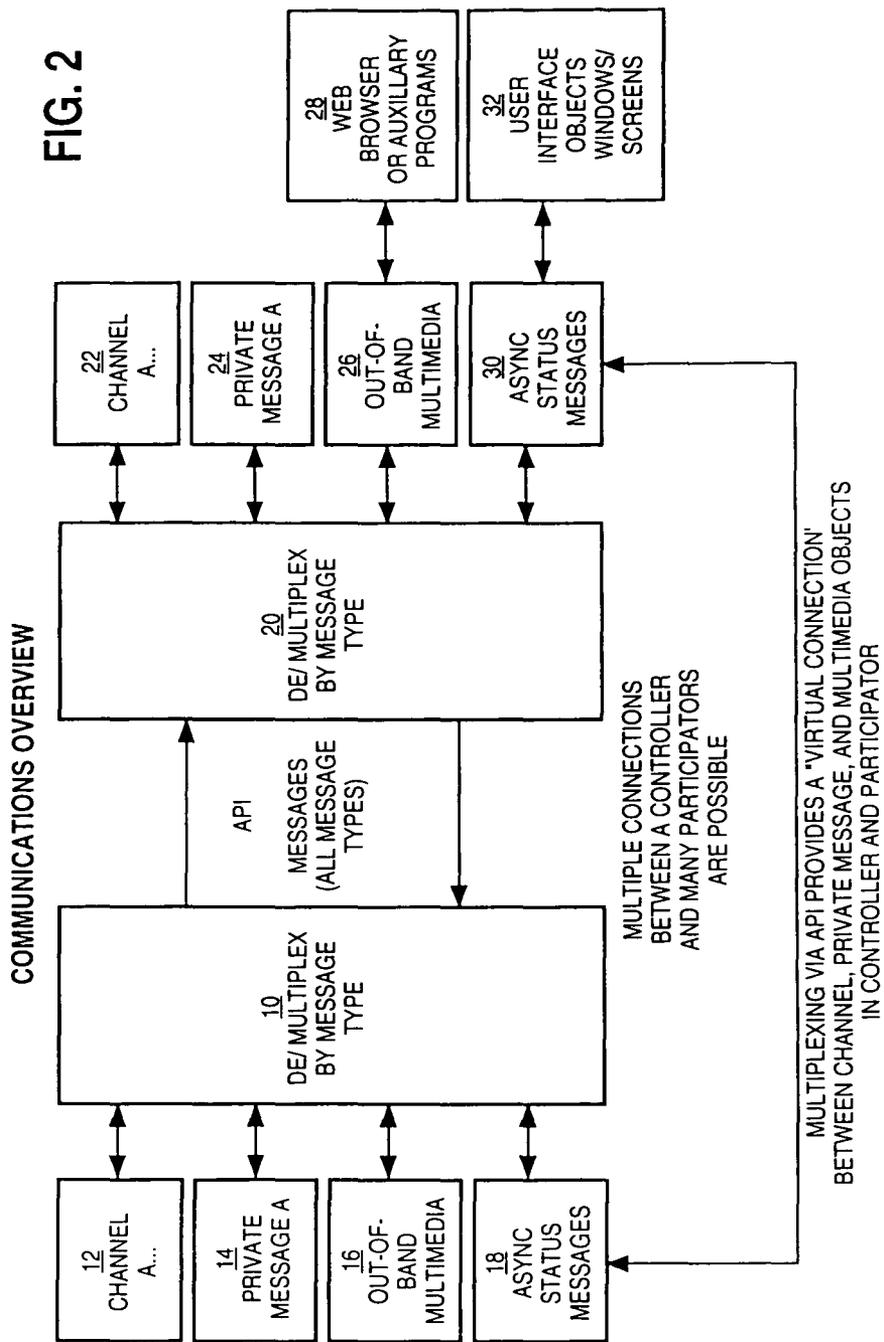


FIG. 3

DATA AND COMMUNICATIONS
DEPENDENCY DIAGRAM CONTROLLER
GROUP CHANNEL STRUCTURE

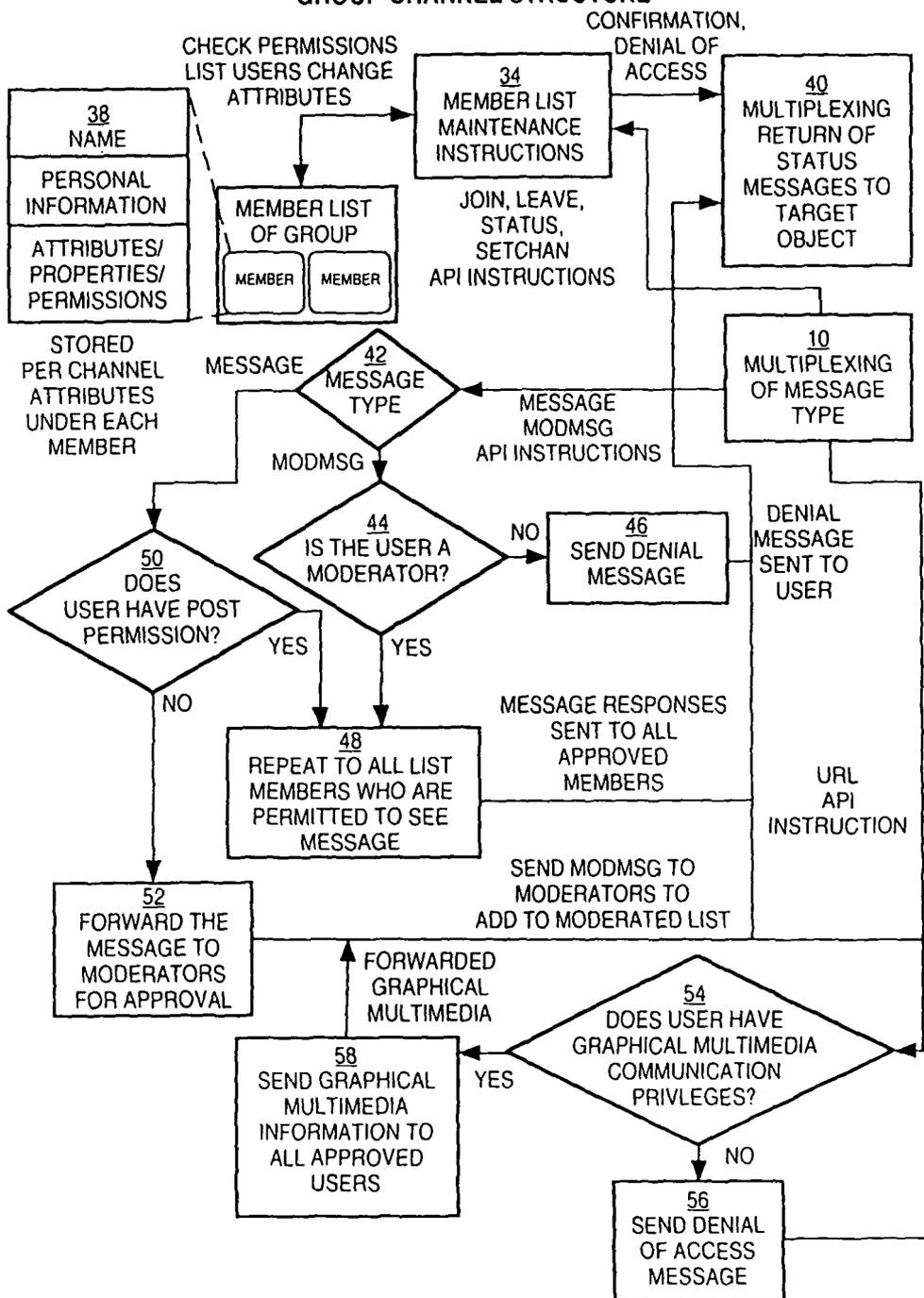


FIG. 4

CENTRAL CONTROLLER LOOP COMMUNICATIONS

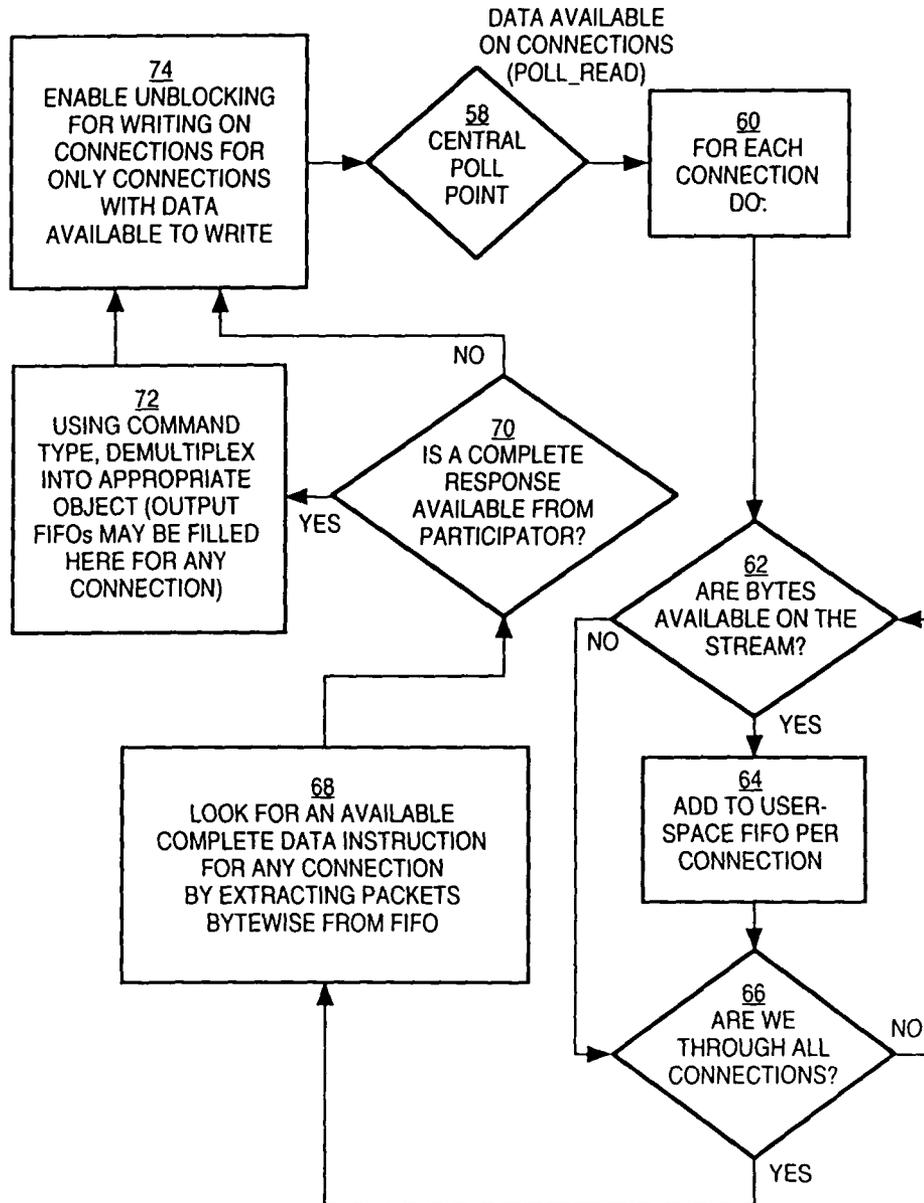


FIG. 5

CLIENT CHANNEL DATA STRUCTURE AND INFORMATION FLOW DIAGRAM

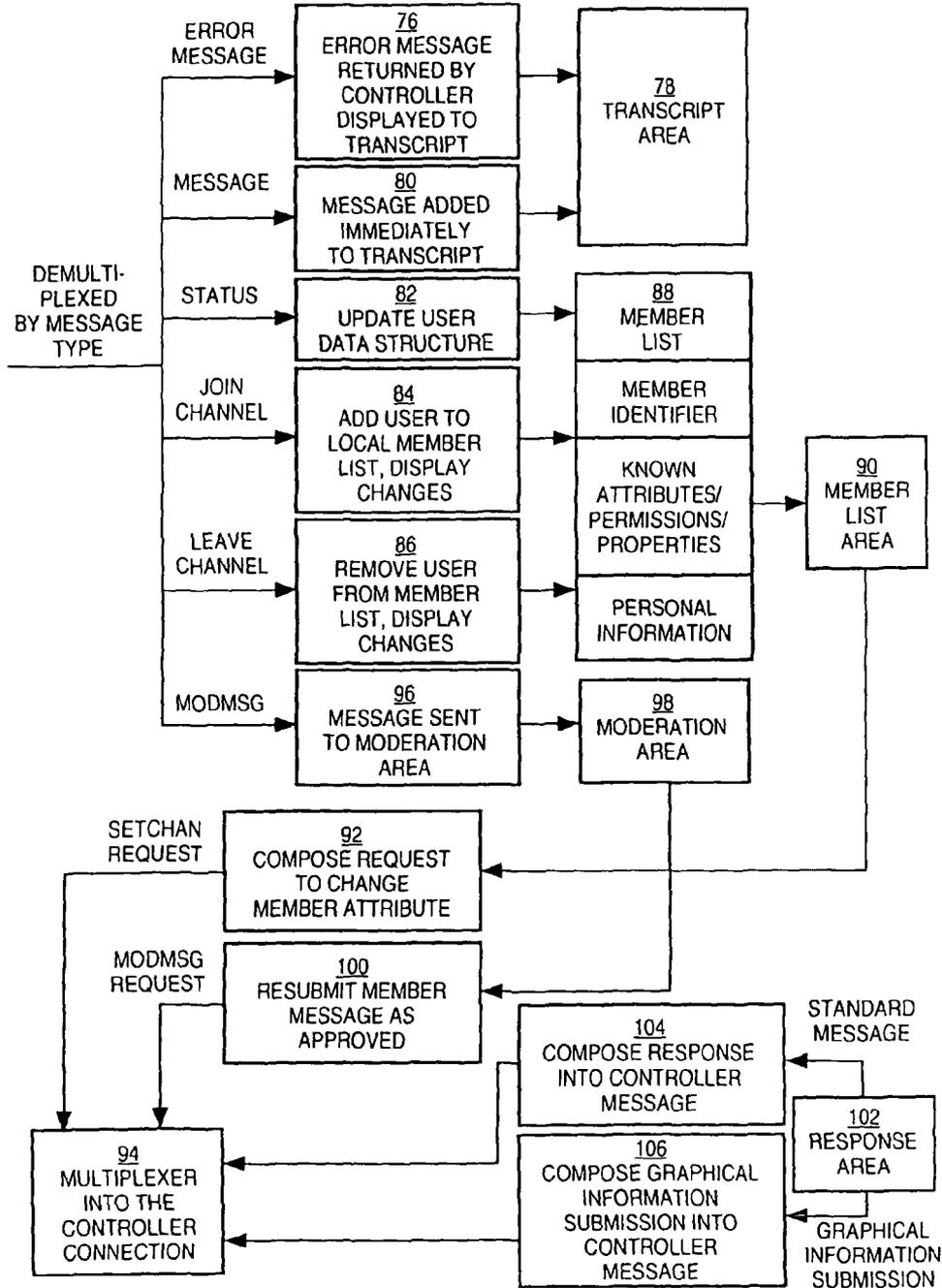


FIG. 6

PARTICIPATION SOFTWARE OUT-OF-BAND MULTIMEDIA
OUT-OF-BAND MULTIMEDIA INFORMATION FLOW DIAGRAM

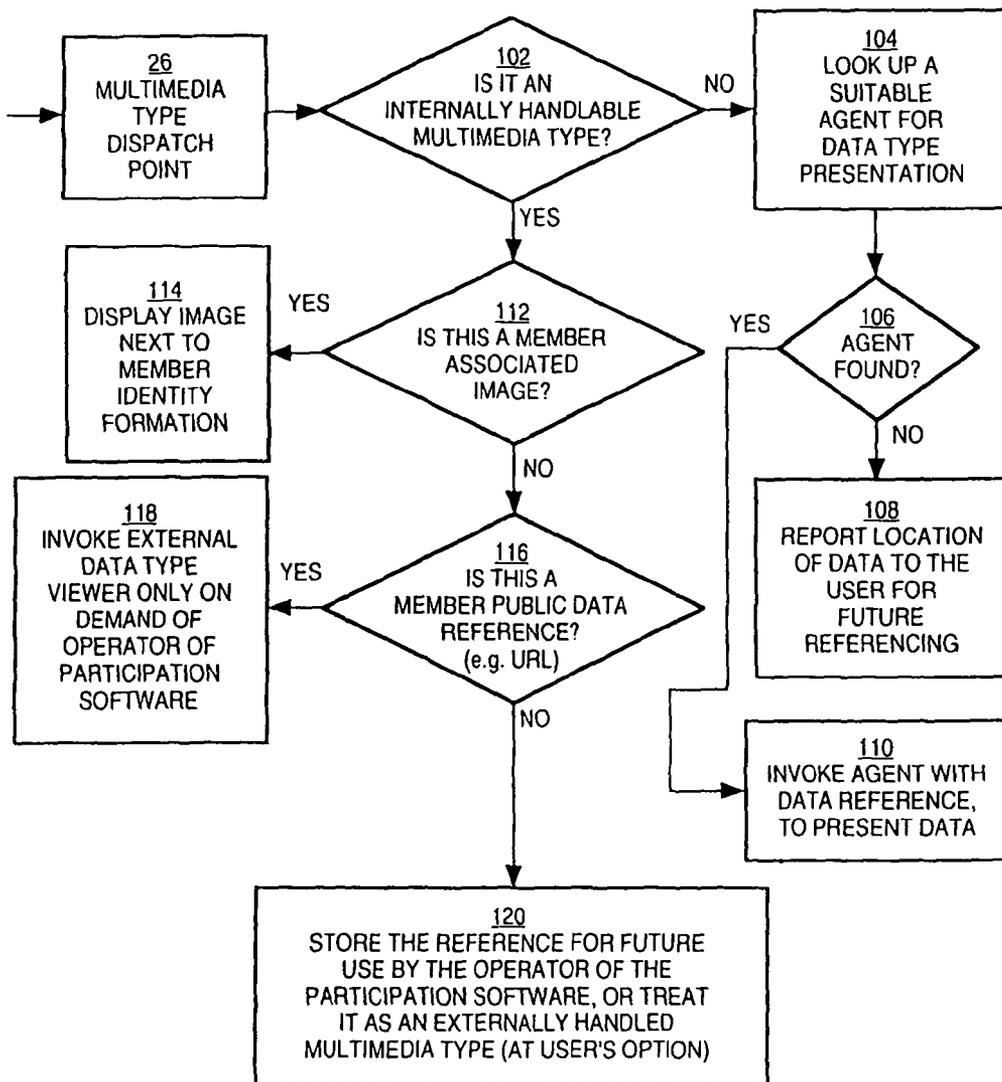


FIG. 7

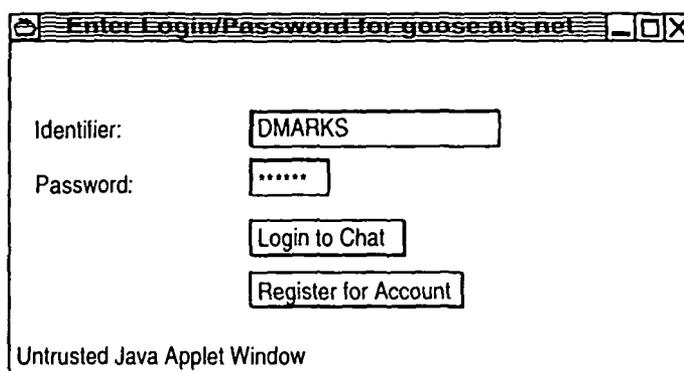


FIG. 8

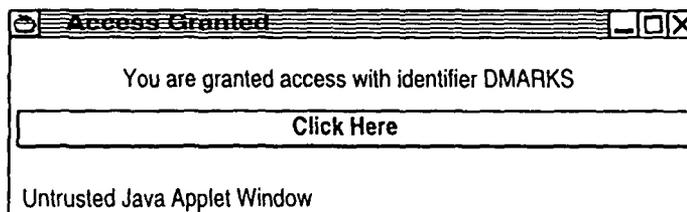


FIG. 9

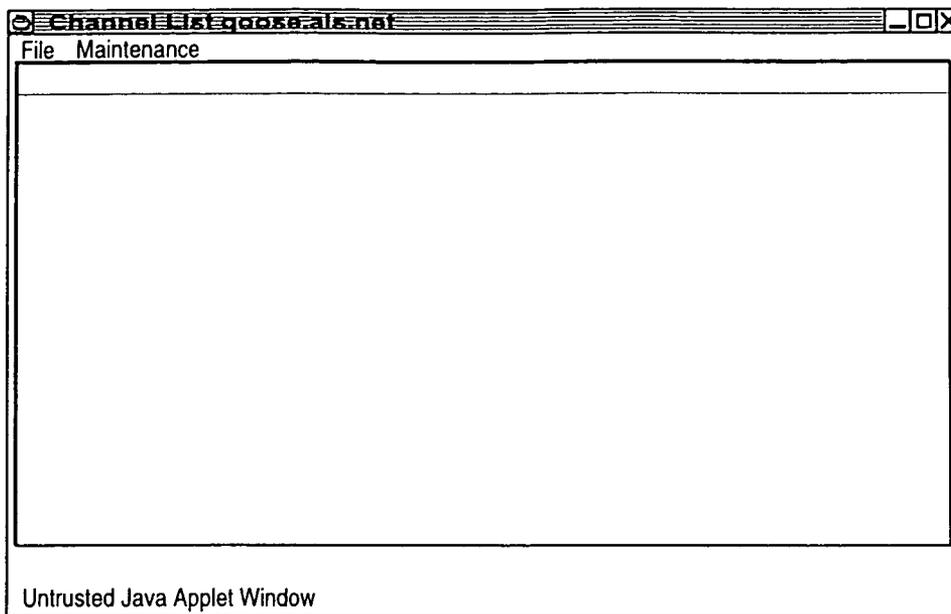


FIG. 10

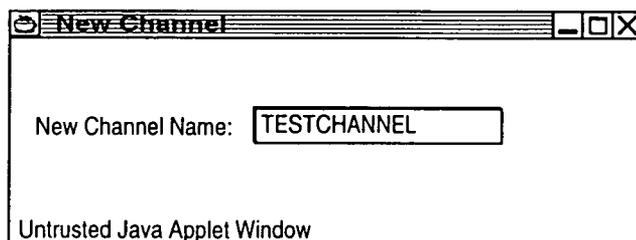


FIG. 11

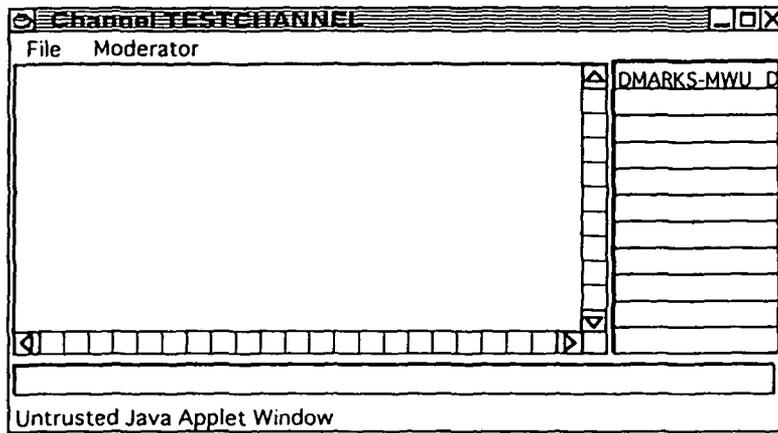


FIG. 12

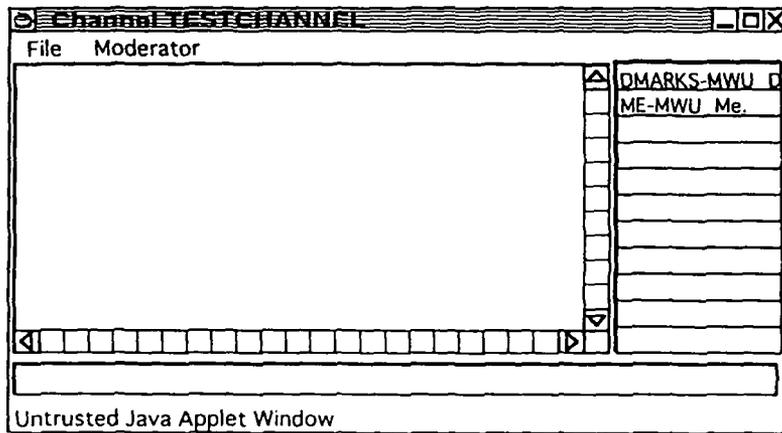


FIG. 13

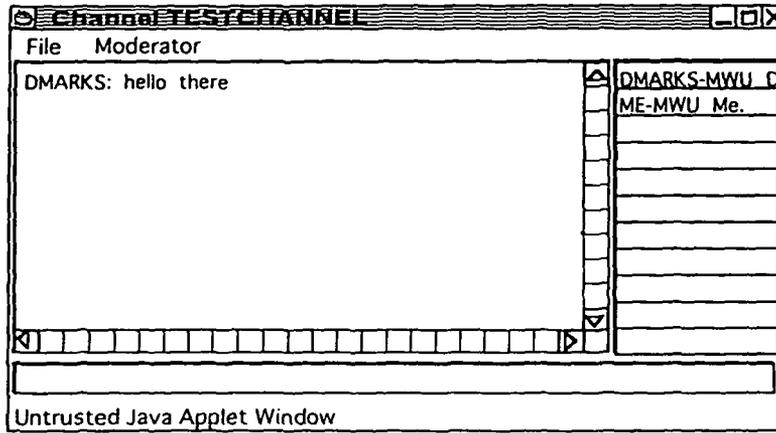


FIG. 14

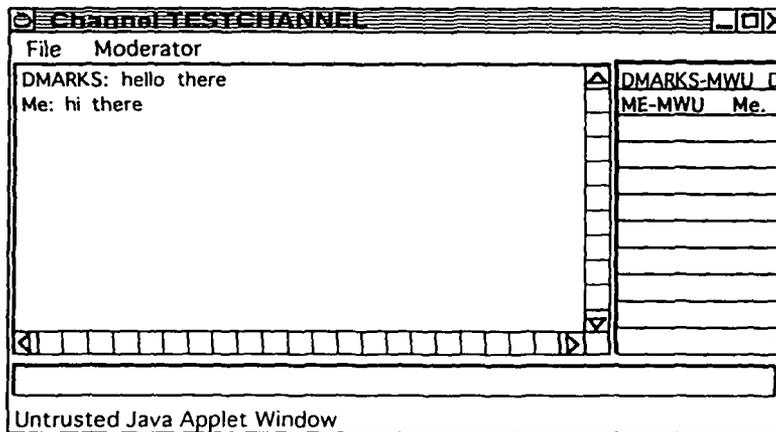


FIG. 15

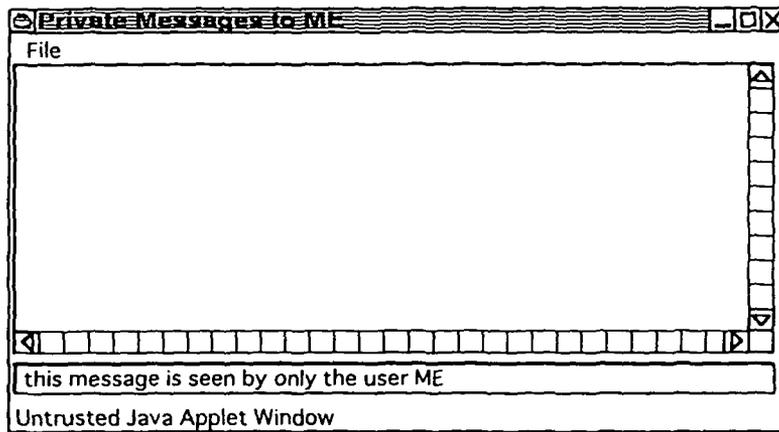


FIG. 16

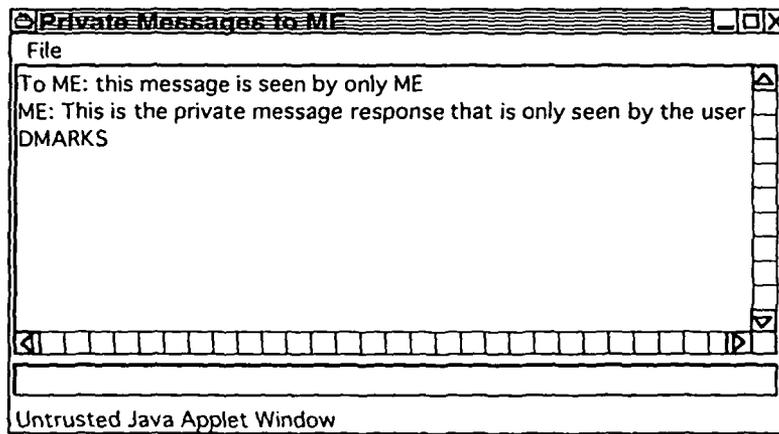


FIG. 17

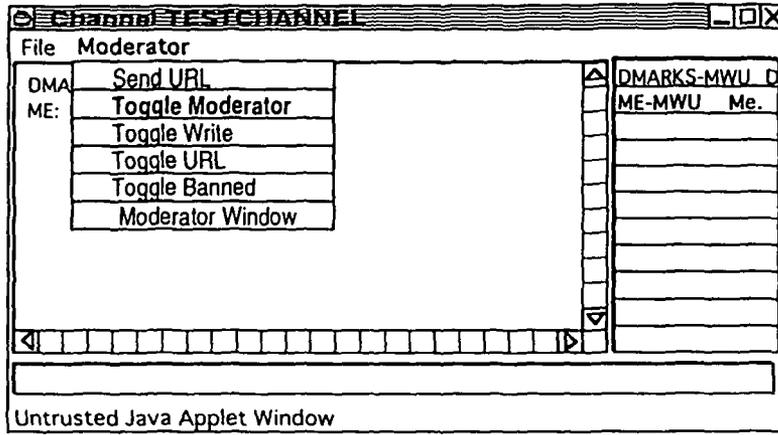


FIG. 18

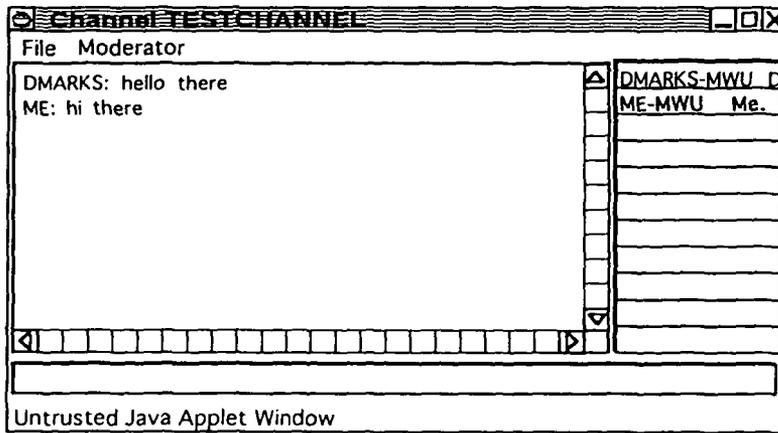


FIG. 19

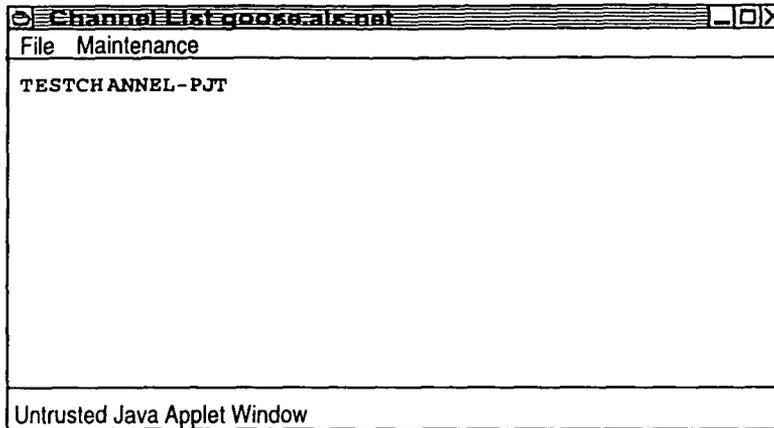


FIG. 20

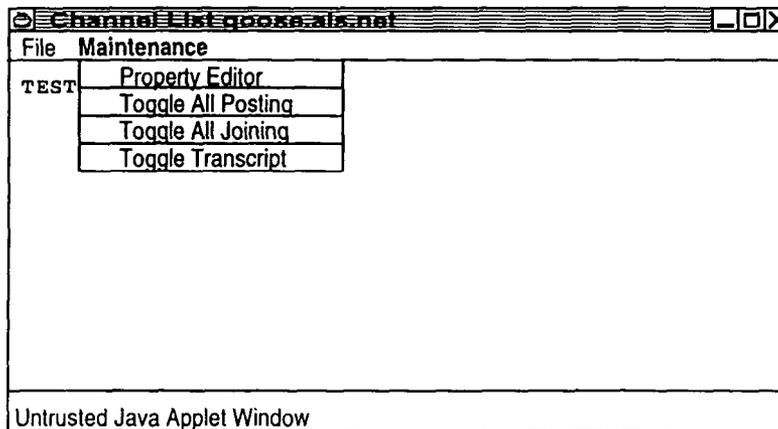


FIG. 21

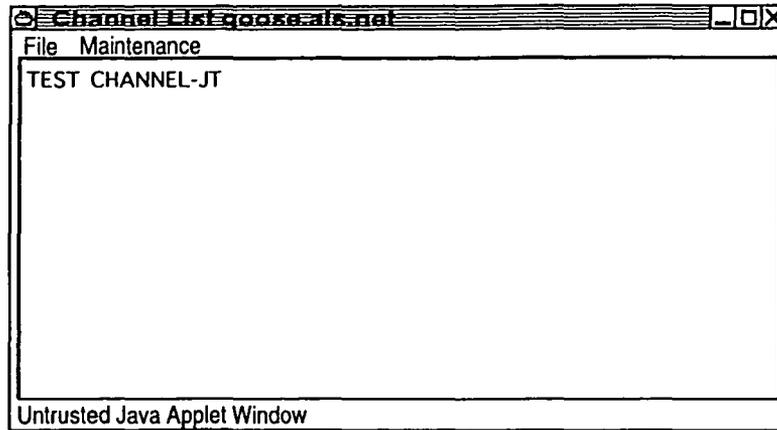


FIG. 22

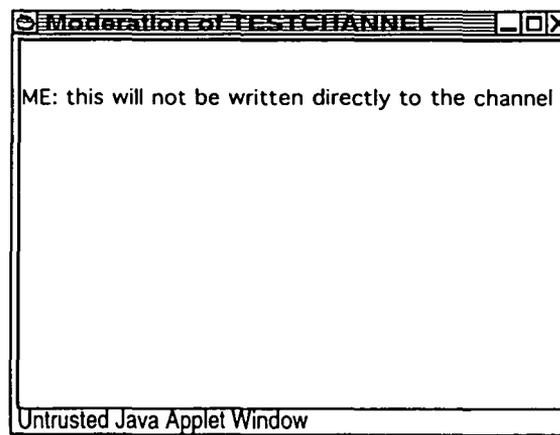


FIG. 23

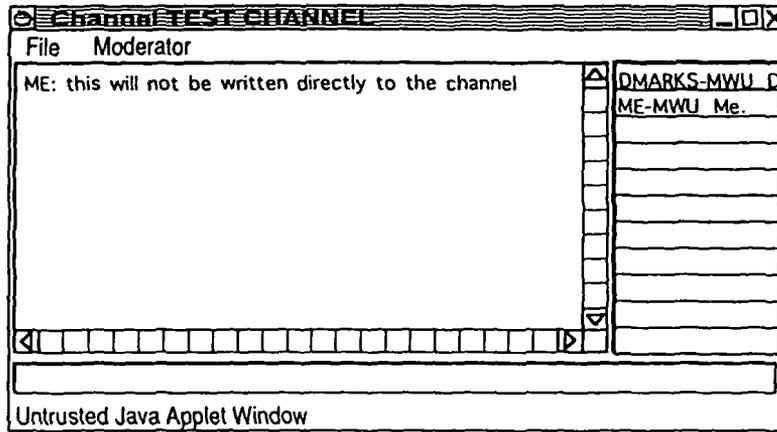


FIG. 24

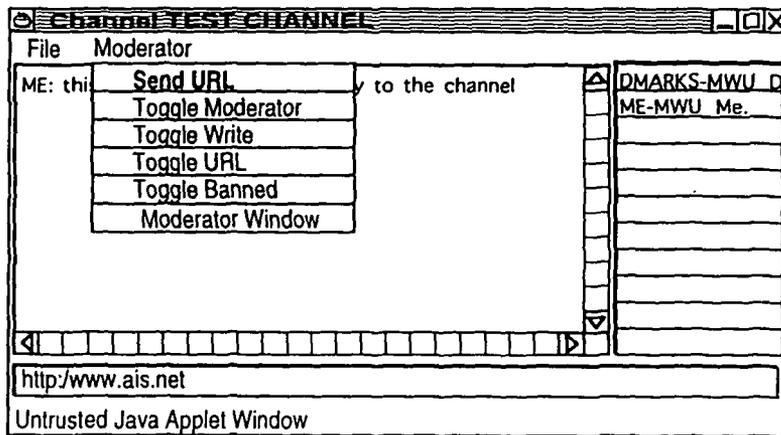


FIG. 25

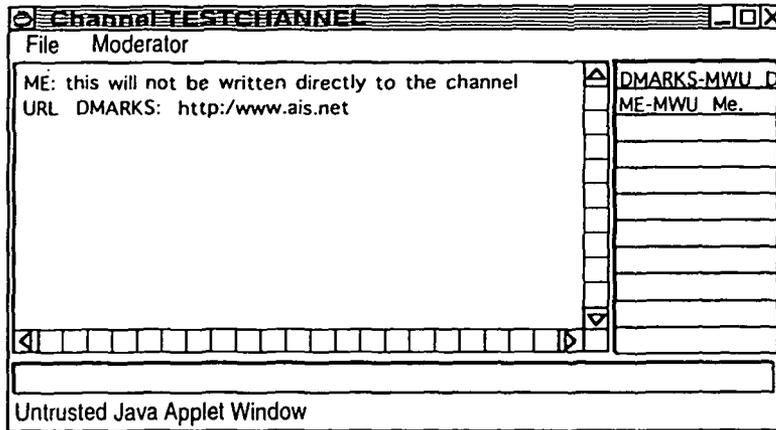


FIG. 26

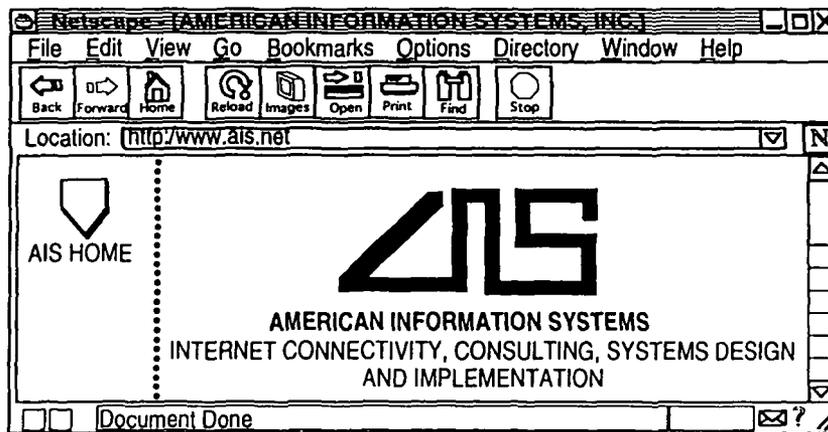


FIG. 27

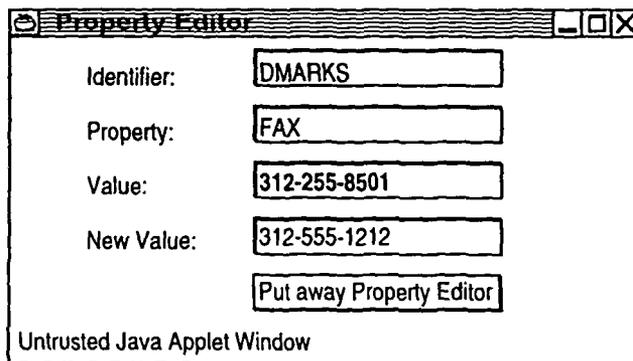


FIG. 28

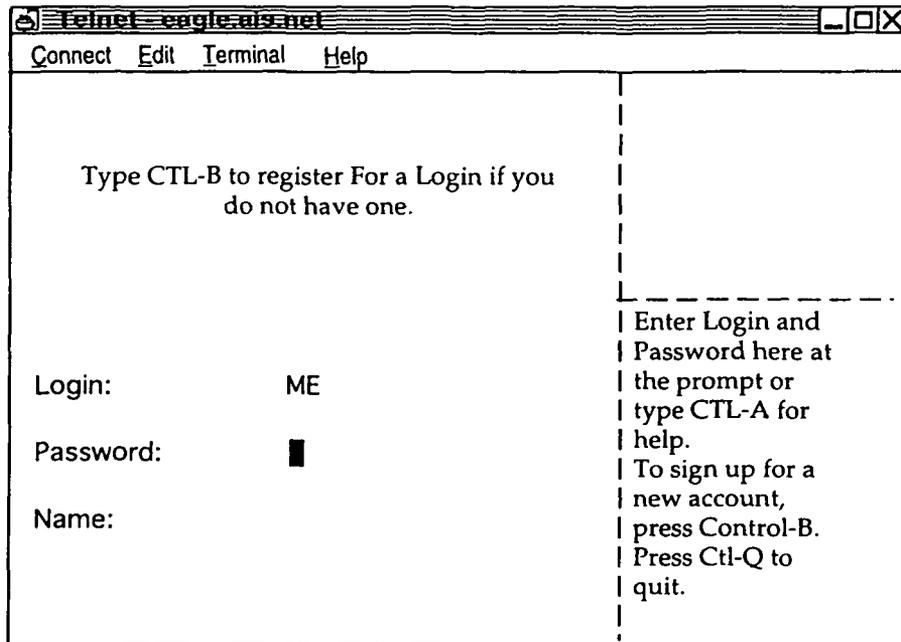


FIG. 29

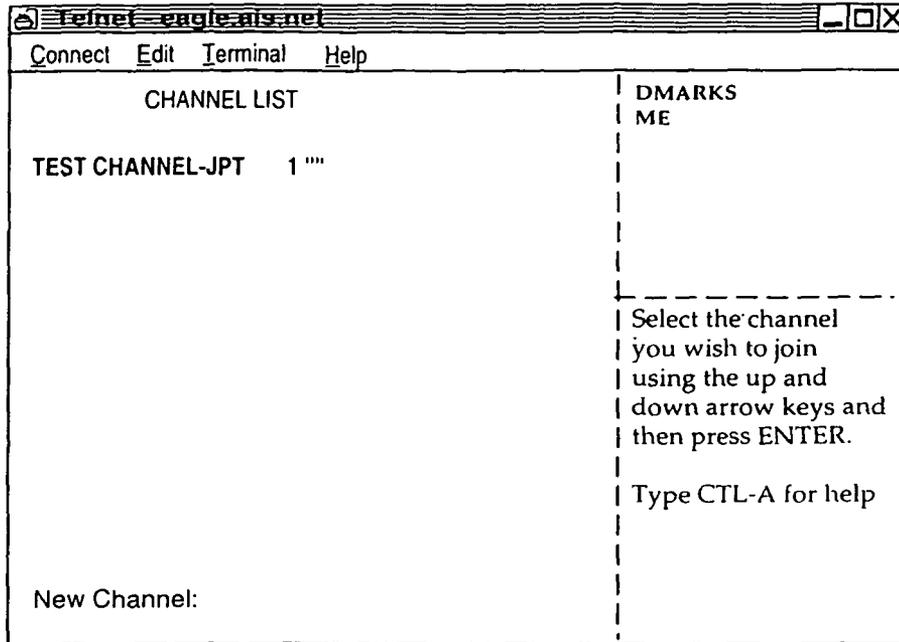


FIG. 30

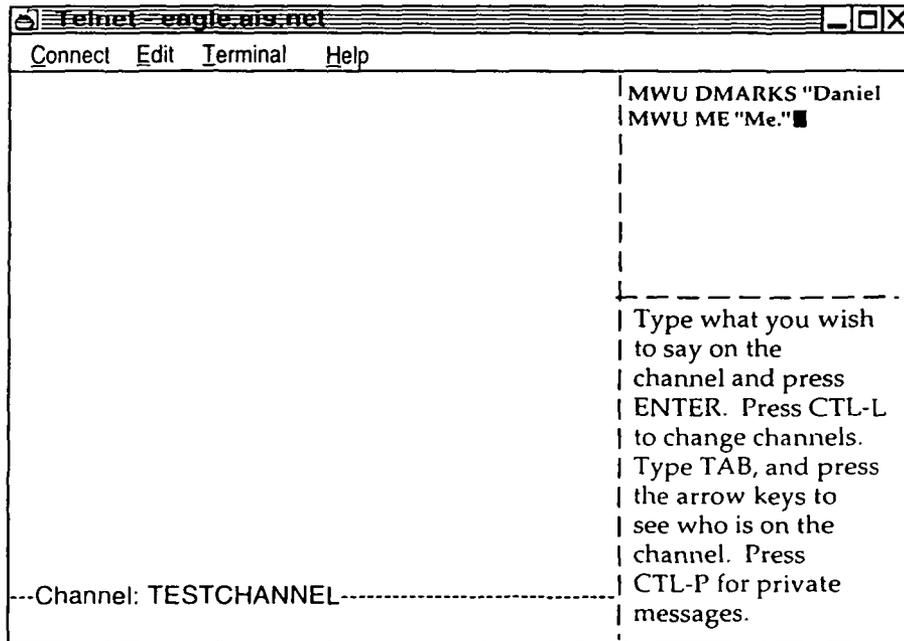


FIG. 31

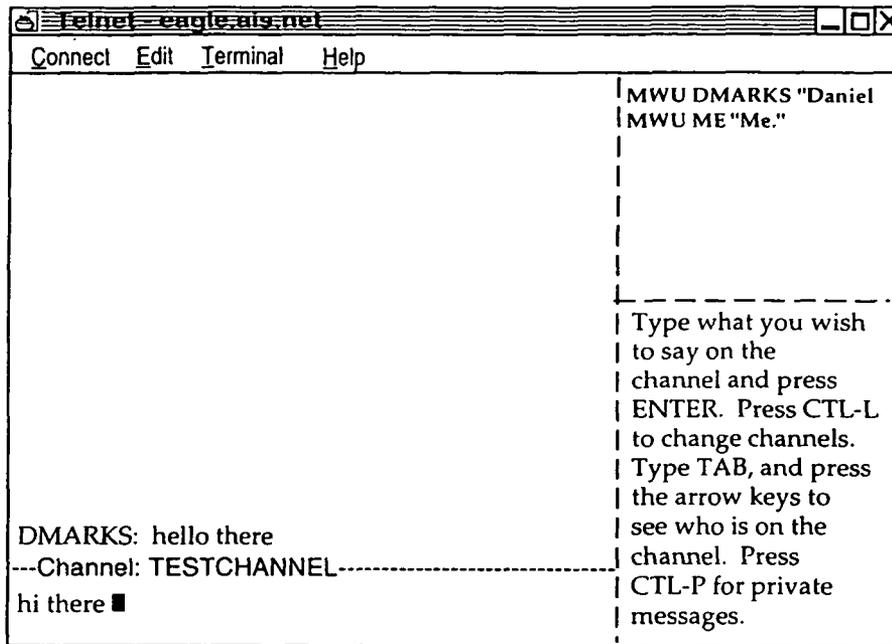


FIG. 32

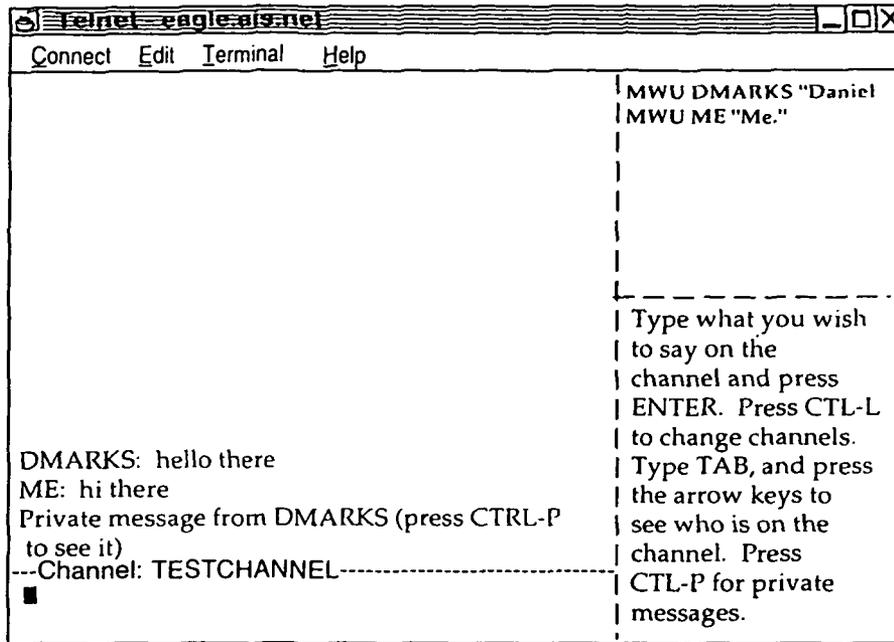


FIG. 33

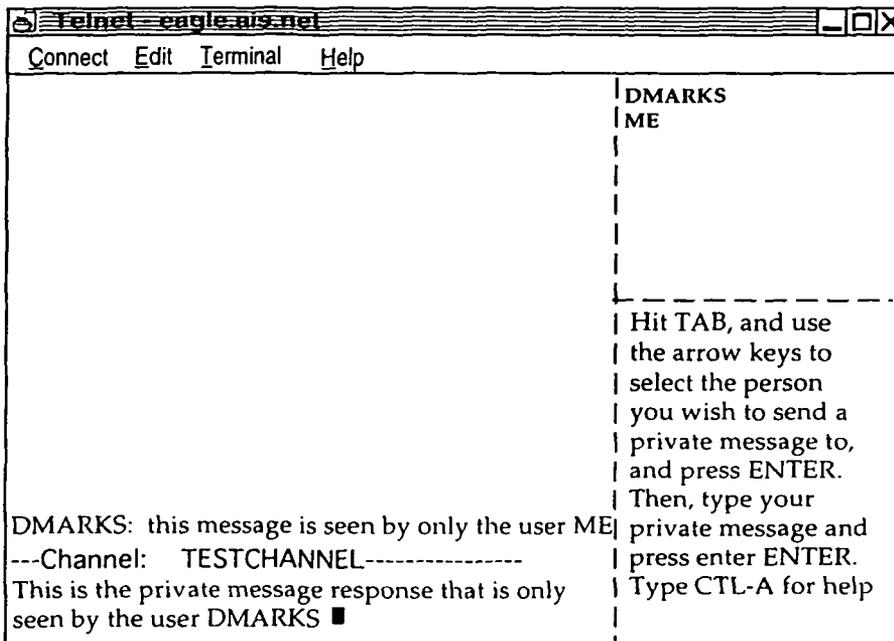
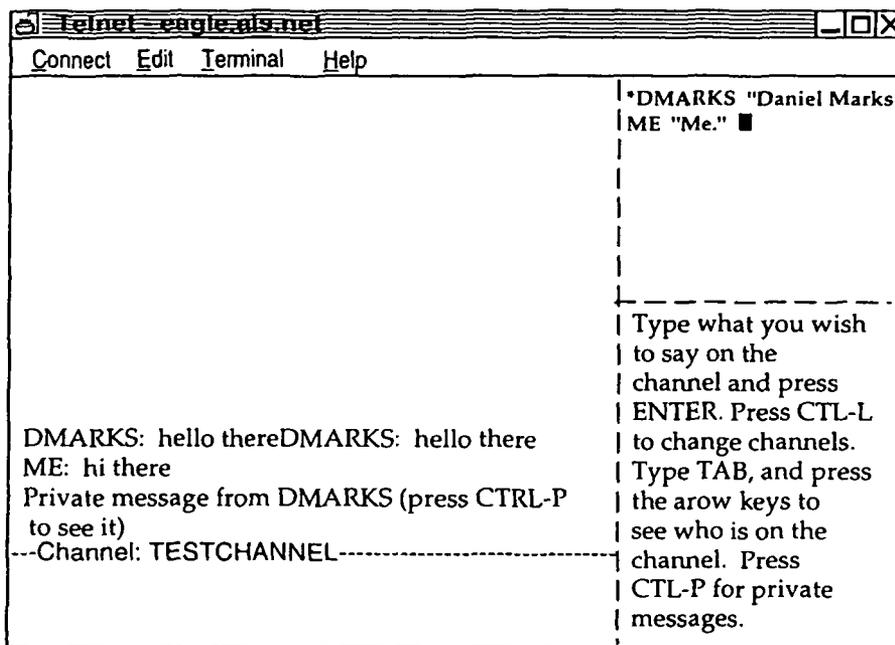


FIG. 34



US 8,473,552 B1

1

COMMUNICATIONS SYSTEM

I. PRIORITY DATA

The present patent application is a continuation of and incorporates by reference U.S. patent application Ser. No. 09/399,578 filed by the same inventor on Sep. 20, 1999, as well as U.S. patent application Ser. No. 08/617,658, issuing as U.S. Pat. No. 5,956,491, on Sep. 21, 1999, titled Group Communications Multiplexing System that was filed by the same inventor on Apr. 1, 1996. U.S. patent application Ser. No. 09/399,578, filed Sep. 20, 1999, is a continuation of U.S. patent application Ser. No. 08/617,658, filed Apr. 1, 1996, issuing as U.S. Pat. No. 5,956,491, on Sep. 21, 1999.

II. FIELD OF INVENTION

This invention is directed to an apparatus, a manufacture, and methods for making and using the same, in a field of digital electrical computer systems. More particularly, the present invention is directed to a digital electrical computer system involving a plurality of participator computers linked by a network to at least one of a plurality of participator computers, the participator computers operating in conjunction with the controller computer to handle multiplexing operations for communications involving groups of some of the participator computers.

III. BACKGROUND OF THE INVENTION

Multiplexing group communications among computers ranges from very simple to very complex communications systems. At a simple level, group communications among computers involves electronic mail sent in a one way transmission to all those in a group or subgroup using, say, a local area network. Arbitrating which computers receive electronic mail is a rather well understood undertaking.

On a more complex level, corporations may link remote offices to have a conference by computer. A central computer can control the multiplexing of what appears as an electronic equivalent to a discussion involving many individuals.

Even more complex is linking of computers to communicate in what has become known as a "chat room." Chat room communications can be mere text, such as that offered locally on a file server, or can involve graphics and certain multimedia capability, as exemplified by such Internet service providers as America On Line. Multiplexing in multimedia is more complex for this electronic environment.

On the Internet, "chat room" communications analogous to America On Line have not been developed, at least in part because Internet was structured for one-way communications analogous to electronic mail, rather than for real time group chat room communications. Further, unlike the an Internet service provider, which has control over both the hardware platform and the computer program running on the platform to create the "chat room", there is no particular control over the platform that would be encountered on the Internet. Therefore, development of multiplexing technology for such an environment has been minimal.

Even with an emergence of the World Wide Web, which does have certain graphical multimedia capability, sophisticated chat room communication multiplexing has been the domain of the Internet service providers. Users therefore have a choice between the limited audience of a particular Internet Service provider or the limited chat capability of the Internet.

IV. SUMMARY OF THE INVENTION

It is an object of the present invention to overcome such limitations of the prior art and to advance and improve the

2

technology of group computer multiplexing to enable better computerized group communications.

It is another object of the present invention to provide a computerized human communication arbitrating and distributing system.

It is yet another object of the present invention to provide a group communication multiplexing system involving a controller digital computer linked to a plurality of participator computers to organize communications by groups of the participator computers.

It is still another object of the present invention to link the controller computer and the plurality of computers with respective software coordinated to arbitrate multiplexing activities.

It is still a further object of the present invention to provide a chat capability suitable for handling graphical, textual, and multimedia information in a platform independent manner.

These and other objects and utilities of the invention, which apparent from the discussion herein, are addressed by a computerized human communication arbitrating and distributing system. The system includes a controller digital electrical computer and a plurality of participator digital computers, each of the participator computers including an input device for receiving human-input information and an output device for presenting information to a user having a user identity. A connection such as the Internet links the controller computer with each of the participator computers.

Controller software runs on the controller computer, programming the controller computer to arbitrate in accordance with predefined rules including said user identity, which ones of the participator computers can interact in one of a plurality of groups communicating through the controller computer and to distribute real time data to the respective ones of the groups.

Participator software runs on each of the participator computers to program each of the participator computers to operate a user interface. The user interface permits one of the users to send and/or receive a multimedia information message to the controller computer, which arbitrates which of the participator computers receives the multimedia information message. The controller computer also conveys the multimedia information message to the selected participator computers to present the multimedia information to the respective user.

Therefore, for a computer system involving a plurality of programmed participator computers running the participator computer program can interact through a programmed controller computer with the controller computer multiplexing the communications for groups formed from the plurality, as well as arbitrating communications behavior.

V. BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a depiction of hardware suitable for performing the present invention;

FIG. 2 is a communications overview of the present invention.

FIG. 3 is a data and communications dependency diagram for the controller group channel structure of the present invention.

FIG. 4 is a flow chart of the central controller loop communications for the controller computer.

FIG. 5 is a client channel data structure and information flow diagram of the present invention.

FIG. 6 is a participator software out-of-band multimedia information flow diagram of the present invention.

FIG. 7 is an illustration of a login/password screen of the present invention.

FIG. 8 is an illustration of a confirmation screen of the present invention.

FIG. 9 is an illustration of a channel list area screen of the present invention.

FIG. 10 is an illustration of a New Channel option pull-down menu screen of the present invention.

FIG. 11 is an illustration of a member on a new channel screen of the present invention.

FIG. 12 is an illustration of a second member on the new channel screen of the present invention.

FIG. 13 is an illustration of a communication on the new channel screen of the present invention.

FIG. 14 is an illustration of a private message window on the new channel screen of the present invention.

FIG. 15 is an illustration of a private message displayed on the private message window on the new channel screen of the present invention.

FIG. 16 is a further illustration of the private message on the private message window on new channel screen of the present invention.

FIG. 17 is an illustration of an attribute revocation on the new channel screen of the present invention.

FIG. 18 is a further illustration of the new channel screen of the present invention.

FIG. 19 is an illustration of the channel list window screen of the present invention.

FIG. 20 is an illustration of the toggle posting option on a screen of the present invention.

FIG. 21 is an illustration of a moderated version of the new channel screen of the present invention.

FIG. 22 is an illustration of a communication on a moderation window screen of the present invention.

FIG. 23 is an illustration of the communication passed on to the moderated version of the new channel screen of the present invention.

FIG. 24 is an illustration of a communication, for sending a graphical multimedia message, on to the moderated version of the new channel screen of the present invention.

FIG. 25 is an illustration, showing the name of the URL, on a moderated version of the new channel screen of the present invention.

FIG. 26 is an illustration of data associated with the graphical multimedia message on a moderated version of the new channel screen of the present invention.

FIG. 27 is an illustration of a proprietary editor, suitable for a dialog to change tokens, on a screen of the present invention.

FIG. 28 is an illustration of a text-based interface login/password screen of the present invention.

FIG. 29 is an illustration of a text-based interface group screen of the present invention.

FIG. 30 is another illustration of a text-based interface group screen of the present invention.

FIG. 31 is another illustration of a text-based interface group screen of the present invention.

FIG. 32 is an illustration of a text-based interface private message screen of the present invention.

FIG. 33 is another illustration of a text-based interface private message screen of the present invention.

FIG. 34 is another illustration of a text-based interface group with moderator screen of the present invention.

VI. DETAILED DESCRIPTION OF THE DRAWINGS

In providing a detailed description of a preferred embodiment of the present invention, reference is made to an appendix hereto, including the following items.

Appendix Contents

- ALLUSER C
- ALLUSER H
- CHANNEL C
- CHANNEL H
- CHANNEL HLP
- CLIST C
- CLIST H
- CLIST HLP
- EDITUSER C
- EDITUSER H
- ENTRYFRM C
- ENTRYFRM H
- ENTRYFRM HLP
- HELP C
- HELP H
- HELPSCR C
- HELPSCR H
- LINEEDIT C
- LINEEDIT H
- LIST C
- LIST H
- LOGIN HLP
- MAIN C
- MAKEFILE
- MESSAGE C
- MESSAGE H
- MODERAT HLP
- PRIVATE C
- PRIVATE H
- PRIVATE HLP
- SOCKIO C
- SOCKIO H
- STR C
- STR H
- UCCLIENT
- USER C
- USER H
- WINDOW C
- WINDOW H

Note that the appendix includes code for two different embodiments: a Tellnet embodiment and a JAVA embodiment. Documentation and error messages, help files, log files, are also included in the appendix. While platform controlled embodiments are within the scope of the invention, it is particularly advantageous to have a platform independent embodiment, i.e., an embodiment that is byte code compiled.

Referring now to FIG. 1, the overall functioning of a computerized human communication arbitrating and distributing System 1 of the present invention is shown with odd numbers designating hardware or programmed hardware, and even numbers designating computer program logic and data flow. The System 1 includes a digital Controller Computer 3, such as an Internet service provider-type computer. The Controller Computer 3 is operating with an operating system.

System 1 also includes a plurality of digital Participator Computers 5, each of which may be an IBM-compatible personal computer with a processor and a DOS operating system. Each of the Participator Computers 5 includes an Input Device 7 for receiving human-input information from a respective human user. The Input Device 7 can be, for example, a keyboard, mouse or the like. Each of the Participator Computers 5 also includes an Output Device 9 for presenting information to the respective user. The Output Device 9 can be a monitor, printer (such as a dot-matrix or

US 8,473,552 B1

5

laser printer), or preferably both are used. Each of the Participator Computers **5** also includes a Memory **11**, such as a disk storage means.

The System **1** includes a Connection **13** located between, so as to link, the Controller Computer **3** with each of the Participator Computers **5**. The Connection **13** can be an Internet or more particularly, a World Wide Web connection.

The Controller Computer **3** is running and under the control of Controller Software **2**, which directs the Controller Computer **3** to arbitrate in accordance with predefined rules including a user identity, which ones of the Participator Computers **5** can interact in one of a plurality of groups through the Controller Computer **3** and to distribute real time data to the respective ones of the groups.

The Participator Computers **5** are each running and under the control of Participator Software **4**, which directs each of the Participator Computers **5** to handle a user Interface **6** permitting one said user to send a multimedia information Message **8** to the Controller Computer **3**, which arbitrates which of the Participator Computers **5** receives the multimedia information Message **8** and which conveys the multimedia information Message **8** to the selected participator computers **5** to present the multimedia information Message **8** to the respective user.

The present invention comprehends communicating all electrically communicable multimedia information as Message **8**, by such means as pointers, for example, URLs. URLs can point to pre-stored audio and video communications, which the Controller Computer **3** can fetch and communicate to the Participator Computers **5**.

Turning now to FIG. **2**, there is shown a communications overview of the present invention. Beginning with the Controller Computer Software **2**, reference is made to Block **10**, which illustrates demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block **10** links to Block **12**, which is illustrative of channel A Block **10** also links to Block **14**, which illustrates handling private message A. Block **10** also links to Block **16**, illustrative of handling out-of-band media. Block **10** additionally links to Block **18**, which illustrates asynchronous status messages.

Multiple connections between the controller computer **3** and a plurality of participator computers **5** permit communication implemented via the interplay of controller software **2** and participator software **4**. With particular regard to the participator software **4** illustrated in FIG. **2**, Block **20** is illustrative of demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block **20** links to Block **22**, which is illustrative of channel A Block **20** also links to Block **24**, which illustrates handling private message A. Block **20** also links to Block **26**, illustrative of handling out-of-band media via Block **28**, which is illustrative of a Web browser or auxiliary computer program. Block **20** also links to Block **30**, which illustrates asynchronous status message handling via Block **32**, illustrative of user interface objects windows and screens.

De/multiplexing via API provides a “virtual connection” between Channel, Private Message, and Multimedia objects in the controller computer **3** and each participator computer **5**. An alternate architecture is to allow for a separate connection between each object so that multiplexing/demultiplexing is not necessary and each object handles its own connection. This would influence system performance, however.

Turning now to FIG. **3**, a data and communications dependency diagram controller group channel structure is illustrated. Beginning from what is designated as a portion of Block **10** the logic flows to Block **34** to consider JOIN,

6

LEAVE, STATUS, SETCHAN API instructions. Block **34** examines member list maintenance instructions, accessing Block **36** to check permissions, list users, and change attributes. Note the exploded window **38** shows a display of member information including a user’s name, personal information, and attributes/properties/permissions (operations involving the subsequently discussed tokens), i.e., stored per channel attributes under each member. In any case, confirmation or denial of access is communicated via Block **40** for multiplexing return of status messages to a target object.

From the portion of Block **10**, the logic flows to Block **42** for MESSAGE and MODMSG API instructions. Block **42** tests which of the two instructions were received, and for MODMSG, the logic flows to Block **44**, which tests whether the user is a moderator. If the user is not a moderator, the logic flows to Block **46**, which sends a denial message through Block **40**. If, however, the in Block **44** the user is a moderator, the logic flows to Block **48** for a repeat to all list members who are permitted to see the message, via Block **40**.

Returning to Block **42**, if MESSAGE is detected, the logic flows to Block **50**, which tests whether a user has post permission. If the user has post permission, the logic flows to Block **48**, etc. If the user does not have post permission, the logic flows to Block **52** to forward the message to moderators for approval, via Block **40**.

Additionally, the logic flows from Block **10** to Block **54** for a URL API instruction. Block **54** tests whether the user has graphical multimedia communication privileges, and if not, the logic flows via Block **56**, which sends a denial message via Block **40**. Otherwise, if the user does have graphical multimedia communications privileges in Block **54**, Block **58** sends graphical multimedia information to all approved users via Block **40**.

Turning now to FIG. **4**, central controller loop communications is illustrated. For the data on central poll point **58** (see Appendix POLL_POINT), a “do” loop begins at Block **60** for each connection. Block **62** tests whether bytes are available on the data stream. If they are, the bytes are added to user space FIFO per connection at Block **64**, leading to Block **66**, which tests whether there are any more connections. Note that in FIG. **4**, if there are no more bytes available in Block **62**, the logic skips to Block **66**, and if Block **66** is not finished with all connections, the loop returns to Block **62**. When all connections have been completed in Block **62**, the logic flows to Block **68**, which looks for an available complete data instruction for any connection by extracting packets byte-wise from the FIFO. Thereafter, Block **70** tests whether there is a complete response available from the participator computer. If the response is complete, the logic flows to Block **72** which, using a command type, demultiplexes into an appropriate object (output FIFOs may be filled here for any connection). The logic from Block **72** joins the “no” branch from Block **70** at Block **74**, which enables unblocking for writing connections for only connections with data available to write, looping back to Block **58**.

FIG. **5** shows a client channel data structure and information flow diagram. From a message that is demultiplexed by message type, there are six possibilities: ERROR MESSAGE, MESSAGE, STATUS, JOINCHANNEL, LEAVECHANNEL, and MODMSG. ERROR MESSAGE is communicated to Block **76**, where the error message is displayed to the transcript in the transcript area of Block **80**. MESSAGE is communicated to Block **78** where the message is immediately added to the transcript in transcript area **78**. STATUS is communicated to Block **82** to update user data structure; JOINCHANNEL is communicated to Block **84** to remove a user from the member list and display the change;

and LEAVECHANNEL is communicated to Block 86. From Block 82, Block 84, and Block 88, the logic flows to Block 88, which includes a member list, a member identifier, known attributes/permissions/properties, and personal information. From Block 88, the logic proceeds to Block 90, a member list area, and on to Block 92 to compose a request to change a member attribute. This “SETCHAN request is then communicated to Block 94, which is the multiplexer leading to the controller computer connection.

MODMSG is communicated to Block 96, which sends the message to the moderation area of Block 98, and then to Block 100 to resubmit a member message as approved, thereby conveying a MODMSG request to Block 94.

Note that a response is prepared in the response area of Block 102. If the response is a standard message, it is conveyed to Block 104 to compose the response into a controller message, thereby sending a MESSAGE request to box 94. If, however, the message is a graphical information submission, the logic flows from Block 102 to Block 106 to compose the graphical information submission into a controller message, thereby sending a URL request to Block 94.

FIG. 6 is a participator software out-of-band multimedia information flow diagram, which begins with Block 26, the multimedia type patch point. Block 26 leads to Block 102, which tests whether there is an internally handlable multimedia type. If not, Block 104 looks up a suitable agent for data type presentation, which leads to Block 106, which tests whether an agent was found. If not, Block 108 reports location of data to the user for future referencing. If the agent is found in Block 106, the logic flows to Block 110, which invokes the agent with a data reference to present the data.

If the multimedia type is internally handlable from Block 102, the logic flows to Block 112, which tests whether this is a member associated image. If it is a member associated image, Block 114 displays the image next to member identity information, and if it is not, the logic flows to Block 116, which tests if this is a member public data reference (e.g., a URL). If a URL is detected at Block 116, Block 118 invokes an external data type viewer only on demand of the operator of the participator software, and otherwise Block 120 stores the reference for future use by the operator of the participator software, or treats the reference as an externally handled multimedia type (at the user’s option).

With further regard to the manner of interaction between the controller computer 3 and the participator computers 5, and their respective computer programs 2 and 4, includes a moderation capability that is controlled, or arbitrated, pursuant to system 1 recognizing user identity. Note that using the user identity for moderation purposes is a use additional to the use of the user identity for security purposes.

One embodiment of the present invention is to bring chat capability to the internet and World Wide Web. However, another embodiment involves non-internet relay chat. In either embodiment, System 1 is state driven such that synchronous and asynchronous messages can be communicated. For an asynchronous notification, each message is sent through the system 1 (API), which updates the information on the output device of the participator computers 5. For a synchronous notification, a participator computer 5 must interrogate the system 1 for a message.

With regard to the arbitrating of the controller computer 3 is directed by the controller computer program 2 to use “identity tokens”, which are pieces of information associated with user identity. The pieces of information are stored in memory 11 in a control computer database, along with personal information about the user, such as the user’s age. The control computer database serves as a repository of tokens for other

programs to access, thereby affording information to otherwise independent computer systems. In the database, the storage of tokens can be by user, group, and content, and distribution controls can also be placed on the user’s tokens as well as the database.

Each token is used to control the ability of a user to gain access to other tokens in a token hierarchy arbitration process. The arbitration also includes controlling a user’s ability to moderate communications involving a group or subgroup of the participator computers 5. Once in a group, temporary tokens are assigned for priority to moderate/submoderate groups (a group is sometimes known as a channel in multiplexing terminology).

Accordingly, tokens are used by the controller computer 5 to control a user’s group priority and moderation privileges, as well as controlling who joins the group, who leaves the group, and the visibility of members in the group. Visibility refers to whether a user is allowed to know another user is in the chat group.

Tokens are also used to permit a user’s control of identity, and in priority contests between 2 users, for example, a challenge as to whether a first user can see a second user.

Censorship, which broadly encompasses control of what is said in a group, is also arbitrated by means of the tokens. Censorship can control of access to system 1 by identity of the user, which is associated with the user’s tokens. By checking the tokens, a user’s access can be controlled per group, as well as in giving group priority, moderation privileges, etc.

Censorship also can use the tokens for real time control of data (ascii, text, video, audio) from and to users, as well as control over multimedia URLs—quantity, type, and subject.

With regard to controlling communications in a group (which is in essence a collection of user identities), control extends to seeing messages, seeing the user, regulating the size of the communication, as well as the ability to see and write to a specific user. Control further extends to the ability to send multimedia messages.

Note that tokens for members in group can involve multiples formed in real time, say, within the span of a conversation. For example, for private communication, tokens are immediately formed to define a group of 2 users. Hierarchical groups within groups can also be formed, with each inheriting the properties of the group before it. Thus, a subgroup can include up to all members or more by adding any surplus to the former group.

With further regard to the controller computer 3, e.g., a server, information is controlled for distribution to the user interfaces at selected ones of the participator computers 5. The controller computer program, in one embodiment, can be a resident program interface (such as a JAVA application). There can be a token editor object (window/tear down, etc.) per group, private communication, user, channel listings, user listings, etc. Each can link up in a token hierarchy for arbitration control.

The controller computer 5, by means of the controller computer program 2, keeps track of states and asynchronous messages as well as generating a synchronous message as a user logs in or interrogates system 1.

With regard to multimedia information messages 8, such messages are of independent data types, e.g., audio/video data types. The content of the message (e.g., a URL) permits the System 1 to automatically determine the handling of the message: either the Controller Computer 3 passes the content of Message 8 directly, or the Controller Computer 3 determines from the Message 8 how to find the content, say via Netscape. Accordingly, Message 8 can communicate video

and sound (or other multimedia, e.g., a URL) to users, subject only to the server arbitration controls over what can be sent.

Turning now to an illustration of using the invention, the session starts with verifying the user's identity (at FIG. 7). The login/password screen is shown, and the user enters his/her assigned login/password combination and clicks the "Login To Chat" button. If the password was entered correctly, a confirmation box appears on the screen.

Then the channel list area is shown at FIG. 8. The Channel List area is a window which shows a list of all of the groups currently on the server in active communication. Because no one is yet connected in this example, there are no groups currently available on the screen.

To create a new group, the "New Channel" option is selected from a pull-down menu (at FIG. 9). The name of the channel is entered by the input device 7.

If the user has permission (this one does), a new channel is created for the group (at FIG. 10). The window that displays the channel area has three regions: the bottom region, where responses are entered; the largest region, where a transcript of the communication is followed; and the rightmost region, which lists the group's current members. This list is continuously updated with asynchronously generated status messages received immediately when a new member joins the group. Only "DMARKS" is currently in this group. The "MWU" is the properties currently associated with DMARKS—the ability to moderate, write to the channel, and send multimedia messages.

A new member has joined the channel, and the member list status area is updated right away (at FIG. 11). This new member has a login of "ME."

The user DMARKS now types "hello there" into the response area and presses RETURN (at FIG. 12). This message is passed to the controller computer 5, which sends the message to all channel members, i.e., those using participator computers 5, including DMARKS.

The user ME now sends a message to the controller: "hi there" (at FIG. 13). This message is also sent to all members by the controller computer 5. Now user DMARKS clicks (using input device 7, a mouse) on the name of the user "ME" in the member list window. The participator software 4 will now create a private message window, so that the users ME and DMARKS can exchange private messages. Private messages are only sent to the intended recipient by the controller, and no one else.

A private message window appears in response to DMARKS's request to open private communications with ME (at FIG. 14). Now DMARKS types a message into the private message window's response area to ME: "this message is seen only by the user ME." When complete, the participator software 4 will forward this message to the controller computer 3.

In response, the user ME has entered "This is the private message response that is only seen by the user DMARKS," which has been forwarded to user DMARKS (at FIG. 15). This message is displayed immediately on DMARKS's window.

DMARKS now returns to the channel window for the group "TESTCHANNEL" (at FIG. 16). To modify the permission attributes associated with user ME on the channel TEST CHANNEL, DMARKS (who is a moderator of the channel), clicks on the user ME in the member list to select ME, pulls down the Moderator menu, and selects "Toggle Moderator." This removes the moderator privileges from ME.

As a result of the attribute revocation, the "M" has disappeared from next to ME's name in the member list (at FIG. 17), indicating that the property is no longer associated with the user ME.

Now DMARKS returns to the Channel List window (at FIG. 18). DMARKS wishes to fully moderate the contents of the channel TESTCHANNEL, censoring all unwanted communications to the channel. DMARKS returns to the channel list, and selects the channel TESTCHANNEL by clicking on its name in the channel list.

Now DMARKS selects the "Toggle All Posting" option in the Maintenance pull-down menu (at FIG. 19). This will turn off the channel property "posting," (or sending communications to the channel without moderator approval) which will be indicated by the removal of the letter "P" from next to the name TESTCHANNEL (at FIG. 20).

Now the letter "P" is removed from after the name TESTCHANNEL in the Channel List window (at FIG. 21), indicating that this channel is now moderated and will only have free posting ability by designated members.

Now, type user ME (who is also on channel TESTCHANNEL) wishes to send communications: "this will not be written directly to the channel" (at FIG. 22). The controller, instead of sending it immediately to the channel to be seen by all members, will instead forward the message to the moderators for approval. The moderator, DMARKS, will then see the message on the Moderation Window, which provides a preview of any messages to be sent. To approve a message for general viewing, DMARKS now clicks on the message.

Now that DMARKS has clicked directly on the message, it is displayed inside the group's Channel window for all members to see (at FIG. 23).

DMARKS now wishes to send a graphical multimedia message. This implementation sends graphical multimedia images by allowing a channel member to specify an Internet URL of a graphical multimedia resource to be presented to the group members. In this example, DMARKS wishes to send the URL "http://www.ais.net" (corresponding to the World Wide Web home page of American Information Systems, Inc.) to the channel members. DMARKS enters the URL into the response window, and selects "Send URL" from the Moderator pull-down menu (at FIG. 24).

The controller computer 5 now passes the URL to the channel members. This participator software 4 performs two actions in response to the graphical multimedia display request. The first is to put the name of the URL onto the transcript of the group's channel, so that it can be read by group members. The second response is to have the participator software show the data associated with the graphical multimedia message in a human interpretable way (at FIG. 25). To do this, the participator software 6 either uses built in rules to decide how the graphical multimedia data is to be presented, or locates another program suitable to present the data. In this case, the software 6 is utilizing Netscape Navigator, a program for displaying graphical multimedia documents specified by a URL (at FIG. 26). Inside the Navigator window, the graphical multimedia content, the home page of AIS, is shown.

Finally, DMARKS wishes to manually modify the attribute tokens associated with the user (at FIG. 27). The user invokes the Property Editor dialog, which allows the user to view and change the tokens associated with a user. A property of a given user is determined by the Identifier and Property names. An old value of the property is shown, and a token value can be changed in the "New Value" field. With this property editor, a user with sufficient permissions (tokens) can change

US 8,473,552 B1

11

any of the tokens or security parameters of any user, or a user's ability to change security parameters can be restricted.

To start with an alternate embodiment using a text-based interface, a user is presented by the login/password screen (at FIG. 28). This screen is where a user enters the information that proves his/her identity. The user must now enter his/her login and password to identify themselves.

After the user has been identified by the controller the Channel List screen appears (at FIG. 29). The names of channels and their associated properties are shown on this screen. By using the arrow keys and highlighting the desired channel, ME may enter any publicly joinable group. Currently, there is only one group TESTCHANNEL, which ME will join.

Now the screen for the channel TESTCHANNEL appears (at FIG. 29). The screen is split into four regions. The bottom left region is the response line, where messages users wish to enter appear. The upper left region is the transcript area where the communications of the group's channel appear as they occur. The upper right region is the Member List region, where a continuously updated list of members' names appear, with their attributes.

A message appears in the transcript area. The controller has forwarded a message to the group from DMARKS, "hello there" (at FIG. 31), which is seen by all members of the group, including ME. Now ME will respond, by entering "hi there" into the response area.

When ME is finished entering his response, the participator software forwards the response to the controller, which sends it to the members of the channel. In the transcript area, the participator software notifies the user that it has received a private message from DMARKS, which is waiting inside the private message screen. To see the private message, ME presses the private message screen hot key.

A private message screen appears (at FIG. 32), and the private message from DMARKS is at the bottom of the transcript area. Now to reply, ME types his response into the response area.

Now ME will return to the screen for the channel TESTCHANNEL. The member list area has changed because DMARKS has revoked ME's moderator permission. ME is no longer permitted to see the permissions of other users, so this information has been removed from his display (at FIG. 33). The only information he can see now is who is moderator (at FIG. 34). A "*" next to the identifier of a member of the group indicates the member is a moderator of the group. ME is no longer a moderator, and therefore a "*" does not appear the identifier ME.

To further exemplify the use of the present invention, the following is a transcript of communications produced in accordance herewith.

POWERQUALITY JOHN MUNG: unclear about meaning of "first contingency"

POWERQUALITY SAM: mike, that is correct on IEEE 519

POWERQUALITY SKLEIN: In assessing network security (against outage) the first contingencies are tested to see how the power system should be reconfigured to avoid getting a second contingency and cascading into an outage.

POWERQUALITY MSTEARS: These outages point out the need for reliability as part of the overall customer picture of PQ

POWERQUALITY BRIAN: Hi Jennifer, hit crt-p for private message

POWERQUALITY SKLEIN: In simpler terms, a single point failure shouldn't crash the system.

POWERQUALITY SKLEIN: Are we all chatted out?

POWERQUALITY ANDYV: brian, johnmung has been banned!!! why?

12

POWERQUALITY BRIAN: no way, new subject

POWERQUALITY BRIAN: just a sec, andy

POWERQUALITY BRIAN: No banning on this channel, John is back on

5 POWERQUALITY TKEY: IEEE 519 limits the harmonic current a customer can inject back into the pcc and limit the vthd the utility provides at the PCC

POWERQUALITY JOHN MUNG: thanks guys, for unbanning me—I've been thrown out of better places than this!

10 POWERQUALITY BRIAN: New subject . . . now . . .

POWERQUALITY BRIAN: good one john . . . :)

POWERQUALITY MSTEARS: For critical facilities dual feeds or other backup capability need to be economically evaluated to keep the facility in operation

15 POWERQUALITY SAM: John, I remember that club very well

POWERQUALITY JOHN MUNG: question: please comment on frequency of complaints involving spikes, sags or harmonics

20 POWERQUALITY WARD: Problems caused by sags is the main complaint.

POWERQUALITY BRIAN: What subject does anyone want to see the next chat

POWERQUALITY WARD: Surges is probably next; harmonics really don't cause that many problems, although they are certainly there.

25 POWERQUALITY ANDYV: what is the solution ward?

POWERQUALITY TKEY: Agree they are the most frequent (sags) and the panel session on the cost of voltage sags at PES drew 110 people

30 POWERQUALITY SAM: harmonics tend to be an interior problem within a facility, rather than on the distribution system

POWERQUALITY WARD: The best solution is making the equipment less susceptible to sags. This requires working with the manufacturers.

POWERQUALITY ANDYV: won't that cost more

POWERQUALITY MSTEARS: The complaint of surges covers many things in the customer's eyes sags have become a real problem because they are harder to resolve

POWERQUALITY GRAVELY: John—The latest EPRI results confirm the 90+% of the time SGS are the problem and short term ones.

POWERQUALITY WINDSONG: What is the topic for the 25??

POWERQUALITY WARD: Each problem can be dealt with as it occurs, but the time involved gets very expensive.

POWERQUALITY JOHN MUNG: making equipment less susceptible causes legal problems for manufacturers—as each improvement can be cited by component as example of malfeasance

POWERQUALITY WARD: AndyV: The cost to the manufacturer increases. The overall cost to everyone involved decreases.

55 POWERQUALITY TKEY: customer pays anyway you cut it, if the eqpt is more immune customers pay only once instead of every time the process fails

POWERQUALITY BRIAN: The topic is regarding Power Quality

60 POWERQUALITY BRIAN: This chat is available for everyone 24 hours a day

POWERQUALITY ANDYV: dorr>>>will the manufacturer spend more to produce a better product

POWERQUALITY WARD: And as Tom says, the cost to the customer is far less.

65 POWERQUALITY BRIAN: This chat will be functioning 24 hrs/day

US 8,473,552 B1

13

POWERQUALITY BRIAN: please use it
 POWERQUALITY BRIAN: The next panel discussion is November 15th
 POWERQUALITY WARD: Andy, that's where standards come in.
 POWERQUALITY SKLEIN: Is the customer capable of resolving the fingerpointing among the manufacturers and utilities?
 POWERQUALITY DDORR: andy, only if the end users create a market for pq compatible eqpt by demanding better products
 POWERQUALITY MSTEARS: The manufacturers problems in including fixes is being competative with some who doesn't provide the fix
 POWERQUALITY ANDYV: how will we educate the general consumer?
 POWERQUALITY GRAVELY: Is it possible to have a basic theme topic or some core questions for 15 November chat?
 POWERQUALITY WARD: Stan, the customer cannot be expected to resolve the fingerpointing. The manufacturers and utilities need to work together.
 POWERQUALITY ANDYV: about power quality and reliability?
 POWERQUALITY SKLEIN: If electric power is going to be treated as a fungible commodity, there has to be a definition. Like, everyone knows what number 2 heating oil is.
 POWERQUALITY SAM: Ideally a manufacturer would not be able to compete if they don't add the protective function in their products, but alot more public education is required before we get to this point.
 POWERQUALITY WARD: Andy, there are many ways to educate the customers, but they require a lot of contact between the utility and the customers. The Western Resources Power Technology Center in Wichita is doing it, just as an example.
 POWERQUALITY DDORR: standard power vs premium power is one solution as is std qpt vs Pq compatible eqpt
 POWERQUALITY SKLEIN: I want to buy number 2 electric power and to be able to check the nameplates of my appliances to be sure they can take it. Just like I buy regular gasoline.
 POWERQUALITY MSTEARS: Sam—I agree, that is partly the utilities responsibility since we serve the customers
 POWERQUALITY BBOYER: What differentiates number 2 from number 1?
 POWERQUALITY SKLEIN: I used the analogy of number 2 heating oil. I don't know what number 1 heating oil is.
 POWERQUALITY DDORR: Number two has cap switching and all the normal utility operational events while number one is much better
 POWERQUALITY SKLEIN: Perhaps we can just say regular vs high test.
 POWERQUALITY SAM: mike, yes a joint effort between the utility, manufacturer and standards juristictions is a goal for utilicorp as we move forward with offering from our strategic marketing partners, and bring PQ technologies to the public
 POWERQUALITY TKEY: We are finding that many mfgs want to produce pq compatible equipment, but they have no clue as to what to test for
 POWERQUALITY ANDYV: Tom>>will the IEC standards help?
 POWERQUALITY TKEY: Its up to the utility to help define normal events IEC will take time

14

POWERQUALITY SKLEIN: You can't have a commodity product with all the variation in specifications we have been discussing. It has to be regular, premium, and super premium or it won't work.
 5 POWERQUALITY JOHNUNG: Tom as a former manufacturer i sympathize—your work at PEAC is invaluable but anecdotal knowledge from utility people on the firing line is equally important
 POWERQUALITY TKEY: Super premium, does that mean a
 10 UPS?
 POWERQUALITY ANDYV: how do you stop a facility from affecting you super-premium power?
 POWERQUALITY TKEY: John, Good Point
 POWERQUALITY SAM: Tkey, a ups, local generation or
 15 redundant service
 POWERQUALITY SKLEIN: This is what I meant earlier by electricity being a non-virtualizable service. You can't make each customer see the power system as though they had their own dedicated generating plant.
 20 POWERQUALITY BRIAN: THE CHAT CHANNEL WILL BE OPEN 24/HRS/DAY 7 DAYS A WEEK POWERQUALITY TKEY: I must sign out for about 5 minutes but I'll be back
 POWERQUALITY BRIAN: OK TOM
 25 POWERQUALITY MSTEARS: PQ for facilities need to be done with a system perspective to get the right resolution
 POWERQUALITY BBOYER: Andy's question is still relevant—how do stop a facility from downgrading utility service to other customers?
 30 POWERQUALITY BRIAN: MIKE>>LETS SWITCH BACK TO RETAIL WHEELING
 POWERQUALITY WARD: You work with that customer to do whatever is needed to correct their disturbances.
 POWERQUALITY BBOYER: Be more specific
 35 POWERQUALITY MSTEARS: Interaction between facilities can be evaluated and designed for
 POWERQUALITY JOHNUNG: as a key to hardening it helps to identify the most sensitive circuits, i.e. microprocessor logic, test for vulnerability under common surges, sags, rfi, and then notify users that their equipment contains these subsystems—for a start
 40 POWERQUALITY BRIAN: hl DOUG
 POWERQUALITY GRAVELY: Brian: Are you saving this session as a file? Can we get a list of chat session participants?
 45 POWERQUALITY BRIAN: s, we may
 POWERQUALITY DMARKS: gravelly: hit TAB and use the arrow keys to page through the list of participants
 POWERQUALITY SKLEIN: Will the session be available for downloading?
 50 POWERQUALITY BRIAN: yes, Mike we will publish in PQ Magazine
 POWERQUALITY WARD: Part of the agreement for high quality power should be that the customer receiving the power will not disturb the utility system.
 55 POWERQUALITY BRIAN: if john let's us
 POWERQUALITY GRAVELY: I tried that, however, net-cruiser has a software problem and I cannot see all of the names.
 POWERQUALITY SAM: most utilities rules and regulations already require that a customer not put anything back out on the utility system
 60 POWERQUALITY BRIAN: MIKE G.>>WE WILL PUBLISH THIS IN PQ MAG NEXT MONTH IF ASNDY LETS US
 65 POWERQUALITY BRIAN: HOW ABOUT IT ANDY?
 POWERQUALITY ANDYV: ok
 POWERQUALITY BRIAN: COOL

US 8,473,552 B1

15

POWERQUALITY WARD: Standards will have to be set for what constitutes a disturbance, and then the utility should work with customers, install filters, etc., to be sure they stay within the rules.

POWERQUALITY BRIAN: THANKS ANDY

POWERQUALITY ANDYV: a meeting review or a summary of events

POWERQUALITY GRAVELY: It would be good to take a few minutes to recommend how the 15 November session could be more effective.

POWERQUALITY BRIAN: A SYNAPSE OF THIS CHAT WILL BE IN NEXT MONTHS PQ MAG

POWERQUALITY WINDSONG:

POWERQUALITY SKLEIN: I don't get PQ mag. Will it be on the Net?

POWERQUALITY BRIAN: STAN SIGN UP FOR IT ON OUR HOME PAGE

POWERQUALITY DOUGC: the transcript of this conference will be available on the EnergyOne pages.

POWERQUALITY BRIAN: YOU CAN SIGN UP ON LINE

POWERQUALITY BRIAN: HTTP://WWW.UTILICORP.COM

POWERQUALITY WINDSONG: Good comment Gravely Comments from the users would be greatly appreciated!!

POWERQUALITY SAM: PQ magazine is available online on the UCU internet bulletin board, <http://www.utilicorp.com>

POWERQUALITY ANDYV: or link from powerquality.com

POWERQUALITY BRIAN: YOU CAN GET A FREE MAG SUBSCRIPTION FROM

UTILICORP'S HOME PAGE

POWERQUALITY SKLEIN: Thanks

POWERQUALITY BRIAN: ALSO, THERE IS A PQ FORUM ON OUR HOME PAGE

POWERQUALITY JOHNMUNG: for November 15 shall we pick five key topics? suggest health care, energy storage rfi/emc as a few topics—also new gas turbine 25 kw generator just announce today—just some suggestions

POWERQUALITY BRIAN: GOOD SUGGESTION JOHN

POWERQUALITY ANDYV: lets develop an outline of topics for next time.

POWERQUALITY BRIAN: OK

POWERQUALITY GRAVELY: One suggestion for 15 November—Have participants place a list of desired topics on your other chat box and prioritize by interest level.

POWERQUALITY SKLEIN: How about deregulation and retail wheeling.

POWERQUALITY BRIAN: COMMENTS SHOULD BE SENT TO ME BY EMAIL

POWERQUALITY BRIAN: BSPENCER@UTILICORP.COM

POWERQUALITY BRIAN: 15 minutes remaining

POWERQUALITY ANDYZYREK: Let's discuss the new standard IEEE 1159.

POWERQUALITY ANDYV: may be we could generate an online questionnaire to see what people are needing discussed.

POWERQUALITY BRIAN: but the chat is available for 24 hrs/day 7 days a week

POWERQUALITY ANDYV: what does IEEE1159 address?

POWERQUALITY BRIAN: Please send all suggestion to me for our next chat

POWERQUALITY BRIAN: Bobbin is not banned now

POWERQUALITY BRIAN: my fault

POWERQUALITY ANDYZYREK: New PQ measuring techniques. We have not received our issue yet.

POWERQUALITY ANDYV: You should have it my now.

POWERQUALITY BRIAN: Bobbin is not banned anymore

16

POWERQUALITY ANDYV: you can e-mail me or john at: editors@powerquality.com

POWERQUALITY BRIAN: is two hours right for this feature

5 POWERQUALITY JOHNMUNG: do i understand that many programmable logic controllers can be hardened by addition of simple CVT like a sola?

POWERQUALITY ANDYZYREK: Yes, but it is being delivered by snail mail.

10 POWERQUALITY ANDYV: no 2nd class

POWERQUALITY BRIAN: 15 minutes to go

POWERQUALITY ANDYV: Please e-mail me you complete name and address and I will mail you one today 1st class . . . now is that service or what?

15 POWERQUALITY BRIAN: Is two hours long enough for this chat?

POWERQUALITY TKEY: Im back

POWERQUALITY WARD: Brian, I think two hours is about right.

20 POWERQUALITY BRIAN: hi tom

POWERQUALITY BRIAN: good . . .

POWERQUALITY ANDYV: yes I agree 2 hrs

POWERQUALITY BRIAN: anyone else

POWERQUALITY ANDYV: it the time of day correct?

25 POWERQUALITY BRIAN: questions now . . .

POWERQUALITY SKLEIN: The topic foremost in my mind right now is what to eat for lunch. I enjoyed the discussion, which I understand has been historic in some sense. But I think I will sign off now and go eat.

30 POWERQUALITY SAM: 2 hours seems to work very well

POWERQUALITY DANIELH: time of day is good

POWERQUALITY BILLMANN: 2 hrs is fine

POWERQUALITY MSTEARS: Two hours work well, the middle of the day allows east and west coast to be involved

35 POWERQUALITY BRIAN: good, Will everyone be back for the next chat

POWERQUALITY GRAVELY: Brian, I will forward my recommendations on email, thanks.

POWERQUALITY BILLMANN: yes i'll be back

40 POWERQUALITY ANDYZYREK: Brian, would it be possible to have a forum published on your home page prior to November 15.

POWERQUALITY BRIAN: I would like to do another chat before November 15th, any thoughts

45 POWERQUALITY ANDY: U bet

POWERQUALITY SAM: I believe that this chat may set an attendance record for most participants during a first session

POWERQUALITY JOHNMUNG: a parting thought—"harmonics make the music rich, they make the tone inspring—

50 harmonics in your power line WILL BLOW THE BUILDINGS WIRING" tM MUNGENAST

POWERQUALITY BRIAN: Your're all invited to return

POWERQUALITY BRIAN: the next chat

POWERQUALITY BRIAN: This chat feature will help set standards of how we view our industry

55 POWERQUALITY WARD: For me this was two hours very well spent, and it was quite enjoyable.

POWERQUALITY BRIAN: Tell a colleague about our chat November 15th

60 POWERQUALITY BRIAN: Thanks Ward

POWERQUALITY BRIAN: I would like to do this on a weekly basis, any thoughts yet

POWERQUALITY GRAVELY: John: talk it up in Germany!!

65 POWERQUALITY ANDY: I would like to thank utilicorp and everyone envolved.

POWERQUALITY BRIAN: Thanks Andy for your help

US 8,473,552 B1

19

POWERQUALITY ANDY: the PQ chat was running from 11:00-1:00 est
POWERQUALITY ANDY: Were you involved then?
POWERQUALITY DAVE: No I just got a chance to sign on now
POWERQUALITY ANDY: there were some great discussions.
POWERQUALITY ANDY: The transcripts will be available to down load at utilicorp.com Brian Spencer says.
POWERQUALITY ANDY: What is your experience in PQ
POWERQUALITY DAVE: That is what I was looking for, are they available to down load now, I work in a data center and have worked with UPS systems for about 12 years
POWERQUALITY DAVE: I did field service for Exide
POWERQUALITY ANDY: Brian just went to Lunch in KS I don't know when it will be available.
POWERQUALITY DAVE: Thanks for the Info on the down-loads, I hope they do this again
POWERQUALITY ANDY: so do I.
POWERQUALITY DAVE: What is your experience on PQ
POWERQUALITY ANDY: I am the editor or Power quality mag.
POWERQUALITY DAVE: Good mag., I pick up alot in it
POWERQUALITY ANDY: do you receive power quality assurance magazine?
POWERQUALITY ANDY: great glad to hear it.
POWERQUALITY DAVE: We get it at work but I have asked to have it sent to my home
POWERQUALITY ANDY: did you get the latest issue with the lighting on the cover?
POWERQUALITY DAVE: Not yet, have seen it on line though
POWERQUALITY ANDY: great.
POWERQUALITY ANDY: any suggestion for editorial?
POWERQUALITY DAVE:
POWERQUALITY DAVE: no it is good
POWERQUALITY ANDY: ok.
POWERQUALITY ANDY: I am currently editing an article about VRLA battery charging.
POWERQUALITY DAVE: I am working on a resonant problem with Utility and was looking for info
POWERQUALITY ANDY: explain
POWERQUALITY ANDY: by the way my e-mail is andy@powerquality.com
POWERQUALITY DAVE: we are running a lot of 5th har. across our system in a large data center
POWERQUALITY ANDY: I see
POWERQUALITY ANDY: I will try to address this in an upcoming issue. may be march/april or even sooner.
POWERQUALITY DAVE: we have 4800 kw of UPS cap on two transformers and we have alot of 5th on our other boards
POWERQUALITY ANDY: If you are interested in writing up a case history including you solutions I would like to review it and poss. publish
POWERQUALITY MSTONEHAM: Is this chat session still active?
POWERQUALITY ANDY: YES
POWERQUALITY ANDY: We can't get enough!!!
POWERQUALITY DAVE: when we can get it fixed, It looks like we have a problem with input filtering on a couple of UPS, s
POWERQUALITY ANDY: input fro the utility or a generator?
POWERQUALITY DAVE: utility
POWERQUALITY MSTONEHAM: I understand there was a chat session earlier today with some guest" chatters". Is there an archive of the discussion since I missed it?

20

POWERQUALITY DAVE: we have 66 kv to 12 kv then to 480 v by 4 trans on property
POWERQUALITY ANDY: What are you leaning towards in a solution dave
5 POWERQUALITY ANDY: MTONEHAM>>yes but I don't know when. contact BSPENCER@utilicorp.com
POWERQUALITY DAVE: the computer seem to have no problem, but we have alot of motor heating/bad PF
POWERQUALITY MSTONEHAM: Thanks!
10 POWERQUALITY DAVE: we currently are working with a consulant but I am looking for more info
POWERQUALITY ANDY: will capacitors solve your problem
POWERQUALITY ANDY:
15 POWERQUALITY ANDY: there also is a forum under utilicorp.com where you can post you questions.
POWERQUALITY DAVE: Each 600 kw UPS has Input filtering/may need trap for 5th
POWERQUALITY ANDY: or you can access it form powerquality.com
20 POWERQUALITY DAVE: thanks
POWERQUALITY ANDY: Talk to ya later dave
POWERQUALITY DAVE: is PQ.com your Mag
POWERQUALITY ANDY: bye
25 POWERQUALITY DAVE: bye
POWERQUALITY ANDY: yes
POWERQUALITY DAVE: thanks
POWERQUALITY ANDY: :-)
POWERQUALITY MSTONEHAM:
30 POWERQUALITY MSTONEHAM: Is anyone else hear?
There doesn't seem to be much traffic.
POWERQUALITY MSTONEHAM:
POWERQUALITY CILCOJRG: Hello—is the conference over?
35 POWERQUALITY CILCOJRG:
POWERQUALITY CILCOJRG: hello
POWERQUALITY BRIAN: yes
POWERQUALITY BRIAN: the conference was from 10-12 ct
40 POWERQUALITY BRIAN: someone gave out the wrong information
POWERQUALITY BRIAN: hello cilco
POWERQUALITY BRIAN: anyone still there
SUPPORT BRIAN: hi all
SUPPORT BRIAN: anyone there
POWERQUALITY BRIAN: jenny>>are you there
POWERQUALITY CJBOUTCHER: is anyone here a utility employee?
POWERQUALITY BRIAN: Hi chris
50 POWERQUALITY BRIAN: how are you?
POWERQUALITY CJBOUTCHER: hi brian it is quiet in here
POWERQUALITY BRIAN: the conference was at 10:00 ct
POWERQUALITY CJBOUTCHER: ah I see
POWERQUALITY CJBOUTCHER: when is the next one?
POWERQUALITY BRIAN: November 15th
POWERQUALITY BRIAN: 10-12
POWERQUALITY BRIAN: ct
POWERQUALITY CJBOUTCHER: is the channel open at other times?
POWERQUALITY BRIAN: yes 24 hours a dfay
POWERQUALITY CJBOUTCHER: but not much discussion?
POWERQUALITY BRIAN: not right now,
65 POWERQUALITY BRIAN: cya
POWERQUALITY CJBOUTCHER: bye
POWERQUALITY BRIAN: hi jenny

US 8,473,552 B1

21

POWERQUALITY JOSH: hello?
POWERQUALITY BRIAN: hi dan
POWERQUALITY BRIAN: hi dan
POWERQUALITY BRIAN: are you awake yet?
POWERQUALITY BRIAN: just giving present this a.m.
POWERQUALITY BRIAN: :)
POWERQUALITY BRIAN: who is guest96
POWERQUALITY GUEST96: test

While a particular embodiment of the present invention has been disclosed, it is to be understood that various different modifications are possible and are within the true spirit of the invention, the scope of which is to be determined with reference to the claims set forth below. There is no intention, therefore, to limit the invention to the exact disclosure presented herein as a teaching of one embodiment of the invention.

The invention claimed is:

1. Apparatus to control communication, the apparatus including:

a controller computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, through an Internet network, responsive to a respective authenticated user identity, wherein the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer, the controller computer system controlling real-time communications by:

storing each said user identity and a respective authorization to send multimedia data, the multimedia data comprising graphical data; and

if permitted by the user identity corresponding to one of the participator computers, allowing the one of the participator computers to send multimedia data to another of the participator computers.

2. A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, wherein the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives

22

allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity;

affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

permitting at least the first user identity and the second user identity to form a group; and

permitting sending communications in real time, via the Internet network, among the participator computers corresponding to the user identities in the group, wherein at least some of the communications include messages comprising more than one data type, and at least some other of the communications include a pointer that produces a pointer-triggered message on demand.

3. The method of claim 2, wherein at least one of the messages includes data representing sound.

4. The method of claim 3, further including:

storing, for the first user identity, an authorization associated with presentation of multimedia; and

based on the authorization, presenting the multimedia at one of the participator computers corresponding to the second user identity.

5. The method of claim 2, wherein at least one of the messages includes data representing video.

6. The method of claim 5, further including:

storing, for the first user identity, an authorization associated with presentation of multimedia; and

based on the authorization, presenting the multimedia at one of the participator computers corresponding to the second user identity.

7. The method of claim 2, wherein at least one of the messages includes data representing sound and video.

8. The method of claim 7, further including:

storing, for the first user identity, an authorization associated with presentation of multimedia; and

based on the authorization, presenting the multimedia at one of the participator computers corresponding to the second user identity.

9. The method of claim 2, further including:

storing, for the first user identity, an authorization associated with presentation of multimedia, the multimedia comprising graphic data; and

based on the authorization, presenting the multimedia at one of the participator computers corresponding to the second user identity.

10. Apparatus to communicate via an Internet network, the apparatus including:

a computer system, including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, in communication with each of the participator computers responsive to a respective authenticated user identity, wherein the computer system permits at least a first of the participator computers and a second of the participator computers to form a group in which members can send communications in real time via the Internet network, and receive communications from another of the members, wherein at least one of the communications includes a message

US 8,473,552 B1

23

comprising more than one data type, and at least one of the communications includes a pointer that produces a pointer-triggered message on demand; wherein the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer.

11. The apparatus of claim 10, wherein at least one of the messages includes data representing sound.

12. The apparatus of claim 11, wherein the computer system is further programmed to provide access to a member-associated image.

13. The apparatus of claim 10, wherein at least one of the messages includes data representing video.

14. The apparatus of claim 13, wherein the computer system is further programmed to provide access to a member-associated image.

15. The apparatus of claim 10, wherein at least one of the messages includes data representing sound and video.

16. The apparatus of claim 15, wherein the computer system is further programmed to provide access to a member-associated image.

17. The apparatus of claim 10, wherein the computer system is further programmed to provide access to a member-associated image.

18. An apparatus to communicate via an Internet network, the apparatus including:
 a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with each of the participator computers, responsive to a respective authenticated user identity, wherein the computer system:
 stores, for a first of the user identities, a respective authorization associated with multimedia data communication, and
 allows the participator computers to send in real time via the Internet network, and, based on the respective authorization, cause the multimedia data to be presented at one of the participator computers corresponding to a second of the user identities; wherein
 the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client

24

software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer.

19. The apparatus of claim 18, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of a group, a pointer that produces a pointer-triggered message on demand.

20. The apparatus of claim 19, wherein the computer system is further programmed to provide access to a member-associated image.

21. The apparatus of claim 18, wherein the multimedia data comprises graphic data.

22. The apparatus of claim 21, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of a group, a pointer that produces a pointer-triggered message on demand.

23. The apparatus of claim 22, wherein the computer system is further programmed to provide access to a member-associated image.

24. The apparatus of claim 18, wherein the multimedia data comprises audio data.

25. The apparatus of claim 24, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of a group, a pointer that produces a pointer-triggered message on demand.

26. The apparatus of claim 25, wherein the computer system is further programmed to provide access to a member-associated image.

27. The apparatus of claim 24, wherein the computer system is further programmed to provide access to a member-associated image.

28. The apparatus of claim 18, wherein the multimedia data comprises video data.

29. The apparatus of claim 28, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of the group, a pointer that produces a pointer-triggered message on demand.

30. The apparatus of claim 29, wherein the computer system is further programmed to provide access to a member-associated image.

31. The apparatus of claim 28, wherein the computer system is further programmed to provide access to a member-associated image.

32. The apparatus of claim 18, wherein the multimedia data comprises graphic and audio data.

33. The apparatus of claim 32, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of a group, a pointer that produces a pointer-triggered message on demand.

34. The apparatus of claim 33, wherein the computer system is further programmed to provide access to a member-associated image.

35. The apparatus of claim 32, wherein the computer system is further programmed to provide access to a member-associated image.

36. The apparatus of claim 18, wherein the multimedia data comprises graphic and video data.

37. The apparatus of claim 36, wherein the computer system is programmed to allow the participator computers to

US 8,473,552 B1

25

communicate, in real time communications among members of a group, a pointer that produces a pointer-triggered message on demand.

38. The apparatus of claim 37, wherein the computer system is further programmed to provide access to a member-associated image. 5

39. The apparatus of claim 36, wherein the computer system is further programmed to provide access to a member-associated image.

40. The apparatus of claim 18, wherein the multimedia data comprises video and audio data. 10

41. The apparatus of claim 40, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of a group, a pointer that produces a pointer-triggered message on demand. 15

42. The apparatus of claim 41, wherein the computer system is further programmed to provide access to a member-associated image.

43. The apparatus of claim 40, wherein the computer system is further programmed to provide access to a member-associated image. 20

44. The apparatus of claim 18, wherein the multimedia data comprises graphic and audio and video data.

45. The apparatus of claim 44, wherein the computer system is programmed to allow the participator of computers to communicate, in real time communications among members of the group, a pointer that produces a pointer-triggered message on demand. 25

46. The apparatus of claim 45, wherein the computer system is further programmed to provide access to a member-associated image. 30

47. The apparatus of claim 44, wherein the computer system is further programmed to provide access to a member-associated image. 35

48. The apparatus of claim 18, wherein the computer system is further programmed to provide access to a member-associated image.

49. The apparatus of claim 18, wherein the computer system is further programmed to provide access to member identity information. 40

50. Apparatus to send multimedia data, the apparatus including:

a controller computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the participator computers communicatively connected to the controller computer system through an Internet network in association with an authenticated user identity, wherein the controller computer system controls real-time communications among the participator computers by: 45

associating with the user identities a respective authorization to communicate multimedia data; and 50

sending multimedia data representing at least one of a pointer, video, audio, graphic, and multimedia if permitted by the respective authorization; wherein 55

the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and 60

26

receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer.

51. The apparatus of claim 50, wherein the computer system is programmed to allow the participator computers to communicate, in real time communications among members of the group, a pointer that produces a pointer-triggered message on demand.

52. The apparatus of claim 51, wherein the computer system is further programmed to provide access to a member-associated image.

53. The apparatus of claim 50, wherein the computer system is further programmed to provide access to a member-associated image.

54. A method to sending of multimedia via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, wherein the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer, the method including: 65

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity; and

affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

associating the user identities with a respective authorization to communicate multimedia data; and

sending communications in real time, via an Internet network, from the first participator computer to the second participator computer, if permitted by the authorization of the user identity corresponding to the first participator computer.

55. The method of claim 54, wherein the communications are multimedia messages containing more than one data type.

56. The method of claim 54, wherein the communications contain a pointer, and that pointer is utilized on the second participator computer to request the sending of data associated with the pointer from another computer.

57. The method of claim 54, wherein some of the communications are multimedia messages containing more than one data type and some of the communications contain a pointer,

27

and that pointer is utilized on the second participator computer to request the sending of data associated with the pointer from another computer.

58. A method to send multimedia messages via an Internet network, the method including:

communicatively connecting a controller computer system, the controller system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, to each of the participator computers responsive to receiving information associated with a respective authenticated user identity, wherein the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer, wherein the controller computer system sends the multimedia messages by:

associating with each of the user identities a respective authorization to communicate multimedia data; and sending communications in real time, via an Internet network, from a first participator computer to a second participator computers, if permitted solely by the respective authorization of the user identity of the first participator computer.

59. Computerized human communication arbitrating and distributing system, the system including:

a controller computer system, the controller computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other and linked to the controller system through the Internet, the controller computer system

arbitrating in accordance with predefined rules including a test for an authenticated user identity corresponding to a respective user, which ones of the participator computers can be a member in one of a plurality of groups in which members distribute, in accordance with the predefined rules, the user messages in real time to the respective ones of the participator computers; wherein

at least some of the user messages are multimedia messages; and wherein

the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by

28

the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer.

60. The system of claim 59, further comprising participator software respectively operating on and directing each of the participator computers to enable one of said users to send one of the user messages to the controller computer and to enable the arbitrating and the distributing of the one of the user messages.

61. The system of claim 59, wherein the user messages include an address to instruct the participator computers to optionally locate another multimedia message.

62. The system of claim 59, wherein the user messages include an address to compel the participator computers to locate an other message and to present the other message at the output device.

63. The system of claim 59, wherein the other message is a multimedia message.

64. A method of using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, wherein the controller computer system is programmed to provide access to the controller computer system via any of two client software alternatives, wherein both of the two client software alternatives allow the respective user identities to be recognized by the controller computer system and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications from another of the members, wherein at least some of the communications are received in real time via the Internet network, and wherein the at least one of client software alternatives allows the controller computer system to determine whether at least one of the user identities, individually, is censored from data representing at least one of a pointer, video, audio, graphic, and multimedia such that the data that is censored is not presented by the corresponding participator computer, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity;

affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; and

arbitrating, in accordance with predefined rules including a test for an authenticated user identity, which ones of the participator computers can be a member in one of a plurality of groups in which members distribute, via predefined rules, the messages in real time to the respective ones of the participator computers, wherein at least some of the user messages are multimedia messages.



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(54) **REAL TIME COMMUNICATIONS SYSTEM**

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G06F 15/16 (2006.01)

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(58) **Field of Classification Search**
 USPC 709/203, 231, 316, 204-207, 225, 229; 379/401, 202.01
 See application file for complete search history.

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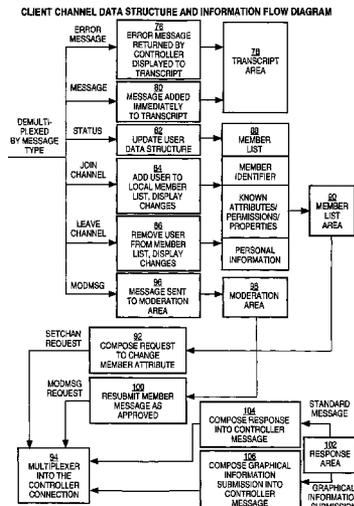
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(57) **ABSTRACT**

A system and method communicating via an Internet network, the system including: a plurality of computers connected to a computer system such that one of the plurality of computers, corresponding to a first of the user identities, and an other of the plurality of computers, corresponding to a second of the user identities, can send communications, and some of the communications are received in real time via the Internet. There can be a determination as to whether some of the communications are allowed.

671 Claims, 22 Drawing Sheets



US 8,694,657 B1

Page 2

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US 8,694,657 B1

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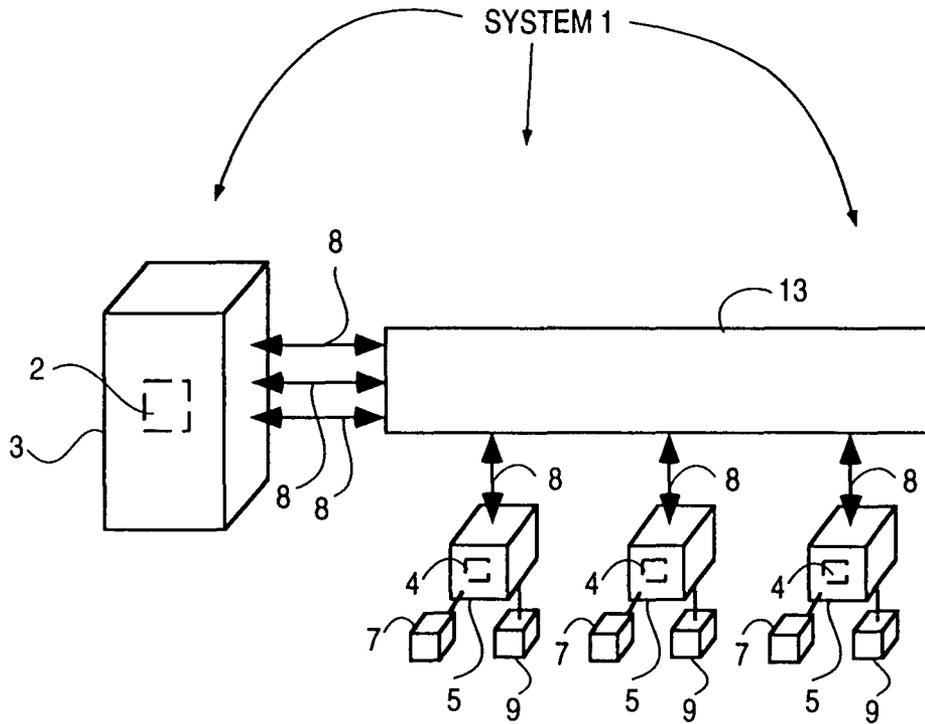
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FIG. 1



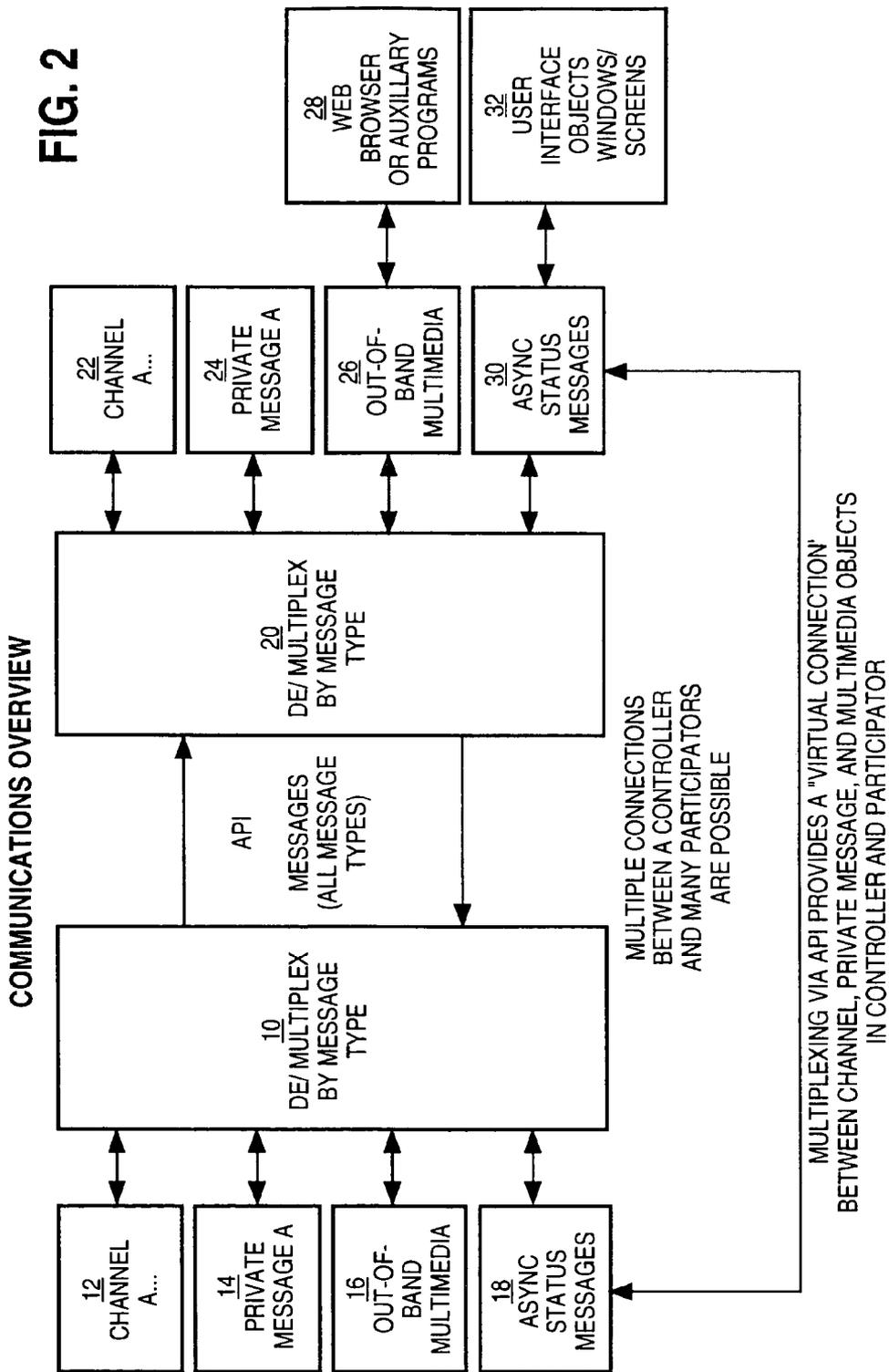


FIG. 3

DATA AND COMMUNICATIONS
 DEPENDENCY DIAGRAM CONTROLLER
 GROUP CHANNEL STRUCTURE

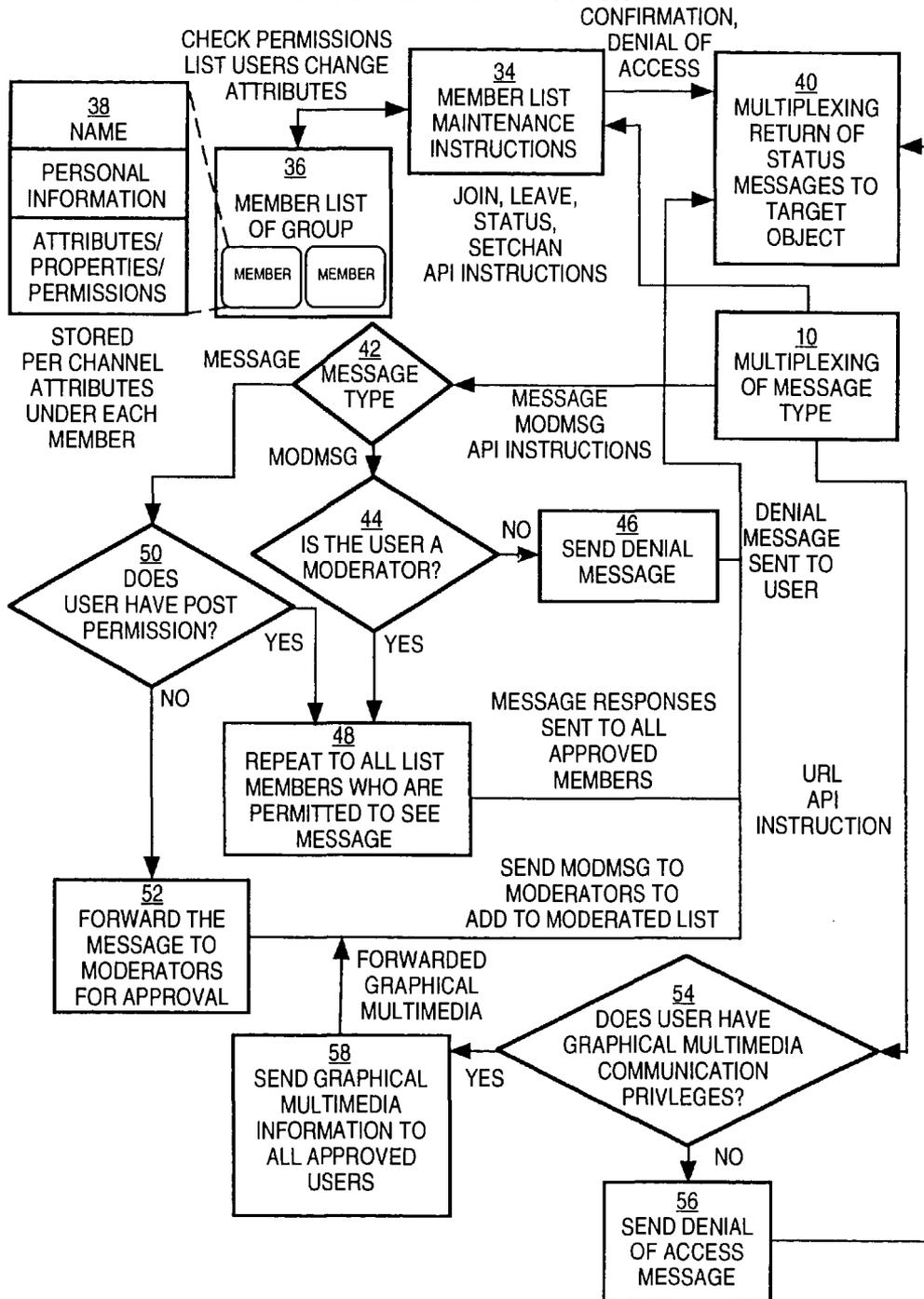


FIG. 4

CENTRAL CONTROLLER LOOP COMMUNICATIONS

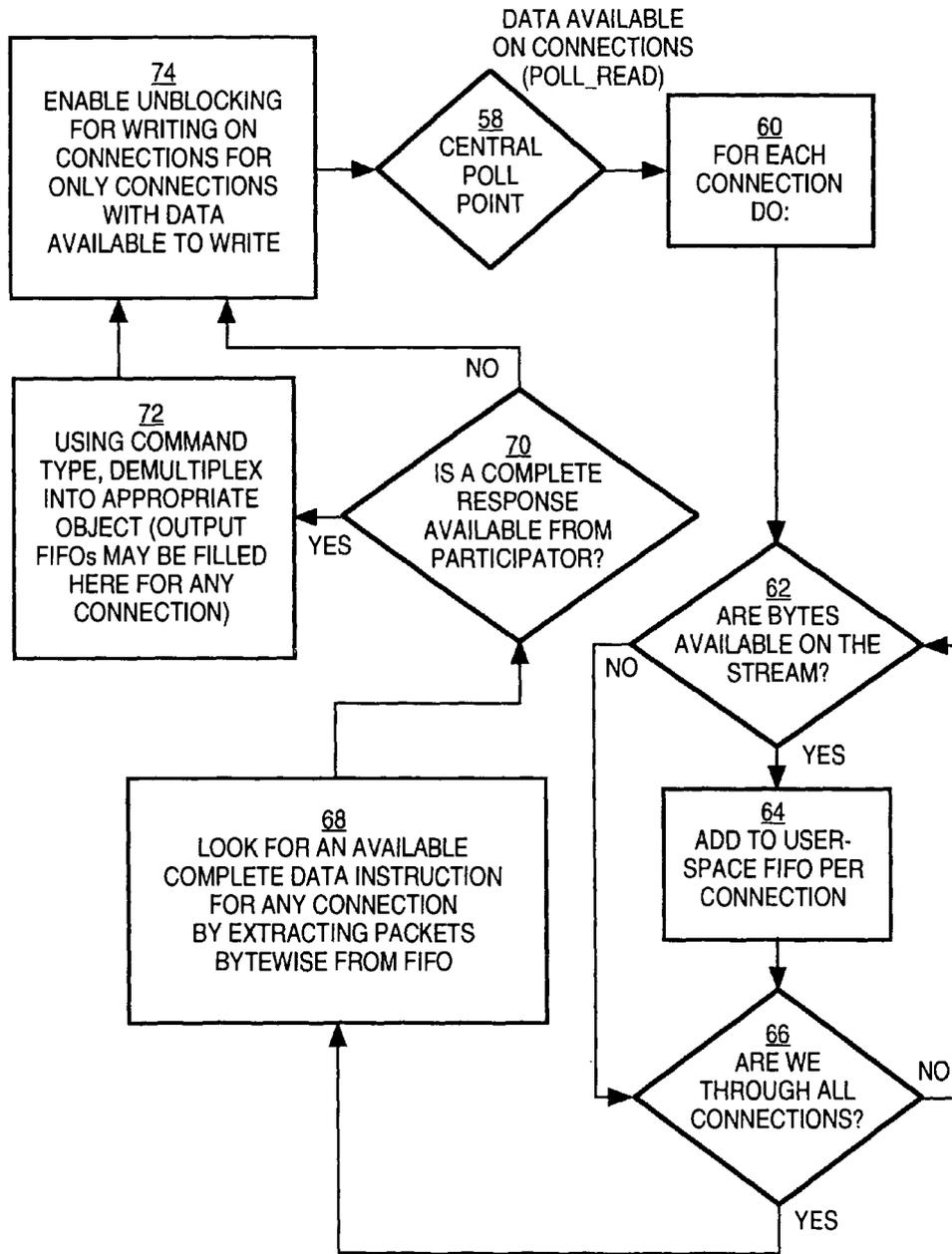


FIG. 5

CLIENT CHANNEL DATA STRUCTURE AND INFORMATION FLOW DIAGRAM

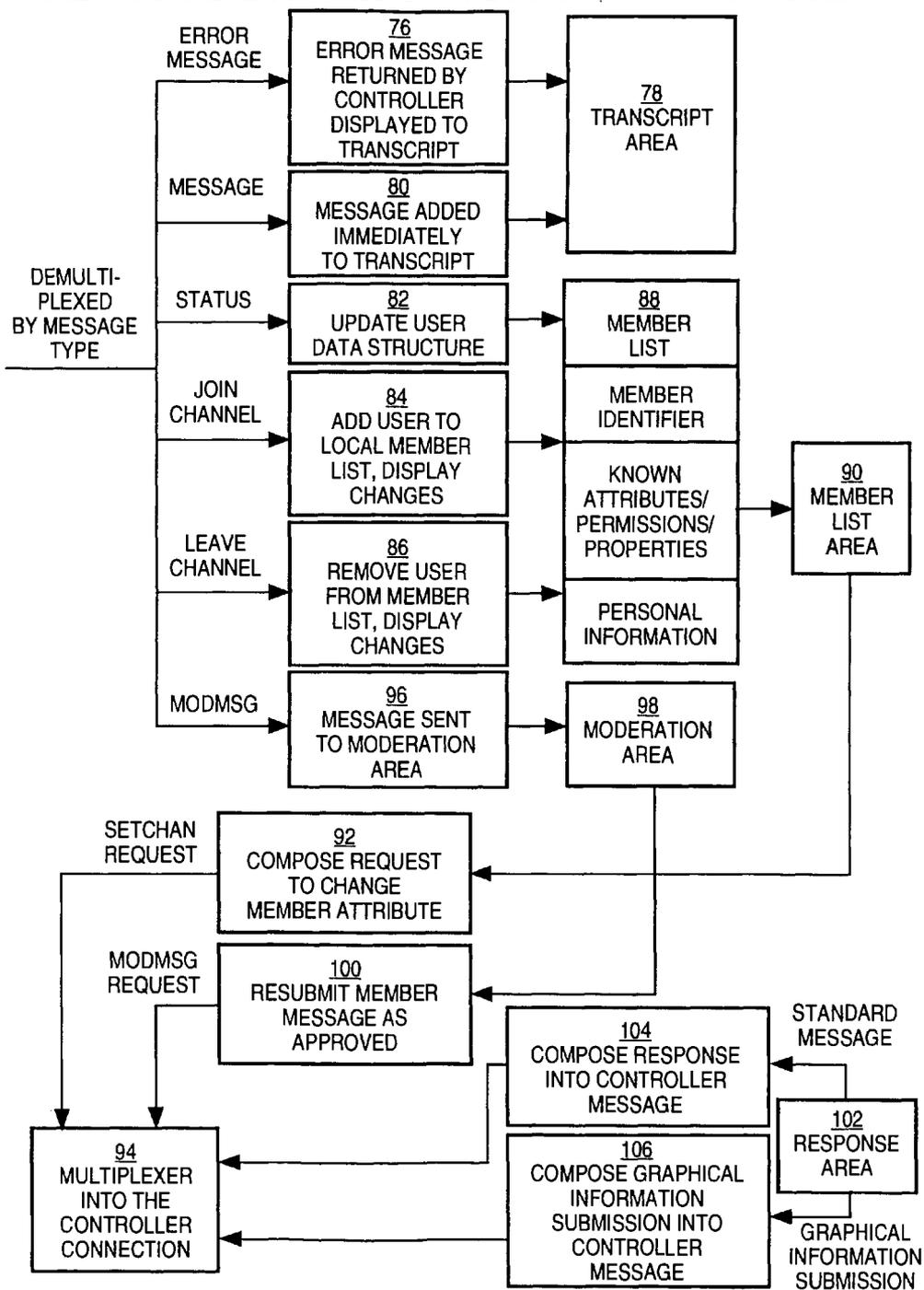


FIG. 6

PARTICIPATION SOFTWARE OUT-OF-BAND MULTIMEDIA
OUT-OF-BAND MULTIMEDIA INFORMATION FLOW DIAGRAM

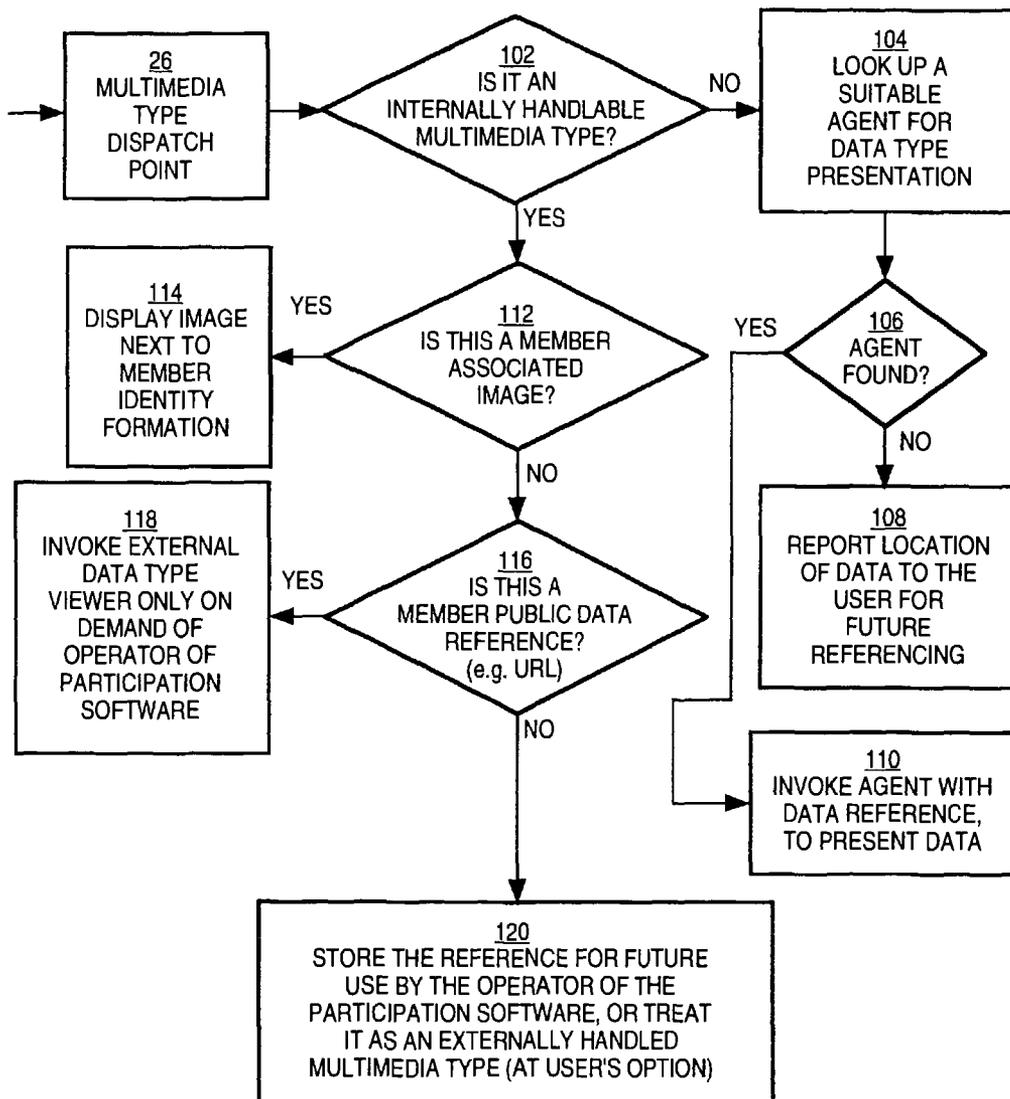


FIG. 7

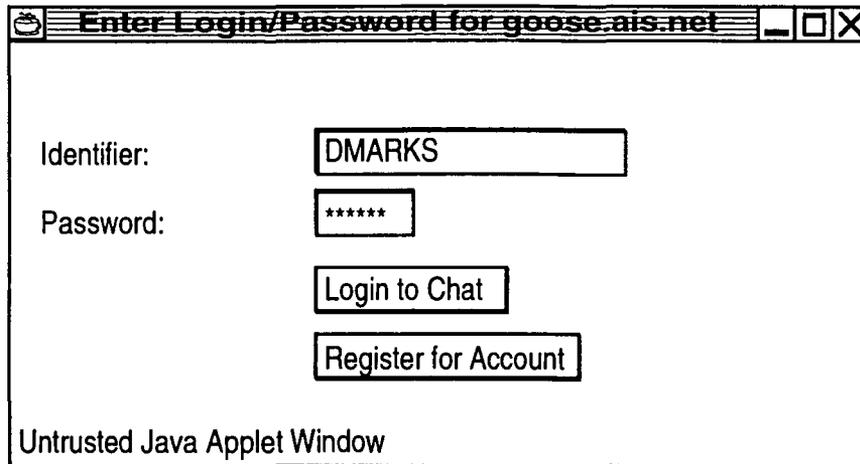


FIG. 8

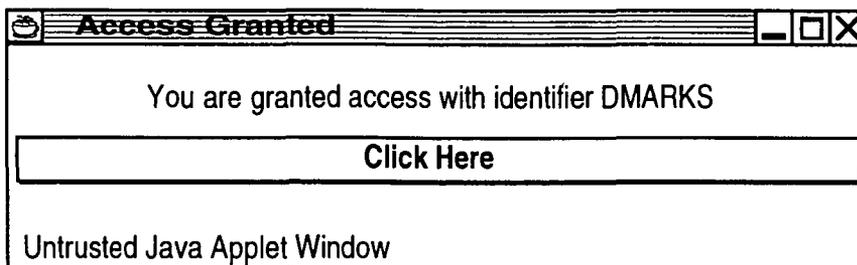


FIG. 9

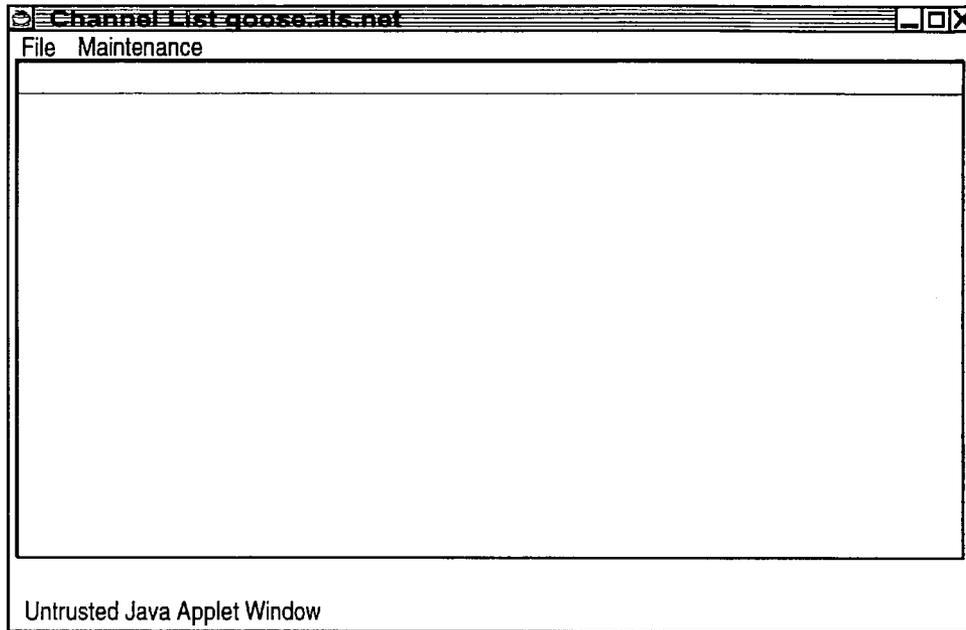


FIG. 10

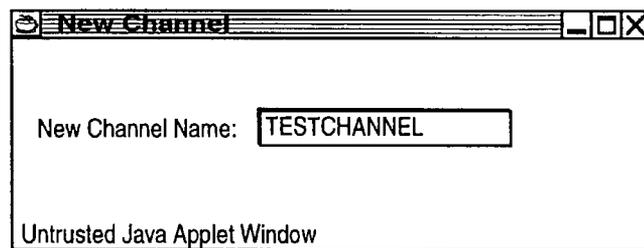


FIG. 11

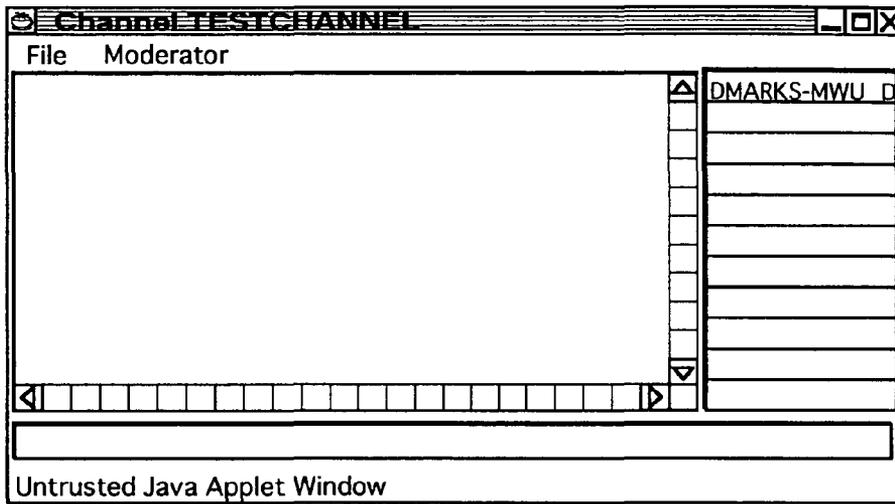


FIG. 12

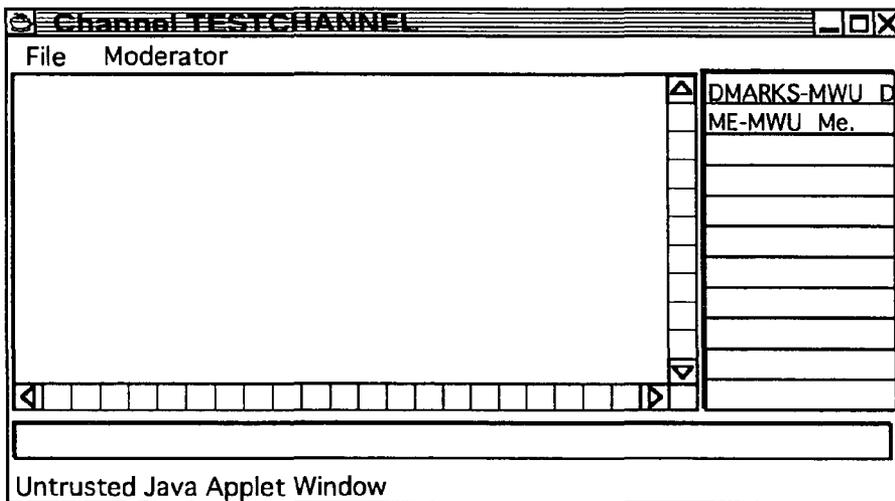


FIG. 13

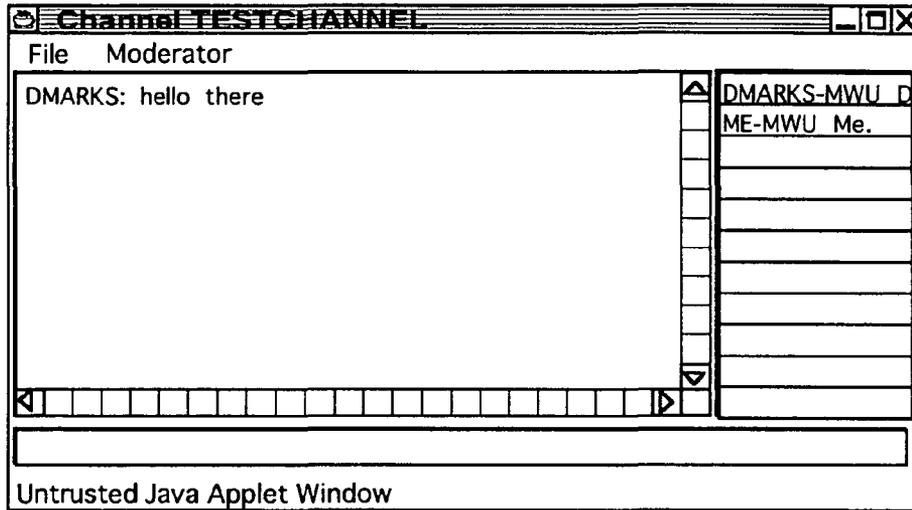


FIG. 14

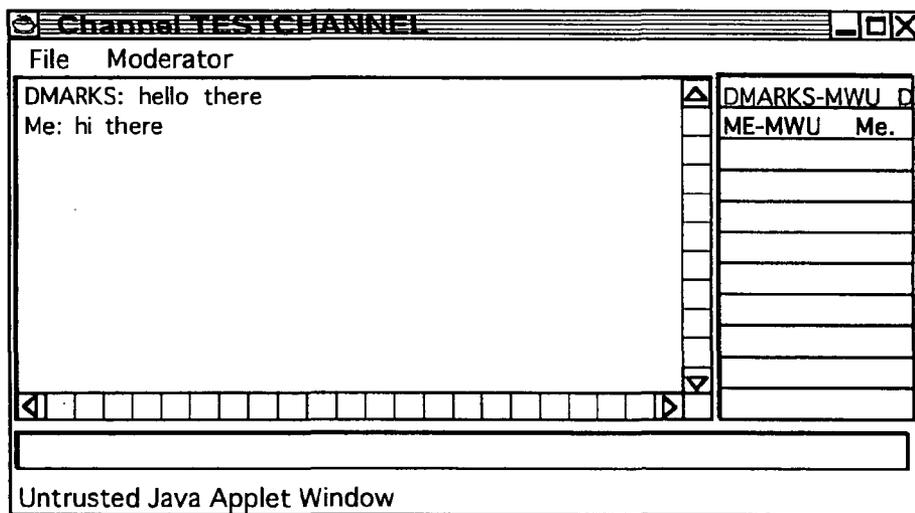


FIG. 15

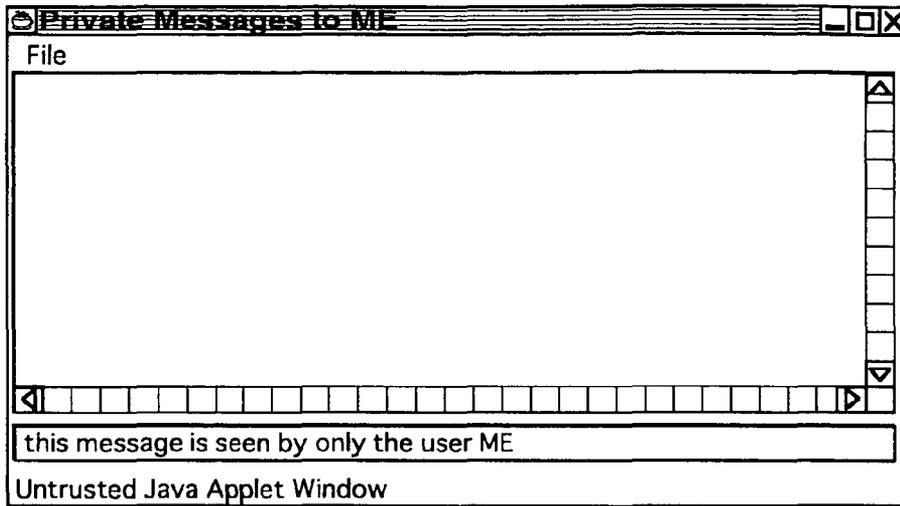


FIG. 16

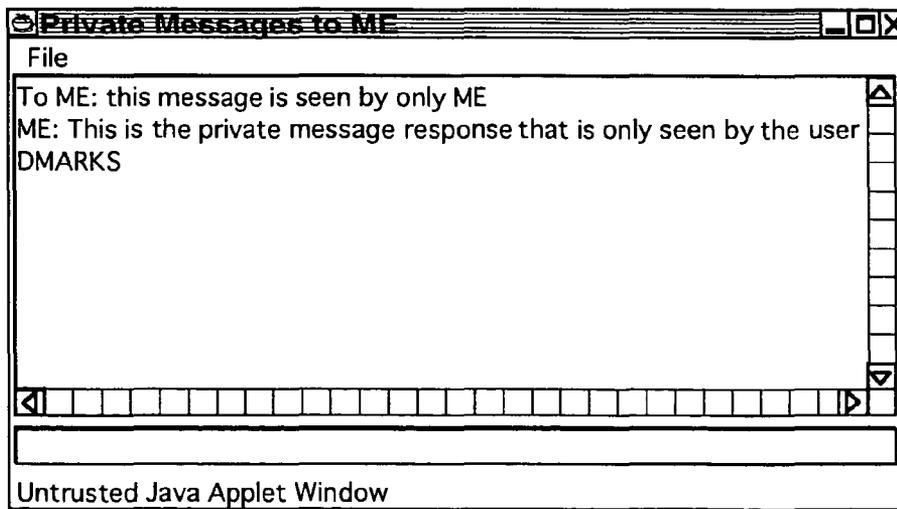


FIG. 17

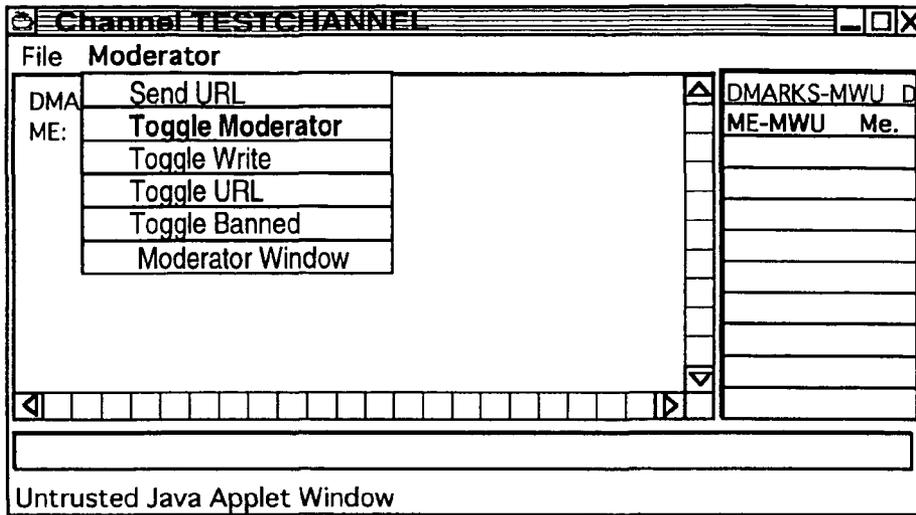


FIG. 18

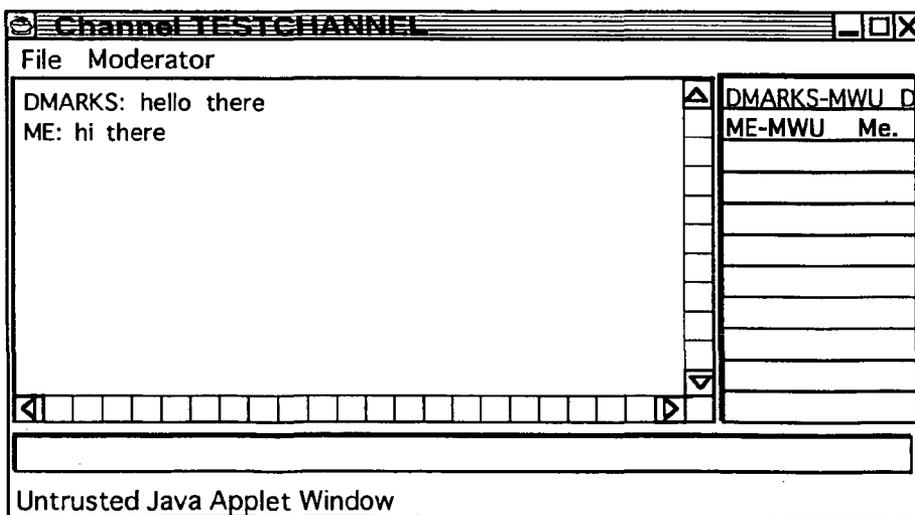


FIG. 21

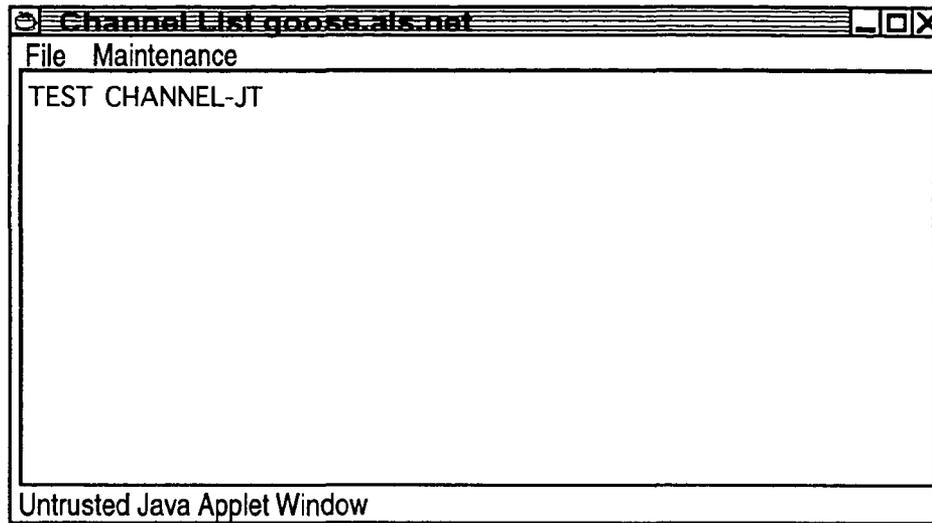


FIG. 22

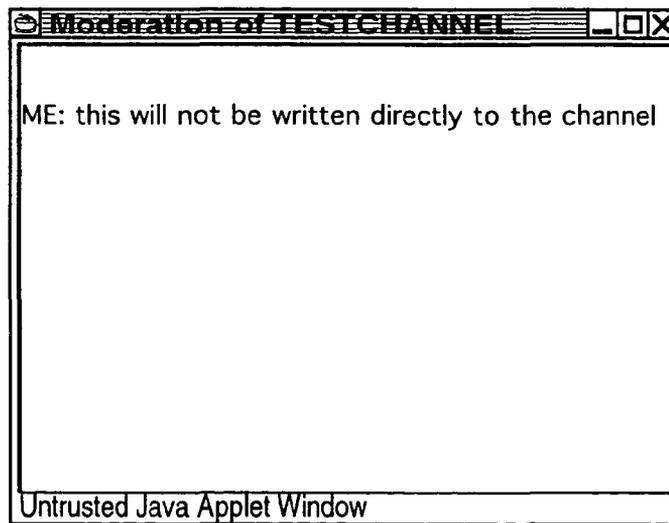


FIG. 23

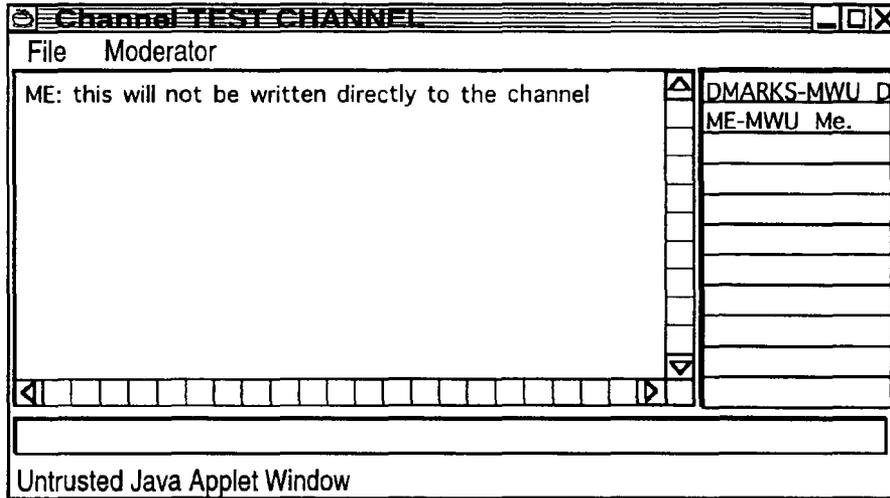


FIG. 24

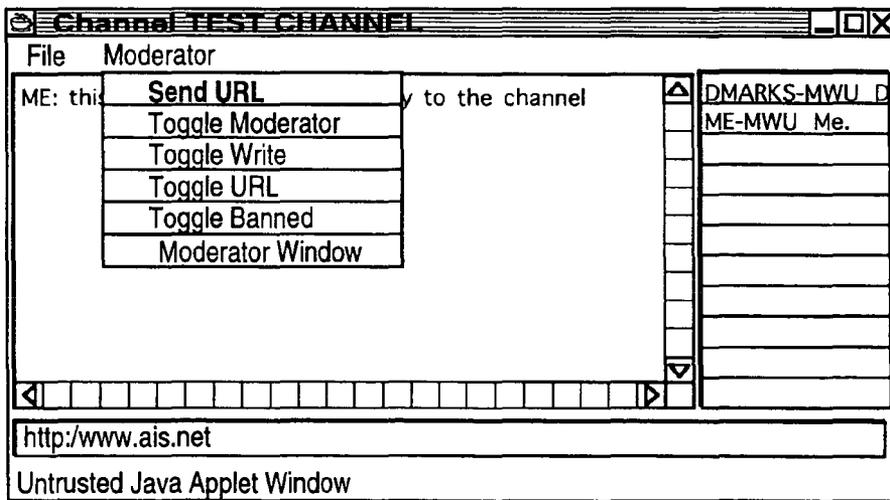


FIG. 25

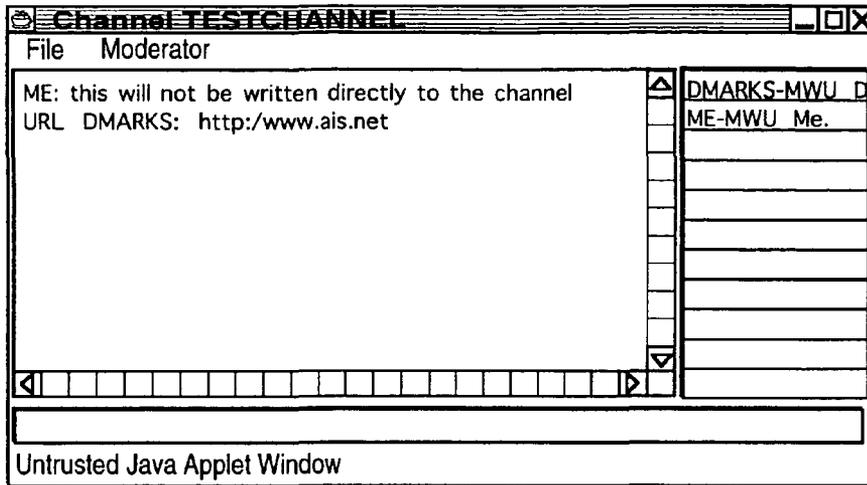


FIG. 26

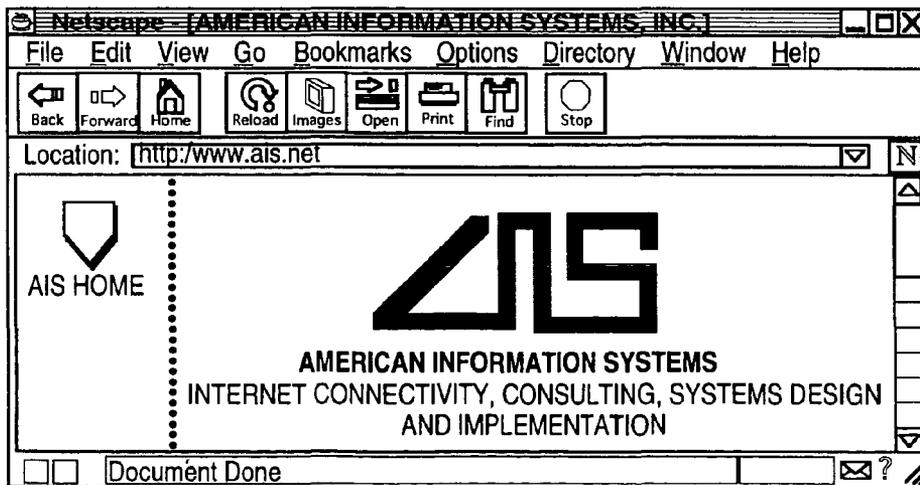


FIG. 27

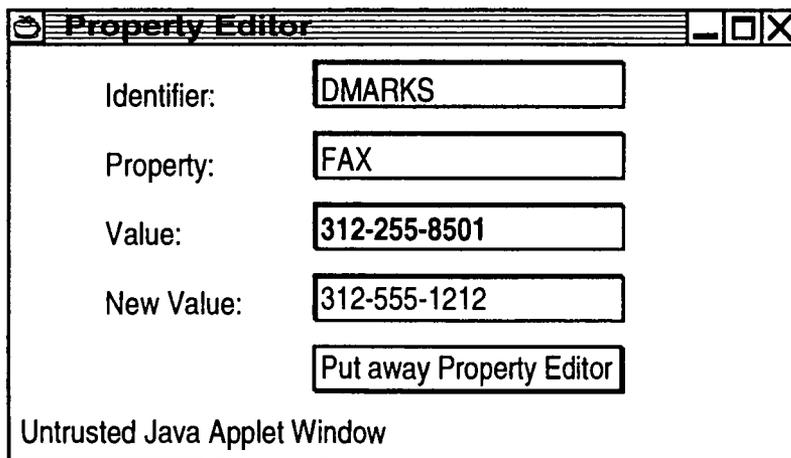


FIG. 28

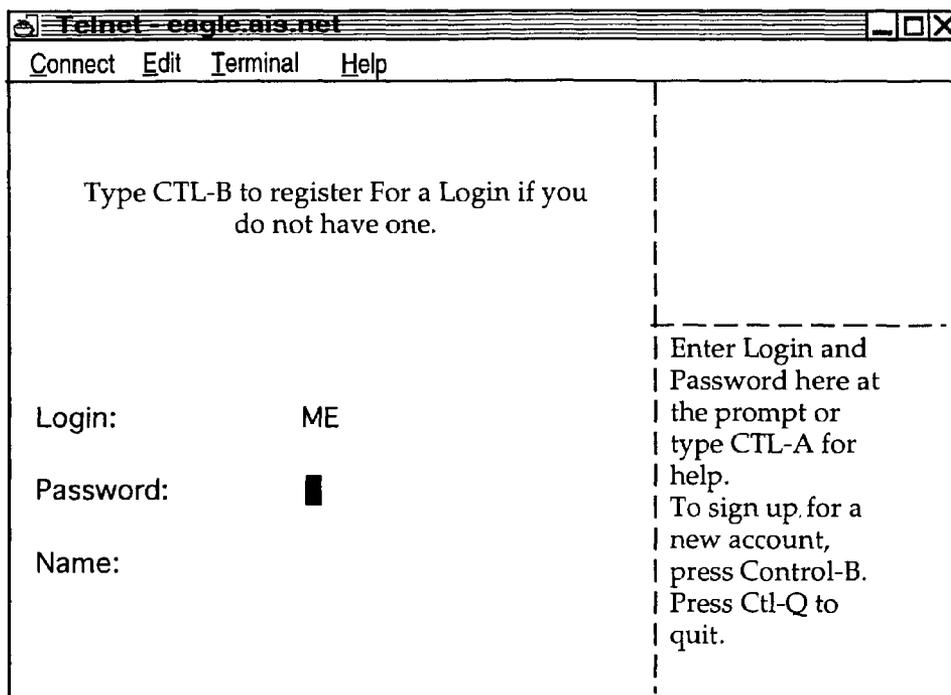


FIG. 29

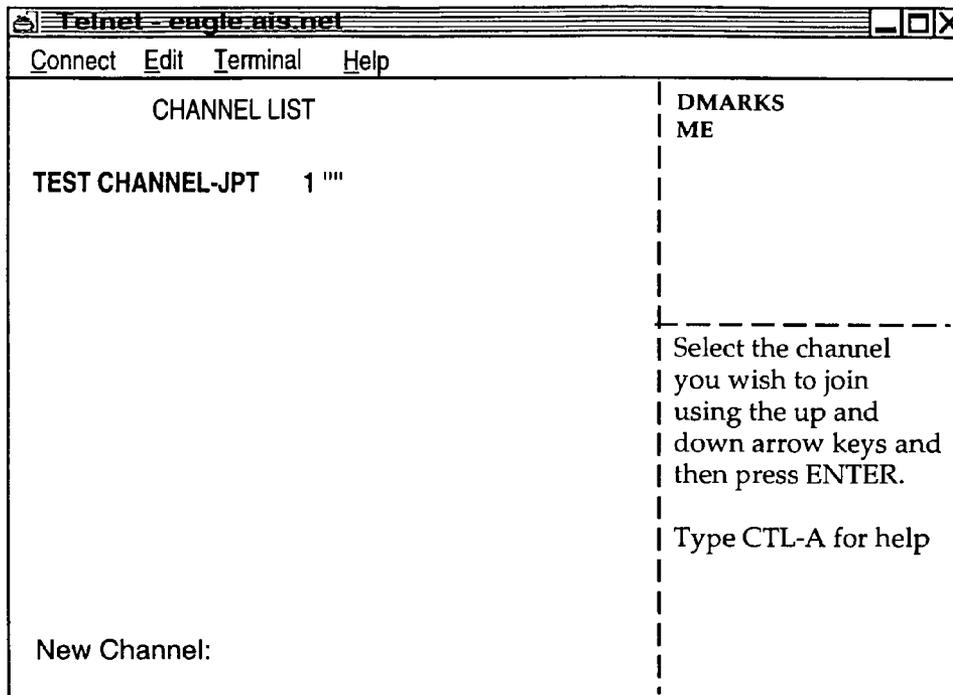


FIG. 30

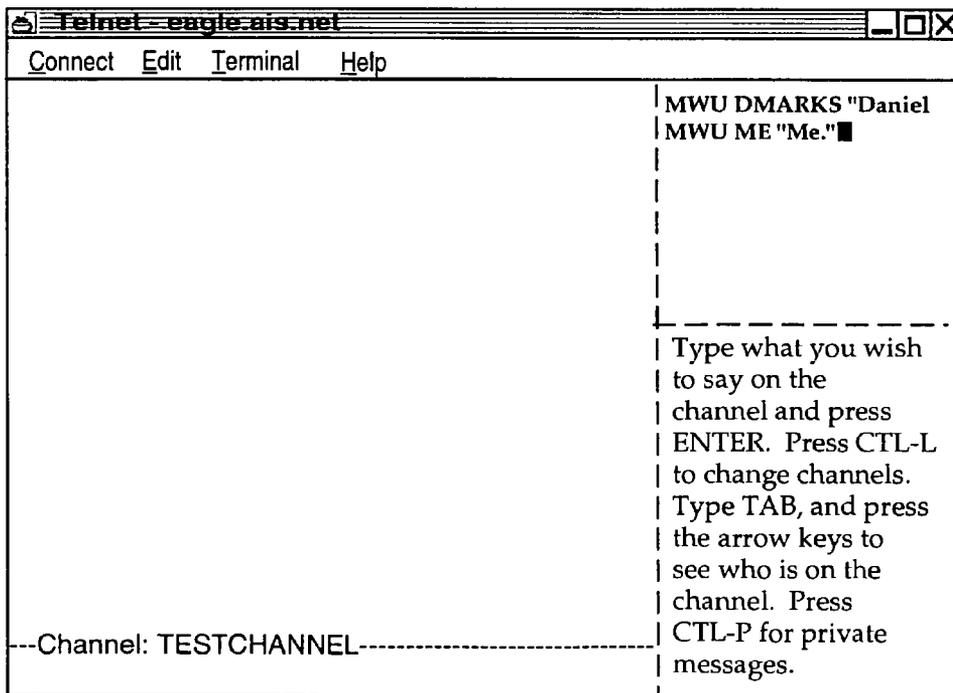


FIG. 31

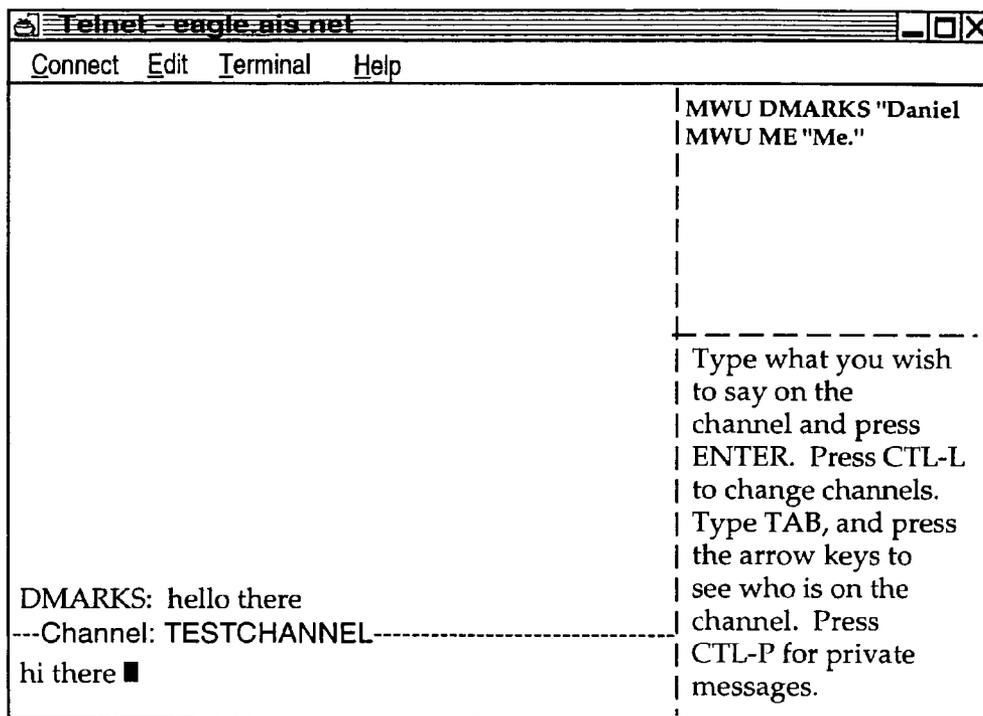


FIG. 32

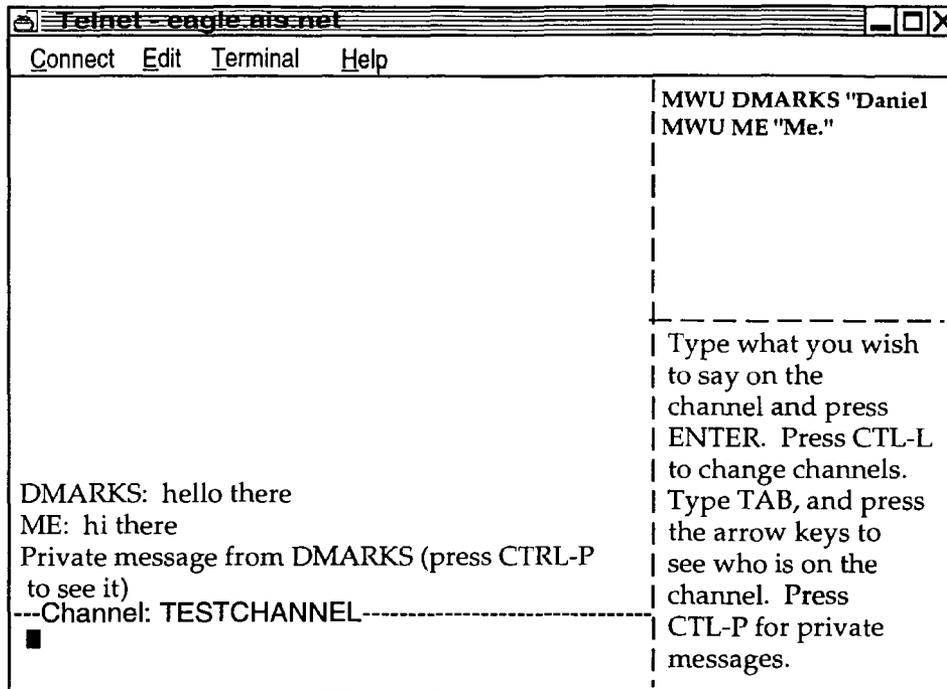


FIG. 33

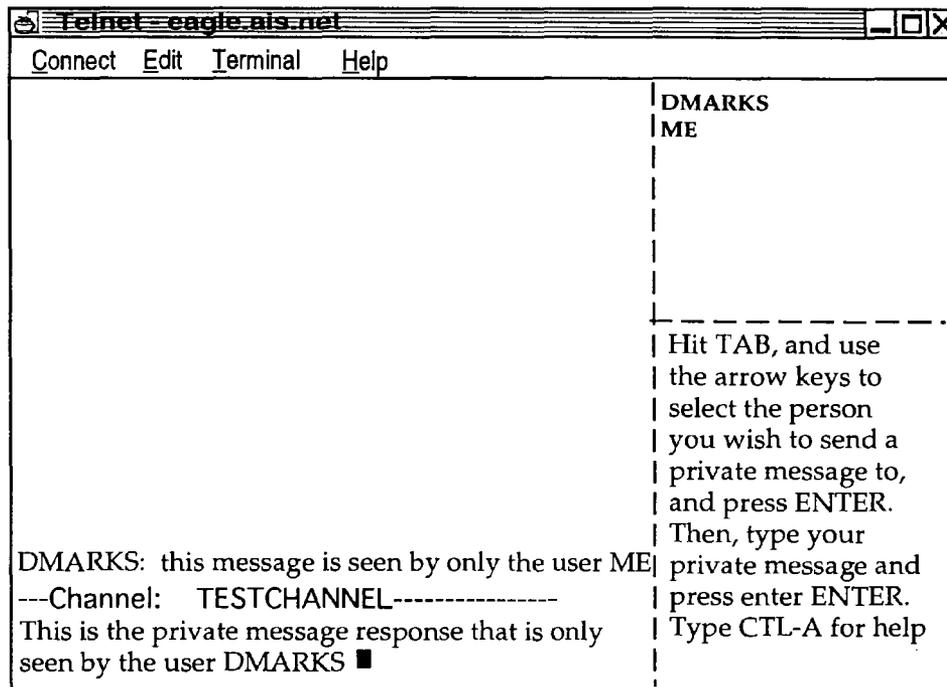
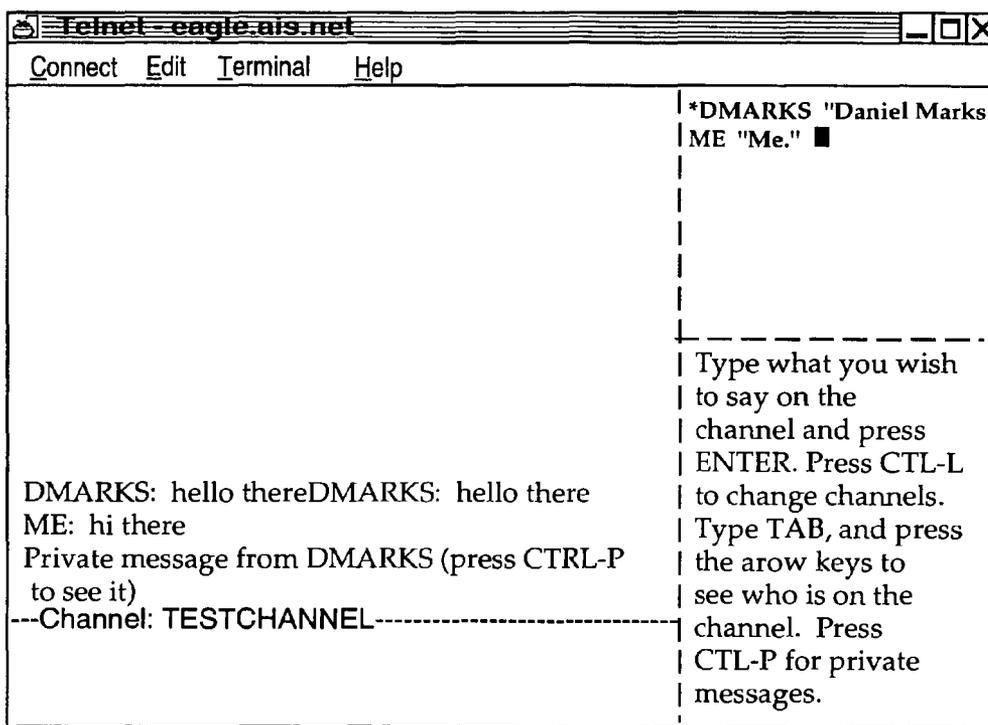


FIG. 34



US 8,694,657 B1

1

REAL TIME COMMUNICATIONS SYSTEM

This invention is a continuation of Ser. No. 08/617,658 filed Apr. 1, 1996, and issued as U.S. Pat. No. 5,956,491 on Sep. 21, 1999, directed to an apparatus, a manufacture, and methods for making and using the same, in a field of digital electrical computer systems.

I. FIELD OF INVENTION

More particularly, the present invention is directed to a digital electrical computer system involving a plurality of participator computers linked by a network to at least one of a plurality of participator computers, the participator computers operating in conjunction with the controller computer to handle multiplexing operations for communications involving groups of some of the participator computers.

II. BACKGROUND OF THE INVENTION

Multiplexing group communications among computers ranges from very simple to very complex communications systems. At a simple level, group communications among computers involve electronic mail sent in a one way transmission to all those in a group or subgroup using, say, a local area network. Arbitrating which computers receive electronic mail is a rather well understood undertaking.

On a more complex level, corporations may link remote offices to have a conference by computer. A central computer can control the multiplexing of what appears as an electronic equivalent to a discussion involving many individuals.

Even more complex is linking computers to communicate in what has become known as a "chat room." Chat room communications can be text, as exemplified by such Internet service providers as America On Line. Multiplexing multimedia is more complex for this electronic environment.

The Internet was structured for one-way communications analogous to electronic mail, rather than for real time group chat room communications. Further, unlike the an Internet service provider, which has control over both the hardware platform and the computer program running on the platform to create the "chat room", there is no particular control over the platform that would be encountered on the Internet. Therefore, development of multiplexing technology for such an environment has been minimal.

Even with an emergence of the World Wide Web, which does have certain graphical multimedia capability, sophisticated chat room communication multiplexing has been the domain of the Internet service providers. Users therefore have a choice between the limited audience of a particular Internet Service provider or the limited chat capability of the Internet.

III. SUMMARY OF THE INVENTION

It is an object of the present invention to overcome such limitations of the prior art and to advance and improve the technology of group computer multiplexing to enable better computerized group communications.

It is another object of the present invention to provide a computerized human communication arbitrating and distributing system.

It is yet another object of the present invention to provide a group communication multiplexing system involving a controller digital computer linked to a plurality of participator computers to organize communications by groups of the participator computers.

2

It is still another object of the present invention to link the controller computer and the plurality of computers with respective software coordinated to arbitrate multiplexing activities.

It is still a further object of the present invention to provide a chat capability suitable for handling graphical, textual, and multimedia information in a platform independent manner.

These and other objects and utilities of the invention, apparent from the discussion herein, are addressed by a computerized human communication arbitrating and distributing system. The system includes a controller digital electrical computer and a plurality of participator digital computers, each of the participator computers including an input device for receiving human-input information and an output device for presenting information to a user having a user identity. A connection such as the Internet links the controller computer with each of the participator computers.

Controller software runs on the controller computer, programming the controller computer to arbitrate in accordance with predefined rules including said user identity, which ones of the participator computers can interact in one of a plurality of groups communicating through the controller computer and to distribute real time data to the respective ones of the groups.

Participator software runs on each of the participator computers to program each of the participator computers to operate a user interface. The user interface permits one of the users to send and/or receive a multimedia information message to the controller computer, which arbitrates which of the participator computers receives the multimedia information message. The controller computer also conveys the multimedia information message to the selected participator computers to present the multimedia information to the respective user.

Therefore, for a computer system involving a plurality of programmed participator computers running the participator computer program can interact through a programmed controller computer with the controller computer multiplexing the communications for groups formed from the plurality, as well as arbitrating communications behavior.

IV. BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a depiction of hardware suitable for performing the present invention;

FIG. 2 is a communications overview of the present invention.

FIG. 3 is a data and communications dependency diagram for the controller group channel structure of the present invention.

FIG. 4 is a flow chart of the central controller loop communications for the controller computer.

FIG. 5 is a client channel data structure and information flow diagram of the present invention.

FIG. 6 is a participator software out-of-band multimedia information flow diagram of the present invention.

FIG. 7 is an illustration of a login/password screen of the present invention.

FIG. 8 is an illustration of a confirmation screen of the present invention.

FIG. 9 is an illustration of a channel list area screen of the present invention.

FIG. 10 is an illustration of a New Channel option pull-down menu screen of the present invention.

FIG. 11 is an illustration of a member on a new channel screen of the present invention.

FIG. 12 is an illustration of a second member on the new channel screen of the present invention.

FIG. 13 is an illustration of a communication on the new channel screen of the present invention.

FIG. 14 is an illustration of a private message window on the new channel screen of the present invention.

FIG. 15 is an illustration of a private message displayed on the private message window on the new channel screen of the present invention.

FIG. 16 is a further illustration of the private message on the private message window on new channel screen of the present invention.

FIG. 17 is an illustration of an attribute revocation on the new channel screen of the present invention.

FIG. 18 is a further illustration of the new channel screen of the present invention.

FIG. 19 is an illustration of the channel list window screen of the present invention.

FIG. 20 is an illustration of the toggle posting option on a screen of the present invention.

FIG. 21 is an illustration of a moderated version of the new channel screen of the present invention.

FIG. 22 is an illustration of a communication on a moderation window screen of the present invention.

FIG. 23 is an illustration of the communication passed on to the moderated version of the new channel screen of the present invention.

FIG. 24 is an illustration of a communication, for sending a graphical multimedia message, on to the moderated version of the new channel screen of the present invention.

FIG. 25 is an illustration, showing the name of the URL, on a moderated version of the new channel screen of the present invention.

FIG. 26 is an illustration of data associated with the graphical multimedia message on a moderated version of the new channel screen of the present invention.

FIG. 27 is an illustration of a proprietary editor, suitable for a dialog to change tokens, on a screen of the present invention.

FIG. 28 is an illustration of a text based interface login/password screen of the present invention.

FIG. 29 is an illustration of a text-based interface group screen of the present invention.

FIG. 30 is another illustration of a text-based interface group screen of the present invention.

FIG. 31 is another illustration of a text-based interface group screen of the present invention.

FIG. 32 is an illustration of a text-based interface private message screen of the present invention.

FIG. 33 is another illustration of a text-based interface private message screen of the present invention.

FIG. 34 is another illustration of a text-based interface group with moderator screen of the present invention.

V. DETAILED DESCRIPTION OF THE DRAWINGS

In providing a detailed description of a preferred embodiment of the present invention, reference is made to an appendix hereto, including the following items.

- Appendix Contents
- ALLUSER C
- ALLUSER H
- CHANNEL C
- CHANNEL H
- CHANNEL HLP
- CLIST C
- CLIST H
- CLIST HLP
- EDITUSER C

- EDITUSER H
- ENTRYFRM C
- ENTRYFRM H
- ENTRYFRM HLP
- HELP C
- HELP H
- HELPSCR C
- HELPSCR H
- LINEEDIT C
- LINEEDIT H
- LIST C
- LIST H
- LOGIN HLP
- MAIN C
- MAKEFILE
- MESSAGE C
- MESSAGE H
- MODERAT HLP
- PRIVATE C
- PRIVATE H
- PRIVATE HLP
- SOCKIO C
- SOCKIO H
- STR C
- STR H
- UCCLIENT
- USER C
- USER H
- WINDOW C
- WINDOW H

While platform controlled embodiments are within the scope of the invention, it is particularly advantageous to have a platform independent embodiment, i.e., an embodiment that is byte code compiled.

Referring now to FIG. 1, the overall functioning of a computerized human communication arbitrating and distributing System 1 of the present invention is shown with odd numbers designating hardware or programmed hardware, and even numbers designating computer program logic and data flow. The System 1 includes a digital Controller Computer 3, such as an Internet service provider-type computer. The Controller Computer 3 is operating with an operating system.

System 1 also includes a plurality of digital Participator Computers 5, each of which may be an IBM-compatible personal computer with a processor and a DOS operating system. Each of the Participator Computers 5 includes an Input Device 7 for receiving human-input information from a respective human user. The Input Device 7 can be, for example, a keyboard, mouse or the like. Each of the Participator Computers 5 also includes an Output Device 9 for presenting information to the respective user. The Output Device 9 can be a monitor, printer (such as a dot-matrix or laser printer), or preferably both are used. Each of the Participator Computers 5 also includes a Memory 11, such as a disk storage means.

The System 1 includes a Connection 13 located between, so as to link, the Controller Computer 3 with each of the Participator Computers 5. The Connection 13 can be an Internet or more particularly, a World Wide Web connection.

The Controller Computer 3 is running and under the control of Controller Software 2, which directs the Controller Computer 3 to arbitrate in accordance with predefined rules including a user identity, which ones of the Participator Computers 5 can interact in one of a plurality of groups through the Controller Computer 3 and to distribute real time data to the respective ones of the groups.

US 8,694,657 B1

5

The Participator Computers 5 are each running and under the control of Participator Software 4, which directs each of the Participator Computers 5 to handle a user Interface permitting one said user to send a multimedia information Message 8 to the Controller Computer 3, which arbitrates which of the Participator Computers 5 receives the multimedia information Message 8 and which conveys the multimedia information Message 8 to the selected participator computers 5 to present the multimedia information Message 8 to the respective user.

The present invention comprehends communicating all electrically communicable multimedia information as Message 8, by such means as pointers, for example, URLs. URLs can point to pre-stored audio and video communications, which the Controller Computer 3 can fetch and communicate to the Participator Computers 5.

Turning now to FIG. 2, there is shown a communications overview of the present invention. Beginning with the Controller Computer Software 2, reference is made to Block 10, which illustrates demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block 10 links to Block 12, which is illustrative of channel A . . . Block 10 also links to Block 14, which illustrates handling private message A. Block 10 also links to Block 16, illustrative of handling out-of-band media. Block 10 additionally links to Block 18, which illustrates asynchronous status messages.

Multiple connections between the controller computer 3 and a plurality of participator computers 5 permit communication implemented via the interplay of controller software 2 and participator software 4. With particular regard to the participator software 4 illustrated in FIG. 2, Block 20 is illustrative of demultiplexing and multiplexing operations carried out by message type on API messages of all types. Block 20 links to Block 22, which is illustrative of channel A . . . Block 20 also links to Block 24, which illustrates handling private message A. Block 20 also links to Block 26, illustrative of handling out-of-band media via Block 28, which is illustrative of a Web browser or auxiliary computer program. Block 20 also links to Block 30, which illustrates asynchronous status message handling via Block 32, illustrative of user interface objects windows and screens.

De/multiplexing via API provides a “virtual connection” between Channel, Private Message, and Multimedia objects in the controller computer 3 and each participator computer 5. An alternate architecture is to allow for a separate connection between each object so that multiplexing/demultiplexing is not necessary and each object handles its own connection. This would influence system performance, however.

Turning now to FIG. 3, a data and communications dependency diagram controller group channel structure is illustrated. Beginning from what is designated as a portion of Block 10 the logic flows to Block 34 to consider JOIN, LEAVE, STATUS, SETCHAN API instructions. Block 34 examines member list maintenance instructions, accessing Block 36 to check permissions, list users, and change attributes. Note the exploded window 38 shows a display of member information including a user’s name, personal information, and attributes/properties/permissions (operations involving the subsequently discussed tokens), i.e., stored per channel attributes under each member. In any case, confirmation or denial of access is communicated via Block 40 for multiplexing return of status messages to a target object.

From the portion of Block 10, the logic flows to Block 42 for MESSAGE and MODMSG API instructions. Block 42 tests which of the two instructions were received, and for MODMSG, the logic flows to Block 44, which tests whether

6

the user is a moderator. If the user is not a moderator, the logic flows to Block 46, which sends a denial message through Block 40. If, however, the in Block 44 the user is a moderator, the logic flows to Block 48 for a repeat to all list members who are permitted to see the message, via Block 40.

Returning to Block 42, if MESSAGE is detected, the logic flows to Block 50, which tests whether a user has post permission. If the user has post permission, the logic flows to Block 48, etc. If the user does not have post permission, the logic flows to Block 52 to forward the message to moderators for approval, via Block 40.

Additionally, the logic flows from Block 10 to Block 54 for a URL API instruction. Block 54 tests whether the user has graphical multimedia communication privileges, and if not, the logic flows via Block 56, which sends a denial message via Block 40. Otherwise, if the user does have graphical multimedia communications privileges in Block 54, Block 58 sends graphical multimedia information to all approved users via Block 40.

Turning now to FIG. 4, central controller loop communications is illustrated. For the data on central poll point 58 (see Appendix POLL_POINT), a “do” loop begins at Block 60 for each connection. Block 62 tests whether bytes are available on the data stream. If they are, the bytes are added to user space FIFO per connection at Block 64, leading to Block 66, which tests whether there are any more connections. Note that in FIG. 4, if there are no more bytes available in Block 62, the logic skips to Block 66, and if Block 66 is not finished with all connections, the loop returns to Block 62. When all connections have been completed in Block 62, the logic flows to Block 68, which looks for an available complete data instruction for any connection by extracting packets byte-wise from the FIFO. Thereafter, Block 70 tests whether there is a complete response available from the participator computer. If the response is complete, the logic flows to Block 72 which, using a command type, demultiplexes into an appropriate object (output FIFOs may be filled here for any connection). The logic from Block 72 joins the “no” branch from Block 70 at Block 74, which enables unblocking for writing connections for only connections with data available to write, looping back to Block 58.

FIG. 5 shows a client channel data structure and information flow diagram. From a message that is demultiplexed by message type, there are six possibilities: ERROR MESSAGE, MESSAGE, STATUS, JOINCHANNEL, LEAVECHANNEL, and MODMSG. ERROR MESSAGE is communicated to Block 76, where the error message is displayed to the transcript in the transcript area of Block 78. MESSAGE is communicated to Block 80 where the message is immediately added to the transcript in transcript area 78. STATUS is communicated to Block 82 to update user data structure; JOINCHANNEL is communicated to Block 84 to add a user from the member list and display the change; and LEAVECHANNEL is communicated to Block 86. From Block 82, Block 84, and Block 86, the logic flows to Block 88, which includes a member list, a member identifier, known attributes/permissions/properties, and personal information. From Block 88, the logic proceeds to Block 90, a member list area, and on to Block 92 to compose a request to change a member attribute. This “SETCHAN request is then communicated to Block 94, which is the multiplexer leading to the controller computer connection.

MODMSG is communicated to Block 96, which sends the message to the moderation area of Block 98, and then to Block 100 to resubmit a member message as approved, thereby conveying a MODMSG request to Block 94.

7

Note that a response is prepared in the response area of Block **102**. If the response is a standard message, it is conveyed to Block **104** to compose the response into a controller message, thereby sending a MESSAGE request to box **94**. If, however, the message is a graphical information submission, the logic flows from Block **102** to Block **106** to compose the graphical information submission into a controller message, thereby sending a URL request to Block **94**.

FIG. **6** is a participator software out-of-band multimedia information flow diagram, which begins with Block **26**, the multimedia type patch point. Block **26** leads to Block **102**, which tests whether there is an internally handlable multimedia type. If not, Block **104** looks up a suitable agent for data type presentation, which leads to Block **106**, which tests whether an agent was found. If not, Block **108** reports location of data to the user for future referencing. If the agent is found in Block **106**, the logic flows to Block **110**, which invokes the agent with a data reference to present the data.

If the multimedia type is internally handlable from Block **102**, the logic flows to Block **112**, which tests whether this is a member associated image. If it is a member associated image, Block **114** displays the image next to member identity information, and if it is not, the logic flows to Block **116**, which tests if this is a member public data reference (e.g., a URL). If a URL is detected at Block **116**, Block **118** invokes an external data type viewer only on demand of the operator of the participator software, and otherwise Block **120** stores the reference for future use by the operator of the participator software, or treats the reference as an externally handled multimedia type (at the user's option).

With further regard to the manner of interaction between the controller computer **3** and the participator computers **5**, and their respective computer programs **2** and **4**, includes a moderation capability that is controlled, or arbitrated, pursuant to system **1** recognizing user identity. Note that using the user identity for moderation purposes is a use additional to the use of the user identity for security purposes.

One embodiment of the present invention is to bring chat capability to the internet and World Wide Web. However, another embodiment involves non-internet relay chat. In either embodiment, System **1** is state driven such that synchronous and asynchronous messages can be communicated. For an asynchronous notification, each message is sent through the system **1** (API), which updates the information on the output device of the participator computers **5**. For a synchronous notification, a participator computer **5** must interrogate the system **1** for a message.

With regard to the arbitrating of the controller computer **3** is directed by the controller computer program **2** to use "identity tokens", which are pieces of information associated with user identity. The pieces of information are stored in memory in a control computer base, along with personal information about the user, such as the user's age. The control computer database serves as a repository of tokens for other programs to access, thereby affording information to otherwise independent computer systems. In the database, the storage of tokens can be by user, group, and content, and distribution controls can also be placed on the user's tokens as well as the database.

Each token is used to control the ability of a user to gain access to other tokens in a token hierarchy arbitration process. The arbitration also includes controlling a user's ability to moderate communications involving a group or subgroup of the participator computers **5**. Once in a group, temporary tokens are assigned for priority to moderate/submoderate groups (a group is sometimes known as a channel in multiplexing terminology).

8

Accordingly, tokens are used by the controller computer **5** to control a user's group priority and moderation privileges, as well as controlling who joins the group, who leaves the group, and the visibility of members in the group. Visibility refers to whether a user is allowed to know another user is in the chat group.

Tokens are also used to permit a user's control of identity, and in priority contests between 2 users, for example, a challenge as to whether a first user can see a second user.

Censorship, which broadly encompasses control of what is said in a group, is also arbitrated by means of the tokens. Censorship can control of access to system **1** by identity of the user, which is associated with the user's tokens. By checking the tokens, a user's access can be controlled per group, as well as in giving group priority, moderation privileges, etc.

Censorship also can use the tokens for real time control of data (ascii, text, video, audio) from and to users, as well as control over multimedia URLs—quantity, type, and subject.

With regard to controlling communications in a group (which is in essence a collection of user identities), control extends to seeing messages, seeing the user, regulating the size of the communication, as well as the ability to see and write to a specific user. Control further extends to the ability to send multimedia messages.

Note that tokens for members in group can involve multiples formed in real time, say, within the span of a conversation. For example, for private communication, tokens are immediately formed to define a group of 2 users. Hierarchical groups within groups can also be formed, with each inheriting the properties of the group before it. Thus, a subgroup can include up to all members or more by adding any surplus to the former group.

With further regard to the controller computer **3**, e.g., a server, information is controlled for distribution to the user interfaces at selected ones of the participator computers **5**. The controller computer program, in one embodiment, can be a resident program interface (such as a JAVA application). There can be a token editor object (window/tear down, etc.) per group, private communication, user, channel listings, user listings, etc. Each can link up in a token hierarchy for arbitration control.

The controller computer **3**, by means of the controller computer program **2**, keeps track of states and asynchronous messages as well as generating a synchronous message as a user logs in or interrogates system **1**.

With regard to multimedia information messages **8**, such messages are of independent data types, e.g., audio/video data types. The content of the message (e.g., a URL) permits the System **1** to automatically determine the handling of the message: either the Controller Computer **3** passes the content of Message **8** directly, or the Controller Computer **3** determines from the Message **8** how to find the content, say via Netscape. Accordingly, Message **8** can communicate video and sound (or other multimedia, e.g., a URL) to users, subject only to the server arbitration controls over what can be sent.

Turning now to an illustration of using the invention, the session starts with verifying the user's identity (at FIG. **7**). The login/password screen is shown, and the user enters his/her assigned login/password combination and clicks the "Login To Chat" button. If the password was entered correctly, a confirmation box appears on the screen.

Then the channel list area is shown at FIG. **8**. The Channel List area is a window which shows a list of all of the groups currently on the server in active communication. Because no one is yet connected in this example, there are no groups currently available on the screen.

US 8,694,657 B1

9

To create a new group, the “New Channel” option is selected from a pull-down menu (at FIG. 9). The name of the channel is entered by the input device 7.

If the user has permission (this one does), a new channel is created for the group (at FIG. 10). The window that displays the channel area has three regions: the bottom region, where responses are entered; the largest region, where a transcript of the communication is followed; and the rightmost region, which lists the group’s current members. This list is continuously updated with asynchronously generated status messages received immediately when a new member joins the group. Only “DMARKS” is currently in this group. The “MWU” is the properties currently associated with DMARKS—the ability to moderate, write to the channel, and send multimedia messages.

A new member has joined the channel, and the member list status area is updated right away (at FIG. 11). This new member has a login of “ME.”

The user DMARKS now types “hello there” into the response area and presses RETURN (at FIG. 12). This message is passed to the controller computer 5, which sends the message to all channel members, i.e., those using participator computers 5, including DMARKS.

The user ME now sends a message to the controller: “hi there” (at FIG. 13). This message is also sent to all members by the controller computer 5. Now user DMARKS clicks (using input device 7, a mouse) on the name of the user “ME” in the member list window. The participator software 4 will now create a private message window, so that the users ME and DMARKS can exchange private messages. Private messages are only sent to the intended recipient by the controller, and no one else.

A private message window appears in response to DMARKS’s request to open private communications with ME (at FIG. 14). Now DMARKS types a message into the private message window’s response area to ME: “this message is seen only by the user ME.” When complete, the participator software 4 will forward this message to the controller computer 3.

In response, the user ME has entered “This is the private message response that is only seen by the user DMARKS,” which has been forwarded to user DMARKS (at FIG. 15). This message is displayed immediately on DMARKS’s window.

DMARKS now returns to the channel window for the group “TESTCHANNEL” (at FIG. 16). To modify the permission attributes associated with user ME on the channel TEST CHANNEL, DMARKS (who is a moderator of the channel), clicks on the user ME in the member list to select ME, pulls down the Moderator menu, and selects “Toggle Moderator.” This removes the moderator privileges from ME.

As a result of the attribute revocation, the “M” has disappeared from next to ME’s name in the member list (at FIG. 17), indicating that the property is no longer associated with the user ME.

Now DMARKS returns to the Channel List window (at FIG. 18). DMARKS wishes to fully moderate the contents of the channel TESTCHANNEL, censoring all unwanted communications to the channel. DMARKS returns to the channel list, and selects the channel TESTCHANNEL by clicking on its name in the channel list.

Now DMARKS selects the “Toggle All Posting” option in the Maintenance pull-down menu (at FIG. 19). This will turn off the channel property “posting,” (or sending communications to the channel without moderator approval) which will be indicated by the removal of the letter “P” from next to the name TESTCHANNEL (at FIG. 20).

10

Now the letter “P” is removed from after the name TESTCHANNEL in the Channel List window (at FIG. 21), indicating that this channel is now moderated and will only have free posting ability by designated members.

Now, type user ME (who is also on channel TESTCHANNEL) wishes to send communications: “this will not be written directly to the channel” (at FIG. 22). The controller, instead of sending it immediately to the channel to be seen by all members, will instead forward the message to the moderators for approval. The moderator, DMARKS, will then see the message on the Moderation Window, which provides a preview of any messages to be sent. To approve a message for general viewing, DMARKS now clicks on the message.

Now that DMARKS has clicked directly on the message, it is displayed inside the group’s Channel window for all members to see (at FIG. 23).

DMARKS now wishes to send a graphical multimedia message. This implementation sends graphical multimedia images by allowing a channel member to specify an Internet URL of a graphical multimedia resource to be presented to the group members. In this example, DMARKS wishes to the URL corresponding to the World Wide Web home page of American Information Systems, Inc. to the channel members. DMARKS enters the URL into the response window, and selects “Send URL” from the Moderator pull-down menu (at FIG. 24).

The controller computer 5 now passes the URL to the channel members. This participator software 4 performs two actions in response to the graphical multimedia display request. The first is to put the name of the URL onto the transcript of the group’s channel, so that it can be read by group members. The second response is to have the participator software show the data associated with the graphical multimedia message in a human interpretable way (at FIG. 25). To do this, the participator software 6 either uses built in rules to decide how the graphical multimedia data is to be presented, or locates another program suitable to present the data. In this case, the software 6 is utilizing Netscape Navigator[®], a program for displaying graphical multimedia documents specified by a URL (at FIG. 26). Inside the Navigator window, the graphical multimedia content, the home page of AIS, is shown.

Finally, DMARKS wishes to manually modify the attribute tokens associated with the user (at FIG. 27). The user invokes the Property Editor dialog, which allows the user to view and change the tokens associated with a user. A property of a given user is determined by the Identifier and Property names. An old value of the property is shown, and a token value can be changed in the “New Value” field. With this property editor, a user with sufficient permissions (tokens) can change any of the tokens or security parameters of any user, or a user’s ability to change security parameters can be restricted.

To start with an alternate embodiment using a text-based interface, a user is presented by the login/password screen (at FIG. 28). This screen is where a user enters the information that proves his/her identity. The user must now enter his/her login and password to identify themselves.

After the user has been identified by the controller the Channel List screen appears (at FIG. 29). The names of channels and their associated properties are shown on this screen. By using the arrow keys and highlighting the desired channel, ME may enter any publicly joinable group. Currently, there is only one group TESTCHANNEL, which ME will join.

Now the screen for the channel TESTCHANNEL appears (at FIG. 29). The screen is split into four regions. The bottom left region is the response line, where messages users wish to

US 8,694,657 B1

11

enter appear. The upper left region is the transcript area where the communications of the group's channel appear as they occur. The upper right region is the Member List region, where a continuously updated list of members' names appear, with their attributes.

A message appears in the transcript area. The controller has forwarded a message to the group from DMARKS, "hello there" (at FIG. 31), which is seen by all members of the group, including ME. Now ME will respond, by entering "hi there" into the response area.

When ME is finished entering his response, the participator software forwards the response to the controller, which sends it to the members of the channel. In the transcript area, the participator software notifies the user that it has received a private message from DMARKS, which is waiting inside the private message screen. To see the private message, ME presses the private message screen hot key.

A private message screen appears (at FIG. 32), and the private message from DMARKS is at the bottom of the transcript area. Now to reply, ME types his response into the response area.

Now ME will return to the screen for the channel TESTCHANNEL. The member list area has changed because DMARKS has revoked ME's moderator permission. ME is no longer permitted to see the permissions of other users, so this information has been removed from his display (at FIG. 33). The only information he can see now is who is moderator (at FIG. 34). A "*" next to the identifier of a member of the group indicates the member is a moderator of the group. ME is no longer a moderator, and therefore a "*" does not appear the identifier ME.

To further exemplify the use of the present invention, the following is a transcript of communications produced in accordance herewith.

POWERQUALITY JOHN MUNG: unclear about meaning of "first contingency"

POWERQUALITY SAM: mike, that is correct on IEEE 519

POWERQUALITY SKLEIN: In assessing network security (against outage) the first contingencies are tested to see how the power system should be reconfigured to avoid getting a second contingency and cascading into an outage.

POWERQUALITY MSTEARS: These outages point out the need for reliability as part of the overall customer picture of PQ

POWERQUALITY BRIAN: Hi Jennifer, hit crt-p for private message

POWERQUALITY SKLEIN: In simpler terms, a single point failure shouldn't crash the system.

POWERQUALITY SKLEIN: Are we all chatted out?

POWERQUALITY ANDYV: brian, johnmung has been banned!!! why?

POWERQUALITY BRIAN: no way, new subject

POWERQUALITY BRIAN: just a sec, andy

POWERQUALITY BRIAN: No banning on this channel, John is back on

POWERQUALITY TKEY: ieee 519 limits the harmonic current a customer can inject back into the pcc and limit the vthd the utility provides at the PCC

POWERQUALITY JOHN MUNG: thanks guys, for unbanning me—i've been thrown out of better places than this!

POWERQUALITY BRIAN: New subject . . . now . . .

POWERQUALITY BRIAN: good one john . . .)

POWERQUALITY MSTEARS: For critical facilities dual feeds or other backup capability need to be economically evaluated to keep the facility in operation

POWERQUALITY SAM: John, I remember that club very well

12

POWERQUALITY JOHN MUNG: question: please comment on frequency of complaints involving spikes, sags or harmonics

POWERQUALITY WARD: Problems caused by sags is the main complaint.

POWERQUALITY BRIAN: What subject does anyone want to see the next chat

POWERQUALITY WARD: Surges is probably next; harmonics really don't cause that many problems, although they are certainly there.

POWERQUALITY ANDYV: what is the solution ward?

POWERQUALITY TKEY: Agree they are the most frequent (sags) and the panel session on the cost of voltage sags at PES drew 110 people

POWERQUALITY SAM: harmonics tend to be an interior problem within a facility, rather than on the distribution system

POWERQUALITY WARD: The best solution is making the equipment less susceptible to sags. This requires working with the manufacturers.

POWERQUALITY ANDYV: won't that cost more

POWERQUALITY MSTEARS: The complaint of surges covers many things in the customers eyes sags have become a real problem because they are harder to resolve

POWERQUALITY GRAVELY: John—The latest EPRI results confirms the 90+ % of the time SGS are the problem and short term ones.

POWERQUALITY WINDSONG: What is the topic for the 25??

POWERQUALITY WARD: Each problem can be dealt with as it occurs, but the time involved gets very expensive.

POWERQUALITY JOHN MUNG: making equipment less susceptible causes legal problems for manufacturers—as each improvement can be cited by complainant as example of malfeasance

POWERQUALITY WARD: AndyV: The cost to the manufacturer increases. The overall cost to everyone involved decreases.

POWERQUALITY TKEY: customer pays any way you cut it, if the eqpt is more immune customers pay only once instead of every time the process fails

POWERQUALITY BRIAN: The topic is regarding Power Quality

POWERQUALITY BRIAN: This chat is available for everyone 24 hours a day

POWERQUALITY ANDYV: dorr>>will the manufacturer spend more to produce a better product

POWERQUALITY WARD: And as Tom says, the cost to the customer is far less.

POWERQUALITY BRIAN: This chat will be functioning 24 hrs/day

POWERQUALITY BRIAN: please use it

POWERQUALITY BRIAN: The next panel discussion is Nov 15th

POWERQUALITY WARD: Andy, that's where standards come in.

POWERQUALITY SKLEIN: Is the customer capable of resolving the fingerprinting among the manufacturers and utilities?

POWERQUALITY DDORR: andy, only if the end users create a market for pq compatible eqpt by demanding better products

POWERQUALITY MSTEARS: The manufacturers problems in including fixes is being competitive with some who doesn't provide the fix

POWERQUALITY ANDYV: how will we educate the general consumer?

US 8,694,657 B1

13

POWERQUALITY GRAVELY: Is it possible to have a basic theme topic or some core questions for 15 Nov chat?

POWERQUALITY WARD: Stan, the customer cannot be expected to resolve the fingerprinting. The manufacturers and utilities need to work together.

POWERQUALITY ANDYV: about power quality and reliability?

POWERQUALITY SKLEIN: If electric power is going to be treated as a fungible commodity, there has to be a definition. Like, everyone knows what number 2 heating oil is.

POWERQUALITY SAM: Ideally a manufacturer would not be able to compete if they don't add the protective function in their products, but alot more public education is required before we get to this point.

POWERQUALITY WARD: Andy, there are many ways to educate the customers, but they require a lot of contact between the utility and the customers. The Western Resources Power Technology Center in Wichita is doing it, just as an example.

POWERQUALITY DDORR: standard power vs premium power is one solution as is std qpt vs Pq compatible eqpt

POWERQUALITY SKLEIN: I want to buy number 2 electric power and to be able to check the nameplates of my appliances to be sure they can take it. Just like I buy regular gasoline.

POWERQUALITY MSTEARS: Sam—I agree, that is partly the utilities responsibility since we serve the customers

POWERQUALITY BBOYER: What differentiates number 2 from number 1?

POWERQUALITY SKLEIN: I used the analogy of number 2 heating oil. I don't know what number 1 heating oil is.

POWERQUALITY DDORR: Number two has cap switching and all the normal utility operational events while number one is much better

POWERQUALITY SKLEIN: Perhaps we can just say regular vs high test.

POWERQUALITY SAM: mike, yes a joint effort between the utility, manufacturer and standards jurisdictions is a goal for utilicorp as we move forward with offering from our strategic marketing partners, and bring PQ technologies to the public

POWERQUALITY TKEY: We are finding that many mfgs want to produce pq compatible equipment, but they have no clue as to what to test for

POWERQUALITY ANDYV: Tom>>will the IEC standards help?

POWERQUALITY TKEY: Its up to the utility to help define normal events IEC will take time

POWERQUALITY SKLEIN: You can't have a commodity product with all the variation in specifications we have been discussing. It has to be regular, premium, and super premium or it won't work.

POWERQUALITY JOHNMUNG: Tom as a former manufacturer i sympathize—your work at PEAC is invaluable but anecdotal knowledge from utility people on the firing line is equally important

POWERQUALITY TKEY: Super premium, does that mean a UPS?

POWERQUALITY ANDYV: how do you stop a facility from affecting you super-premium power?

POWERQUALITY TKEY: John, Good Point

POWERQUALITY SAM: Tkey, a ups, local generation or redundant service

POWERQUALITY SKLEIN: This is what I meant earlier by electricity being a non-virtualizable service. You can't make each customer see the power system as though they had their own dedicated generating plant.

14

POWERQUALITY BRIAN: THE CHAT CHANNEL WILL BE OPEN 24/HRS/DAY 7 DAYS A WEEK

POWERQUALITY TKEY: I must sign out for about 5 minutes but I'll be back

5 POWERQUALITY BRIAN: OK TOM

POWERQUALITY MSTEARS: PQ for facilities need to be done with a system perspective to to get the right resolution

POWERQUALITY BBOYER: Andy's question is still relevant—how do stop a facility from downgrading utility service to other customers?

10 POWERQUALITY BRIAN: MIKE>>LETS SWITCH BACK TO RETAIL WHEELING POWERQUALITY

WARD: You work with that customer to do whatever is needed to correct their disturbances.

15 POWERQUALITY BBOYER: Be more specific

POWERQUALITY MSTEARS: Interaction between facilities can be evaluated and designed for

POWERQUALITY JOHNMUNG: as a key to hardening it helps to identify the most sensitive circuits, i.e. microprocessor logic, test for vulnerability under common surges, sags, rfi, and then notify users that their equipment contains these subsystems—for a start

POWERQUALITY BRIAN: hi DOUG

POWERQUALITY GRAVELY: Brian: Are you saving this session as a file? Can we get a list of chat session participants?

25 POWERQUALITY BRIAN: s, we may

POWERQUALITY DMARKS: gravely: hit TAB and use the arrow keys to page through the list of participants

POWERQUALITY SKLEIN: Will the session be available for downloading?

30 POWERQUALITY BRIAN: yes, Mike we will publish in PQ Magazine

POWERQUALITY WARD: Part of the agreement for high quality power should be that the customer receiving the power will not disturb the utility system.

POWERQUALITY BRIAN: if john let's us . . .

POWERQUALITY GRAVELY: I tried that, however, net-cruiser has a software problem and I cannot see all of the names.

40 POWERQUALITY SAM: most utilities rules and regulations already require that a customer not put anything back out on the utility system

POWERQUALITY BRIAN: MIKE G.>>WE WILL PUBLISH THIS IN PQ MAG NEXT MONTH IF ASNDY LETS US

45 POWERQUALITY BRIAN: HOW ABOUT IT ANDY?

POWERQUALITY ANDYV: ok

POWERQUALITY BRIAN: COOL

POWERQUALITY WARD: Standards will have to be set for what constitutes a disturbance, and then the utility should work with customers, install filters, etc., to be sure they stay within the rules.

POWERQUALITY BRIAN: THANKS ANDY

55 POWERQUALITY ANDYV: a meeting review or a summary of events

POWERQUALITY GRAVELY: It would be good to take a few minutes to recommend how the 15 Nov session could be more effective.

60 POWERQUALITY BRIAN: A SYNAPSE OF THIS CHAT WILL BE IN NEXT MONTHS PQ MAG

POWERQUALITY WINDSONG:

POWERQUALITY SKLEIN: I don't get PQ mag. Will it be on the Net?

65 POWERQUALITY BRIAN: STAN SIGN UP FOR IT ON OUR HOME PAGE

POWERQUALITY DOUGC: the transcript of this conference will be available on the EnergyOne pages.

US 8,694,657 B1

15

POWERQUALITY BRIAN: YOU CAN SIGN UP ON LINE
POWERQUALITY BRIAN: HTTP://WWW.UTILICORP.COM

POWERQUALITY WINDSONG: Good comment Gravely
Comments from the users would be greatly appreciated!!

POWERQUALITY SAM: PQ magazine is available online
on the UCU internet bulletin board, <http://www.utilicorp.com>

POWERQUALITY ANDYV: or link from powerquality.com
POWERQUALITY BRIAN: YOU CAN GET A FREE MAG

SUBSCRIPTION FROM UTILICORP'S HOME PAGE
POWERQUALITY SKLEIN: Thanks

POWERQUALITY BRIAN: ALSO, THERE IS A PQ
FORUM ON OUR HOME PAGE

POWERQUALITY JOHN MUNG: for nov 15 shall we pick
five key topics? suggest health care, energy storage rfi/emc as
a few topics—also new gas turbine 25 kw generator just
announce today—just some suggestions

POWERQUALITY BRIAN: GOOD SUGGESTION JOHN
POWERQUALITY ANDYV: lets develop an outline of top-
ics for next time.

POWERQUALITY BRIAN: OK

POWERQUALITY GRAVELY: One suggestion for 15
Nov—Have participants place a list of desired topics on your
other chat box and prioritize by interest level.

POWERQUALITY SKLEIN: How about deregulation and
retail wheeling.

POWERQUALITY BRIAN: COMMENTS SHOULD BE
SENT TO ME BY EMAIL POWERQUALITY BRIAN:
BSPENCER@UTILICORP.COM POWERQUALITY
BRIAN: 15 minutes remaining

POWERQUALITY ANDYZYREK: Let's discuss the new
standard IEEE 1159.

POWERQUALITY ANDYV: may be we could generate an
online questionnaire to see what people are needing discussed.

POWERQUALITY BRIAN: but the chat is available for 24
hrs/day 7 days a week

POWERQUALITY ANDYV: what does IEEE1159 address?
POWERQUALITY BRIAN: Please send all suggestion to me
for our next chat

POWERQUALITY BRIAN: Bobbin is not banned now
POWERQUALITY BRIAN: my fault

POWERQUALITY ANDYZYREK: New PQ measuring
techniques. We have not received our issue yet.

POWERQUALITY ANDYV: You should have it my now.

POWERQUALITY BRIAN: Bobbin is not banned anymore
POWERQUALITY ANDYV: you can e-mail me or john at:
editors@powerquality.com

POWERQUALITY BRIAN: is two hours right fdo rhtis fea-
ture

POWERQUALITY JOHN MUNG: do i understand that
many programmable logic controllers can be hardened by
addition of simple CVT like a sola?

POWERQUALITY ANDYZYREK: Yes, but it is being deliv-
ered by snail mail.

POWERQUALITY ANDYV: no 2nd class
POWERQUALITY BRIAN: 15 minutes to go

POWERQUALITY ANDYV: Please e-mail me you complete
name and address and I will mail you one today 1st class . . .
now is that serice or what?

POWERQUALITY BRIAN: Is two hours long enough for
tthis chat?

POWERQUALITY TKEY: Im back
POWERQUALITY WARD: Brian, I think two hours is about
right.

POWERQUALITY BRIAN: hi tom
POWERQUALITY BRIAN: good . . .

POWERQUALITY ANDYV: yes I agree 2 hrs

16

POWERQUALITY BRIAN: anyone else

POWERQUALITY ANDYV: it the time of day correct?

POWERQUALITY BRIAN: questions now . . .

POWERQUALITY SKLEIN: The topic foremost in my mind
5 right now is what to eat for lunch. I enjoyed the discussion,
which I understand has been historic in some sense. But I
think I will sign off now and go eat.

POWERQUALITY SAM: 2 hours seems to work very well

POWERQUALITY DANIELH: time of day is good

POWERQUALITY BILLMANN: 2 hrs is fine

POWERQUALITY MSTEARS: Two hours work well, the
middle of the day allows east and west coast to be involved

POWERQUALITY BRIAN: good, Will everyone be back for
the next chat

POWERQUALITY GRAVELY: Brian, I will forward my
recommendations on email, thanks.

POWERQUALITY BILLMANN: yes i'll be back

POWERQUALITY ANDYZYREK: Brian, would it be pos-
sible to have a forum published on your home page prior to
20 Nov 15.

POWERQUALITY BRIAN: I would like to do another chat
before Nov 15th, any thoughts

POWERQUALITY ANDY: U bet

POWERQUALITY SAM: I believe that this chat may set an
attendance record for most participants during a first session

POWERQUALITY JOHN MUNG: a parting thought—"har-
monics make the music rich, they make the tone inspring—
harmonics in your power line WILL BLOW THE BUILD-
INGS WIRING" tIM MUNGENAST

POWERQUALITY BRIAN: Your're all invited to return

POWERQUALITY BRIAN: the next chat

POWERQUALITY BRIAN: This chat feature will help set
standards of how we view our industry

POWERQUALITY WARD: For me this was two hours very
35 well spent, and it was quite enjoyable.

POWERQUALITY BRIAN: Tell a colleague about our chat
Nov 15th

POWERQUALITY BRIAN: Thanks Ward

POWERQUALITY BRIAN: I would like to do this on a
weekly basis, any thoughts yet

POWERQUALITY GRAVELY: John: talk it up in Ger-
many!!

POWERQUALITY ANDY: I would like to thank utilicorp
and everyone envolved.

POWERQUALITY BRIAN: Thanks Andy for your help

POWERQUALITY WARD: Did this notice go out to the
Power Globe mailing list?

POWERQUALITY BRIAN: No, but could help us Ward with
that

POWERQUALITY BRIAN: Lets all get the word out about
this chat

POWERQUALITY WARD: I'm on the list and will be glad to
forward anything you wish to it.

POWERQUALITY BRIAN: Please use it whenever you wish,
55 even schedule your own chats whenever

POWERQUALITY JOHN MUNG: MANY THANKS TO
UTILICORP AND ALL INVOLVED—FROM AN OLD
STEAM BOATER :-)

POWERQUALITY BRIAN: thanks ward

POWERQUALITY BRIAN: Hi duane

POWERQUALITY BRIAN: This chat is offically over, but
do stick around for foir more chatting

POWERQUALITY BRIAN: Thanks to all, cya on Nov 15th
POWERQUALITY MSTEARS: Ward, Tom, and John I

65 appreciate your participation

POWERQUALITY BRIAN: Thanks Guys and
Ladies!!!!!!!!!!!!

US 8,694,657 B1

19

POWERQUALITY ANDY: great glad to hear it.
POWERQUALITY DAVE: We get it at work but I have asked to have it sent to my home
POWERQUALITY ANDY: did you get the latest issue with the lighting on the cover?
POWERQUALITY DAVE: Not yet, have seen it on line though
POWERQUALITY ANDY: great.
POWERQUALITY ANDY: any suggestion for editorial?
POWERQUALITY DAVE:
POWERQUALITY DAVE: no it is good
POWERQUALITY ANDY: ok.
POWERQUALITY ANDY: I am currently editing an article about VRLA battery charging.
POWERQUALITY DAVE: I am working on a resonant problem with Utility and was looking for info
POWERQUALITY ANDY: explain
POWERQUALITY ANDY: by the way my e-mail is andy@powerquality.com
POWERQUALITY DAVE: we are running a lot of 5th har. across our system in a large data center
POWERQUALITY ANDY: I see
POWERQUALITY ANDY: I will try to address this in an upcoming issue. may be march/april or even sooner.
POWERQUALITY DAVE: we have 4800 kw of UPS cap on two transformers and we have alot of 5th on our other boards
POWERQUALITY ANDY: If you are interested in writing up a case history including you solutions I would like to review it and poss. publish
POWERQUALITY MSTONEHAM: Is this chat session still active?
POWERQUALITY ANDY: YES
POWERQUALITY ANDY: We can't get enough! !
POWERQUALITY DAVE: when we can get it fixed, It looks like we have a problem with input filtering on a couple of UPS,s
POWERQUALITY ANDY: input fro the utility or a generator?
POWERQUALITY DAVE: utility
POWERQUALITY MSTONEHAM: I understand there was a chat session earlier today with some guest "chatters". Is there an archive of the discussion since I missed it?
POWERQUALITY DAVE: we have 66 kv to 12 kv then to 480 v by 4 trans on property
POWERQUALITY ANDY: What are you leaning towards in a solution dave
POWERQUALITY ANDY: MSTONEHAM>>yes but I don't know when. contact BSPENCER@utilicorp.com
POWERQUALITY DAVE: the computer seem to have no problem, but we have alot of motor heating/bad PF
POWERQUALITY MSTONEHAM: Thanks!
POWERQUALITY DAVE: we currently are working with a consulant but I am looking for more info
POWERQUALITY ANDY: will capacitors solve your problem
POWERQUALITY ANDY:
POWERQUALITY ANDY: there also is a forum under utilicorp.com where you can post you questions.
POWERQUALITY DAVE: Each 600 kw UPS has Input filtering/may need trap for 5th
POWERQUALITY ANDY: or you can access it form powerquality.com
POWERQUALITY DAVE: thanks
POWERQUALITY ANDY: Talk to ya later dave
POWERQUALITY DAVE: is PQ.com your Mag
POWERQUALITY ANDY: bye
POWERQUALITY DAVE: bye

20

POWERQUALITY ANDY: yes
POWERQUALITY DAVE: thanks
POWERQUALITY ANDY: :-)
POWERQUALITY MSTONEHAM:
5 POWERQUALITY MSTONEHAM: Is anyone else hear? There doesn't seem to be much traffic.
POWERQUALITY MSTONEHAM:
POWERQUALITY CILCOJRG: Hello—is the conference over?
10 POWERQUALITY CILCOJRG:
POWERQUALITY CILCOJRG: hello
POWERQUALITY BRIAN: yes
POWERQUALITY BRIAN: the conference was from 10-12
15 ct
POWERQUALITY BRIAN: someone gave out the wrong information
POWERQUALITY BRIAN: hello cilco
POWERQUALITY BRIAN: anyone still there
20 SUPPORT BRIAN: hi all
SUPPORT BRIAN: anyone there
POWERQUALITY BRIAN: jenny>>are you there
POWERQUALITY CJBOUTCHER: is anyone here a utility employee?
25 POWERQUALITY BRIAN: Hi chris
POWERQUALITY BRIAN: how are you?
POWERQUALITY CJBOUTCHER: hi brian it is quiet in here
POWERQUALITY BRIAN: the conference was at 10:00 ct
30 POWERQUALITY CJBOUTCHER: ah I see
POWERQUALITY CJBOUTCHER: when is the next one?
POWERQUALITY BRIAN: nov 15th
POWERQUALITY BRIAN: 10-12
POWERQUALITY BRIAN: ct
POWERQUALITY CJBOUTCHER: is the channel open at other times?
POWERQUALITY BRIAN: yes 24 hours a dfay
POWERQUALITY CJBOUTCHER: but not much discussion?
40 POWERQUALITY BRIAN: not right now,
POWERQUALITY BRIAN: cya
POWERQUALITY CJBOUTCHER: bye
POWERQUALITY BRIAN: hi jenny
POWERQUALITY JOSH: hello?
45 POWERQUALITY BRIAN: hi dan
POWERQUALITY BRIAN: hi dan
POWERQUALITY BRIAN: are you awake yet?
POWERQUALITY BRIAN: just giving present this a.m.
POWERQUALITY BRIAN: :)
50 POWERQUALITY BRIAN: who is guest96
POWERQUALITY GUEST96: test
While a particular embodiment of the present invention has been disclosed, it is to be understood that various different modifications are possible and are within the true spirit of the invention, the scope of which is to be determined with reference to the claims set forth below. There is no intention, therefore, to limit the invention to the exact disclosure presented herein as a teaching of one embodiment of the invention.
60
I claim:
1. A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other
65 programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

US 8,694,657 B1

21

affording some of the information to a first of the participant computers via the Internet network, responsive to an authenticated first user identity; and
affording some of the information to a second of the participant computers via the Internet network, responsive to an authenticated second user identity; and
determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications; and
determining whether the first user identity is individually censored from receiving data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia by determining whether a respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities;
if the user identities are able to form the group, forming the group and facilitating receiving the communications that are sent and not censored from the second participant computer to the first participant computer, wherein the receiving is in real time and via the Internet network, and wherein, for the communications which are received and which present an Internet URL, facilitating handling the Internet URL via the computer system so as to find content specified by the Internet URL and presenting the content at an output device of the first participant computer, and
if the first user identity is censored from the receiving of the data, not allowing the data that is censored to be presented from the second participant computer to the output device.

2. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer.

3. The method of claim 2, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participant computers to form at least one group in which members can send communications and receive communications.

4. The method of claim 3, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

5. The method of claim 2, further including:
determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;
facilitating sending the communications that are not censored from the sending, from the first participant computer to the second participant computer, wherein the sending is in real time and via the Internet network; and
if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participant computer to the second participant computer.

6. The method of claim 5, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

22

7. The method of claim 2, further including determining whether at least one of the communications is censored based on content.

8. The method of claim 7, further including determining a user age corresponding to each of the user identities.

9. The method of claim 8, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

10. The method of claim 7, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

11. The method of claim 2, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

12. The method of claim 11, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

13. The method of claim 2, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

14. The method of claim 13, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

15. The method of claim 2, further including determining a user age corresponding to each of the user identities.

16. The method of claim 15, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

17. The method of claim 2, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

18. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the video.

19. The method of claim 18, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participant computers to form at least one group in which members can send communications and receive communications.

20. The method of claim 18, further including:
determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

US 8,694,657 B1

23

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

21. The method of claim 18, further including determining whether at least one of the communications is censored based on content.

22. The method of claim 21, further including determining a user age corresponding to each of the user identities.

23. The method of claim 18, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

24. The method of claim 23, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

25. The method of claim 18, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

26. The method of claim 18, further including determining a user age corresponding to each of the user identities.

27. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the audio.

28. The method of claim 27, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

29. The method of claim 27, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

30. The method of claim 27, further including determining whether at least one of the communications is censored based on content.

31. The method of claim 30, further including determining a user age corresponding to each of the user identities.

32. The method of claim 27, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

33. The method of claim 27, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

24

34. The method of claim 27, further including determining a user age corresponding to each of the user identities.

35. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the graphic.

36. The method of claim 35, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

37. The method of claim 35, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

38. The method of claim 35, further including determining whether at least one of the communications is censored based on content.

39. The method of claim 38, further including determining a user age corresponding to each of the user identities.

40. The method of claim 35, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

41. The method of claim 35, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

42. The method of claim 35, further including determining a user age corresponding to each of the user identities.

43. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the multimedia.

44. The method of claim 43, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

45. The method of claim 43, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

46. The method of claim 43, further including determining whether at least one of the communications is censored based on content.

25

47. The method of claim 46, further including determining a user age corresponding to each of the user identities.

48. The method of claim 43, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

49. The method of claim 43, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

50. The method of claim 43, further including determining a user age corresponding to each of the user identities.

51. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer and the video.

52. The method of claim 51, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

53. The method of claim 52, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

54. The method of claim 51, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia; facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

55. The method of claim 54, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

56. The method of claim 51, further including determining whether at least one of the communications is censored based on content.

57. The method of claim 56, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

58. The method of claim 51, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

59. The method of claim 58, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

26

60. The method of claim 51, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

61. The method of claim 60, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

62. The method of claim 51, further including determining a user age corresponding to each of the user identities.

63. The method of claim 62, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

64. The method of claim 51, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

65. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer and the audio.

66. The method of claim 65, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

67. The method of claim 66, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

68. The method of claim 65, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia; facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

69. The method of claim 68, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

70. The method of claim 65, further including determining whether at least one of the communications is censored based on content.

71. The method of claim 70, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user

27

identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

72. The method of claim 65, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

73. The method of claim 72, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

74. The method of claim 65, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

75. The method of claim 74, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

76. The method of claim 65, further including determining a user age corresponding to each of the user identities.

77. The method of claim 76, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

78. The method of claim 65, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

79. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer and the graphic.

80. The method of claim 79, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

81. The method of claim 80, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

82. The method of claim 79, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

28

83. The method of claim 82, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

84. The method of claim 79, further including determining whether at least one of the communications is censored based on content.

85. The method of claim 84, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

86. The method of claim 79, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

87. The method of claim 86 wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

88. The method of claim 79, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

89. The method of claim 88, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

90. The method of claim 79, further including determining a user age corresponding to each of the user identities.

91. The method of claim 90, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

92. The method of claim 79, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

93. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the video and the audio.

94. The method of claim 93, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

95. The method of claim 93, further including: determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia; facilitating sending the communications that are not censored from the sending, from the first participator com-

US 8,694,657 B1

29

puter to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

96. The method of claim 93, further including determining whether at least one of the communications is censored based on content.

97. The method of claim 93, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

98. The method of claim 93, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

99. The method of claim 93, further including determining a user age corresponding to each of the user identities.

100. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the video and the graphic.

101. The method of claim 100, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

102. The method of claim 100, further including: determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia; facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

103. The method of claim 100, further including determining whether at least one of the communications is censored based on content.

104. The method of claim 100, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

105. The method of claim 104, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

106. The method of claim 100, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

107. The method of claim 100, further including determining a user age corresponding to each of the user identities.

108. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the audio and the graphic.

30

109. The method of claim 108, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

110. The method of claim 108, further including: determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia; facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

111. The method of claim 108, further including determining whether at least one of the communications is censored based on content.

112. The method of claim 108, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

113. The method of claim 108, further including determining a user age corresponding to each of the user identities.

114. The method of claim 1, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer and the video and the audio.

115. The method of claim 114, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

116. The method of claim 115, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

117. The method of claim 114, further including: determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia; facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

118. The method of claim 117, wherein each said user identity is associated with a respective particular user's stored and rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

119. The method of claim 114, further including determining whether at least one of the communications is censored based on content.

31

120. The method of claim **119**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

121. The method of claim **114**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

122. The method of claim **121**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

123. The method of claim **114**, further including determining a user age corresponding to each of the user identities.

124. The method of claim **123**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

125. The method of claim **114**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

126. The method of claim **1**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer and the video and the graphic.

127. The method of claim **126**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

128. The method of claim **127**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

129. The method of claim **126**, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

130. The method of claim **129**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

32

131. The method of claim **126**, further including determining whether at least one of the communications is censored based on content.

132. The method of claim **131**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

133. The method of claim **126**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

134. The method of claim **133**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

135. The method of claim **126**, further including determining a user age corresponding to each of the user identities.

136. The method of claim **135**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

137. The method of claim **126**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

138. The method of claim **1**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the a pointer and the audio and the graphic.

139. The method of claim **138**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

140. The method of claim **139**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

141. The method of claim **138**, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

142. The method of claim **141**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the commu-

33

nications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

143. The method of claim **138**, further including determining whether at least one of the communications is censored based on content.

144. The method of claim **143**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

145. The method of claim **138**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

146. The method of claim **145**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

147. The method of claim **138**, further including determining a user age corresponding to each of the user identities.

148. The method of claim **147**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

149. The method of claim **138**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

150. The method of claim **1**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the video and the audio and the graphic.

151. The method of claim **150**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

152. The method of claim **150**, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

153. The method of claim **150**, further including determining whether at least one of the communications is censored based on content.

154. The method of claim **150**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

34

155. The method of claim **150**, further including determining a user age corresponding to each of the user identities.

156. The method of claim **1**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the data presenting the pointer and the video and the audio and the graphic.

157. The method of claim **156**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

158. The method of claim **157**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

159. The method of claim **157**, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

160. The method of claim **159**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

161. The method of claim **157**, further including determining whether at least one of the communications is censored based on content.

162. The method of claim **161**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

163. The method of claim **157**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

164. The method of claim **163**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

165. The method of claim **157**, further including determining a user age corresponding to each of the user identities.

166. The method of claim **165**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

35

167. The method of claim 157, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

168. The method of claim 1, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

169. The method of claim 168, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

170. The method of claim 1, further including:

determining whether the first user identity is censored from sending in the communications data presenting at least one of a pointer, video, a graphic, and multimedia;

facilitating sending the communications that are not censored from the sending, from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network; and if the first user identity is censored from the sending, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

171. The method of claim 170, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

172. The method of claim 1, further including determining whether at least one of the communications is censored based on content.

173. The method of claim 172, further including determining a user age corresponding to each of the user identities.

174. The method of claim 173, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

175. The method of claim 172, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

176. The method of claim 1, wherein the determining whether the first user identity is censored includes determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities.

177. The method of claim 176, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

178. The method of claim 1, wherein the determining whether the first user identity and the second user identity are

36

able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

179. The method of claim 178, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

180. The method of claim 1, further including determining a user age corresponding to each of the user identities.

181. The method of claim 180, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

182. The method of claim 1, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

183. The method of claim 1, wherein receiving the communications includes causing presentation of some of the communications by one of the plurality of participator computers in the group.

184. The method of claim 1, wherein, if the first user identity is censored, not allowing the communications that include the data that is censored.

185. The method of claim 1, wherein the computer system comprises an Internet service provider computer.

186. The method of claim 1, further including: storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, facilitating presentation of the graphical multimedia at an output device corresponding to the second user identity.

187. The method of claim 1, further including: providing the first user identity with access to a member-associated image corresponding to the second user identity.

188. The method of claim 1, further including: determining whether the first user identity is censored from access to a member-associated image corresponding to the second user identity; if the first user identity is censored, not allowing access to the member-associated image; and if the first user identity is not censored, allowing access to the member-associated image.

189. A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity;

affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; and

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications; and

determining whether the first user identity is individually censored from sending data in the communications, the

37

data presenting at least one of a pointer, video, audio, a graphic, and multimedia by determining whether a respective at least one parameter corresponding to the first user identity has been determined by another of the user identities; and

if the user identities are able to form the group, forming the group and facilitating sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network, and wherein, for the communications which are received and which present an Internet URL, facilitating handling the Internet URL via the computer system so as to find content specified by the Internet URL and presenting the content at an output device of the second participator computer, and

if the first user identity is censored from the sending of the data, not allowing sending the data that is censored from the first participator computer to the second participator computer.

190. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer.

191. The method of claim **190**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

192. The method of claim **191**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

193. The method of claim **190**, further including determining whether at least one of the communications is censored based on content.

194. The method of claim **193**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

195. The method of claim **190**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

196. The method of claim **195**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

197. The method of claim **190**, further including determining a user age corresponding to each of the user identities.

198. The method of claim **197**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

38

199. The method of claim **190**, wherein at least one of the communications includes data presenting a human communication of sound.

200. The method of claim **199**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

201. The method of claim **190**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

202. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the video.

203. The method of claim **202**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

204. The method of claim **202**, further including determining whether at least one of the communications is censored based on content.

205. The method of claim **202**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

206. The method of claim **202**, further including determining a user age corresponding to each of the user identities.

207. The method of claim **202**, wherein at least one of the communications includes data presenting a human communication of sound.

208. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the audio.

209. The method of claim **208**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

210. The method of claim **208**, further including determining whether at least one of the communications is censored based on content.

211. The method of claim **208**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

212. The method of claim **208**, further including determining a user age corresponding to each of the user identities.

213. The method of claim **208**, wherein at least one of the communications includes data presenting a human communication of sound.

214. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the graphic.

39

215. The method of claim 214, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

216. The method of claim 214, further including determining whether at least one of the communications is censored based on content.

217. The method of claim 214, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

218. The method of claim 214, further including determining a user age corresponding to each of the user identities.

219. The method of claim 214, wherein at least one of the communications includes data presenting a human communication of sound.

220. The method of claim 189, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the multimedia.

221. The method of claim 220, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

222. The method of claim 220, further including determining whether at least one of the communications is censored based on content.

223. The method of claim 220, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

224. The method of claim 220, further including determining a user age corresponding to each of the user identities.

225. The method of claim 220, wherein at least one of the communications includes data presenting a human communication of sound.

226. The method of claim 189, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the video.

227. The method of claim 226, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

228. The method of claim 227, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

229. The method of claim 226, further including determining whether at least one of the communications is censored based on content.

230. The method of claim 229, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding

40

said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

231. The method of claim 226, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

232. The method of claim 231 wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

233. The method of claim 226, further including determining a user age corresponding to each of the user identities.

234. The method of claim 233, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

235. The method of claim 226, wherein at least one of the communications includes data presenting a human communication of sound.

236. The method of claim 235, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

237. The method of claim 226, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

238. The method of claim 189, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the audio.

239. The method of claim 238, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

240. The method of claim 239, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

241. The method of claim 238, further including determining whether at least one of the communications is censored based on content.

242. The method of claim 241, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

243. The method of claim 238, wherein the determining whether the first user identity and the second user identity are

US 8,694,657 B1

41

able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

244. The method of claim 243, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

245. The method of claim 238, further including determining a user age corresponding to each of the user identities.

246. The method of claim 245, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

247. The method of claim 238, wherein at least one of the communications includes data presenting a human communication of sound.

248. The method of claim 247, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

249. The method of claim 238, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

250. The method of claim 189, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the graphic.

251. The method of claim 250, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

252. The method of claim 251, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

253. The method of claim 250, further including determining whether at least one of the communications is censored based on content.

254. The method of claim 253, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

255. The method of claim 250, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

256. The method of claim 255, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding

42

said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

257. The method of claim 250, further including determining a user age corresponding to each of the user identities.

258. The method of claim 257, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

259. The method of claim 250, wherein at least one of the communications includes data presenting a human communication of sound.

260. The method of claim 259, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

261. The method of claim 250, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

262. The method of claim 189, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the video and the audio.

263. The method of claim 262, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

264. The method of claim 262, further including determining whether at least one of the communications is censored based on content.

265. The method of claim 262, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

266. The method of claim 262, further including determining a user age corresponding to each of the user identities.

267. The method of claim 262, wherein at least one of the communications includes data presenting a human communication of sound.

268. The method of claim 189, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the video and the graphic.

269. The method of claim 268, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

270. The method of claim 268, further including determining whether at least one of the communications is censored based on content.

271. The method of claim 268, wherein the determining whether the first user identity and the second user identity are

able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

272. The method of claim **268**, further including determining a user age corresponding to each of the user identities.

273. The method of claim **268**, wherein at least one of the communications includes data presenting a human communication of sound.

274. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the audio and the graphic.

275. The method of claim **274**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

276. The method of claim **274**, further including determining whether at least one of the communications is censored based on content.

277. The method of claim **274** wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

278. The method of claim **274**, further including determining a user age corresponding to each of the user identities.

279. The method of claim **274**, wherein at least one of the communications includes data presenting a human communication of sound.

280. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the video and the audio.

281. The method of claim **280**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

282. The method of claim **281**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

283. The method of claim **280**, further including determining whether at least one of the communications is censored based on content.

284. The method of claim **283**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

285. The method of claim **280**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

286. The method of claim **285**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding

said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

287. The method of claim **280**, further including determining a user age corresponding to each of the user identities.

288. The method of claim **287**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

289. The method of claim **280**, wherein at least one of the communications includes data presenting a human communication of sound.

290. The method of claim **289**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

291. The method of claim **280**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

292. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the video and the graphic.

293. The method of claim **292**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

294. The method of claim **293**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

295. The method of claim **292**, further including determining whether at least one of the communications is censored based on content.

296. The method of claim **295**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

297. The method of claim **292**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

298. The method of claim **297**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

299. The method of claim **292**, further including determining a user age corresponding to each of the user identities.

300. The method of claim **299**, wherein each said user identity is associated with a respective particular user's stored

45

access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

301. The method of claim **292**, wherein at least one of the communications includes data presenting a human communication of sound.

302. The method of claim **301**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

303. The method of claim **292**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

304. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the audio and the graphic.

305. The method of claim **304**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

306. The method of claim **305**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

307. The method of claim **304**, further including determining whether at least one of the communications is censored based on content.

308. The method of claim **307**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

309. The method of claim **304**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

310. The method of claim **309**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

311. The method of claim **304**, further including determining a user age corresponding to each of the user identities.

312. The method of claim **311**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

313. The method of claim **304**, wherein at least one of the communications includes data presenting a human communication of sound.

46

314. The method of claim **313**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

315. The method of claim **304**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

316. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the video and the audio and the graphic.

317. The method of claim **316**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

318. The method of claim **316**, further including determining whether at least one of the communications is censored based on content.

319. The method of claim **316**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

320. The method of claim **316**, further including determining a user age corresponding to each of the user identities.

321. The method of claim **316**, wherein at least one of the communications includes data presenting a human communication of sound.

322. The method of claim **189**, wherein the determining whether the first user identity is censored includes determining that the first user identity is censored from the sending of the data presenting the pointer and the video and the audio and the graphic.

323. The method of claim **322**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

324. The method of claim **323**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

325. The method of claim **322**, further including determining whether at least one of the communications is censored based on content.

326. The method of claim **325**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

327. The method of claim **322**, wherein the determining whether the first user identity and the second user identity are

able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

328. The method of claim **189**, wherein the determining whether the first user identity and the second user identity are able to form a group includes determining from access rights stored by user in the database that neither of the user identities is censored.

329. The method of claim **322**, further including determining a user age corresponding to each of the user identities.

330. The method of claim **329**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

331. The method of claim **322**, wherein at least one of the communications includes data presenting a human communication of sound.

332. The method of claim **331**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

333. The method of claim **322**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

334. The method of claim **189**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

335. The method of claim **334**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

336. The method of claim **189**, further including determining whether at least one of the communications is censored based on content.

337. The method of claim **336**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

338. The method of claim **327**, wherein each said user identity is associated with a respective user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

339. The method of claim **328**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

340. The method of claim **189**, further including determining a user age corresponding to each of the user identities.

341. The method of claim **340**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

342. The method of claim **189**, wherein at least one of the communications includes data presenting a human communication of sound.

343. The method of claim **342**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

344. The method of claim **189**, wherein the computer system is comprised of an Internet service provider computer.

345. The method of claim **344**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

346. The method of claim **189**, further including: storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, facilitating presentation of the graphical multimedia at an output device corresponding to the second user identity.

347. The method of claim **346**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

348. The method of claim **189**, further including: providing the first user identity with access to a member-associated image corresponding to the second user identity.

349. The method of claim **348**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

350. The method of claim **189**, further including: determining whether the first user identity is censored from access to a member-associated image corresponding to the second user identity; if the first user identity is censored, not allowing access to the member-associated image; and if the first user identity is not censored, allowing access to the member-associated image.

351. The method of claim **350**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

352. The method of claim **189**, wherein each said user identity is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

49

353. A system to communicate over an Internet network, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computer system:

determines whether the first user identity and the second of the user identity are able to form a group to send and to receive real-time communications; and

determines whether the first user identity is individually censored from data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia by determining whether a respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities; and

if the user identities are determined to be able to form the group, forms the group and facilitates receiving the communications that are sent and not censored from the second participator computer to the first participator computer, wherein the receiving is in real time and via the Internet network, and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the first participator computer; and

if the first user identity is censored from the data, does not facilitate the data that is censored to be presented from the second participator computer to the output device.

354. The system of claim **353**, wherein the data presents the pointer.

355. The system of claim **354**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

356. The system of claim **355**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

357. The system of claim **354**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitating sending the communications that are not censored from the sending.

358. The system of claim **357**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

50

359. The system of claim **354**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

360. The system of claim **359**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

361. The system of claim **354**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

362. The system of claim **353**, wherein the data presents the video.

363. The system of claim **362**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

364. The system of claim **362**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

365. The system of claim **362**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

366. The system of claim **353**, wherein the data presents the audio.

367. The system of claim **366**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

368. The system of claim **366**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

369. The system of claim **366**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

370. The system of claim **353**, wherein the data presents the graphic.

371. The system of claim **370**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

51

372. The system of claim **370**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

373. The system of claim **370**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

374. The system of claim **353**, wherein the data presents the multimedia.

375. The system of claim **374**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

376. The system of claim **374**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

377. The system of claim **374**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

378. The system of claim **353**, wherein the data presents the pointer and the video.

379. The system of claim **378**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

380. The system of claim **379**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

381. The system of claim **378**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

382. The system of claim **381**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

383. The system of claim **378**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least

52

some of the participator computers to form at least one group in which members can send communications and receive communications.

384. The system of claim **383**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

385. The system of claim **378**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

386. The system of claim **353**, wherein the data presents the pointer and the audio.

387. The system of claim **386**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

388. The system of claim **387**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

389. The system of claim **386**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

390. The system of claim **389**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

391. The system of claim **386**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

392. The system of claim **391**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

393. The system of claim **386**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user

identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

394. The system of claim **353**, wherein the data presents the pointer and the graphic.

395. The system of claim **394**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

396. The system of claim **395**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

397. The system of claim **394**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

398. The system of claim **397**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

399. The system of claim **394**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

400. The system of claim **399**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

401. The system of claim **394**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

402. The system of claim **353**, wherein the data presents the video and the audio.

403. The system of claim **402**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

404. The system of claim **402**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

405. The system of claim **402**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

406. The system of claim **353**, wherein the data presents the video and the graphic.

407. The system of claim **406**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

408. The system of claim **406**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

409. The system of claim **406**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

410. The system of claim **353**, wherein the data presents the audio and the graphic.

411. The system of claim **410**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

412. The system of claim **410**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

413. The system of claim **410**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

414. The system of claim **353**, wherein the data presents the pointer and the video and the audio.

415. The system of claim **414**, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

416. The system of claim **415**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

417. The system of claim **414**, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

418. The system of claim **417**, wherein the computer system associates each said user identity in the group with a

US 8,694,657 B1

55

respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

419. The system of claim 414, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

420. The system of claim 419, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

421. The system of claim 414, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

422. The system of claim 353, wherein the data presents the pointer and the video and the graphic.

423. The system of claim 422, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

424. The system of claim 423, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

425. The system of claim 422, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

426. The system of claim 425, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

427. The system of claim 422, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

428. The system of claim 427, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which deter-

56

mine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

429. The system of claim 422, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

430. The system of claim 353, wherein the data presents the pointer and the audio and the graphic.

431. The system of claim 430, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

432. The system of claim 431, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

433. The system of claim 430, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

434. The system of claim 433, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

435. The system of claim 430, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

436. The system of claim 435, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

437. The system of claim 430, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

438. The system of claim 353, wherein the data presents the video and the audio and the graphic.

57

439. The system of claim 438, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

440. The system of claim 438, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

441. The system of claim 438, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

442. The system of claim 353, wherein the data presents the pointer and the video and the audio and the graphic.

443. The system of claim 442, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

444. The system of claim 443, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

445. The system of claim 442, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

446. The system of claim 445, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

447. The system of claim 442, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

448. The system of claim 447, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

449. The system of claim 442, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user

58

identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

450. The system of claim 353, wherein the computer system is further programmed to determine whether at least one of the communications is censored based on content.

451. The system of claim 450, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

452. The system of claim 353, wherein the computer system determines whether at least one of the first user identity and the second user identity, individually, is censored from sending in the communications data presenting at least one of the pointer, the video, the graphic, and the multimedia, and facilitates sending the communications that are not censored from the sending.

453. The system of claim 452, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

454. The system of claim 353, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

455. The system of claim 454, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

456. The system of claim 353, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

457. The system of claim 456, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

458. The system of claim 353, wherein the computer system is programmed to:

store, for the first user identity, an authorization associated with presentation of graphical data, and based on the authorization, allow the graphical data to be presented at an output device corresponding to the second user identity.

59

459. The system of claim 458, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

460. The system of claim 353, wherein the computer system is programmed to:

provide the first user identity with access to a member-associated image corresponding to the second user identity.

461. The system of claim 460, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

462. The system of claim 353, wherein the computer system is programmed to:

determine whether the first user identity is censored from access to a member-associated image corresponding to the second user identity,

if the first user identity is censored, not allowing access to member-associated image, and

if the first user identity is not censored, allow access to the member-associated image.

463. The system of claim 462, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

464. The system of claim 353, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

465. An Internet network communications system, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computer system

determines whether the first user identity and the second of the user identity are able to form a group to send and to receive real-time communications; and

determines whether the first user identity, is individually censored from sending data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia by determining whether a

60

respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities; and

if the user identities are determined to be able to form the group, forms the group and facilitates sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network, and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the second participator computer; and

if the first user identity is censored from sending the data, does not facilitate sending the data that is censored from the first participator computer to the second participator computer.

466. The system of claim 465, wherein the data presents the pointer.

467. The system of claim 466, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

468. The system of claim 467, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

469. The system of claim 466, wherein the computer system determines whether at least one of the communications is censored based on content.

470. The system of claim 469, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

471. The system of claim 466, wherein at least one of the communications includes a human communication of sound.

472. The system of claim 471, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

473. The system of claim 466, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

474. The system of claim 473, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said

US 8,694,657 B1

61

user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

475. The system of claim 466, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

476. The system of claim 465, wherein data presents the video.

477. The system of claim 476, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

478. The system of claim 476, wherein the computer system determines whether at least one of the communications is censored based on content.

479. The system of claim 476, wherein at least one of the communications includes a human communication of sound.

480. The system of claim 476, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

481. The system of claim 465, wherein the data presents the audio.

482. The system of claim 481, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

483. The system of claim 481, wherein the computer system determines whether at least one of the communications is censored based on content.

484. The system of claim 481, wherein at least one of the communications includes a human communication of sound.

485. The system of claim 481, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

486. The system of claim 465, wherein the data presents the graphic.

487. The system of claim 486, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

488. The system of claim 486, wherein the computer system determines whether at least one of the communications is censored based on content.

489. The system of claim 486, wherein at least one of the communications includes a human communication of sound.

490. The system of claim 486, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

491. The system of claim 465, wherein the data presents the multimedia.

62

492. The system of claim 491, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

493. The system of claim 491, wherein the computer system determines whether at least one of the communications is censored based on content.

494. The system of claim 491, wherein at least one of the communications includes a human communication of sound.

495. The system of claim 491, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

496. The system of claim 465, wherein the data presents the pointer and the video.

497. The system of claim 496, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

498. The system of claim 496, wherein the computer system determines whether at least one of the communications is censored based on content.

499. The system of claim 498, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

500. The system of claim 496, wherein at least one of the communications includes a human communication of sound.

501. The system of claim 500, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

502. The system of claim 496, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

503. The system of claim 502, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

504. The system of claim 496, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

63

505. The system of claim **465**, wherein the data presents the pointer and the audio.

506. The system of claim **505**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

507. The system of claim **506**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

508. The system of claim **505**, wherein the computer system determines whether at least one of the communications is censored based on content.

509. The system of claim **508**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

510. The system of claim **505**, wherein at least one of the communications includes a human communication of sound.

511. The system of claim **510**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

512. The system of claim **505**, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

513. The system of claim **512**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

514. The system of claim **505**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

515. The system of claim **465**, wherein the data presents the pointer and the graphic.

516. The system of claim **515**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

64

517. The system of claim **516**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

518. The system of claim **515**, wherein the computer system determines whether at least one of the communications is censored based on content.

519. The system of claim **518**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

520. The system of claim **515**, wherein at least one of the communications includes a human communication of sound.

521. The system of claim **520**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

522. The system of claim **515**, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

523. The system of claim **522**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

524. The system of claim **515**, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

525. The system of claim **465**, wherein the data presents the video and the audio.

526. The system of claim **525**, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

527. The system of claim **525**, wherein the computer system determines whether at least one of the communications is censored based on content.

528. The system of claim **525**, wherein at least one of the communications includes a human communication of sound.

529. The system of claim **525**, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

65

530. The system of claim 465, wherein the data presents the video and the graphic.

531. The system of claim 530, wherein the computer wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

532. The system of claim 530, wherein the computer system determines whether at least one of the communications is censored based on content.

533. The system of claim 530, wherein at least one of the communications includes a human communication of sound.

534. The system of claim 530, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

535. The system of claim 465, wherein the data presents the pointer and the video and the audio.

536. The system of claim 535, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

537. The system of claim 536, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

538. The system of claim 535, wherein the computer system determines whether at least one of the communications is censored based on content.

539. The system of claim 538, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

540. The system of claim 535, wherein at least one of the communications includes a human communication of sound.

541. The system of claim 540, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

542. The system of claim 535, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

543. The system of claim 542, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said

66

user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

544. The system of claim 535, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

545. The system of claim 465, wherein the data presents the pointer and the video and the graphic.

546. The system of claim 545, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

547. The system of claim 546, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

548. The system of claim 545, wherein the computer system determines whether at least one of the communications is censored based on content.

549. The system of claim 548, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

550. The system of claim 545, wherein at least one of the communications includes a human communication of sound.

551. The system of claim 550, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

552. The system of claim 545, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

553. The system of claim 552, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

554. The system of claim 545, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said

US 8,694,657 B1

67

user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

555. The system of claim 465, wherein the data presents the pointer and the audio and the graphic.

556. The system of claim 555, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

557. The system of claim 556, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

558. The system of claim 555, wherein the computer system determines whether at least one of the communications is censored based on content.

559. The system of claim 558, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

560. The system of claim 555, wherein at least one of the communications includes a human communication of sound.

561. The system of claim 560, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

562. The system of claim 555, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

563. The system of claim 562, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

564. The system of claim 555, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

565. The system of claim 465, wherein the data presents the video and the audio and the graphic.

566. The system of claim 565, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least

68

some of the participator computers to form at least one group in which members can send communications and receive communications.

567. The system of claim 565, wherein the computer system determines whether at least one of the communications is censored based on content.

568. The system of claim 565, wherein at least one of the communications includes a human communication of sound.

569. The system of claim 565, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

570. The system of claim 465, wherein the data presents the pointer and the video and the audio and the graphic.

571. The system of claim 570, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

572. The system of claim 571, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

573. The system of claim 570, wherein the computer system determines whether at least one of the communications is censored based on content.

574. The system of claim 573, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

575. The system of claim 570, wherein at least one of the communications includes a human communication of sound.

576. The system of claim 575, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

577. The system of claim 570, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

578. The system of claim 577, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

579. The system of claim 570, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said

69

user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

580. The system of claim 465, wherein the computer system provides access via any of two client software alternatives, wherein both of the client software alternatives allow respective user identities to be recognized and allow at least some of the participator computers to form at least one group in which members can send communications and receive communications.

581. The system of claim 580, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

582. The system of claim 465, wherein the computer system determines whether at least one of the communications is censored based on content.

583. The system of claim 582, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

584. The system of claim 465, wherein at least one of the communications includes a human communication of sound.

585. The system of claim 584, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

586. The system of claim 465, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

587. The system of claim 586, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

588. The system of claim 465, wherein the computer system determines from access rights stored by user that neither of the first user identity and the second user identity is censored from the group.

589. The system of claim 588, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

590. The system of claim 465, wherein the computer system is programmed to:

store, for the first user identity, an authorization associated with presentation of graphical data; and

70

based on the authorization, allow the graphical data to be presented at the output device corresponding to the second user identity.

591. The system of claim 590, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

592. The system of claim 465, wherein the computer system is programmed to:

provide the first user identity with access to a member-associated image corresponding to the second user identity.

593. The system of claim 592, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

594. The system of claim 465, wherein the computer system is programmed to:

determine whether the first user identity is censored from access to a member-associated image corresponding to the second user identity,

if the first user identity is censored, not allow access to the member-associated image, and

if the first user identity is not censored, allow access to the member-associated image.

595. The system of claim 594, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

596. The system of claim 465, wherein the computer system associates each said user identity in the group with a respective particular user's stored access rights, and determines whether the corresponding said user identity is censored from receiving, and whether the corresponding said user identity is censored from sending, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

597. An Internet network communication system, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to participator computers that are otherwise independent of each other, in communication with each of the participator computers responsive to a respective authenticated user identity, the computers configured so as to respond to one of the participator computers communicating a pointer in real time and via the Internet, wherein the pointer produces a pointer-triggered message on demand, by determining whether the first user identity is individually censored from content in the pointer-triggered message, by determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities,

US 8,694,657 B1

71

if the content is censored, disallow the pointer-triggered message from being presented at an output device of the participator computer corresponding to the first user identity, and

if the content is not censored, allow the pointer-triggered message to be presented, wherein the computer system facilitates handling an Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the pointer-triggered message at the output device.

598. The system of claim **597**, wherein the computer system is further programmed to:

send and receive communications between members in a group, the communications including data presenting at least one of video, sound, a graphic, and multimedia, the communications being sent and received in real time via the Internet network.

599. The system of claim **598**, wherein the data includes data presenting sound.

600. The system of claim **599**, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

601. The system of claim **598**, wherein the data includes data presenting video.

602. The system of claim **601**, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

603. The system of claim **598**, wherein the data includes data presenting sound and video.

604. The system of claim **603**, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

605. The system of claim **598**, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

606. A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity; and

affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

responsive to the first of the participator computers communicating a pointer in real time and via the Internet, the pointer producing a pointer-triggered message on demand, determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities so that the first user identity is individually censored from content in the pointer-triggered message; and

if the content is censored, disallowing the pointer-triggered message to be presented at an output device of the first of the participator computers, and

if the content is not censored, allowing the pointer-triggered message to be presented, wherein the computer system facilitates handling an Internet URL via the computer system so as to find content specified by the

72

Internet URL and facilitates presenting the pointer-triggered message at the output device.

607. The method of claim **606**, further including sending and receiving communications between members in a group, the communications including data presenting at least one of video, sound, a graphic, and multimedia, the receiving in real time via the Internet network.

608. The method of claim **607**, wherein the data presents sound.

609. The method of claim **608**, further including: store, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, facilitate presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

610. The method of claim **607**, wherein the data presents video.

611. The method of claim **610**, further including: store, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, facilitate presentation of the graphical multimedia the participator computer corresponding to the second user identity.

612. The method of claim **607**, wherein the data presents sound and video.

613. The method of claim **607**, further including: store, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, facilitate presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

614. The method of claim **606**, further including sending and receiving communications between members in a group, the communications including data presenting a member-associated image, sound, and video.

615. The method of claim **606**, further including: store, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, facilitate presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

616. A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity; and

affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

determining whether at least one of the first user identity and the second user identity is individually censored, by determining whether a parameter corresponding to said at least one has been determined by an other of the user identities, from receiving data comprising a pointer in communications that include at least one of text or ascii, the pointer being a pointer that produces a pointer-triggered message on demand;

determining whether the first and the second of the user identities are able to form a group; and

if the first and the second user identities are able to form the group, then forming the group and facilitating receiving the communications that are sent and not censored from one of the participator computers to another of the par-

73

participator computers, wherein the computer system facilitates handling an Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content specified by the Internet URL at an output device of the other of the participator computers, and not allowing the data that is censored to be presented at the output device. 5

617. The method of claim **616**, wherein at least one of the communications includes data presenting sound.

618. The method of claim **617**, further including: 10
storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, allowing presentation of the graphical multimedia at the participator computer corresponding to the second user identity. 15

619. The method of claim **616**, wherein at least one of the communications includes data presenting video.

620. The method of claim **619**, further including: 20
storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, allowing presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

621. The method of claim **616**, wherein at least one of the communications includes data presenting sound and video. 25

622. The method of claim **616**, further including: storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, allowing presentation of the graphical multimedia at the participator computer corresponding to the second user identity. 30

623. The method of claim **622**, wherein the graphical data includes graphical multimedia data.

624. The method of claim **616**, based on the authorization, presenting the graphical multimedia data at the output device corresponding to the second user identity, and wherein one of the determining steps includes determining whether a parameter corresponding to the first user identity has been determined by a user corresponding to another of the user identities. 35

625. A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including: 40
affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity; and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; 50
determining whether the first user identity and the second of the user identity are able to form a group to send and to receive real-time communications; 55
determining whether at least one of the first user identity and the second user identity is individually censored, by determining whether a parameter corresponding to said at least one has been determined by an other of the user identities, from sending a pointer in the communications including at least one of text or ascii, the pointer being a pointer that produces a pointer-triggered message on demand; and 60
if the first and the second user identities are able to form the group, then forming the group and facilitating sending the communications that are not censored from one of the participator computers to another of the participator 65

74

computers in real time over the Internet network, wherein the computer system facilitates handling an Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and not facilitating sending a pointer that is censored.

626. The method of claim **625**, wherein at least one of the communications includes data presenting sound.

627. The method of claim **626**, further including: 10
storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, allowing presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

628. The method of claim **625**, wherein at least one of the communications includes data presenting video.

629. The method of claim **628**, further including: 20
storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, allowing presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

630. The method of claim **625**, wherein at least one of the communications includes data presenting sound and video.

631. The method of claim **630**, further including: 30
storing, for the first user identity, an authorization associated with presentation of graphical data; and based on the authorization, allowing presentation of the graphical data at the participator computer corresponding to the second user identity.

632. The method of claim **625**, further including: 35
storing, for the first user identity, an authorization associated with presentation of graphical multimedia; and based on the authorization, allowing presentation of the graphical multimedia at the participator computer corresponding to the second user identity.

633. A system to communicate via an Internet network, the system including: 40
a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured to 45
determine whether at least one of the first user identity and the second user identity is individually censored, by determining whether a parameter corresponding to said at least one has been determined by an other of the user identities, from receiving, in communications, data comprising a pointer, the pointer producing a pointer-triggered message on demand, and 50
thereafter allow the participator computers to receive, in real time via the Internet network, and present the communications that are not censored, wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of one of the participator computers corresponding the user identity which presents the communications, and to not present 55

75

the data that is censored at an output device corresponding to the user identity that is censored from receiving the data.

634. The system of claim 633, wherein at least one of the communications includes data presenting sound.

635. The system of claim 634, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

636. The system of claim 633, wherein at least one of the communications includes data presenting video.

637. The system of claim 636, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

638. The system of claim 633, wherein at least one of the communications includes data presenting sound and video.

639. The system of claim 638, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

640. The system of claim 633, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

641. A system to communicate via an Internet network, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured to

determine whether at least one of the first user identity and the second user identity is individually censored, by determining whether a parameter corresponding to said at least one has been determined by an other of the user identities, from sending, in communications, a pointer that produces a pointer-triggered message on demand, and

thereafter allow the participator computers to receive, in real time via the Internet network, and present the communications that are not censored based on the individual user identity, wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of one of the participator computers corresponding the user identity which presents the communications, and to not present the communications that are censored at an output device corresponding to the user identity that is censored from the sending.

642. The system of claim 641, wherein at least one of the communications includes data presenting sound.

643. The system of claim 642, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

644. The system of claim 641, wherein at least one of the communications includes data presenting sound.

76

645. The system of claim 644, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

646. The system of claim 641, wherein at least one of the communications includes data presenting video.

647. The system of claim 646, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

648. The system of claim 641, wherein the computer system provides the participator computer corresponding to the first user identity with access to a member-associated image corresponding to the second user identity.

649. A method communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

storing a respective particular user's access rights corresponding to each said user identity;

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications;

determining whether at least one of the first user identity and the second user identity is individually censored by the corresponding user's stored access rights from receiving data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities; and

if the first and the second user identities are able to form the group, forming the group and facilitating receiving the communications, including receiving at least some of the communications with the data that is not censored, that are sent from one of the participator computers to another of the participator computers, wherein the receiving is in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the participator computer which is receiving the communications, and not allowing the data that is censored by the corresponding user's stored access rights to be presented at an output device of the participator computer corresponding to the user identity that is censored.

650. A method communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to

US 8,694,657 B1

77

an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

determining whether the first user identity and the second user identity are able to form a group to send and to receive data in communications in real time by determining whether at least one of the first user identity and the second user identity is individually censored from receiving the data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities; and if the first and the second user identities are determined to be able to form the group, forming the group and facilitating receiving the communications, including receiving at least some of the communications with the data that is not censored, that are sent from one of the participator computers to another of the participator computers, in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers; and

if the first and the second user identities are determined to not be able to form the group with respect to receiving the data that is censored, not forming the group.

651. A method communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

storing a respective particular user's access rights corresponding to each said user identity;

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications;

determining whether at least one of the first user identity and the second user identity is individually censored by the corresponding user's stored access rights from sending data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities; and

if the first and the second user identities are able to form the group, forming the group and facilitating sending the communications, including sending at least some of the communications with the data that is not censored, from one of the participator computers to another of the participator computers, wherein the sending is in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find

78

content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and not allowing sending the data that is censored by the corresponding user's stored access rights.

652. A method communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity;

determining whether a first of the user identities and a second of the user identities are able to form a group to send and to receive communications in real time by determining whether at least one of the first user identity and the second user identity is individually censored from sending data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities; and

if the first and the second user identities are determined to be able to form the group, forming the group and facilitating sending the communications, including sending at least some of the communications with the data that is not censored, from one of the participator computers to another of the participator computers in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers; and

if the first and the second user identities are determined to not be able to form the group with respect to sending the data that is censored, not forming the group.

653. A system to communicate via an Internet network, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to store a respective particular user's access rights corresponding to each said user identity,

determine whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications,

determine whether at least one of the first user identity and the second user identity is individually censored by the corresponding user's stored access rights from receiving data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one param-

US 8,694,657 B1

79

eter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities, and
 if the first and the second user identities are able to form the group, form the group and facilitate receiving the communications that are sent and not censored from one of the participator computers to another of the participator computers, wherein the receiving is in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and
 not allow the data that is censored by the corresponding user's stored access rights to be presented at an output device of the participator computer corresponding to the user identity that is censored.

654. A system to communicate via an Internet network, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to determine whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications by determining whether at least one of the first user identity and the second user identity is individually censored from receiving data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities, and

if the first and the second user identities are determined to be able to form the group, form the group and facilitate receiving the communications from one of the participator computers to an other of the participator computers, in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and
 if the first and the second user identities are determined to not be able to form the group with respect to receiving the data that is censored, not form the group.

655. A system to communicate via an Internet network, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity

80

ity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to store a respective particular user's access rights corresponding to each said user identity,

determine whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications,

determine whether at least one of the first user identity and the second user identity is individually censored by the corresponding user's stored access rights from sending data in the communications, the data including at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities, and

if the first and the second user identities are able to form the group, and facilitate sending the communications that are not censored from one of the participator computers to another of the participator computers, wherein the sending is in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and not allow sending the data that is censored by the corresponding user's stored access rights.

656. A system to communicate via an Internet network, the system including:

a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the controller computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to determine whether a first of the user identities and a second of the user identities are able to form a group to send and to receive communications in real time by determining whether at least one of the first user identity and the second user identity is individually censored from sending data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities, and

if the first and the second user identities are determined to be able to form the group, form the group and facilitate sending the communications from one of the participator computers to another of the participator computers, wherein the sending is in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates

US 8,694,657 B1

81

presenting the content at an output device of the other of the participator computers, and

if the first and the second user identities are determined to not be able to form the group with respect to sending the data that is censored, not form the group.

657. A method communicating via an Internet network by using a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; and

storing a respective particular user's access rights corresponding to each said user identity;

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications; and

determining, based on the access rights of the first user identity by determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities, whether the first user identity is individually censored from receiving content in the communications;

if the user identities are determined to be able to form the group, forming the group and facilitating receiving the communications that are sent and not censored from the second participator computer to the first participator computer, wherein the receiving is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and

if the first user identity is censored, not allowing the content that is censored to be presented from the second participator computer to a user of the first participator computer.

658. A method communicating via an Internet network by using a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; and

storing a respective particular user's access rights corresponding to each said user identity;

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications; and

determining, based on the access rights of the first user identity by determining whether a parameter corresponding to the first user identity has been determined

82

by an other of the user identities, whether the first user identity is individually censored from sending content in the communications;

if the user identities are determined to be able to form the group, forming the group and facilitating sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the second participator computer, and

if the first user identity is censored, not allowing the content that is censored to be sent from the first participator computer the second participator computer.

659. A method communicating via an Internet network by using a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; and

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications; and

determining whether the first user identity is individually censored from data in the communications, the data presenting at least one of an Internet URL, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities; and

if the user identities are determined to be able to form the group, forming the group and facilitating receiving the communications that are sent and not censored from the second participator computer to the first participator computer, wherein the receiving is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present the Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the first participator computer, and

if the first user identity is censored, not allowing the data that is censored to be presented from the second participator computer to a user of the first participator computer.

660. A method communicating via an Internet network by using a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:

affording some of the information to a first of the participator computers via the Internet network, responsive to

US 8,694,657 B1

83

an authenticated first user identity, and affording some of the information to a second of the participator computers via the Internet network, responsive to an authenticated second user identity; and

determining whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications; and

determining whether the first user identity is individually censored from sending data in the communications, the data presenting at least one of an Internet URL, video, audio, a graphic, and multimedia, by determining whether a respective parameter corresponding to the first user identity has been determined by an other of the user identities; and

if the user identities are determined to be able to form the group, forming the group and facilitating sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present the Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the second participator computer, and

if the first user identity is censored, not allowing sending the data that is censored from the first participator computer to the second participator computer.

661. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to

determine whether the first user identity is individually censored from receiving content in the communications, by determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities,

if the user identities are determined to be able to form the group, form the group and facilitate receiving the communications that are sent and not censored from the second participator computer to the first participator computer, wherein the receiving is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers at an output device of the first participator computer, and

if the first user identity is censored, not allow the content that is censored to be presented from the second participator computer at the first participator computer.

662. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database

84

which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to

determine whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications, and

determine whether the first user identity is individually censored from sending content in the communications, by determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities,

if the user identities are determined to be able to form the group, form the group and facilitate sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers at an output device of the second participator computer, and

if the first user identity is censored, not allow the content that is censored to be sent from the first participator computer to the second participator computer.

663. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to

determine whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications, and

determine whether the first user identity is individually censored from sending content in the communications, by determining whether a parameter corresponding to the first user identity has been determined by an other of the user identities,

if the user identities are determined to be able to form the group, form the group and facilitate sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and

85

if the first user identity is censored, not allow the content that is censored to be sent from the first participator computer the second participator computer.

664. The method of claim **663**, wherein each said user identity in the group is associated with a respective particular user's stored access rights, which determine whether the corresponding said user identity is censored from receiving, in the communications, data presenting at least one of a pointer, video, audio, a graphic, and multimedia.

665. The method of claim **663**, further including: determining whether the first user identity is censored from the data by determining whether a parameter corresponding to the first user identity has been determined by a user corresponding to an other of the user identities.

666. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are arranged so as to

determine whether a first of the user identities and a second of the user identities are able to form a group to send and to receive communications in real time by determining whether at least one of the first user identity and the second user identity is individually censored from data in the communications, the data presenting at least one of a pointer, video, audio, graphic, and multimedia, by determining whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities, and

if the first and the second user identities are determined to be able to form the group, form the group and facilitate receiving the communications that are sent and include said data that is not censored from one of the participator computers to another of the participator computers, wherein the receiving is in real time via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the other of the participator computers, and

if the first and the second user identities are determined to not be able to form the group, not form the group.

667. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured so as to

86

allow the first user identity and the second user identity to send communications and to receive communications sent by another user identity on at least one of a plurality of channels, wherein at least some of the communications are received in real time via the Internet network, except that if at least one of the user identities is individually censored, from data in one of the channels, the data presenting at least one of a pointer, video, audio, graphic, or multimedia, and multimedia, by a determination of whether a respective at least one parameter corresponding to said at least one of the first user identity and the second user identity has been determined by an other of the user identities, the data that is censored is not presented by the participator computer corresponding to the user identity that is censored from the data, and otherwise allow the data to be presented at an output device corresponding to the participator computer which receives the data, wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at the output device.

668. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured so as to censor communications based on:

whether the first user identity and the second of the user identity are able to form a group to send and to receive real-time communications, and

whether the first user identity, is individually censored from sending data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities; and

if the user identities are able to form the group, form the group and facilitate receiving the communications that are sent and not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates handling an Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the second participator computer;

if the first user identity is censored, not allowing the data that is censored to be sent from the first participator computer to the second participator computer.

669. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each

87

of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured so as to censor communications based on:

whether the first user identity and the second of the user identity are able to form a group to send and to receive real-time communications, and

whether the first user identity, is individually censored from receiving data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities; and

if the user identities are able to form the group, form the group and facilitate receiving the communications that are sent and not censored from the second participator computer to the first participator computer, wherein the receiving is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the first participator computer;

if the first user identity is censored, not allowing the data that is censored to be presented from the second participator computer at the output device.

670. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured so as to

store a respective particular user's access rights corresponding to each said user identity, and

determine whether the first user identity and the second of the user identity are able to form a group to send and to receive real-time communications, and

determine whether the first user identity, is individually censored from sending data in the communications, the data presenting at least one of a pointer, video, audio, a graphic, and multimedia, by determining whether a respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities, such that

88

if the user identities are determined to be able to form the group, form the group and facilitate receiving the communications that are sent and not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the second participator computer, and if the first user identity is censored, not send of the data that is censored from the first participator computer to the second participator computer.

671. A system to communicate via an Internet network, the system including:

a computer system including a controller computer that is an Internet service provider computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the computer system in communication with a first of the participator computers responsive to a first authenticated user identity and with a second of the participator computers responsive to a second authenticated user identity, wherein the computers are configured so as to

store a respective particular user's access rights corresponding to each said user identity, and

determine whether the first user identity and the second user identity are able to form a group to send and to receive real-time communications, and

determine whether the first user identity is individually censored from sending data in the communications, the data presenting at least one of an Internet URL, video, audio, a graphic, multimedia, by determining whether a respective at least one parameter corresponding to the first user identity has been determined by an other of the user identities, such that

if the user identities are determined to be able to form the group, forming the group and facilitating sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network and wherein the computer system facilitates, for the communications which are received and which present an Internet URL, handling the Internet URL via the computer system so as to find content specified by the Internet URL and facilitates presenting the content at an output device of the second participator computer, and

if the first user identity is censored, not allowing sending the data that is censored from the first participator computer to the second participator computer.

* * * * *

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Civil Action No. 1:15-cv-102**

WINDY CITY INNOVATIONS, LLC,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

**DEFENDANT FACEBOOK,
INC.'S MEMORANDUM IN
SUPPORT OF MOTION TO
DISMISS PURSUANT TO
FRCP 12(b)(6)**

TABLE OF CONTENTS

	Page
I. INTRODUCTION AND STATEMENT OF ALLEGATIONS.....	1
II. ARGUMENT	2
A. The Complaint Fails To State A Claim For Direct Infringement.	3
B. Form 18 and Later Infringement Contentions Do Not Save The Complaint.....	6
C. No Indirect Infringement Claim Is Properly Pled In The Complaint.....	7
1. The Complaint Fails To State A Claim For Inducement.	7
2. The Complaint Fails To State A Claim For Contributory Infringement.....	9
E. If This Action Is Dismissed, Windy City Should Not Be Granted Leave To Amend.....	11
III. CONCLUSION	11

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Ashcroft v. Iqbal</i> , 556 U.S. 662 (2009)	3, 10
<i>Bell Atl. Corp. v. Twombly</i> , 550 U.S. 544 (2007)	3, 10
<i>In re Bill of Lading Transmission & Processing Sys. Patent Litig.</i> , 681 F.3d 1323 (Fed. Cir. 2012)	9
<i>Commil USA, LLC v. Cisco Sys., Inc.</i> , --- U.S. ---, 135 S. Ct. 1920 (2015)	7
<i>Francis v. Giacomelli</i> , 588 F.3d 186 (4th Cir. 2009)	3
<i>Global-Tech Appliances, Inc. v. SEB S.A.</i> , 563 U.S. ---, 131 S. Ct. 2060 (2011)	7
<i>Holmes v. J.C. Penney Corp. Inc.</i> , No. 5:09CV115-V, 2011 WL 5974460 (W.D.N.C. Nov. 29, 2011)	11
<i>Intellectual Ventures I LLC v. Bank of Am., Corp.</i> , No. 3:13-cv-358-RJC-DSC, 2014 WL 868713 (W.D.N.C. Mar. 5, 2014)	7
<i>Macronix Int’l Co., Ltd. v. Spansion, Inc.</i> , 4 F. Supp. 3d 797, 804 (E.D. Va. 2014)	4, 5
<i>McCleary-Evans v. Maryland Dep’t of Transp.</i> , 780 F.3d 582 (4th Cir. 2015)	3
<i>Superior Indus., LLC v. Thor Global Enterprises Ltd.</i> , 700 F.3d 1287 (Fed. Cir. 2012)	7
<i>Vita-Mix Corp. v. Basic Holding, Inc.</i> , 581 F.3d 1317 (Fed. Cir. 2009)	8

Ziembra v. Incipio Techs., Inc.,
No. CIV.A. 13-5590 (JLL), 2014 WL 4637006 (D.N.J. Sept. 16,
2014)..... 5

Statutes

35 U.S.C. §271(b)..... 7

35 U.S.C. § 271(c)..... 9

Other Authorities

Federal Rule of Civil Procedure 12(b)(6)..... 2

I. INTRODUCTION AND STATEMENT OF ALLEGATIONS

Plaintiff Windy City Innovations, LLC filed a Complaint vaguely asserting direct and indirect infringement of four patents, all combined under one “count” without identifying **which specific claims in which specific patents are asserted against which specific Facebook products in this litigation.** The four asserted patents collectively span hundreds of pages and include 830 claims. Yet, without identifying a single specific claim, the Complaint alleges that the entirety of “Facebook.com” as well as “Facebook apps” somehow infringe the patents.

The Complaint alleges that “Facebook’s Accused Instrumentalities meet claims of the patents-in-suit” (Compl. ¶ 23), and defines “Facebook’s Accused Instrumentalities” as the entirety of “Facebook.com” and “Facebook apps.” (Compl. ¶ 20.) Further, the definitions for these terms are hardly comprehensible.

“Facebook.com” allegedly refers to:

the Facebook.com website, client software (including, e.g., plug-ins, third-party applications, or helper applications), Facebook’s internal and developer APIs, servers and computers that are used to support the described functionalities, including facilitating communications and virtual connections between users of Facebook.com, and includes any improvements, modifications, enhancements, fixes, updates, upgrades and future versions through trial.

(Compl. ¶ 16.) “Facebook apps” allegedly refers to:

the Facebook app, the Facebook Messenger app, client software (including, e.g., plug-ins, third-party

applications, or helper applications), Facebook's internal and developer APIs, servers and computers that are used to support the described functionalities, including facilitating communications and virtual connections between users of the Facebook apps, and includes any improvements, modifications, enhancements, fixes, updates, upgrades and future versions through trial.

(Compl. ¶ 18.) These abstract and convoluted definitions fail to provide Facebook with any meaningful notice of what is at issue in this lawsuit. By refusing to identify the specific asserted claims and specific accused products, Windy City put the burden on Facebook to guess at Windy City's allegations.

This action cannot proceed in an orderly fashion without a clear understanding of which specific Facebook products allegedly infringe which specific patent claims. The absence of meaningful limits will result in cost-prohibitive discovery, undue motion practice, and inefficiencies for both parties as well as unnecessary work for the Court.

Because neither direct nor indirect infringement is properly pled in the Complaint, Facebook respectfully requests that the Court grant its Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6).

II. ARGUMENT

A complaint should be dismissed under Federal Rule of Civil Procedure 12(b)(6) when it fails to state a claim upon which relief can be granted.

A. The Complaint Fails To State A Claim For Direct Infringement.

Windy City's Complaint falls far short of providing notice of alleged infringement, let alone a plausible claim of direct infringement. Windy City's Complaint, therefore, fails to satisfy the pleading standard under Supreme Court and Fourth Circuit authority.

In *Iqbal* and *Twombly*, the Supreme Court stated that to survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. *Ashcroft v. Iqbal*, 556 U.S. 662, 681 (2009). Naked assertions without "factual enhancement" do not suffice. *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 557 (2007). The complaint must do more than simply recite "labels and conclusions." *Id.* at 555. The complaint must allege enough "factual content" to "nudge[the] claims across the line from conceivable to plausible." *Id.* at 570. The Fourth Circuit has further stated:

Even though the requirements for pleading a proper complaint are substantially aimed at assuring that the defendant be given adequate notice of the nature of a claim being made against him, ***they also provide criteria for defining issues for trial and for early disposition of inappropriate complaints.***

Francis v. Giacomelli, 588 F.3d 186, 192 (4th Cir. 2009) (emphasis added) (addressing *Iqbal* and *Twombly* and affirming dismissal of the complaint). When "[o]nly speculation can fill the gaps in [the] complaint," *McCleary-Evans v. Maryland Dep't of Transp.*, 780 F.3d 582, 586 (4th Cir. 2015) (affirming dismissal

of complaint), the complaint should be dismissed.

Here, Windy City's Complaint baldly alleges that "'Facebook's Accused Instrumentalities meet claims of the patents-in-suit.'" (Compl. ¶ 23.) Windy City defines Accused Instrumentalities as the entirety of "Facebook.com" and "Facebook apps." (Compl. ¶ 20.) Without identifying a single patent claim that is infringed out of 830 patent claims, Windy City instead mentions in passing three inscrutable "examples" (Compl. ¶ 23), none of which provide any real insight into what this lawsuit is about.

Therefore, Windy City's Complaint deprives Facebook of any meaningful way of defending itself because Facebook is left to speculate as to which specific claims in which specific patents are being read onto which specific Facebook products. Facebook should not be forced to guess what Windy City believes is within the scope of this lawsuit. Facebook is entitled to notice of which of the 830 claims is at issue and which specific product is accused.

Other courts have refused to tolerate such unwieldy patent infringement lawsuits by dismissing the direct infringement claims. In *Macronix Int'l Co., Ltd. v. Spansion, Inc.*, 4 F. Supp. 3d 797, 804 (E.D. Va. 2014), for example, Judge Robert Payne granted a motion to dismiss the direct infringement claim where the 41-page complaint identified specific product numbers and identified specific claims but failed to allege how the offending products infringed. Even with the

product and claim details, the allegations were not enough to put the defendant on notice of what it had to defend. *Ibid.* Notably, primarily applying Fourth Circuit law, Judge Payne wrote:

Thus, before filing a complaint, counsel must ascertain exactly what claims should alleged to be infringed [sic] and how they are infringed Indeed, it is high time that counsel in patent cases do all of that work before filing a complaint. That, of course, will serve to winnow out weak (or even baseless) claims and will protect defendants from the need to prepare defenses for the many claims that inevitably fall by the way side in patent cases. That also will serve to reduce the expense and burden of this kind of litigation to both parties which, like the antitrust litigation in *Twombly*, is onerous.

(*Id.* at 803.)

Similarly, in *Ziembra v. Incipio Techs., Inc.*, No. CIV.A. 13-5590 (JLL), 2014 WL 4637006, at *3-5 (D.N.J. Sept. 16, 2014), Judge Jose Linares dismissed an amended complaint for patent infringement where the pleading did not allege “which particular products” were the subject of liability and did not allege “*how* such products actually infringe any particular claims.” *Id.* at *3 (italics in original). The complaint also improperly combined “three separate claims of infringement (direct, contributory and induced)” under “Count One.” *Ibid.*

Accordingly, the Complaint should be dismissed.

B. Form 18 and Later Infringement Contentions Do Not Save The Complaint.

Windy City has failed to satisfy Form 18, and future clarification of Windy City's allegations cannot cure its deficient Complaint.

First, the Complaint fails to satisfy Form 18 in the Appendix of Forms to the Federal Rules of Civil Procedure. While Form 18 explains in plain English that the asserted patent purports to cover an "electric motor" and the defendant allegedly infringed by making, selling, and using "electric motors," Windy City's Complaint does no such thing. Instead, Windy City's Complaint vaguely alleges that the *four* asserted patents "generally cover a real time communications system for managing and facilitating communication of digital data, including different media types across networks" and "generally cover a computer network (i.e., a server network) that arbitrates permissions and distribution of multimedia information messages utilizing, for example, an application program interface ('API')." (Compl. ¶ 11.) Which specific Facebook products allegedly fall into these amorphous descriptions is never identified.

Second, Facebook is entitled to fair notice of the claims now. It would be unjust for Windy City to argue that it is permitted to leave Facebook wondering which specific products are alleged to infringe which specific claims of which specific patents until thirty days *after* entry of the Court's scheduling order. P.R. 3.1. Facebook must be granted an equal opportunity to conduct its own

investigation in order to defend itself.

Accordingly, Facebook respectfully requests that the Court grant its Motion to Dismiss the Complaint, including dismissal of the direct infringement claim.

C. No Indirect Infringement Claim Is Properly Pled In The Complaint.

Windy City's allegations of indirect infringement are even barer than its allegations of direct infringement. Accordingly, they also fail to satisfy the pleading standard under Supreme Court and Fourth Circuit authority.¹

1. The Complaint Fails To State A Claim For Inducement.

The Supreme Court has stated that both induced infringement and contributory infringement require "knowledge of the patent[s] in suit." *Commil USA, LLC v. Cisco Sys., Inc.*, --- U.S. ---, 135 S. Ct. 1920, 1926 (2015); *see also Intellectual Ventures I LLC v. Bank of Am., Corp.*, No. 3:13-cv-358-RJC-DSC, 2014 WL 868713, at *3 (W.D.N.C. Mar. 5, 2014) (Judge Robert J. Conrad, Jr.) (granting motion to dismiss induced and contributory infringement claims). Further, "induced infringement under [35 U.S.C. §] 271(b) requires knowledge that the induced acts constitute patent infringement." *Global-Tech Appliances, Inc. v. SEB S.A.*, 563 U.S. ---, 131 S. Ct. 2060, 2068 (2011). That is, "[i]nducement requires a showing that the alleged inducer knew of the patent, knowingly induced

¹ Additionally, "Form 18 does not determine the sufficiency of pleading for claims of indirect infringement." *Superior Indus., LLC v. Thor Global Enterprises Ltd.*, 700 F.3d 1287, 1295 (Fed. Cir. 2012).

the infringing acts, and possessed a specific intent to encourage another's infringement of the patent." *Vita-Mix Corp. v. Basic Holding, Inc.*, 581 F.3d 1317, 1328 (Fed. Cir. 2009).

Here, Windy City's allegations regarding induced infringement in the Complaint are limited to the following conclusory statements:

26. Facebook has actual knowledge of all patents-in-suit at least as of the filing of this Complaint for Patent Infringement.

27. Facebook indirectly infringes the patents-in-suit by inducing infringement by others, such as end-users and application developers, because Facebook, for example, instructs and/or requires these third parties to make, use, sell, offer to sell or import Facebook's Accused Instrumentalities in or into the United States. Facebook additionally indirectly infringes the patents-in-suit by encouraging, facilitating and instructing its users to use the inventions while they use Facebook's Accused Instrumentalities. Facebook does this by, without limitation, modifying, in response to user actions, the configuration of user computers and devices and by encouraging users to use their computers and devices, so modified, to interact with Facebook's Accused Instrumentalities, thereby inducing use of the claimed inventions. Facebook also provides APIs for use by application developers.

28. Facebook takes the above actions intending to cause infringing acts by others.

29. Facebook is aware of the patents-in-suit and knows that others' actions, if taken, would constitute infringement of those patents. Alternatively, Facebook believes there is a high probability that others would infringe the patents-in-suit but remains willfully blind to the infringing nature of others' actions. Facebook therefore infringes the patents-in-

suit under 35 U.S.C. § 271(b).

(Compl. ¶¶ 26-29.) These bare allegations do not suffice to plead induced infringement and cannot support a plausible inference that Facebook possessed the specific intent to induce infringement.

Accordingly, Facebook respectfully requests that the Court dismiss the induced infringement claim.

2. The Complaint Fails To State A Claim For Contributory Infringement.

35 U.S.C. § 271(c) states:

Whoever offers to sell or sells within the United States or imports into the United States a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in an infringement of such patent, and not a staple article or commodity of commerce suitable for substantial noninfringing use, shall be liable as a contributory infringer.

To state a claim for contributory infringement, a complaint must, among other things, plead facts that allow an inference that the components sold or offered for sale have no substantial non-infringing uses. *In re Bill of Lading Transmission & Processing Sys. Patent Litig.*, 681 F.3d 1323, 1337 (Fed. Cir. 2012).

Here, Windy City's allegations with respect to contributory infringement are conclusory and lack supporting facts. The Complaint alleges:

30. Facebook indirectly infringes the patents-in-suit by contributing to infringement by others, such as end-users and application developers, by providing within the United States software components for operating Facebook's Accused Instrumentalities and interacting with end user client software and platforms. These software components are known by Facebook to be especially made or adapted for use in Facebook's Accused Instrumentalities. These software components constitute a material part of the inventions claimed in the patents-in-suit, and are used to practice one or more processes/methods covered by the claims of the patents-in-suit. Such Facebook-related components are, for example, the software components that perform the authentication functionality claimed in the patents-in-suit, the software components that query Facebook servers to perform arbitration of computer connections, the software components comprising Facebook's internal APIs and APIs for application developers, the software components that perform the multiplexing and demultiplexing of messages, and the software components that install Facebook's Accused Instrumentalities on a computer or server.

31. Facebook knows these Facebook-related components to be especially made or especially adapted for use in an infringement of the patents-in-suit and are not a staple article or commodity of commerce suitable for substantial non-infringing use. Alternatively, Facebook believes there is a high probability that others would infringe the patents-in-suit but remains willfully blind to the infringing nature of others' actions. Facebook therefore infringes the patents-in-suit under 35 U.S.C. § 271(c).

(Compl. ¶¶ 30, 31.) These bare allegations are nothing more than a “formulaic recitation of the elements of a cause of action,” forbidden by *Iqbal* and *Twombly*.

Accordingly, Facebook respectfully requests that the Court dismiss the

contributory infringement claim.

D. If This Action Is Dismissed, Windy City Should Not Be Granted Leave To Amend.

Windy City's Complaint is so inadequate that not only should the Complaint be dismissed in its entirety, the Court should consider doing so without leave to amend. *See Holmes v. J.C. Penney Corp. Inc.*, No. 5:09CV115-V, 2011 WL 5974460, at *5 (W.D.N.C. Nov. 29, 2011) (Judge Richard Voorhees) (rejecting plaintiff's request for leave to amend).

III. CONCLUSION

For the reasons stated herein, Facebook respectfully requests that the Court enter an order dismissing this action with prejudice.

DATED: July 24, 2015

/s/ Larry McDevitt

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CERTIFICATE OF SERVICE

I certify that on July 24, 2015, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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This 24th day of July 2015.

/s/ Larry McDevitt

Larry McDevitt

EXHIBIT C

Trademark Office between 2013 and 2014. (Compl. ¶¶ 6-10, Doc. No. 1) The named inventor on the patents is Daniel Marks, a professor of electrical and computer engineering at Duke University in Durham, North Carolina. (Compl. ¶¶ 11-15, Doc. No. 1) Although the Complaint does not describe him as an employee of Windy City, Plaintiff's Memorandum in Opposition represents that Marks is now also its Chief Technology Officer. (Plaintiff's Memorandum in Opposition at 9, Doc. No. 29)

Defendant Facebook, Inc. is a Delaware corporation with a principal place of business in Menlo Park, California. (Compl. ¶ 2, Doc. No. 1) The employees who are responsible for developing the various portions of the Facebook website that Plaintiff alleges infringe its patents are located primarily in Menlo Park, California. (Memorandum in Support at 8-10, Doc. No. 26; Jordan Decl., Doc. No. 26-1) However, some relevant employees are located in other U.S. cities or abroad. (Memorandum in Support at 2-5, Doc. No. 17)

On June 2, 2015, Plaintiff filed a complaint against Defendant in Asheville, North Carolina, alleging infringement of Plaintiff's four patents. (Doc. No. 1) The Complaint asserts that venue is proper in the Western District of North Carolina because "Facebook has regularly conducted business in this judicial district" and "has a regularly established place of business" in Forest City, North Carolina. (Compl. ¶ 5, Doc. No. 1) Facebook concedes that it maintains a data storage center in Forest City, North Carolina, but asserts that "no Facebook employee who works at the Forest City data center was involved in the design and development" of the disputed products, and that no documents that are relevant to this litigation are uniquely housed at that facility. (Memorandum in Support at 4, Doc. No. 26; Jordan Decl. ¶¶ 8-9, Doc. No. 26-1)

Defendant filed a Motion to Dismiss on July 24, 2015 (Doc. No. 20), followed by a Motion to Change Venue and Memorandum in Support on August 25 (Doc. No. 25, 26).

Plaintiff filed a Response in Opposition to the Motion to Dismiss on August 10 (Doc. No. 24), and a Memorandum in Opposition to the Motion to Change Venue on September 11 (Doc. No. 29). Defendant's Replies were filed on August 20 (Doc. No. 22) and September 21 (Doc. No. 30). Thus, both motions are ripe for disposition. Because the Court will grant Defendant's Motion to Transfer Venue, it will not address the Motion to Dismiss and will defer to the United States District Court for the Northern District of California on that issue.

II. STANDARD OF REVIEW

United States Code Title 28 Section 1391(b) provides that a plaintiff may bring a civil action in: (1) "a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located"; (2) "a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated"; or (3) "if there is no district in which an action may otherwise be brought . . . any judicial district in which any defendant is subject to the court's personal jurisdiction." As the Supreme Court has explained, "[w]hen venue is challenged, the court must determine whether the case falls within one of the three categories set out in § 1391(b). If it does, venue is proper." *Atl. Marine Constr. Co., Inc. v. U.S. Dist. Court*, 134 S. Ct. 568, 578 (2013).

Section 1404(a) of the same Title provides, in relevant part: "For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought . . ." 28 U.S.C. § 1404(a). Congress designed § 1404(a) as a "federal judicial housekeeping measure," *Van Dusen v. Barrack*, 376 U.S. 612, 636 (1964), that operates to "prevent the waste of time, energy, and money and to protect litigants, witnesses and the public against unnecessary inconvenience and

expense,” *id.* at 616 (internal quotation marks and citation omitted). In a motion brought pursuant to § 1404(a), the moving party bears the burden of establishing (1) that the plaintiff could have brought the case in the transferee district and (2) that transfer would make the litigation more convenient for the parties and for the witnesses, and would advance justice. *See Datasouth Computer Corp. v. Three Dimensional Techs., Inc.*, 719 F. Supp. 446, 450 (W.D.N.C. 1989). The district court retains “substantial discretion” to decide transfer motions by weighing the various relevant factors. *Id.*

III. ANALYSIS

It is undisputed that this case could have been brought in the Northern District of California. Thus, the question for this Court is whether transfer would promote convenience and further the interests of justice. The Western District of North Carolina has consistently applied an eleven-factor test in analyzing whether transfer would advance the interests of justice. Those factors are:

(1) the Plaintiff’s choice of forum; (2) the residence of the parties; (3) the relative ease of access of proof; (4) the availability of compulsory process for the attendance of witnesses and the costs of obtaining attendance of willing witnesses; (5) the possibility of a view; (6) the enforceability of any judgment obtained; (7) the relative advantages and obstacles to a fair trial; (8) other problems which might make the litigation more expeditious and economical; (9) the administrative difficulties of court congestion; (10) the interest in having localized controversies resolved at home . . . ; and (11) the avoidance of issues involving conflict of laws.

Am. Motorists Ins. Co. v. CTS Corp., 356 F. Supp. 2d 583, 585 (2005).²

This Court ordinarily gives great weight to the Plaintiff’s choice of forum. *See, e.g., BellSouth Telecommunications, Inc. v. N.C. Utilities Comm’n*, 3:05-cv-345, 2005 WL 2416204 (W.D.N.C. 2005). However, as both parties acknowledge, the weight given to the plaintiff’s

² The parties agree that the enforceability of judgment, the avoidance of conflicts of law issues, and the necessity of a view of Facebook’s premises are not implicated in this case. (Defendant’s Memorandum in Support at 24, 28 Doc. No. 26; Plaintiff’s Memorandum in Opposition at 6 n.7, Doc. No. 29)

“varies with the significance of the contacts between the venue chosen by plaintiff and the underlying contacts.” *Sandvik Intellectual Prop. AB v. Kennametal Inc.*, No. CIV. 1:09CV163, 2010 WL 1924504, at *6 (W.D.N.C. May 12, 2010) (quoting *Koh v. Microtek Int’l, Inc.*, 250 F. Supp. 2d 627, 635 (E.D. Va. 2003)). For this reason, where there is “little connection between the claims and this judicial district,” a plaintiff’s choice of forum may be given little weight in favor of transfer to “a venue with more substantial contacts.” *Id.* (quoting *Koh*, 250 F. Supp. 2d at 635). As a general matter, then, a motion to transfer from the plaintiff’s chosen venue will often be granted where this district “is neither the plaintiff’s residence, nor the place where the operative events occurred.” *Husqvarna AB v. Toro Co.*, No. 3:14-CV-103-RJC-DCK, 2015 WL 3908403, at *2 (W.D.N.C. June 25, 2015).

In this instance, the Court will give Plaintiff’s choice of forum little weight in its analysis. Plaintiff has failed to identify any meaningful connection between this litigation and the Western District of North Carolina. The allegedly infringing products were not invented here, nor has their development and maintenance centered here. Plaintiff has identified no relevant witnesses in this district, its patents were not acquired here, and Plaintiff does not reside here. To the extent Plaintiff attempts to base an association with this district on its relationship with inventor Daniel Marks, it establishes only a potential connection to the *Eastern* District of North Carolina. (Plaintiff’s Memorandum in Opposition at 13, Doc. No. 29) Plaintiff’s insistence that it plans to call an expert who resides in Virginia is even less availing. (Plaintiff’s Memorandum in Opposition at 15, Doc. No. 29) Finally, Plaintiff suggests that the existence of a Facebook “data center” in this district “establishes a firm connection to this controversy.” (Plaintiff’s Memorandum in Opposition at 8-9, Doc. No. 29) The Court disagrees. Plaintiff alleges causes of action for patent infringement, and no Facebook employee who works at the data center can

shed any light on whether that conduct occurred. (*See* Defendant’s Memorandum in Support at 10, Doc. No. 26) Thus, the existence of an unrelated Facebook facility does not establish a relationship between Plaintiff’s claims and this district.

Plaintiff asserts that two other factors weigh against transfer. First, it claims that other problems which might make the litigation more expeditious and economical “weigh heavily against transfer.” (Plaintiff’s Memorandum in Opposition at 16, Doc. No. 29) This argument is based on the pendency of the parallel litigation against Microsoft in this district. However, the Court finds that both cases similarly lack a discernible connection to this district, and thus that Plaintiff’s attempt to rely on this factor is entitled to no weight. Second, Plaintiff argues that “court congestion” weighs against transfer to the Northern District of California—which Facebook proposes and Microsoft would not object to. (Plaintiff’s Memorandum in Opposition at 21-22, Doc. No. 29) Because the Northern District of California does appear to be slightly more congested than this district, this factor weighs against granting Defendant’s Motion.

Nevertheless, “[d]ocket conditions, while a consideration, cannot be the primary reason for retaining a case in this district.” *Cognitronics Imaging Sys., Inc. v. Recognition Research, Inc.*, 83 F.Supp.2d 689, 699 (E.D. Va. 2000); *accord. PlayVision Labs, Inc.*, No. 3:14-CV-312-GCM, 2014 WL 6472848, at *4. And in this case, the balance of the other relevant factors favors transfer. Specifically, the residence of the defendants in these related actions, the ease of access of proof, and the interest in making the litigation more expeditious and economical suggest that it would be significantly more efficient and convenient to conduct this litigation in the Northern District of California.

The alleged acts of infringement—the development of various aspects of Facebook’s website and applications that Plaintiff complains about—all occurred in the Northern District of

California, and the relevant employees and documents are also located there. Plaintiff argues that deposition testimony is inevitable (Plaintiff’s Memorandum in Opposition at 17, Doc. No. 29), and a transfer to the Western District of Washington or Northern District of California would simply shift the inconvenience of travel from Defendant to Plaintiff (*Id.* at 21). However, this Court agrees with Defendant that Plaintiff has broadly alleged that its patents, developed by Marks, are being infringed by a large number of Facebook products developed by numerous engineers. (Defendant’s Memorandum in Support at 2-3, Doc. No. 26) Moreover, the only other witness that Plaintiff has identified is its Virginia-based expert. It is undeniably easier and more cost effective to transport two individuals to a major metropolis like Seattle or San Jose than it is to transport numerous Facebook and Microsoft employees from the West Coast to the mountains of North Carolina. Moreover, there is no indication that it would be at all convenient for Windy City, located in Chicago, to travel in and out of Asheville—where it seems to have no business aside from this litigation.

It also appears to the Court that the Western District of North Carolina has no local interest in this case. By contrast, the Northern District of California has a strong local interest in the technology community that has long resided there—including Facebook and Microsoft, which maintain a presence in the district. Moreover, because Microsoft has consented to litigate in that district, there will be no judicial efficiency cost incurred by transferring the case.

IV. CONCLUSION

In short, “[t]his Court cannot stand as a willing repository for cases which have no real nexus to this district.” *Cognitronics Imaging Sys., Inc.*, 83 F.Supp.2d at 699. The Court finds that convenience to the parties and witnesses, as well as the interests of justice, favor transferring this action to the Northern District of California.

THEREFORE, Defendant's Motion to Transfer Venue (Doc. No. 25) is **GRANTED**.

This case is to be **TRANSFERRED** from the Western District of North Carolina to the Northern District of California pursuant to 28 U.S.C. § 1404 for such further proceedings as that court may deem appropriate.

SO ORDERED.

Signed: March 16, 2016



Graham C. Mullen
United States District Judge



EXHIBIT D

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

14 WINDY CITY INNOVATIONS, LLC,
15 Plaintiff,
16 v.
17 FACEBOOK, INC.,
18 Defendant.

Case No. 4:16-cv-01730-YGR

**FACEBOOK, INC.’S ADMINISTRATIVE
MOTION REGARDING THE
IDENTIFICATION OF ASSERTED CLAIMS**

19
20 Nearly a year after filing this case, Windy City Innovations, LLC (“Windy City”) has refused
21 to identify which of the 830 claims in the four asserted patents are asserted against Facebook, Inc.
22 (“Facebook”). By this point, Windy City has no excuse to continue withholding which of the 830
23 claims it specifically intends to assert in this case.¹ Disclosure of asserted claims now will help to
24 avoid the unnecessary expense and burden of analyzing invalidity and non-infringement for claims
25

26
27 ¹ Facebook is not requesting early disclosure of infringement contentions, only an identification of
28 the claims Windy City intends to assert. Facebook anticipates that Windy City’s disclosure of
infringement contentions will likely proceed under the schedule set in the Patent Local Rules.

1 Windy City never intends to assert. Moreover, disclosure of asserted claims now may help to
 2 narrow this litigation through the *inter partes* review process at the Patent and Trademark Office.
 3 With the deadline for petitions for *inter partes* review fast approaching on June 3, 2016, 35 U.S.C. §
 4 315(b)², Facebook respectfully moves for an administrative order requiring Windy City to identify
 5 no more than forty asserted claims across the four asserted patents no later than May 16, 2016.³

6 I. PROCEDURAL HISTORY

7 On June 2, 2015, Windy City sued Facebook in the Western District of North Carolina,
 8 alleging infringement of four asserted patents that collectively include a total of 830 claims.⁴
 9 All four asserted patents share the same specification, the same named inventor, and are
 10 continuations of the same parent patent. Under the complaint's "one count," Windy City did not
 11 reveal a single asserted claim allegedly infringed by Facebook or clearly identify the accused
 12 products beyond the entirety of "Facebook.com" and "Facebook apps."⁵ By refusing to identify any
 13 specific asserted claims or accused products, Windy City left Facebook with the burden of guessing
 14 what claims and products Windy City believes are infringing.

15 On July 24, 2015, Facebook filed a motion to dismiss under Rule 12(b)(6). As explained in
 16 the motion to dismiss, Windy City's complaint failed to provide the notice required by the Federal
 17 Rules and the standards set forth by the Supreme Court. (*E.g.*, Dkt. 20 at 2-7). In view of the recent
 18 amendment of the Federal Rules eliminating Form 18, the deficiencies are even more striking.⁶ The

19 _____
 20 ² Congress created the *inter partes* review procedure to provide a "timely, cost-effective alternative
 21 to litigation." Changes to Implement *Inter Partes* Review Proceedings, Post-Grant Review
 22 Proceedings, and Transitional Program for Covered Business Method Patents, 77 Fed. Reg. 48,680,
 23 48,680 (Aug. 14, 2012) (codified at 37 C.F.R. § 42.100, *et seq.*). *Inter partes* review allows
 24 petitioners to challenge the validity of patents under 35 U.S.C. §§ 102 and/or 103 based on prior art
 25 patents and printed publications. 35 U.S.C. §§ 311(b), 316(a); 37 C.F.R. §§ 42.51, 42.53.

26 ³ On May 3, 2016, the parties met-and-conferred telephonically, and Windy City stated that it would
 27 oppose this administrative motion. (Declaration of Phillip E. Morton in Support of Facebook, Inc.'s
 28 Administrative Motion Regarding the Identification of Asserted Claims ("Morton Decl."), ¶ 3.)

⁴ U.S. Patent No. 8,407,356 includes 37 claims. U.S. Patent No. 8,458,245 includes 58 claims.
 U.S. Patent No. 8,473,552 includes 64 claims. U.S. Patent No. 8,694,657 includes 671 claims.

⁵ Facebook's Rule 12(b)(6) motion is fully briefed and pending. (Dkt. 21, 22.)

⁶ Applying the newly amended Federal Rules of Civil Procedure in this case is "just and
 practicable." See H.R. Doc. No. 114-33, at 2 (2015). See also *Rembrandt Patent Innovations LLC*

1 complaint included broad allegations of indirect and willful infringement reciting boilerplate
 2 language without any supporting facts. Facebook filed a motion to transfer, which was pending for
 3 nearly six months before the case was transferred to the Northern District of California on March 16,
 4 2016.⁷

5 II. ARGUMENT

6 It is well-established that courts may order plaintiffs to identify and limit the number of
 7 asserted claims. *See Stamps.com v. Endicia*, 437 F. App'x 897, 902 (Fed. Cir. 2011), *reh'g denied*
 8 (Aug. 1, 2011) (unpublished); *Rambus v. LSI*, No. 10-cv-05446 (N.D. Cal. Dec. 28, 2012) (Seeborg,
 9 J.) (Morton Decl. Ex. A at 3) (“In the patent context, the Federal Circuit has approved of district
 10 courts’ common practice of limiting the number of claims that can be asserted in order to streamline
 11 the litigation.”) (*citing In re Katz Interactive Call Processing Patent Litigation*, 639 F.3d 1303 (Fed.
 12 Cir. 2011)). For example in *Rambus*, this court initially limited the plaintiff to 35 claims, even
 13 though there were nine asserted patents. (Morton Decl. Ex. A at 1-2.)

14 Facebook respectfully requests that the Court require Windy City identify no more than forty
 15 asserted claims across the four asserted patents by May 16, 2016. To facilitate Windy City’s claim
 16 selection process, Facebook has offered to make its source code available for review by Windy
 17 City’s counsel and approved experts upon entry of a protective order, which Windy City rejected

18
 19 *v. Apple Inc.*, No. 14-cv-05094, 2015 WL 8607390, at *2 (N.D. Cal. Dec. 13, 2015) (Alsup, J.)
 20 (applying amended pleading standard in case filed prior to December 1, 2015, in the context of a
 21 request to amend infringement contentions); *Dao v. Liberty Life Assurance Co.*, No. 14-cv-04749,
 22 2016 WL 796095, at *3 (N.D. Cal. Feb. 23, 2016) (Laporte, J.) (applying amended rules in discovery
 23 dispute). Given how long Windy City has had to analyze its infringement contentions and the
 24 burden it would impose on Facebook to prepare invalidity and non-infringement defenses for 830
 25 claims and an unknown number of potentially accused products, it would be just and practicable to
 26 narrow the issues that will actually have to be tried, not only for judicial efficiency and streamlining
 27 the discovery process, but also to permit Facebook to seek meaningful *inter partes* review by the
 28 U.S. Patent and Trademark Office (“PTO”) of the patents and claims truly at issue.

⁷ On August 25, 2015, Facebook filed a motion to transfer this action to the Northern District of
 California. (Dkt. 25.) Windy City filed an opposition, and on September 21, 2015, Facebook filed a
 reply brief. (Dkt. 29, 30.) The motion to transfer remained fully briefed on the North Carolina
 court’s docket for nearly six months. After the case was reassigned to a different judge, the North
 Carolina court granted Facebook’s motion to transfer on March 16, 2016. (Dkt. 31.)

1 because it is not prepared to review Facebook's source code. (Morton Decl. Ex. B.)

2 As illustrated in the attached correspondence, Windy City would not consider any
3 identification of asserted claims unless the Defendants (Facebook and Microsoft) agreed to reduce
4 the prior art they may assert before Windy City has identified any information about the scope of the
5 case, including accused products, asserted claims, and infringement contentions. (Morton Decl. Ex.
6 B.) Facebook is willing to engage in meaningful efforts to narrow the scope of this case, including
7 reducing asserted prior art references, but such a reduction is more appropriate after Windy City
8 provides basic information about the asserted claims, accused products, and infringement
9 contentions explaining how Windy City is alleging infringement by Facebook.

10 Windy City should know which claims it intends to assert from its pre-filing diligence and
11 upcoming infringement contentions. Windy City should not be permitted to continue to keep
12 Facebook in the dark about the asserted claims, particularly in view of the upcoming deadline for
13 petitions for *inter partes* review petitions fast approaching. *See Adaptix, Inc. v. Dell, Inc.*, No. 5-14-
14 cv-01259-PSG, 2015 U.S. Dist. LEXIS 23134, at *25 (N.D. Cal. Feb. 24, 2015) (Grewal, M.J.)
15 (finding that defendants would be unduly prejudiced by amendment of infringement contentions
16 after statutory IPR deadline). Narrowing the case to forty asserted claims now will help to
17 streamline the parties' upcoming infringement and invalidity contentions, and focus any *inter partes*
18 review petitions that may be filed before the June 3, 2015 statutory deadline.

19 **III. CONCLUSION**

20 Accordingly, Facebook respectfully requests that the Court order Windy City to identify no
21 more than forty asserted claims by May 16, 2016.

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Dated: May 4, 2016

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EXHIBIT E

From: ECF-CAND@cand.uscourts.gov
Sent: Tuesday, May 17, 2016 10:53 AM
To: efiling@cand.uscourts.gov
Subject: Activity in Case 4:16-cv-01730-YGR Windy City Innovations, LLC v. Facebook, Inc. Order on Administrative Motion per Civil Local Rule 7-11

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

California Northern District

Notice of Electronic Filing

The following transaction was entered on 5/17/2016 at 7:53 AM and filed on 5/17/2016

Case Name: Windy City Innovations, LLC v. Facebook, Inc.

Case Number: [4:16-cv-01730-YGR](#)

Filer:

Document Number: 50(No document attached)

Docket Text:

Order Denying [46] Administrative Motion. However, the Court will require a preliminary election of asserted claims and prior art and employ a form of order modeled by the Federal Circuit. The parties shall address the topic in their Joint Case Management Conference Statement. Entered by Hon. Yvonne Gonzalez Rogers. (This is a text-only entry generated by the court. There is no document associated with this entry.)

4:16-cv-01730-YGR Notice has been electronically mailed to:

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EXHIBIT F

Petition for *Inter Partes* Review of
U.S. Patent No. 8,694,657

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Facebook, Inc.
Petitioner

v.

Windy City Innovations, LLC
Patent Owner

U.S. Patent No. 8,694,657

TITLE: REAL TIME COMMUNICATIONS SYSTEM

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,694,657**

Petition for *Inter Partes* Review of
U.S. Patent No. 8,694,657

B. “pointer”

The term “pointer” appears in independent claims 189 and 465. “Pointers” are well-known in computer science and exist at all levels of computer system design. (Lavian Decl. ¶ 19.) To persons of ordinary skill in the art, a “pointer” is a piece of information that “points to,” or references, other information. (*Id.*)

The written description provides only the following mention of pointers, which identifies a Uniform Resource Locator (URL) as an example of a pointer:

The present invention comprehends communicating all electrically communicable multimedia information as Message **8**, by such means as pointers, for example, URLs. URLs can point to pre-stored audio and video communications, which the Controller Computer **3** can fetch and communicate to the Participator Computers **5**.

(’657, 5:11-16.) Based on this description, the term “pointer” should be construed as a **“piece of information that points to or references other information.”** (Lavian Decl. ¶¶ 19, 20.)

V. THE CHALLENGED CLAIMS ARE UNPATENTABLE

Claims 189, 334, 342, 348, 465, 580, 584, and 592 would have been obvious to a person of ordinary skill in the art based on the following grounds:

Ground	Claims	Basis for Challenge
1	189, 334, 342, 348, 465, 580, 584, 592	Unpatentable over <u>Roseman</u> in view of <u>Rissanen</u> and <u>Vetter</u> , in further view of <u>Pike</u> and <u>Lichty</u> , under 35 U.S.C. § 103(a)

Petition for *Inter Partes* Review of
U.S. Patent No. 8,694,657

The Petitioner notes that although Ground 1 cites five prior art references, Roseman is the base reference that discloses the majority of the limitations. The other references relate to minor claim features that, as shown below, were within the general knowledge of persons of ordinary skill in the art as of April 1996.¹ For example, Rissanen is cited to show that the tokens in Roseman could be stored in a “database,” Vetter to show that Roseman could have been adapted to communicate over the “Internet,” Pike to show that Roseman could have used “URLs,” and Lichty to show basic and known features of America Online chat rooms. These details were so commonplace and known that additional prior art references were arguably not required to show them. Nevertheless, the Petitioner is mindful of the Board’s desire for IPR petitioners to avoid presentation of potentially redundant grounds, and as such, the Petitioner has presented a single obviousness ground rather than present multiple alternative grounds with alternative combinations of these references.

¹ As explained by Dr. Lavian, a person of ordinary skill in the art as of April 1996 would have had at least a bachelor’s degree in electrical engineering or computer science (or equivalent degree or experience) with practical experience or coursework in the design or development of systems for network-based communication between computer systems. (Lavian Decl., Ex. 1002, ¶ 13.)

Petition for *Inter Partes* Review of
U.S. Patent No. 8,694,657

The Petitioner also notes that the '657 patent contains 671 separate claims – an enormous number, many of them reciting substantially the same or identical claim language. In order to best conserve the resources of the Board, the Petitioner has chosen to challenge only a handful of claims, which appear to be representative of other claims. The Petitioner's choice to challenge only a handful of claims is not a concession that any of the other claims recite inventive subject matter.

A. Brief Summary and Date Qualification of the Prior Art

1. Brief Overview of Roseman (Ex. 1003)

Roseman, entitled "Server Based Virtual Conferencing," discloses a system for creating a virtual conference room that allows participants to collaborate in real time over a computer network. Roseman qualifies as prior art under at least 35 U.S.C. § 102(e) (pre-AIA) because it is a patent issuing from an application filed on May 13, 1992, before the filing of the earliest application to which the patent could claim priority (April 1, 1996). This Petition cites Roseman for the majority of the limitations in the challenged claims.

The conferencing system in Roseman "allows multiple persons, at different locations, to hold a conference, by providing many of the conveniences which the participants would have if present together in the same physical room." (Roseman, 1:19-23.) Roseman describes "a virtual conferencing system which allows multiple persons to view, and also manipulate, a common video display, which is

Petition for *Inter Partes* Review of
U.S. Patent No. 8,694,657

Dated: June 3, 2016

Respectfully submitted,

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Petition for *Inter Partes* Review of
U.S. Patent No. 8,694,657

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. §§ 42.6 and 42.105, that a complete copy of the attached **PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,694,657**, including all exhibits (**Nos. 1001-1011**) and related documents, are being served on the 3rd day of June, 2016, the same day as the filing of the above-identified document in the United States Patent and Trademark Office/Patent Trial and Appeal Board, via Priority Mail Express upon the Patent Owner by serving the correspondence address of record with the USPTO as follows:

PETER K. TRZYNA, ESQ.
PO BOX 7131
CHICAGO IL 60680

and, via Federal Express upon counsel of record for the Patent Owner in the litigation pending before the U.S. District Court for the North District of California entitled Windy City Innovations, LLC v. Facebook, Inc., Case No. 4:16-cv-1730-YGR (N.D. Cal.) as follows:

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EXHIBIT G

Petition for Inter Partes Review of U.S. Patent No. 8, 458,245
Motion for Joinder

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.
Petitioner

v.

WINDY CITY INNOVATIONS, LLC
Patent Owner

Patent No. 8,458,245
Issued: June 4, 2013
Filed: August 24, 2006

Title: REAL TIME COMMUNICATIONS SYSTEM

**MOTION FOR JOINDER UNDER 35 U.S.C. § 315(c)
AND 37 C.F.R. §§ 42.22 and 42.122(b) TO RELATED *INTER PARTES*
REVIEW IPR2016-01156**

Petition for Inter Partes Review of U.S. Patent No. 8, 458,245
Motion for Joinder

TABLE OF CONTENTS

I. STATEMENT OF THE PRECISE RELIEF REQUESTED1

II. STATEMENT OF MATERIAL FACTS3

III. STATEMENT OF REASONS FOR RELIEF REQUESTED4

 A. Legal Standard.....4

 B. Petitioner’s Motion for Joinder is Timely5

 C. Joinder is Appropriate6

 1. The Joinder Petition challenges claims first asserted by
 Patent Owner after Facebook had filed the Original
 Petition8

 2. The two proceedings involve similar issues and
 overlapping claim limitations and prior art.....9

 D. Joinder Will Not Unduly Burden or Negatively Impact the
 Schedule of Case IPR2016-0115612

IV. CONCLUSION.....13

Petition for Inter Partes Review of U.S. Patent No. 8, 458,245
 Motion for Joinder

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>ABB, Inc. v. ROY-G-BIV Corp.</i> , Case IPR2013-00282	6
<i>Amneal Pharmaceuticals, LLC. V. Endo Pharmaceuticals Inc.</i> , Case IPR2014-01365	5, 6, 9
<i>Ariosa Diagnostics v. Isis Innovation, Ltd.</i> , Case IPR2013-00250	6
<i>Facebook, Inc. v. Windy City Innovations, LLC</i> , Case IPR2016-01156	<i>passim</i>
<i>LaRose Indus., LLC v. Capriola Corp.</i> , Case IPR2013-00121	6
<i>Microsoft Corp. v. Proxyconn, Inc.</i> , Case IPR2013-00109	5
<i>Samsung Electronics, Co., Ltd., et al. v. Raytheon Company</i> , Case IPR2016-00962	4
<i>Samsung Electronics Co., Ltd., v. Virginia Innovations Sciences, Inc.</i> , Case IPR2014-00557	6, 8
<i>Windy City Innovations, LLC v. Microsoft Corporation</i> , Case No. 4:16-cv-01729-YGR	2, 3
Statutes	
35 U.S.C. § 315(c)	1, 4
35 U.S.C. § 316(a)(11).....	12
37 C.F.R. § 42.1(b)	11
37 C.F.R. § 42.22	1
37 C.F.R. § 42.100(c).....	12

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

37 C.F.R. § 42.101(b)1, 4, 5
37 C.F.R. § 42.122(b)1, 4, 5

Petition for Inter Partes Review of U.S. Patent No. 8, 458,245
Motion for Joinder

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Facebook, Inc. (“Petitioner” or “Facebook”) respectfully submits this Motion for Joinder, together with a Petition for *Inter Partes* Review of U.S. Patent No. 8,458,245 (“’245 Patent”) (“the Joinder Petition”) filed contemporaneously herewith.

The Board instituted *inter partes* review of claims 1-15, 17, and 18 of the ’245 Patent in *Facebook, Inc. v. Windy City Innovations, LLC*, Case IPR2016-01156 (the “Facebook IPR”) on December 15, 2016. Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. §§ 42.22 and 42.122(b), Petitioner requests institution of an *inter partes* review and joinder only as to claims 19 and 22-25 (“the Petition Claims”) of the ’245 Patent, with instituted proceeding IPR2016-01156.

Institution and joinder are appropriate because the Joinder Petition challenges only claims that were asserted in litigation for the first time by Patent Owner against Facebook after the expiration of the one-year period under 37 C.F.R. § 42.101(b). The Patent Owner’s complaint asserted four patents containing a total of 830 patent claims, including 58 claims in the ’245 Patent. Facebook reasonably did not challenge every claim in the asserted patents prior to the one-year bar and prior to receiving Patent Owner’s infringement contentions, which would have likely burdened the Board and parties with addressing hundreds of claims that would never be asserted. Under the circumstances, Facebook

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

challenged a reasonable selection of dozens of claims, including seventeen claims of the '245 Patent. Now that Patent Owner has identified its asserted claims—including '245 Patent independent claim 19 and four dependent claims—Facebook requests *inter partes* review of the specific claims of the '245 patent the Patent Owner has asserted.

The Petition Claims will not substantially expand the issues or subject matter of the Facebook IPR. As illustrated in the Joinder Petition and in the expert declaration of Dr. Tal Lavian submitted as Exhibit 1002 to the Joinder Petition, the Petition Claims are substantially similar to the instituted claims and their limitations are disclosed and obvious in view of the same prior art disclosures already at issue in the instituted Facebook IPR.

Joinder is also appropriate because it will not unduly burden or prejudice Patent Owner, will not cause any undue delay, and will efficiently resolve the questions of invalidity presented. The schedule in IPR2016-01156 can be reasonably adjusted as needed, which is appropriate and contemplated by the fact that the rules permit timely motions for joinder up to one month after institution.

Further, denying institution and joinder would unduly prejudice Facebook because Facebook would lose the opportunity to seek *inter partes* review of claims that it would have challenged in the Facebook IPR if it had known which claims were asserted in litigation prior to the one-year bar expiration, as discussed below.

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

II. STATEMENT OF MATERIAL FACTS

1. On June 2, 2015, Windy City Innovations, LLC (“Windy City” or “Patent Owner”) filed civil actions for patent infringement of the ’245 Patent and three other patents (collectively, “the Patents-in-Suit”) against Facebook and Microsoft Corp. in the Western District of North Carolina. (Complaint, *Windy City Innovations, LLC v. Microsoft Corporation*, Case No. 4:16-cv-01729-YGR (“Microsoft Action”), ECF No. 1; Complaint, *Windy City Innovations, LLC v. Facebook Inc.*, Case No. 4:16-cv-01730-YGR (“Facebook Action”), ECF No. 1.)

On March 16, 2016, the cases were transferred to the Northern District of California. (*Microsoft Action*, ECF No. 30; *Facebook*, ECF No. 32.)

2. On April 21, 2016, Facebook sent correspondence requesting that Windy City identify, by May 16, 2016, the claims that it intended to assert in the litigation. (Ex. 1012.) Windy City declined to do so. (*Id.*)

3. On May 4, 2016, Facebook filed an administrative motion requesting that the Court direct Windy City to identify which of the 830 claims of the four Patents-in-Suit it asserts against Facebook. (*Facebook Action*, ECF No. 46; Ex. 1013.)

4. On May 9, 2016, Windy City filed a response to Facebook’s motion, declining to identify its asserted claims. (*Facebook Action* at ECF No. 49.)

5. On May 17, 2016, the Court entered an order denying Facebook’s

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

administrative motion. (*Id.* at ECF No. 50; Ex. 1014.)

6. On June 3, 2016, without the benefit of knowing which claims Windy City asserted, Facebook filed a petition for *inter partes* review (“the Original Petition”) requesting cancellation of claims 1-15, 17, and 18 of the ’245 Patent.

7. On October 19, 2016, pursuant to N.D. Cal. Patent L.R. 3-1(a), Windy City disclosed that it asserts the following claims of the ’245 Patent: 19, 22, 23, 24, and 25. (Ex. 1015.) Claims 22-25 depend from independent claim 19.

8. On December 15, 2016, the Board instituted Facebook’s petition for *inter partes* review as to all challenged claims in the Original Petition, namely claims 1-15, 17, and 18. Case IPR2016-01156, Paper 7 at 30-31 (PTAB December 15, 2016).

9. On December 28, 2016, the Court entered a stay in the two above-cited civil actions.

III. STATEMENT OF REASONS FOR RELIEF REQUESTED

A. Legal Standard

The Board has statutory authority under 35 U.S.C. § 315(c) to join a properly-filed *inter partes* review petition to an instituted *inter partes* review proceeding. *See* 35 U.S.C. § 315(c). A motion for joinder must be filed within one month of the Board instituting the *inter partes* review for which joinder is requested. 37 C.F.R. § 42.122(b). The one-year statutory time period set forth in

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

37 C.F.R. § 42.101(b) does not apply when, as here, the petition is accompanied by a request for joinder. *Id.*

A motion for joinder should (1) set forth reasons why joinder is appropriate; (2) identify any new grounds of unpatentability asserted in the petition; (3) explain what impact (if any) joinder would have on the trial schedule for the existing review; and (4) address specifically how briefing and discovery may be simplified. *Samsung Electronics, Co., Ltd., et al. v. Raytheon Company*, Case IPR2016-00962, Paper 12 (PTAB Aug. 24, 2016) (citing *Kyocera Corp. v. Softview LLC*, Case IPR2013-00004, Paper 15 (PTAB Apr. 24, 2013)). In exercising its discretion to grant joinder, the Board is “mindful of the public interest in securing the just, speedy, and inexpensive resolution of a proceeding.” *Microsoft Corp. v. Proxycorr, Inc.*, Case IPR2013-00109, Paper 15 (PTAB Feb. 25, 2013) (citing 37 C.F.R. § 42.1(b)) (internal quotations omitted).

B. Petitioner’s Motion for Joinder is Timely

This Motion for Joinder is timely because it is filed within one month of the December 15, 2016 institution decision of the Facebook IPR. *See* 37 C.F.R. § 42.122(b); 37 C.F.R. § 1.7(a); 35 U.S.C. § 21(b).¹ The one-year bar set forth in 37

¹ One month from the December 15, 2016 institution was Sunday, January 15, 2017. Monday, January 16, 2017 was the Martin Luther King, Jr. Day holiday,

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

C.F.R. § 42.101(b) does not apply because the Joinder Petition is filed concurrently with this Motion. 37 C.F.R. § 42.122(b).

C. Joinder is Appropriate

The Board has granted numerous requests for joinder of *inter partes* review proceedings under circumstances similar to the instant case. For example, in *Amneal Pharmaceuticals, LLC. v. Endo Pharmaceuticals Inc.*, the Board granted the Petitioner's Motion for Joinder as to additional claims, explaining:

Petitioner provides a justification as to why it challenges [additional dependent] claims 44 and 47 in the current Petition, and not in the Petition in [the existing IPR]. Because Patent Owner asserted infringement of claims 44 and 47 in a district court case for the first time after Petitioner filed its first Petition and after the § 315(b) bar date passed, we are persuaded that Petitioner provides an adequate justification for considering its contentions in the current Petition in relation to those claims.

Amneal Pharmaceuticals, LLC. v. Endo Pharmaceuticals Inc., Case IPR2014-01365, Paper 13 at 14 (PTAB Feb. 4, 2015).

Similar rationales have been applied by the Board in numerous other cases. *See, e.g.*, Case IPR2013-00109, Paper 15; *Samsung Electronics Co., Ltd., v.*

which is a Federal holiday within the District of Columbia. 37 C.F.R. § 1.7(a).

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

Virginia Innovations Sciences, Inc., Case IPR2014-00557, Paper 10 (PTAB Jun. 13, 2014); *Ariosa Diagnostics v. Isis Innovation, Ltd.*, Case IPR2013-00250, Paper 24 (PTAB Sep. 3, 2013); *ABB, Inc. v. ROY-G-BIV Corp.*, Case IPR2013-00282, Paper 15 (PTAB Aug. 9 2013); *LaRose Indus., LLC v. Capriola Corp.*, Case IPR2013-00121, Paper 11 (PTAB Jun. 28, 2013).

Here, as in those cases, the requested joinder is fully justified: (1) the Joinder Petition is timely filed; (2) the two proceedings involve the same parties and same patent; (3) the Joinder Petition challenges only claims that Patent Owner first asserted against Petitioner in litigation for the first time after the one-year statutory bar (despite Facebook's request that Patent Owner identify its asserted claims); (4) the Joinder Petition challenges only claims that are substantially similar to claims at issue in the instituted Facebook IPR; (5) the Joinder Petition relies on the same prior art as the Facebook IPR; and (6) the Joinder Petition relies on testimony from the same expert witness who submitted testimony in the Facebook IPR. Thus, in accordance with the Board's precedent, joinder of these proceedings is fully appropriate.

1. The Joinder Petition challenges claims first asserted by Patent Owner after Facebook had filed the Original Petition

As an initial matter, Facebook's Joinder Petition involves the same patent and same parties—Facebook and Windy City—as the Facebook IPR. Facebook's

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

Joinder Petition challenges independent claim 19 and dependent claims 22-25. As noted previously, Facebook reasonably did not challenge all of the 830 claims of the patents-in-suit, including all 58 claims of the '245 Patent, prior to the one-year statutory bar without knowing which claims Patent Owner asserts in the pending litigation.

Before filing the Original Petition and before the expiration of the one-year statutory bar, Facebook made a good-faith effort requesting that Windy City disclose which claims it contends have been infringed by Facebook, and filed a motion with the Court. However, the motion was denied, and Facebook thus did not have the benefit of knowing which claims Patent Owner would assert during its one-year period to seek *inter partes* review. Accordingly, in its Original Petition, Facebook challenged a reasonable selection of claims—-independent claims 1 and 7 and dependent claims 2-6, 8-15, 17, and 18.

Subsequently, after expiration of the one-year bar, Windy City disclosed that it asserts claims 19 and 22-25 against Facebook, which are substantially similar to the claims challenged in the Original Petition as discussed further below. Under these circumstances, it is fully appropriate and warranted for the Board to evaluate the validity of the newly-asserted claims alongside already-instituted claims 1-15, 17, and 18, to serve the efficiency objectives of *inter partes* review.

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

2. The two proceedings involve similar issues and overlapping claim limitations and prior art

The Petition Claims recite only redundant and substantially similar claim limitations as claims 1-15, 17, and 18 on which trial was instituted in the Facebook IPR. The Board has previously ordered joinder in such circumstances. For example, in *Samsung Electronics Co., Ltd., v. Virginia Innovations Sciences, Inc.*, the Board found that:

the only additional subject matter added by [new] claims 58 and 63 to the subject matter of the claims for which a trial already has been instituted in IPR2013-00571 is HDMI, for which the Petition cites the Seaman reference. The relevance of Seaman with respect to HDMI is addressed already in the context of trials concerning the unpatentability of certain claims in related proceedings. . . . Accordingly, the minimal additional amount of work required on the part of Patent Owner to address claims 58 and 63 of the '398 Patent is strongly outweighed by the public interest in having consistency of outcome concerning similar sets of claimed subject matter and prior art.

Case IPR2014-00557, Paper 10 at 17-18. Similar reasoning was applied by the Board in *Amneal Pharmaceuticals, LLC. V. Endo Pharmaceuticals Inc.*, Case IPR2014-01365, Paper 13 at 14.

Here, as in those cases, the Petition Claims are very similar to claims on

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

which trial is already instituted in the Facebook IPR, and the Joinder Petition relies on the same prior art and disclosures as to these claims.² The Petition Claims do not raise any substantial new issues. The expert declaration of Dr. Tal Lavian submitted as Exhibit 1002 to the Joinder Petition (“Lavian Decl.”) contains the same existing content as the expert declaration Dr. Lavian submitted in the Facebook IPR as to claims 1-15, 17, and 18, and adds only discussion explaining how the same disclosures cited as to those claims also invalidate the newly challenged claims 19 and 22-25. (See Case IPR2015-01156, Paper 1, Ex. 1002; Lavian Decl., ¶¶ 1-135 (prior declaration content), 136-155 (claims 19 and 22-25).) This substantial overlap between the instant proceeding and the Facebook IPR “facilitates scheduling of the joined actions and minimized delay.” Case IPR2013-00282, Paper 15 at 3.

As reflected in the declaration, including a chart showing the near-complete overlap between claims 7 and 19 (Lavian Decl., ¶ 136), newly challenged independent claim 19 is highly redundant of instituted independent claims 1 and 7 that the Board has already determined are likely obvious over the prior art.

² The Joinder Petition relies on Roseman, Rissanen, Vetter, Pike, and Westaway, the same references the Board cited to institute trial on independent claims 1 and 7. See IPR2016-01156, Paper 7 at 15-27.

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

(Lavian Decl., ¶¶ 136-147.) (*See also* Joinder Petition at 9-12 (charts showing overlap between instituted claims and Petition Claims).)

Similarly, newly challenged dependent claims 22-25 add only two types of limitation, both of which overlap with the already-instituted claims. First, dependent claim 22 recites that “the pointer produces the communication on demand,” which is substantively identical to the limitation recited in instituted claim 9. (Lavian Decl., ¶¶ 79-84, 119, 126, 148-149.) In its institution decision, the Board already determined that claim 9’s recitation of “the pointer as a pointer that causes the communication to be produced on demand” is likely disclosed by the prior art. IPR2016-01156, Paper 7 at 27. Claim 9 depends from claim 7, which, as noted above, is substantially similar to claim 19 upon which claim 22 depends.

Second, the newly challenged claims 23-25 recite that the communication includes pre-stored data representing a particular type or types of data—either video, sound, or a combination of sound and video. Substantially similar limitations are recited in instituted claims 10-12 of the ’245 patent. (Lavian Decl., ¶¶ 63-64, 106, 127, 150-155.) Claims 10-12 all depend from claim 7, which, as mentioned above, is substantially similar to claim 19 upon which claims 23-25 depend.

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

Thus, institution and joinder of the Joinder Petition to the Facebook IPR will not unduly complicate these proceedings, allowing the Board to “secure the just, speedy, and inexpensive resolution” of these invalidity questions. *See* 37 C.F.R. §42.1(b). In addition, Patent Owner will not be unduly prejudiced. Facebook timely filed the Joinder Petition, and as discussed above, the Petition Claims do not raise any substantial new issues or subject matter, so that the Patent Owner can efficiently prepare briefs and engage in discovery without significant additional burden, expense, or delay. Further, as discussed below, the Board can reasonably adjust the trial schedule in Case IPR2016-01156 to accommodate any request by the Patent Owner, as discussed further below.

**D. Joinder Will Not Unduly Burden or Negatively Impact the
Schedule of Case IPR2016-01156**

Joinder of the two proceedings will not unduly delay the schedule of Case IPR2016-01156. The Board and Patent Owner are already familiar with the '245 patent, the cited prior art, and the claimed subject matter. As set forth above, the newly challenged claims do not substantially expand the subject matter at issue.

Schedule adjustments are appropriate in the case of joinders, given that the rules permit motions for joinder to be filed up to one month after institution. The Patent Office is therefore authorized to “adjust the time periods...in the case of joinder.” 35 U.S.C. § 316(a)(11); *see also* 37 C.F.R. § 42.100(c) (pendency of IPR

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

may be extended up to six months for good cause shown). Accordingly, the Board has granted reasonable extensions in other trial schedules to accommodate joinder. *See, e.g.*, Case IPR2013-00250, Paper 24 at 5 (“while some adjustments to the schedule have been necessary, there is not undue delay.”); Case IPR2013-00109, Paper 15 at 4-5; Case IPR2014-00557, Paper 10 at 18.

Here, joinder of the two proceedings would require only reasonable adjustments to the schedule that need not unduly delay the final hearing and final decision in Case IPR2016-01156. Facebook is willing to agree to any reasonable and appropriate revisions to the schedule to maximize efficiency and ensure a speedy resolution for the joined proceedings. Any alleged prejudice to Windy City from a reasonable schedule adjustment is substantially outweighed by the public interest in obtaining a speedy and efficient resolution of these patentability issues.

IV. CONCLUSION

Based on the factors discussed above, Petitioner respectfully requests that the Board grant the Facebook Petition for *Inter Partes* Review as to claims 19 and 22-25 and grant joinder with *Facebook, Inc. v. Windy City Innovations, LLC*, Case IPR2016-01156.

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

Dated: January 17, 2017

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Respectfully submitted,

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Heidi L. Keefe

Reg. No. 40,673

Counsel for Petitioner

Facebook, Inc.

Petition for Inter Partes Review of U.S. Patent No. 8,458,245
Motion for Joinder

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that a complete copy of the attached **MOTION FOR JOINDER UNDER 35 U.S.C. § 315(c) AND 37 C.F.R. §§ 42.22 AND 42.122(b) TO RELATED INTER PARTES REVIEW IPR2016-01156** is being served in its entirety on the 17th day of January, 2017, the same day as the filing of the above-identified document in the United States Patent and Trademark Office/Patent Trial and Appeal Board, via Priority Mail Express upon the Patent Owner by serving the correspondence address of record with the USPTO as follows:

PETER K. TRZYNA, ESQ.
PO BOX 7131
CHICAGO IL 60680

and, via Federal Express upon counsel of record for the Patent Owner in the litigation pending before the U.S. District Court for the North District of California entitled Windy City Innovations, LLC v. Facebook, Inc., Case No. 4:16-cv-1730-YGR (N.D. Cal.) as follows:

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EXHIBIT H

IPR2017-00709
PATENT NO. 8,458,245

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK INC.

Petitioner

v.

WINDY CITY INNOVATIONS, LLC

Patent Owner

U.S. Pat. No. 8,458,245

Issue Date: June 4, 2013

Title: REAL TIME COMMUNICATIONS SYSTEM

**WINDY CITY INNOVATIONS, LLC'S OPPOSITION TO
FACEBOOK INC.'S MOTION FOR JOINDER**

Case No. IPR2017-00709

I. INTRODUCTION

Absent joinder, this Petition is barred from institution because Petitioner Facebook Inc. waited more than one year after being served with a complaint alleging infringement of the '245 Patent.¹ On June 3, 2016, Facebook petitioned the Board to challenge Claims 1-15, 17, and 18 of the '245 Patent in IPR2016-01156 (“Original IPR”). Petitioner now seeks to expand the scope of its IPR by adding new claims, all of which it could have reasonably raised prior to its one-year-bar date, but chose not to.

Petitioner seeks a second bite at the apple. More than 20 months after being served with a complaint, Petitioner moves to add five new claims without any legitimate justification. The Joinder Petition adds new argument on 37 pages of the argument section alone (Paper 3.), while the new Lavian Declaration adds 106 paragraphs of new arguments and analyses spanning 53 pages. (Ex. 1002) None of these arguments were presented in the Original IPR. Petitioner’s attempts to justify its request for relief with two false statements: (1) the joinder claims are “substantially similar” to already-instituted claims and (2) Patent Owner asserted the joinder claims after the one-year bar. As explained below, Petitioner’s Motion

¹ On June 2, 2015, Facebook was served with a complaint alleging infringement of all claims the '245 Patent in Windy City Innovations, LLC v. Facebook Inc., 1:15-cv-00102 (W.D.N.C.), later transferred to the Northern District of California (4:16-cv-01730).

is based on misstatements of the facts and law, and Petitioner fails to articulate a sufficient reason for joinder.

Patent Owner, Windy City Innovations, LLC, opposes Petitioner's Motion for Joinder (Paper 3) and requests denial because Petitioner has not met its burden to show entitlement to joinder.

II. PETITIONER'S "SUBSTANTIALLY SIMILAR" ALLEGATION IS ROOTED IN A WHOLLY-INACCURATE CLAIM COMPARISON CHART

In support of its "substantially similar" allegation, Petitioner presents the Board with claim-comparison charts that mischaracterize the challenged claims. For example, Petitioner alleges the existence of "near-complete overlap between Claims 7 and 19," but its arguments are supported by a wholly-inaccurate claim chart that (1) replaces differing terms with conforming terms and (2) reorganizes the claim limitations such that the scope of the claim is changed. *See* Joinder Motion (Paper 3 at 10), *citing* Lavian Decl., ¶ 136 (Ex. 1002 at pp. 78-79). Petitioner includes this same chart in its Joinder Petition. (Paper 2 at pp. 9-11.) Specifically, Petitioner removes the term "communication" from Claim 7 and replaces it with "pre-stored data," a term from the newly-added Claim 19. Petitioner changes other terms in Claims 7, including: "independent of the first independent participator computers." Claim 7 requires:

if it is determined that the **second of the participator computers** can not **present the communication** then obtaining an agent with an

ability to present the communication, and otherwise presenting the communication independent of the first of the independent participator computers.

(Emphasis added to show differences)

Petitioner does not use the actual claim language, but instead submits its own amended version of Claim 7 as depicted in the excerpt below:

<p>[g] such that <u>the second participator computer internally determines whether or not the second participator computer can present the pre-stored data, if it is determined that the second participator computer can not present the pre-stored data then obtaining an agent with an ability to present the pre-stored data, and otherwise presenting the pre-stored data independent of the first participator computer.</u></p>	<p>[g] and <u>the second participator computer internally determines whether or not the second participator computer can present the pre-stored data, if it is determined that the second participator computer can not present the pre-stored data then obtaining an agent with an ability to present the pre-stored data, and otherwise presenting the pre-stored data independent of the first participator computer.</u></p>
--	--

Pet. at 11; Lavian Decl. at 79 (emphasis added).

Moreover, the Petition and Motion gloss over the substantial differences between the newly challenged claims and those challenged by the Petitioner’s Original IPR. As depicted in the table below, Claim 19 is not “substantially similar” to Claim 7, but instead contains many substantive unexplained differences, none of which were addressed in the Original IPR.

Claim 7	Claim 19
7. An apparatus to communicate via an Internet network, the apparatus including:	19. An apparatus to <u>receive a communication</u> via an Internet network, the apparatus including:

Claim 7	Claim 19
a computer system communicatively connected to each of a plurality of participator computers responsive to communication of a respective login name and a password corresponding to a respective user identity,	a computer system, and a plurality of participator computers, each of the participator computers communicatively connected to the computer system <u>responsive to each of the plurality of participator computers being associated with a respective login name and a password;</u>
a first of the participator computers running software communicating a private message to the computer system, the private message comprising a pointer,	a first of the plurality of participator computers <u>being programmed to communicate such that a private message is sent to the computer system, the private message including a pointer pointing to a communication that includes pre-stored data representing at least one of a video, a graphic, sound, and multimedia;</u>
the computer system, including a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other,	the computer system, <u>including a computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of the participator computers which are otherwise independent of each other;</u>
wherein the first participator computer of the computer system is running software communicating the private message to a second of the participator computers, and	<u>wherein the computer system communicates the private message to a second of the plurality of participator computers; and</u>
the second of the participator computers is running software receiving a communication via the pointer provided within the private message from the first of the participator computers, the communication being sent in real time and via the Internet network, the communication including pre-stored data representing at least one of video, a graphic, sound, and multimedia, such	<u>the second participator computer is programmed to receive the communication provided within the private message, which originates from the first participator computer, the communication being sent in real time and via the Internet network, and the second participator computer internally determines whether or not the second participator computer can present the</u>

Claim 7	Claim 19
that the second of the participator computers determines internally whether or not the second of the participator computers can present the communication, if it is determined that the second of the participator computers can not present the communication then obtaining an agent with an ability to present the communication, and otherwise presenting the communication independent of the first of the independent participator computers.	<u>pre-stored data</u> , if it is determined that <u>the second participator computer can not present the pre-stored data then obtaining an agent with an ability to present the pre-stored data, and otherwise presenting the pre-stored data independent of the first participator computer.</u>

See, Ex. 1001 at Claims 7 and 19 (emphasis added).

For the reasons set forth in this section alone, Petitioner's Motion and Petition should be denied.

III. PETITIONER HAD NOTICE OF THE NEWLY-ADDED CLAIMS FROM THE DATE OF SERVICE OF THE COMPLAINT

In an attempt to circumvent the one-year bar imposed by 35 U.S.C. § 315(b), Petitioner mischaracterizes the additional joinder claims as “newly-asserted claims.” *See* Paper 3 at 8. However, Petitioner was on notice of these very claims long before the one-year bar and Petitioner could have included argument in its Original IPR. *See* IPR2016-01156, Paper 1.

Patent Owner's district court complaint alleged and asserted infringement of all claims of the '245 Patent. Petitioner understood the scope of these allegations, as evidenced by Petitioner's own arguments filed in a later-denied administrative motion in district court, seeking that Patent Owner limit the scope of its already-

asserted claims by “narrowing the case to forty claims.” (Petitioner’s Exhibit 1014 at p. 4.) The district court denied Petitioner’s administrative motion to “identity,” and instead ordered a “preliminary election” from all parties. (Petitioner’s Exhibit 1015.) Petitioner improperly characterizes the district court’s “preliminary election” order as the first time Claims 19 and 22-25 were asserted against Petitioner. Petitioner has known of these claims at least since the service of the complaint in that case.

Petitioner provides no reason for its lack of diligence and delaying its joinder attempt (from either service of the complaint or the infringement contentions) until the very last minute. Not only are the facts wrong, but the relevant case law favors denial of joinder.

Petitioner relies solely on the *Amneal* case, but *Amneal* applies only to newly-asserted claims. Accordingly, *Amneal* is irrelevant to the present circumstances where Patent Owner already asserted the newly-challenged claims in its original complaint in district court years ago. Instead, the present circumstances align directly with those of *Arris Group, Inc. et al. v. Cirrex Systems LLC*, Case No. IPR2015-00530, Paper 12 at 8-9 (PTAB July 27, 2015) (denying joinder when Petitioner failed to provide any basis for why it could not have challenged the additional claims in the first petition). In *Arris*, the Board rejected a similar set of joinder claims, finding expressly that a district court complaint

alleging infringement of “one or more claims” put Petitioner on notice of all claims. *Id.* Accordingly, the Board should reject Petitioner’s notice-based arguments and deny joinder.

IV. PETITIONER HAS NO ACTUAL JUSTIFICATION FOR JOINING NEW ISSUES AS REQUIRED BY THIS BOARD

While the Board has granted joinder for new arguments, each of those cases included “some justification for the delay in raising the grounds.” *Par Pharmaceutical, Inc. v Novartis AG*, IPR2016-01059, Paper No. 18 at 16 (Decision - Granting, Granting in Part, and Denying Motions for Joinder) (P.T.A.B. Oct. 27, 2016) (“We exercise our discretion and deny joinder of this proceeding...In [the first petition], Petitioner neglected to include an analysis of claim 43 and offers now the analysis it could have offered then...This is not a case where circumstances have changed that would make joinder an equitable remedy for Petitioner.”) (citations omitted). Other than its factually incorrect statement that Patent Owner has not asserted the newly-challenged claims, Petitioner advances no such justification.

It is more likely that Facebook left Claims 19 and 22-25 out of its Original IPR because the claims would have required a different analysis and additional art. Facebook should not be allowed to short-circuit the proceedings by shoe-horning in claims after-the-fact.

**V. JOINDER WOULD CAUSE UNDUE DELAY AND PREJUDICE
PATENT OWNER**

Thirty-seven (37) pages of the Joinder Petition contain new arguments, with many of the arguments referencing new findings in Petitioner's expert report. The new Lavian Declaration includes 53 pages of new arguments amounting to 106 paragraphs of new arguments. If the Board grants this Joinder Motion, Petitioner will undoubtedly seek to supplement its expert report and correct its misplaced arguments, which will require additional briefing and additional analyses. Patent Owner thus will be burdened with multiple rounds of its own additional briefing and analyses to address Petitioner's current arguments and future correcting arguments.

Adding new claims and arguments now would result in undue delay and prejudice to Patent Owner. Granting joinder would result in Facebook circumventing estoppel doctrines and statutory limitations on petitioners, all within the Board's familiarity and not belabored here. Any efficiency related to joining this already statutorily-barred petition must be outweighed by the inefficiencies of additional analyses and briefing, increased expenditures of party and Board resources, and delayed resolution of the proceedings.

Petitioner has not identified any reasons why it elected to delay joining these new proceedings until the last minute, despite having had every opportunity to advance these grounds before the one-year window.

VI. RESPONSE TO STATEMENT OF MATERIAL FACTS

Patent Owner admits facts numbered 1, 8 and 9. Patent Owner denies numbers 2-7 because the statements are based on mischaracterizations of the facts. As noted in this Opposition, Patent Owner's district court complaint asserted all claims of the '245 Patent, and Petitioner was on notice of all claims. Petitioner mischaracterizes a "preliminary election" intended to narrow the case as an "identification" of claims. The district court denied Petitioner's administrative motion to "identify," and instead ordered a "preliminary election" from all parties to narrow the case. (Petitioner's Exhibit 1015.) Patent Owner thus complied with the district court's order to elect a narrower set of asserted claims and filed a disclosure of those elected claims. (Petitioner's Exhibit 1016.)

VII. CONCLUSION

Statutory estoppel provisions were designed to address the very circumstances of this case to "protect patent owners from harassment via successive petitions by the same or related parties, to prevent parties from having a second bite at the apple, and to protect the integrity of both the PTO and Federal Courts by assuring that all issues are promptly raised and vetted." 77 FR 48759. In light of the particular facts of this case, Patent Owner respectfully requests that the Board use its discretion to deny Petitioner's Motion for Joinder and to deny institution.

IPR2017-00709
PATENT NO. 8,458,245

Dated: February 17, 2017

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IPR2017-00709
PATENT NO. 8,458,245

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6(e)(4) & 42.105(b)

A copy of WINDY CITY INNOVATIONS, LLC’S OPPOSITION TO FACEBOOK INC.’S MOTION FOR JOINDER has been served on Petitioner’s counsel of record at the correspondence of the Petitioner as follows:

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EXHIBIT I

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.,
Petitioner,

v.

WINDY CITY INNOVATIONS LLC,
Patent Owner.

Patent No. 8,458,245
Issue Date: June 25, 2013
Title: COMMUNICATIONS SYSTEM

SUPPLEMENTAL PATENT OWNER'S RESPONSE

Case No. IPR2016-01156¹

¹ Case No. IPR2017-00709 has been joined with this proceeding.

TABLE OF CONTENTS

	<u>Page No(s).</u>
I. INTRODUCTION	1
II. SUMMARY OF THE '245 PATENT AND THE ALLEGED PRIOR ART	1
III. PROPER CONSTRUCTION OF DISPUTED TERMS	2
A. Token.....	2
B. Database	2
C. Censor.....	2
IV. CLAIMS 19 AND 22-25 ARE VALID AND NON-OBVIOUS.....	2
A. Roseman and Rissanen fail to disclose and/or suggest “each of the plurality of participator computers being associated with a respective login name and a password”	3
B. Roseman and Rissanen fail to disclose and/or suggest the required “repository of tokens”	7
C. Roseman and Rissanen fail to disclose the required “database ... for other programs to access, thereby affording information to each of the participator computers”	9
D. Roseman and Vetter Fail to disclose communicating over an Internet network	13
E. The alleged prior art fails to disclose and/or suggest the claimed “pointer”	15
F. The alleged prior art fails to disclose and/or suggest <i>out-of-band handling</i>	17
G. Dependent Claims 22-25 Are Not Unpatentable	20

V. CONCLUSION.....20

I. INTRODUCTION

Windy City Innovations LLC (“Patent Owner”) submits this supplemental response to the newly-added ground in IPR2016-01156 (the “1156 IPR”) which has been joined from IPR2017-00709 (the “709 IPR”).² Particularly, Patent Owner responds to Facebook Inc.’s (“Petitioner”) ground presented in its petition (’709 IPR, Paper 2) regarding claims 19 and 22-25 (the “Joined Claims”) of U.S. Patent No. 8,458,245 (Ex. 1001, the “’245 Patent”). This supplemental response is timely pursuant to the Board’s Amended Scheduling Order (Original IPR, Paper No. 39).

Patent Owner respectfully submits that this supplemental response demonstrates that the Joined Claims are not obvious over combinations based on U.S. Patent No. 6,608,636 to Roseman (Ex. 1003, “Roseman”) for a number of reasons. The Board should find that Petitioner has failed to establish by a preponderance of the evidence the invalidity of each of the Joined Claims.

II. SUMMARY OF THE ’245 PATENT AND THE ALLEGED PRIOR ART

Summaries of the ’245 Patent and each alleged prior-art reference have been

² This response is intended to address Petitioner’s substantive arguments regarding the grounds authorized for trial and is not intended to be any form of acquiescence regarding the propriety of the Board’s joinder and institution decisions on these grounds.

submitted in Patent Owner's Response (Paper 22 at 5-8).

III. PROPER CONSTRUCTION OF DISPUTED TERMS

A. TOKEN

Petitioner and the Board in its institution decision have both adopted a construction of "token" as "piece of information associated with user identity."

For the purpose of this Petition only, Patent Owner also adopts a similar construction.

B. DATABASE

For the reasons set forth in Patent Owner's Response (Paper 22 at 8-12), a database should be construed as "a collection of logically-related data which is stored with persistence and associated tools for interacting with the data such as a DBMS."

C. CENSOR

For the reasons set forth in Patent Owner's Response (Paper 22 at 12-13), censorship is construed to be "examine in order to suppress or delete anything considered objectionable."

IV. CLAIMS 19 AND 22-25 ARE VALID AND NON-OBVIOUS

In arriving at an obviousness determination, the Board must sufficiently explain and support the conclusions that the prior art references disclose all the elements recited in the Challenged Claims and a relevant skilled artisan not only could have made, but would have been motivated to combine all the prior art

references in the way the patent claims, and reasonably expected success. *Pers. Web Techs., LLC v. Apple, Inc.*, 848 F.3d 987, 994 (Fed. Cir. 2017). The obviousness inquiry must exclude hindsight and avoid reading into the prior art the patent's teachings. *Graham v. John Deere Co.*, 383 U.S. 1, 36 (1966).

In order to gain institution and join the 709 IPR to the 1156 IPR, Petitioner represented that the Joined Claims are “substantially similar” to the instituted claims of the 1156 IPR. (709 IPR, Paper 2 at 1, 9, and 11; 709 IPR, Paper 3 at 2, 6, 10, 11, 12, 13, and 15; 709 IPR, Paper 9 at 2, 5, and 6.) Expressing concern on multiple levels, Patent Owner identified thirty-seven (37) new pages worth of new arguments in the 709 Petition and fifty-three (53) pages of new arguments in the new 709 Declaration of Dr. Lavian. (709 IPR, Paper 8 at 1, 3-5, and 9.) Relying on Petitioner's misleading representations, the Board granted institution and joinder to this case. (Paper 34 at 5-8 and 10.)

Below, Patent Owner's first argument addresses a new obviousness analysis advanced by Petitioner in its 709 IPR and absent from the 1156 IPR.

A. ROSEMAN AND RISSANEN FAIL TO DISCLOSE AND/OR SUGGEST “EACH OF THE PLURALITY OF PARTICIPATOR COMPUTERS BEING ASSOCIATED WITH A RESPECTIVE LOGIN NAME AND A PASSWORD”

Unlike claims 1 and 7, claim 19 requires that “each of the plurality of participator computers being associated with a respective login name and a password.” Roseman and Rissanen, alone or in combination, fail to disclose this

type of computer-identity association and thus fail to disclose and/or suggest the limitation.

Up to this point, Petitioner has held steadfast to the notion that Roseman's authentication is **user-identity based**, not based on the participator computer being associated with a respective login/password as required by claim 19. In its Original IPR, Petitioner alleged that Roseman alone met the "authenticated user identity" limitation of claim 1, explaining that Roseman's key resulted in an authenticated **user identity** and that communication limitations occurred *responsive* to the authenticated **user identity**. (Paper 1 at 22-23.) Petitioner also alleged that Roseman and Rissanen meet the limitation "login name and password corresponding to a respective user identity" of claim 7, explaining that Roseman discloses **user-identity authentication** by requiring a pass-code to retrieve a key from a virtual vault and that Rissanen discloses **user-identity authentication** using login and password. (Paper 1 at 52.) Petitioner's reason to combine Roseman with Rissanen would have been to "enhance the existing 'key'" (Paper 1 at 53), which—until now—Petitioner has argued results in a **user-identity type authentication**. Petitioner has re-emphasized and has maintained the significance of Roseman and Rissanen's disclosure of user-identity type authentication throughout this proceeding, and thus both references must fail to disclose and/or suggest *each of the plurality of participator computers being associated with a*

respective login name and a password. As shown below, Petitioner's own evidence supports this argument.

Perhaps expecting that the Board will gloss over the differences between claims 1, 7, and 19 at this juncture, Petitioner now reverses course on a year's worth of arguments and takes the contradictory position that Roseman and Rissanen disclose the association of participator computers to respective login-password combinations. For example, Petitioner has stated that "[i]t is hard to imagine a clearer example of a 'piece of information associated with user identity' than a (Roseman's) key." (Paper 31 at 16.) Concerning Roseman, Petitioner's expert, Dr. Lavian, has testified that, in his opinion, "the key is information about the user, about his identity." (Ex. 2006 at 5, 16:24-17:9.) In describing the combination of Roseman and Rissanen, Petitioner explained as follows: "The Petitioner instead argued that the overall key system of Roseman could be enhanced to provide a login name and password, as disclosed in Rissanen, as a further form of **user authentication**." (Paper 31 at 24.) (emphasis added) Accordingly, the evidence of record already shows that Roseman and Rissanen, separately or together, do not disclose and/or suggest the *participator computers being associated with a respective login name and a password*, as required by claim 19.

Moreover, Petitioner fails to submit sufficient evidence to prove its new

position. Petitioner contends that Roseman discloses authenticating the “participant” as a user (not the participator computer), rather than *associating the participator computer* with a respective login name and password. Paper 2 at 25-26. Petitioner further contends that Roseman discloses distributing keys which could require a pass-code to retrieve the key (Paper 2 at 27, citing Roseman 6:64-7:3, Fig. 8). No part of these submissions identifies the *association* as anything other than related to a conference room. Ex. 2005 at 29. Roseman thus fails to disclose *participator computers being associated with a respective login name and a password*. Rissanen also misses the mark. Petitioner points to two citations explaining that Rissanen fails to show that any participator computer is associated with a respective login and password, instead pointing to a host server’s prompt for a user’s response. (Paper 2 at 27-28, citing Rissanen at 1:33-34, 37-39.)

Petitioner presents an alternative scenario where Roseman teaches that a data connection is established between a participator computer and a host computer. (Paper 2 at 28-29, citing Roseman at 11:10-17, 1:43-46.) But Petitioner fails to show how this jump to the post-authentication data connection relates to *participator computers being associated with a respective login name and a password*. Petitioner’s citation to its expert declaration only support Patent Owner’s position in that Dr. Lavian merely refers back to his analyses on claims 1 and 7 and concludes that this limitation “is not meaningfully different from claim

7[a] is disclosed and obvious for the same reasons I previously provided [regarding claims 1 and 7].” In his cited-to previous analysis, Dr. Lavian relies on the importance of user-identity authentication, and fails to support the conclusory (and contradictory) argument that *participator computers being associated with a respective login name and a password*. (Ex. 1002 at ¶140, referring back to ¶¶ 116 and 118.)

This is the exact type of contradictory position that should prevent joinder and that the Board should guard against. Petitioner should be precluded from presenting conflicting interpretations of the Roseman and Rissanen references. For at least the reasons provided above, claim 19 is valid and non-obvious.

B. ROSEMAN AND RISSANEN FAIL TO DISCLOSE AND/OR SUGGEST THE REQUIRED “REPOSITORY OF TOKENS”

Even though Roseman discloses authentication, it does not disclose the claimed tokens, which serve purposes in addition to authentication. While Roseman’s “key” authenticates, the authentication is not personal and is transferable to anyone—like a key to a door lock. This “key” is not the claimed token even when the Board’s preliminary construction is used because that requires “a piece of information associated with *user* identity,” and Roseman’s key is related to a *conference room*. (Ex. 1003, Figure 8.)

In fact, Roseman teaches away from keys being associated with a specific user: “*Keys may be copied and redistributed, if permitted, or sent to another*

individual, if permitted.” (Ex. 1003 at 9:54-59; emphasis added). Even in the context of “Level 1 keys,” a key is not associated with a user identity. Instead, Roseman's first level invitation offers the only suggestion of an association with specific invitee. But Petitioner does not rely on invitations to disclose tokens. (Pet. at 26.) Despite Dr. Lavian's widespread conflation of the two, a key is distributed electronically as an attachment to an invitation (akin to an envelope). (Ex. 1003 at 9:42-43; 9:54.) After distribution, the invitation serves no purpose. Thus, sending an invitation to a specific invitee is a far stretch from disclosing a key being associated with a specific user. In the case of a key being distributed as part of a Level 1 invitation, Roseman does not require recording any user information in the key to restrict transferability. It was known to a person of ordinary skill in the art that the system could simply enforce a no-transfer or no-duplication policy of such a key to insure that always stays in the possession of the first user. For example, the transferability of the key may be an attribute of the key that is checked at the time a keyholder seeks to transfer possession of his key. (Ex. 2005 at ¶31.)

Additionally, the '245 Patent requires that the tokens must be capable of serving purposes beyond authentication, such as controlling: (a) access to other tokens (*e.g.*, token hierarchy arbitration process); (b) priority and moderation privileges; (c) group membership; (d) member visibilities; and (e) member

identities, among other purposes found in the specification and recited in the above claim construction. (Ex. 1001 at 8:19-35.) The Roseman key is incapable of performing these tasks.

C. ROSEMAN AND RISSANEN FAIL TO DISCLOSE THE REQUIRED “DATABASE ... FOR OTHER PROGRAMS TO ACCESS, THEREBY AFFORDING INFORMATION TO EACH OF THE PARTICIPATOR COMPUTERS”

The claimed “database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers,” explicitly requires that tokens are stored in a database and that the database is accessible to other programs. Petitioner fails to disclose this limitation for the following reasons.

First, Petitioner does not even show that the keys are stored anywhere, let alone in a database on the host computer. Keys are generated and distributed electronically. A user presents a key to enter a locked conference room. Roseman does not explain how the key is authenticated under claim 19, other than by saying that the meeting room “knows” about the key and its invitation level. (Ex. 1003 at 9:49-50.) This could be implemented with a hash function that grants permission for proper keys and denies permission for unacceptable keys *without requiring any storage* of keys on the host. (Ex. 2005. at ¶40.) At bottom, there is no requirement in Roseman of storing the “key” in a database and there is no disclosure of storing the “key” in a repository that is accessible by other programs.

Second, assuming arguendo, that the keys present in Roseman read on the tokens of the '245 Patent and were stored on the host computer, there is no suggestion in Roseman of storing the keys in a manner that was persistent and any tools such as a database management system (DBMS) for accessing those keys. In order to make an end-run around the database limitation, Petitioner explicitly construes the term “database” as “a stored collection of tokens.” As described above, this construction is incorrect, and Petitioner’s arguments fail under the proper construction. First, storage in memory does not mean stored in a database, as memory storage may not be persistent, whereas a database is understood as a persistent storage scheme. (Ex. 2005 at ¶¶ 33-34.) Second, even if Petitioner meant “stored in persistent memory,” this does not imply a database because a database allows for additional functionality (such as sorting and searching) and associated efficiencies besides a simple lookup in persistent memory. (*Id.* at ¶ 35.)

Rissenan discloses a database, but in the context of a different type of system. Rissenan is simply concerned with recording, storing, and comparing “passwords assigned to users,” *i.e.*, a one-to-one authentication. (Ex. 1004 at 1:21-28.) This is not simply a matter of applying the same function taught in one reference to another as Petitioner contends. If one were going to combine Roseman and Rissenan in order to authenticate an individual (and not merely authenticate a key for a room) the necessary logic would be significantly more

complicated. For example, Petitioner's expert testified that: 1) a single key may be associated with multiple rooms; (2) a single key may be associated with multiple valid users; and (3) a single key may be valid at only specific times. (*See*, Ex. 2006 (Lavian March 8, 2017 Dep. Tr.) at 18:11-17; 25:24-26:2; 40:23-41:1; *see also* Ex. 2005 at ¶44.) In such a context, Petitioner's expert even declined to explain how a software developer implementing the Roseman system would naturally keep a record of the keys based on the Roseman disclosure. (*Id.* at 27:5-28:24; *see also* Ex. 2005 at ¶45.) However, he appeared to concede that in order to determine whether a *specific user* entering a *specific room* with a *specific key* would be allowed in, all *three* of those variables would be needed. (*Id.* at 30:17-24.; *see also* Carbonell Decl. at ¶46.) Given the setup of the Roseman system, Patent Owner's expert believes that a person of ordinary skill in the art would not be motivated to combine that system with the Rissenan database as a one-to-one database lookup would not suffice to authenticate a user and more sophisticated logic would be necessary. (Ex. 2005 at ¶43.) Further, applying Petitioner's expert's logic also necessitates a similar finding.

To the extent that Petitioner is arguing that it would have simply been "obvious" to store the tokens in a database because databases were well-known in the art, Petitioner does not state why it would have been obvious to store the *keys* of Roseman in a database and not simply in a program memory. The distinction

between mere storage and a database is evident from the specification of the '245 Patent. While the database stores both “personal information about the user, such as the user’s age” (Ex. 1001 at 8:10-11), it also stores information with respect to tokens which can be associated with a user, or, group, and content. (*Id.* at 8:14-17). Thus, a database, as disclosed in the patent, allows other programs to “lookup” by a user or group or content. However, simply storing a key in memory, without storing the additional relationship between a group and the token would not allow for such lookups.

The distinction between storage in program memory and storage in a database is also critical because the claim requires that a database “serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers.” Petitioner does not point to any reasonable support for the proposition that user login credentials could be used by the system of Roseman “for other programs to access.” Petitioner points only to the statement that Roseman discloses that each conference room is actually “a combination of stored data and computer programs.” Other than the use of the plural form “programs,” Petitioner does not identify any programs that could access a database of tokens and receive information, other than the singular conference calling software running on the host computer of Roseman. Similarly, to the extent that there are multiple conference rooms in existence is because the

Roseman system has instantiated the same conference room program with different parameters as there is no suggestion that there is different software associated with each conference room. Petitioner does not attempt to point to any other references for obviousness with regard to this limitation and thus has failed to establish the link between the “other programs” and the “database” as required by the claims.

Additionally, when information is stored in program memory, it is almost universally obscured from other programs. (Ex. 2005 at ¶ 36.) The ’245 Patent discloses that distribution controls can be placed on the database itself. (Ex. 1001 at 8:14-17) If the database were merely program memory, these distribution controls would be rendered superfluous because the standard controls on program memory would not permit other programs to use the database.

Accordingly, claim 19 is valid and non-obvious.

D. ROSEMAN AND VETTER FAIL TO DISCLOSE COMMUNICATING OVER AN INTERNET NETWORK

Claim 19 requires that the plurality of computers communicate “over an Internet network.” Petitioner admits that Roseman does not expressly mention the Internet network. (Pet. at 18.) Petitioner points to yet another reference, Vetter, to allegedly teach the “Internet.” However, Petitioner’s arguments provide no evidence as to how Vetter could be used to transform Roseman into a system where “each said participator computer communicatively connected to said Internet network...receive the communication from a computer other than said first

or said second said participator computers in real time over the Internet network.”

Vetter does not state that videoconferencing would have been ubiquitous, but states that the Internet infrastructure “is generating much research interest.” (Ex. 1005 at p. 77.) Vetter points to a “large amount of disturbing feedback” when microphones at multiple sites were left open. (Ex. 1005 at p. 4.) Vetter also pointed to issues of messages being truncated because users spoke before their allotted time. (*Id.*) Vetter also discusses issues relating to whiteboard tools similar to the conference table in the Roseman reference in the Internet context. (*Id.*) The performance of the tools was such that it “sometimes took several minutes to broadcast a simple graphic image to multiple participants.” (*Id.* at p. 4-5.) Even Vetter claims that this is unacceptable for real-time communication and difficult to use. (*Id.* at p. 5.)

Robert Metcalfe, the inventor of the Ethernet protocol, predicted the Internet would catastrophically collapse in 1996, he cited issues relating to costs on the Internet, low users, control by local telco monopolies, security breaches, competing standards, low capacity, and video problems. (Ex. 2009) He discussed the capacity issues and that pages would require an ISDN connection rather than the common 28.8Kbps modem-style connections. (*Id.*)

In the 1996 time frame, the overwhelming amount of traffic on the Internet was known as “best effort” and implemented with the TCP/IP protocol in which

different packets may go through different routes to reach their final destination and experience different delays. (Ex. 2005 at ¶ 59) Using this type of technology, users were not guaranteed certain bandwidth for their traffic. Additionally, there were no assurances related to the jitter associated with their traffic. (*Id.*) Metcalfe claimed ISDN and ATM were better suited. (Ex. 2009) Even Petitioner's declarant does not dispute that there was more video conferencing over ATM than the Internet in the 1994-1996 time frame:

Q: Would you -- would you be surprised to learn that ATM was more popular than Internet for video conferencing in the 1994 to 1996 time frame?
A: I don't know the details. Both of them were valid. Different technologies for different purposes. (Ex. 2006 at 103:14-19; objection omitted)

In light of the relevant technical background, the engineering issues highlighted in Vetter and better competing technologies such as ATM and ISDN, a person of ordinary skill in the art would have been disinclined to combine Roseman with Vetter and instead would be motivated to lease a private network where greater bandwidth would be available and performance would be significantly better. (Ex. 2005 at ¶63.)

E. THE ALLEGED PRIOR ART FAILS TO DISCLOSE AND/OR SUGGEST THE CLAIMED "POINTER"

Petitioner is incorrect that the references teach or disclose the required "pointer." Petitioner cites to Roseman for its disclosure of an "icon" and Pike for its disclosure of a "URL." However, an icon does not disclose this limitation and a

URL is not taught and, accordingly, the claims are not unpatentable. Petitioner states that “the square icon similarly serves as a pointer because it points to the underlying note content, and produces it on demand.” But Roseman states: “Each Invitee can transmit a file (of any suitable kind: data, text, or graphic) to the host, and the host will place the file onto the table, where all participants can see it... The Invitee drags an icon onto the table, as shown in FIG. 11, and double-clicks (or actuates) the icon. The icon blooms into an image dictated by the type of file which the icon represents (graphic, text, etc.).” (Ex. 1003 at 8:1-13) Additionally the pseudocode states: “ACTIVATING ICON ON SCREEN PRESENTS DATA FILE TO INDIVIDUAL PARTICIPANT.” (Ex. 1003 at 14:66-67.) The icon in Roseman is not a message, it is merely an indication that there is accessible information and clicking on the icon is merely a request to the host computer to send the appropriate data file. Petitioner conflates what appears on a GUI and the steps performed by a host computer. (Ex. 2005 at ¶65.) Accordingly, the icon itself is not a message, nor a pointer as claimed.

Pike explains that a URL can identify any resource on the Internet, and “is not limited to describing the location of WWW [World Wide Web] files.” (Ex. 1006 at pp. 38-39.) However, as described above, the system of Roseman is a closed system that does not require or use the Internet. If one were to practice the Roseman system alongside the Internet, it would not make sense to send private

messages between users which then redirect a user to some (public) location on the Internet. It is more sensible and economic to reuse the existing dedicated communication channels for all the data, the higher-bandwidth teleconferencing and the typically lower-bandwidth private messaging. Accordingly, Roseman teaches away from pointers to communication.

Moreover, Petitioner does not provide any link between the disclosure of Roseman or the disclosure of Pike that would indicate the required motivation to include a web browser functionality into the system of Roseman such that URLs would be evaluated. Petitioner's conclusory arguments are hindsight-based and must fail.

In the case where the message is pointer-triggered, Petitioner points to no support in the prior art to meet this limitation. Accordingly, this limitation of claim 19 is not met by Petitioner's prior art combination.

F. The alleged prior art fails to disclose and/or suggest *out-of-band handling*

Claim 19 recites "the second of said participator computers internally determines whether or not the second of the participator computers can present the communication, if it is determined that the second of the participator computers can not present the communication then obtaining an agent with an ability to present the communication." The '245 Patent specification refers to these claimed determinations and the agent selection as *out-of-band handling* with respect to

multimedia, which is made possible through participant software. Ex. 1001, Fig. 6.

The '245 Patent specification provides a corresponding disclosure, describing the above out-of-band multimedia information flowchart as follows in the context of participant software.

FIG. 6 is a participator software out-of-band multimedia information flow diagram, which begins with Block 26, the multimedia type patch point. Block 26 leads to Block 102, which tests whether there is an internally handlable multimedia type. If not, Block 104 looks up a suitable agent for data type presentation, which leads to Block 106, which tests whether an agent was found. If not, Block 108 reports location of data to the user for future referencing. If the agent is found in Block 106, the logic flows to Block 110, which invokes the agent with a data reference to present the data.

If the multimedia type is internally handlable from Block 102, the logic flows to Block 112, which tests whether this is a member associated image. If it is a member associated image, Block 114 displays the image next to member identity information, and if it is not, the logic flows to Block 116, which tests if this is a member public data reference (e.g., a URL). If a URL is detected at Block 116, Block 118 invokes an external data type viewer only on demand of the operator of the participator software, and otherwise Block 120 stores the reference for future use by the operator of the participator software, or treats the reference as an externally handled multimedia type (at the user's option). (Ex. 1001 at 34-55.)

As evidenced by the '245 Patent disclosure above, *out-of-band handling* is only described in the context of “participator software,” which runs on every participator computer. (Ex. 1001 at 2:35-37.) This participator computer with participator software that has its own software modules, such as channel 22, private message 24, out-of-band multimedia 26, and a sync status messages 30 depicted in Figure 2.

Petitioner does not identify any software on the users' computers that could qualify as participator software. Instead, Roseman indicates that all graphics are generated on the host computer:

The parties send the information which they want displayed, such as drawings, to the host computer. The *host computer generates* a common video screen, which it distributes to the parties: they see the drawings at their own local computers. (Ex. 1003 at 1:43-46; emphasis added.)

Additionally, when a user activates an icon, the pseudocode indicates that it is the host that processes this requests and presents it to the users: "IF ANY PARTICIPANTACTIVATES ICON ON TABLE DATA FILE PRESENTED ON TABLE **BY HOST**" (Ex. 1003 at 14:48-50; emphasis added.) This is consistent with common terminal software of the time.

Petitioner concedes that Roseman does not disclose the out-of-band handling, *i.e.* the determining and obtaining steps. (Pet. at 43-45.) Pike and Westaway, both of which allegedly disclose installing missing software, are incompatible with Roseman. Numerous unidentified steps separate Roseman from the secondary references.

On a more granular level, Petitioner all but ignores the determining step: "the second of said participator computers internally determines whether or not the second of the participator computers can present the communication." Petitioner does not cite a single portion of Pike to disclose this determining step. Instead,

Petitioner simply submits an unsupported statement: “[i]f Mosaic encounters one of these ‘other types of files,’ it checks to see if an appropriate viewer application is installed.” (Pet. at 44.) The surrounding sentences contain citations to page 96 of Pike, but the above statement lacks a citation, presumably because there is no support in Pike. (*Id.*) There are no checks or determinations disclosed by Pike. Westaway expressly teaches away from the *out-of-band handling* determination because it solely concerns a response to software already on the computer, but not yet “readily accessible.” (Ex. 1007 at pp. 42-46.)

Thus, the Petition fails to disclose “the second of said participator computers internally determines whether or not the second of the participator computers can present the communication,” as recited in the claims. Because the Petition (1) fails to identify the claimed “out-of-band handling” limitations and (2) relies on unsupported statements regarding the disclosure of Pike, the Petitioner has not demonstrated that this claim element is found in the prior art.

G. Dependent Claims 22-25 Are Not Unpatentable

Each of claims 22-25 require the limitations of claim 19. For at least the foregoing reasons, claims 22-25 are valid and non-obvious.

V. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board confirm the validity of the Joined Claims.

Respectfully submitted,

Dated September 11, 2017

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CERTIFICATE OF WORD COUNT

The undersigned hereby certifies that the portions of the above-captioned Supplemental Patent Owner's Response has 4,769 words in compliance with the 14,000 word limit set forth in 37 C.F.R. § 42.24. This word count was prepared using Microsoft Word 2010.

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EXHIBIT J

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.
Petitioner

v.

WINDY CITY INNOVATIONS, LLC
Patent Owner.

Case IPR2016-01156¹
Patent 8,458,245

PETITIONER'S SUPPLEMENTAL REPLY

¹ Case No. IPR2017-00709 has been joined with this proceeding.

IPR2016-01156

Petitioner's Supplemental Reply

Patent Owner's Supplemental Response (Paper 45 ("Supp. Resp.)) is little more than a rehash of the arguments it previously made in IPR2016-01156, with which this proceeding was joined. In its Order Granting Petitioner's Motion for Joinder in IPR2017-00709, the Board correctly observed that "the claim language of the present challenged claims is very similar to that of several of the claims on which we instituted review in the 1156 IPR." (Paper 11 in IPR2017-00709, at 6.) The Board also correctly observed that "Facebook's arguments and evidence supporting its contention that the present challenged claims are unpatentable are substantially similar to its arguments and evidence with respect to the corresponding claims in the 1156 IPR." (*Id.* at 7-8) Accordingly, it should come as no surprise that Patent Owner's Supplemental Response adds little, if anything, to its previous arguments. Patent Owner did not submit a new expert declaration or any additional evidence to support its defense of claims 19 and 22-25.

Nevertheless, in the interest of completeness, Petitioner will address each of Patent Owner's arguments below. For convenience and ease of reference for the Board, and to avoid the need to consider identical issues multiple times, Petitioner will also identify when an argument addressed herein was already covered (in more detail) by the previous submissions by the parties. For the reasons stated below, the Board should find that claims 19 and 22-25 are unpatentable based on the instituted grounds.

IPR2016-01156

Petitioner's Supplemental Reply

I. CLAIM CONSTRUCTION

Patent Owner proposes the same constructions for “database” and “censor” (and “censorship”) that it proposed in its -1156 Response. As explained in detail in Petitioner's Reply (Paper 31 (“Reply”)), Patent Owner's proposed construction for “censor” ignores express statements in the specification and instead relies on extrinsic evidence and was already considered and rejected by the Board. (Paper 31 (“Reply”) at 3.) Patent Owner's proposed construction for “database” lacks intrinsic support, and its extrinsic support (the unsupported testimony of its expert) overlooks the facts that a “database” and a “database management system” (“DBMS”) are two different things and that a database does not require a DBMS. (Reply at 3-7; Lavian Second Decl., Ex. 1021, ¶¶ 10-17.) Patent Owner's proposed constructions should be rejected.²

II. CLAIMS 19 AND 22-25 ARE UNPATENTABLE

A. Claim 19 – “Particular computers being associated with a respective login name and a password”

As the Petition explained, claim 19 is similar in many respects to claim 7, except that claim 19 recites “particular computers being associated with a respective login name and a password,” whereas claim 7 recites “a respective login

² As explained below, even if the Board were to adopt Patent Owner's “database” construction, it would not distinguish the prior art.

IPR2016-01156

Petitioner's Supplemental Reply

name and a password corresponding to a **respective user identity**.” Patent Owner contends that this difference is somehow significant because, according to Patent Owner, the login name and password under the combination of Roseman and Rissanen are associated with the *user*, but not with the user's *computer*.

But for purposes of applying the prior art, Patent Owner's distinction has no meaningful significance. Under the combination of Roseman and Rissanen, the login name and password are actually associated with **both** the user identity **and** with the user's participator computer. This is because the user enters its login name and password *into its participator computer* to gain access to the system. (Rissanen, 1:37-39 (“Typically, the computer system prompts the user to enter the user's account code and then prompts the user to enter the assigned password . . .”), 1:33-34 (explaining that the “account code” stores the user's “login identification”) (underlining added).) As the Petition explained, “if a participant computer is associated with a valid pass-code and key, a data connection is made with that participant computer and audio and video connections may also be made.” (Petition, at 29 (underlining added).) The login name and password are thus clearly associated with the participator computer employed by the user.

Patent Owner's suggestion that the claim requires some kind of special or direct connection between the user's login name and password and the computer itself is unsupported by the claim language and the specification. The claim simply

IPR2016-01156

Petitioner's Supplemental Reply

recites “particular computers **being associated with** a respective login name and a password,” and imposes no limits on how that association must be implemented or expressed, or when it must exist. The Board has previously construed the word “associated” as “connected or related,” and held that the term does not require a pre-existing relationship. *See Apple Inc. v. Arrendi S.A.R.L.*, Case IPR2014-00207, Final Written Decision, Paper 32, at 7-8 (P.T.A.B. June 9, 2005).

This broad definition is consistent with the specification of the '245 patent. The specification itself describes the claimed login name and password as being *associated with the user identity*: “The login/password screen is shown, and the user enters **his/her** assigned login/password combination and clicks the ‘Login to Chat’ button. If the password was entered correctly, a confirmation box appears on the screen.” ('245, 18-21 (emphasis added).) Just like Roseman and Rissanen, the login name and password in the '245 specification are associated with the participator computer *by virtue of the fact that the participator computer was used to input that information*. Nothing in the specification suggests, let alone requires, a direct relationship between the login name/password and the computer itself.

B. “Tokens”

Patent Owner next repeats nearly verbatim its arguments that Roseman does not disclose “tokens.” (*Compare* Supp. Resp. at 7-9 *with* Resp. at 18-20.) Patent Owner's arguments were fully addressed in the Reply. (Reply at 14-16.)

IPR2016-01156

Petitioner's Supplemental Reply

Patent Owner's arguments cannot be reconciled with the plain disclosures in Roseman. (Reply at 15.) Patent Owner ignores the plain language of the agreed-upon construction of "token," which merely requires a piece of information associated with user identity. (Reply at 15-16.) The claims do not require that the association with user identity be implemented in any particular way. Roseman expressly discloses that the "Level 1" key is "for the invitee only" and "may not be passed to any other person and may not be copied." (Roseman, 9:37, 9:43-44.)

Moreover, the claim does not require that the "association" with user identity be encoded into the key itself, and restrictions on a key are enforced when the person associated with the key attempts to use the key to access the conference room. (Reply at 16; Ex. 1021, ¶ 46.) Nor is there any basis to argue that the tokens must perform the five unclaimed functions that Windy City lists. (Reply at 16.)

C. "Database"

Patent Owner repeats nearly verbatim its arguments related to the "database" limitation from its Response. (*Compare Supp. Resp.* at 9-13 *with Resp.* at 21-25.) As explained in the Reply, these arguments fail. (Reply at 10-19.)

Patent Owner first speculates that the host computer in Roseman may not actually store the keys because, according to Patent Owner, the meeting room in Roseman could have applied a "hash function" to determine if a key is valid. (Supp. Resp. at 9.) As explained in the Reply, this argument should be rejected for at least

IPR2016-01156

Petitioner's Supplemental Reply

two reasons. First, Patent Owner's argument is legally irrelevant because it improperly attacks Roseman individually but ignores the fact that the Petition cited Roseman in combination with Rissanen to show that it would have been obvious to store the "keys" in a database. (Reply at 11; -709 Petition at 17-18, 40-42.) Patent Owner concedes that "Rissanen [sic] **discloses a database**" (Supp. Resp. at 10), so whether Roseman itself discloses storage of keys is beside the point. Second, Patent Owner's "hash function" argument is based on pure speculation. (Reply at 11-12.) Roseman does not suggest, let alone disclose, the use of any hash function for checking the validity of keys. (Ex. 1021, ¶ 29.) Moreover, the use of such a "hash function" is inconsistent with the teachings in Roseman. (*Id.*, ¶¶ 29-30; Roseman, 4:23-25, 9:42-43, 9:49-50, 9:54-55.)

Patent Owner also argues that a person of ordinary skill in the art would not have been motivated to combine Rissanen and Roseman. (Supp. Resp. at 10-11.) Patent Owner's physical combinability argument is contrary to established law. (Reply at 12-13.) As explained in the Reply, the test for obviousness is "not whether the references could be physically combined but whether the claimed inventions are rendered obvious by the teachings of the prior art as a whole." *Allied Erecting and Dismantling Co., Inc. v. Genesis Attachments, LLC*, 825 F.3d 1373, 1381 (Fed. Cir. 2016) (quoting *In re Etter*, 756 F.2d 852, 859 (Fed. Cir. 1985) (en banc)). The Petition cites Rissanen for a narrow purpose of showing disclosure of storing user

IPR2016-01156

Petitioner's Supplemental Reply

identity and authentication information in a database. (-709 Petition at 17-18, 41-43.) There is simply nothing complicated about storing the “keys” Roseman in a database, as suggested by Rissanen. (Ex. 1021, ¶ 38.) Dr. Carbonell himself admitted at his deposition that databases as of early 1996 could be used to store user identity and authentication information. (Ex. 1016, 43:17-44:7.) He further agreed that nothing in Roseman prevents storage the keys in a database. (*Id.*, 53:16-55:3.) Even under Patent Owner's incorrect proposed construction for “database,” one would be disclosed by Roseman and Rissanen. (Reply at 14.) There appears to be no dispute on this point. Patent Owner devotes most of its argument about the “database” limitation to Roseman and does not appear to dispute that Rissanen discloses the claimed database. Patent Owner specifically concedes in its Response that “Rissanen [sic] discloses a database” (Supp. Resp. at 10). Roseman and Rissanen disclose the claimed “database” even under Patent Owner's improperly narrow construction. (Ex.1021, ¶¶ 36-38.)

D. “Other Programs to Access”

Patent Owner repeats its arguments regarding a “database which serves as a repository of tokens for other programs to access.” (*Compare* Supp. Resp. at 12-13 *with* Resp. at 24-25.) As explained in the Reply, each conference room is a distinct and separate “combination of stored data and computer programs,” and thus, a separate computer program. (Ex. 1021, ¶¶ 51-52; Roseman, 3:42-50, 9:61-10:17,

IPR2016-01156

Petitioner's Supplemental Reply

12:16-18.) Moreover, Patent Owner's arguments ignore Petitioner's alternative mapping in which the "other programs" take the form of the programs on the participator computers of invitees who present their key to the host to gain access to a conference room. (Reply at 17; -709 Petition at 43.)

E. "Internet"

Patent Owner repeats its arguments that Roseman and Vetter cannot be combined to show the "Internet" as in the claims. (*Compare* Supp. Resp. at 13-15 with Resp. at 21-25.) The Reply addressed these arguments. (Reply at 7-10.)

Bob Metcalfe's statement in late 1995 that the Internet would "catastrophically collapse in 1996" (Supp. Resp. at 14) was incorrect, and quickly retracted, and would not have discouraged (and did not discourage) the industry from using the Internet. (Ex.1021, ¶¶ 22, 25.) There is no evidence that people in the industry took the prediction seriously or altered their behavior based on it.

Patent Owner also points to other communication technologies, such as ISDN and ATM, but Federal Circuit law is clear that the existence of alternatives to the Internet, even if those alternatives might have been advantageous in some respects, does not teach away from use of the Internet or render the Internet non-obvious. (Reply at 9 (quoting *In re Fulton*, 391 F.3d 1195, 1200 (Fed. Cir. 2004) and *PAR Pharm., Inc. v. TWI Pharm., Inc.*, 773 F.3d 1186, 1197-98 (Fed. Cir. 2014).) Patent Owner's arguments are also undermined by statements in Vetter demonstrating that

IPR2016-01156

Petitioner's Supplemental Reply

he Internet was entirely suitable for conferencing systems such as the one described in Roseman. (Ex. 1021, ¶ 21; Ex. 1005, p.77.) Dr. Lavian provided a full explanation in his opening declaration as to why the challenges reported in Vetter were nothing more than garden variety networking issues that would not have discouraged a person of ordinary skill in the art from combining with Roseman, particularly with the many express motivations to combine in Vetter. (Ex. 1002 (-709), ¶¶ 54-57.) Patent Owner did not address any of those arguments.

F. "Pointer"

Patent Owner repeats nearly verbatim its arguments from its Response regarding a "pointer-triggered private message" to argue that the references do not disclose a "pointer." (*Compare* Supp. Resp. at 15-17 *with* Resp. at 31-33.) These arguments were fully addressed in the Reply. (Reply at 21-22.)

The Petition explained that the host in Roseman "sends a pointer in the form of a clickable icon to the table of each participant." (Reply at 21-22; -709 Petition at 33-34; Roseman, 14:53-57.) Roseman therefore clearly discloses transmission of a message that contains the icon that, when activated, makes the file available. (-709 Petition at 33-34.) Moreover, the Petition provided an alternative mapping in view of Pike which the "pointer" could have been a message containing a URL that causes a computer to fetch and retrieve a document. (-709 Petition at 35.) Patent Owner's only response to this argument is to assert – with no evidence – that it

IPR2016-01156

Petitioner's Supplemental Reply

would not have been obvious to use the Internet with Roseman. (Supp. Resp. at 16-17.) This argument fails for the reasons explained in **Part II.E** above.

G. “Internally Determines Whether or Not the Second of the Participator Computers Can Present the Communication”

Patent Owner repeats its argument that Pike and Westaway do not disclose the step of “internally determin[ing] whether or not” the second participator computer can present the communication. (*Compare* Supp. Resp. at 17-20 with Resp. at 33-38.) The Reply fully addressed these arguments. (Reply at 22-23.)

The Reply explained that the fact that the web browser in Pike can behave differently based on the type of data it encounters – directly presenting “text and inline graphics” but using a viewer for everything else – confirms that the software “internally determines” whether it can present the data. (Reply at 22-23; Pike, p.96; -709 Petition at 50-51.) Westaway also discloses the claimed determination by detecting when the software programs needed to process data are not present and specifically discloses an embodiment in which missing software is obtained from a remote computer over a network. (Reply at 23; -709 Petition at 51-53.)

III. CONCLUSION

For the foregoing reasons, the Board should reject Patent Owner's arguments and enter a final decision also finding claims 19 and 22-25 invalid under 35 U.S.C. § 103 based on the prior art cited in the Petition.

IPR2016-01156

Petitioner's Supplemental Reply

Dated: September 25, 2017

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IPR2016-01156

Petitioner's Supplemental Reply

CERTIFICATE OF COMPLIANCE WITH WORD COUNT

Pursuant to 37 C.F.R. § 42.24(d), I certify that this supplemental reply complies with the type-volume limits of 37 C.F.R. § 42.24(c)(1) because it contains 2,368 words, according to the word-processing system used to prepare it, excluding the parts of this supplemental reply that are exempted by 37 C.F.R. § 42.24(c).

DATED: SEPTEMBER 25, 2017

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IPR2016-01156

Petitioner's Supplemental Reply

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that a complete copy of the attached **PETITIONER'S SUPPLEMENTAL REPLY** and related documents, are being served on the 25th day of September, 2017, by electronic mail on counsel of record for Patent Owner as follows:

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EXHIBIT K

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARGET CORPORATION,
Petitioner,

v.

DESTINATION MATERNITY CORPORATION,
Patent Owner.

Case IPR2014-00508
Patent RE43,563 E

Before MICHAEL P. TIERNEY, LORA M. GREEN, JONI Y. CHANG,
THOMAS L. GIANNETTI, JENNIFER S. BISK,
MICHAEL J. FITZPATRICK, and MITCHELL G. WEATHERLY,
Administrative Patent Judges.

Opinion for the Board filed by *Administrative Patent Judge*
LORA M. GREEN.

Opinion Dissenting filed by *Administrative Patent Judge*
MICHAEL J. FITZPATRICK, in which *Administrative Patent Judges*
JENNIFER S. BISK and MITCHELL G. WEATHERLY join.

GREEN, *Administrative Patent Judge.*

DECISION
Granting Petitioner's Request for Rehearing
37 C.F.R. § 42.71

IPR2014-00508
Patent RE43,563 E

I. INTRODUCTION

Petitioner, Target Corporation (“Target”), requests reconsideration of our Decision Denying Joinder of the instant proceeding with IPR2013-00531 (Paper 18), as well as our Decision Denying Institution of *Inter Partes* Review (Paper 20). Paper 22 (“Request for Rehearing”). Patent Owner, Destination Maternity Corporation, was authorized to file an Opposition (Paper 24), to which Petitioner was authorized to file a Reply (Paper 25). For the reasons discussed below, we grant the Request for Rehearing.

II. BACKGROUND

Petitioner filed a Petition for *inter partes* review of U.S. Patent No. RE43,563 E (“the ’563 patent”) on March 14, 2014 (Paper 1), and concurrently filed a Motion for Joinder, requesting joinder of this proceeding with IPR2013-00531, involving the same parties and patent as this proceeding. Paper 3. To facilitate joinder and to reduce the burden on Patent Owner, Petitioner requested authorization to file a Motion to Limit the Petition to simplify the issues presented. With the Board’s authorization, Petitioner filed such a motion, limiting the claims challenged to two: claims 20 and 21.¹ Paper 7. In IPR2013-00531, the Board instituted a trial as to claim 20, but not claim 21. *Id.* at 1; *see* IPR2013-00531, Paper 10, 29. In its Motion to Limit the Petition in the current proceeding, Petitioner moved to limit the new grounds of challenge to five. Paper 7, 1–2. All but one of the

¹ Petitioner included also claim 1 in its motion, on the theory that as claims 20 and 21 are dependent on claim 1, any challenge of claims 20 and 21 would necessarily also apply to claim 1. Paper 7, 2 n.3.

IPR2014-00508
Patent RE43,563 E

new grounds is based upon a Japanese patent publication (Asada), which Petitioner contends was known to Patent Owner and requested in federal court discovery, but which was withheld from Petitioner until after the Petition in IPR2013-00531, and a bar under 35 U.S.C. § 315(b) arose. Paper 3, 2–3. Petitioner’s Motion for Joinder was filed, no later than one month after institution of the trial in IPR2013-00531, which is timely in accordance with 37 C.F.R. § 42.122(b).

III. ANALYSIS

When rehearing a decision on petition, the Board reviews the decision for an abuse of discretion. 37 C.F.R. § 42.71(c). An abuse of discretion occurs, *inter alia*, when a “decision . . . [was] based on an erroneous conclusion of law.” *Stevens v. Tamai*, 366 F.3d 1325, 1330 (Fed. Cir. 2004). A request for rehearing “must specifically identify all matters the party believes the Board misapprehended or overlooked.” 37 C.F.R. § 42.71(d).

A. *Whether the Board has the Authority to Expand the Panel*

As an initial matter, Patent Owner contends that there is no regulatory or statutory authority for the Board to expand the panel. Paper 24, 7. Patent Owner argues that the regulation that governs rehearing, 37 C.F.R. § 42.71(d), does not authorize rehearing by an expanded panel, but is instead directed to rehearing by the same panel, not a different panel. *Id.* at 8–9. According to Patent Owner, “the designation of an enlarged panel to try to change the current panel’s conclusion affects Destination Maternity’s substantive rights . . . since it is being done here to change the outcome of this inter partes proceeding, which is now not instituted.” *Id.* at 10 (citing *In re Alappat*, 33 F.3d 1526, 1575 n.6 (Fed. Cir. 1994), *overruled on other*

IPR2014-00508
Patent RE43,563 E

grounds by In re Bilski, 545 F.3d 943 (Fed. Cir. 2008)). Patent Owner contends also that the Board’s Standard Operating Procedure 1 (“SOP1”)² does not govern the proceedings before the Patent Trial and Appeal Board (“PTAB”), including the proceedings created under the America Invents Act³ (“AIA”), as it was issued by a Chief Administrative Patent Judge of the Board of Patent Appeals and Interferences (“BPAI”), which no longer exists. *Id.* at 11–12.

We are not persuaded by Patent Owner’s arguments. Section 6(c) of Title 35 reads (in relevant part; emphasis added):

(c) 3-MEMBER PANELS.—Each appeal, derivation proceeding, post-grant review, and inter partes review shall be heard by *at least 3 members* of the Patent Trial and Appeal Board, who shall be designated by the Director. Only the Patent Trial and Appeal Board may grant rehearings.

Thus, Congress did not limit the panel that may hear an *inter partes* review to a three member panel, but set only the minimum size of the panel. That is, the statute specifies that an *inter partes* review must be heard by *at least* three Administrative Patent Judges.

We have considered the decision of the Court of Appeals for the Federal Circuit in *In re Alappat*, but that decision also does not persuade us otherwise. An issue in that case was whether 35 U.S.C. § 7 (1988) granted the Commissioner of the Patent and Trademark Office the authority to

² See Standard Operating Procedure 1 (Rev. 13), *Assignment of judges to merits panels, motions panels, and expanded panels* (Feb. 12, 2009) (available at <http://www.uspto.gov/ip/boards/bpai/procedures/index.jsp>).

³ Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011).

IPR2014-00508
Patent RE43,563 E

designate the members of what was an expanded panel to consider a request for reconsideration of a BPAI decision. *Alappat*, 33 F.3d at 1531–32. The Federal Circuit held that it did. *Id.* at 1532. In particular, the Federal Circuit noted as to the expansion of the panel, that “[b]y use of the language ‘at least three,’ Congress expressly granted the Commissioner the authority to designate expanded Board panels made up of more than three Board members.” *Id.*

We acknowledge that the court, in passing, noted:

[T]he Commissioner’s authority to designate the members of a Board panel may or may not be constrained by principles of due process or by Title 5, the Administrative Procedure Act (APA). However, as noted herein, *Alappat* has not raised any such arguments in this appeal, and therefore we need not address such issues.

Id. at 1532 n.4. Thus, while noting that due process considerations “may or may not” limit the ability of the Commissioner to expand a panel on rehearing, the Federal Circuit expressly declined to address that issue in *Alappat*.

Moreover, whether SOP1 governs AIA trial proceedings is irrelevant, because, as confirmed by the Federal Circuit in *Alappat*, the Director has the statutory authority to designate an expanded panel. Thus, the Chief Judge, acting on behalf of the Director, has the authority to designate an expanded panel in appropriate cases. *See, e.g.*, Rules of Practice for Trials Before the Patent Trial and Appeal Board and Judicial Review of Patent Trial and Appeal Board Decisions, 77 Fed. Reg. 48,612, 48,647 (Aug. 14, 2012) (“When rehearing a petition decision, the Office envisions that the decision will typically be reviewed by *a panel of at least three administrative patent judges.*”) (emphasis added).

IPR2014-00508
Patent RE43,563 E

As noted by the dissenting opinion in the Decision Denying Joinder, the Board consistently has allowed joinder of additional grounds by the same party. Paper 18, 2 (Green, dissenting) (citing *Ariosa Diagnostics v. Isis Innovation Ltd.*, Case IPR2012-00022 (PTAB Sept. 2, 2014) (Paper 166)(“*Ariosa*”); *Samsung Elecs. Co. v. Virginia Innovation Scis., Inc.*, Case IPR2014-00557 (PTAB June 13, 2014) (Paper 10); *Microsoft Corp. v. Proxyconn, Inc.*, Case IPR2013-00109 (PTAB Feb. 25, 2013) (Paper 15); *ABB Inc. v. Roy-G-Biv Corp.*, Case IPR2013-00282 (PTAB Aug. 9, 2013) (Paper15)). The inconsistencies in the interpretation of the statute presented by the Decision Denying Joinder in the instant proceeding are a sufficient reason for expanding the panel. We, therefore, conclude that the Board has the discretion to expand the panel as provided for in 35 U.S.C. § 6(c).

B. Statutory Interpretation of 35 U.S.C. § 315(c)

Turning now to the merits of the Request for Rehearing, the contention at the heart of Petitioner’s request for rehearing is that the denial of its Motion for Joinder was “based on an erroneously narrow interpretation of 35 U.S.C. § 315(c).” Paper 22, 1. We agree with Petitioner.

Statutory interpretation begins with the language of the statute itself. *Ransom v. FIA Card Serv.*, 131 S. Ct. 716, 723–24 (2011). Terms that are not defined expressly by a statutory scheme are given their ordinary meaning. *Id.* “[O]ur task is to ‘give effect, if possible, to every clause and word of [the] statute, avoiding, if it may be, any construction which implies that the legislature was ignorant of the meaning of the language it employed.’” *Mitchell v. MSPB*, 741 F.3d 81, 84 (Fed. Cir. 2014) (quoting *Inhabitants of Montclair Twp. v. Ramsdell*, 107 U.S. 147, 152 (1883)).

IPR2014-00508
Patent RE43,563 E

The statute governing joinder of *inter partes* review proceedings, 35 U.S.C. § 315(c), provides (emphasis added):

(c) JOINDER.—If the Director institutes an inter partes review, the Director, in his or her discretion, may join as a party to that inter partes review *any person who properly files a petition under section 311* that the Director, after receiving a preliminary response under section 313 or the expiration of the time for filing such a response, determines warrants the institution of an inter partes review under section 314.

We recognize that although the plain language of the statute mentions joinder of “a party,” and does not mention specifically the joinder of issues, the statute states that “any person who properly *files a petition* under section 311” may be joined at the Director’s discretion. Filing a petition under § 311 is, therefore, a predicate to joinder.

As noted by Petitioner (Paper 22, 5–6), § 311(a) specifies who can file a petition for *inter partes* review. Under that section, “a person who is not the owner of a patent may file with the Office a petition to institute an inter partes review of the patent.” Thus, when “any person” is read in light of § 311(a), the only person excluded by the language is the owner of the patent at issue. More specifically, the statute does not exclude a person who is already a petitioner in an instituted review proceeding that is the subject of the joinder analysis. The choice of Congress to exclude only Patent Owners is telling. *See, e.g., Figueroa v. Sec’y of Health & Human Servs.*, 715 F.3d 1314, 1322 (Fed. Cir 2013) (“[T]he term left out must have been meant to be excluded.” (quoting *Chevron U.S.A. Inc. v. Echazabal*, 536 U.S. 73, 81 (2002))); *Gonzalez v. Dep’t of Transp.*, 551 F.3d 1372, 1375 (Fed. Cir. 2009) (“Where Congress explicitly enumerates certain exceptions to a general prohibition, additional exceptions are not to be implied in the absence of

IPR2014-00508
Patent RE43,563 E

evidence of a contrary legislative intent.” (quoting *Espenschied v. MSPB*, 804 F.2d 1233, 1237 (Fed. Cir. 1986))).

Moreover, the word “any” may be defined as “one or more without specification or identification.”⁴ If the legislature meant to exclude joining the same petitioner to an instituted *inter partes* review, it is unclear why it used the word “any” in the statute, such that “any person” who properly files a petition may be joined. Congress could have specified “any non-party” instead of “any person.” An interpretation that requires us to read “any party” as excluding a same petitioner, in essence, reads the word “any” out of the statute and ignores the statutory language of § 311(a).⁵

Central to the Decision Denying Joinder is the conclusion that the language of the statute is unambiguous. We, however, disagree. We acknowledge that, as written, there is some ambiguity in the statute. Once ambiguity in the statutory language is recognized, the legislative history and other factors become relevant. We, therefore, look at the remainder of the statutory language and the legislative history, as well as the statutory purpose to aid us in resolving that ambiguity.

Section 315(c) specifies that a person seeking joinder need “properly file[] a petition under section 311.” According to the Decision Denying

⁴ Random House, Inc., *Any*, DICTIONARY.COM UNABRIDGED, <http://dictionary.reference.com/browse/any> (last visited September 22, 2014).

⁵ While the dissent reiterates the arguments made in Decision Denying Joinder (Dissenting Op. 5), it does not reconcile the language of § 315(c) with § 311, which, as discussed above, specifically defines who may file a petition, that is, “a person who is not the owner of a patent.”

IPR2014-00508
Patent RE43,563 E

Joinder, “the plain language of § 315(c) permits joinder of only a party to an instituted *inter partes* review,” and thus, under that construction, joinder of issues would not be permitted. Paper 18, 11. The Decision Denying Joinder accounted for the statutory requirement for a petition to be filed with a request for joinder as serving the purpose of identifying the real parties in interest, related matters, lead and backup counsel, and service information. *Id.* at 5–6. In our view, however, a careful reading of § 315(c), as well as statutory sections relating to the content of a petition, however, demonstrates that the Decision Denying Joinder, selectively read out portions of the statute.

Section 315(c) specifies that joinder may be granted only after a person “properly files a petition under section 311,” such that the Director, “after receiving a preliminary response under section 313 or the expiration of the time for filing such a response, determines [that the petition] warrants the institution of an *inter partes* review under section 314.” Section 314 does not discuss the real parties in interest, related matters, lead and backup counsel, and service information, but instead presents the standard for instituting *inter partes* review on the merits of grounds presented in a petition. Specifically, subsection (a) states:

THRESHOLD. -- The Director may not authorize an *inter partes* review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

35 U.S.C. § 314(a). Section 315(c), by specifically referencing § 314, clearly contemplates that the merits of the petition be considered in

IPR2014-00508
Patent RE43,563 E

determining whether joinder is granted, and thus, as a consequence, necessarily contemplates joinder of issues as well as joinder of parties.

Moreover, review of §§ 311(b) and 312 of the statute further supports our construction. Section 311(b) states that “[a] petitioner . . . may request to cancel as unpatentable 1 or more claims of a patent only on a ground that could be raised under section 102 or 103.” Section 312, which sets forth the requirements of the petition, specifies that the petition need identify “with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim.” Thus, as is evident from those sections of the statute, the primary purpose of the petition is to frame the issues for *inter partes* review. By requiring a properly filed petition, Congress has made it clear that § 315(c) contemplates the joinder of issues, as well as parties.

We conclude further that the legislative history of that section supports our view that allowing joinder of issues, and not just the joinder of parties, was intended. We acknowledge, as the dissent notes, that the Final Committee Report states, with respect to §§ 315(c) and 325(c), that “[t]he Director may allow other petitioners to join an inter partes or post-grant review.” *See* H.R. Rep. No. 112-98, pt.1, at 76 (2011). While that statement may expressly refer to “other petitioners,” it does not preclude joinder of a same petitioner. During the Senate’s March 2011 debates on the AIA, Senator Kyl explained that the USPTO expected to allow liberal joinder of reviews, including those having new arguments:

The Office anticipates that joinder will be allowed as of right—if an inter partes review is instituted on the basis of a petition, for example, a party that files an identical petition will be joined to that proceeding, and thus allowed to file its own briefs and

IPR2014-00508
Patent RE43,563 E

make its own arguments. If a party seeking joinder also presents additional challenges to validity that satisfy the threshold for instituting a proceeding, the Office will either join that party and its *new arguments* to the existing proceeding, or institute a second proceeding for the patent.

157 Cong. Rec. S 1376 (daily ed. Mar. 8, 2011) (statement of Sen. Kyl) (emphasis added). By specifically referring to “new arguments,” Senator Kyl’s remarks contemplate not only the joinder of parties, but, in conflict with the dissent’s interpretation of the statute, specifically contemplate the joinder of additional issues to the pending proceeding. *See also* 154 Cong. Rec. S 9988 (daily ed. Sept. 27, 2008) (statement of Sen. Kyl) (“[A]dditional petitions can be joined only if, among other things, they are properly filed.”); *id.* (“[A] procedurally proper successive petition for . . . review may be joined to a pending proceeding at the discretion of the Director, even if the 329(b)(2) deadline has not been met, so long as the Director determines that the petition satisfies the threshold set in section 327(c).”)

Noting that §§ 315(c) and 325(c) give the USPTO discretion over whether to allow joinder, Senator Kyl observed that “[t]his safety valve will allow the Office to avoid being overwhelmed if there happens to be a deluge of joinder petitions in a particular case.” 157 Cong. Rec. S 1376 (daily ed. Mar. 8, 2011) (statement of Sen. Kyl). The Board will determine whether to grant joinder on a case-by-case basis, taking into account the particular facts of each case, substantive and procedural issues, and other considerations. *See id.* (stating that when determining whether and when to allow joinder, the Office may consider factors including “the breadth or unusualness of the claim scope” and claim construction issues). Those remarks highlight the discretion given to the USPTO by Congress in joinder matters. We, thus,

IPR2014-00508
Patent RE43,563 E

conclude that there is nothing in the language of the statute governing joinder, 35 U.S.C. § 315(c), nor anything in its legislative history, that limits joinder to the joinder of parties only. In fact, joinder of issues was specifically envisioned by Congress.

Consideration of the purpose of the AIA also supports our construction. *See, e.g., Ransom*, 131 S. Ct. at 725 (considering statutory purpose in determining the construction of a term in the Bankruptcy Abuse Prevention and Consumer Protection Act). It is significant that a primary purpose of the AIA was to “limit unnecessary and counterproductive litigation costs.” 157 Cong. Rec. S1349 (daily ed. Mar. 8, 2011) (statement of Sen. Leahy). We look also to our rule governing joinder in *inter partes* review, 37 C.F.R. § 42.122(b), which states:

Request for joinder. Joinder may be requested by a patent owner or petitioner. Any request for joinder must be filed, as a motion under § 42.22, no later than one month after the institution date of any *inter partes* review for which joinder is requested. The time period set forth in § 42.101(b) shall not apply when the petition is accompanied by a request for joinder.

The policy basis for construing our rules for these proceedings, which were prescribed as mandated by 35 U.S.C. § 316, is expressed in 37 C.F.R. § 42.1(b): The rules “shall be construed so as to ensure the just, speedy, and inexpensive resolution of every proceeding.” *See also* Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,758 (Aug. 14, 2012) (stating the same). Thus, even if some claims of the ’563 patent were to be found unpatentable in IPR2013-00531, by removing the discretion to join claim 21, as well as the new challenges presented in the instant proceeding, the case would necessarily have to go back to the district court for a separate determination as to those claims and challenges not at issue in IPR2013-

IPR2014-00508
Patent RE43,563 E

00531. That could result in a waste of judicial resources, increase the litigation costs to both parties, and be contrary to the purpose of ensuring a “just, speedy, and inexpensive resolution.”

A review of the facts as presented in Target’s Petition for Joinder suggests that joinder may well have been appropriate had the majority in the Decision Denying Joinder decided the issues that were briefed by the parties, and had reached the merits of those issues. Specifically, the overlap in issues and Petitioner’s agreement to limit the Petition to facilitate joinder are significant factors that should have been considered, but were precluded by the Decision Denying Joinder. *See, e.g., ABB Inc. v. Roy-G-Biv Corp.*, Case IPR2013-00286 (PTAB Aug. 9, 2013) (Paper 14) (permitting joinder of issues presented by the same petitioner to an already instituted trial after the petitioner agreed to limit the issues presented by the second filed petition). That is, permitting joinder in this case may well have served the statutory objective of decreasing litigation costs and conserving judicial resources. The statutory construction proposed by the Decision Denying Joinder, however, would deprive the Board of any discretion to move forward in such circumstances, where a petitioner in a prior *inter partes* proceeding seeks joinder of an issue to that proceeding, and may not bring a separate petition because of a § 315(b) bar. *See Chevron, U.S.A., Inc. v. Natural Resources Defence Council*, 367 U.S. 837, 843 (1984) (noting that “considerable weight should be accorded to an executive department’s construction of a statutory scheme it is entrusted to administer.”); *see also Heckler v. Chaney*, 470 U.S. 821, 832 (1985) (noting that “courts generally will defer to an agency’s construction of the statute it is charged with implementing, and to the procedures it adopts for implementing that statute.”).

IPR2014-00508
Patent RE43,563 E

Patent Owner agrees with the Decision Denying Joinder that 35 U.S.C. § 315(c) addresses joinder of parties, not issues. Paper 24, 1–2. According to Patent Owner, “where there are multiple proceedings involving the same patent, as here, Congress refers to ‘consolidation,’” which is addressed in § 315(d). *Id.*

We are not persuaded by Patent Owner’s argument. Section 315(d) discusses consolidation and states:

MULTIPLE PROCEEDINGS—Notwithstanding sections 135(a), 251, and 252, and chapter 30, during the pendency of an inter partes review, if another proceeding or matter involving the patent is before the Office, the Director may determine the manner in which the inter partes review or other proceeding or matter may proceed, including providing for stay, transfer, consolidation, or termination of any such matter or proceeding.

“Consolidation,” as used in § 315(d) is different from “joinder” as used in § 315(c), as § 315(d) allows consolidation of different types of proceedings before the Office. Although consolidation, like joinder, may include a second *inter partes* review of the same patent, other types of proceedings, such as post-grant reviews and reexaminations, are also eligible. *See* 157 Cong. Rec. S 9988 (daily ed. Sept. 27, 2008) (statement of Sen. Kyl) (“Section 325(c) gives the PTO broad discretion to consolidate, stay, or terminate any PTO proceeding involving a patent if that patent is the subject of a post-grant review proceeding. It is anticipated, for example, that if a . . . proceeding is instituted and reexam[ination] is sought, the Director would be inclined to stay the postgrant review during exhaustion of the reexam[ination]. On the other hand, if a postgrant review is near completion, the Director may consolidate or terminate any other PTO proceeding that is initiated with regard to that patent.”).

IPR2014-00508
Patent RE43,563 E

For joinder under § 315(c), the petition need not be filed within a year of receiving a complaint alleging infringement of the patent at issue, as required § 315(b). With consolidation under § 315(d), there is no waiver of that requirement. Thus, Congress provided two separate and distinct ways to manage parallel proceedings. As explained above, Patent Owner's proffered interpretation would deprive the Board of any opportunity to use either provision to move forward in circumstances where a petitioner in a prior *inter partes* proceeding seeks joinder of an issue to that proceeding, and may not bring a separate petition because of a § 315(b) bar.

Patent Owner contends further that § 315(d) limits the proceeding that may be consolidated with the *inter partes* review to one involving the same patent, whereas § 315(c) does not. Paper 24, 3; *see also* Paper 22, 9 n.3 (Petitioner agreeing that there is no language in § 315(c) that limits joinder to the same patent). Patent Owner argues also that there is nothing in the language of § 315(c) that limits the number of petitions that may be filed, and thus, Petitioner's construction "allows joinder of petitions including any arguments and concerning any patents, and allows multiple, successive petitions." Paper 24, 3. Patent Owner contends that this reading of § 315(c) creates an "untenable" result (*id.* at 2) and "ignores one of Congress's greatest concerns—expressed throughout the legislative history: 'harassment of patent owners who want to assume quiet title over their invention'" (*id.* at 4).

We agree with Petitioner (Paper 25, 1), however, that the remedy to the possible abuses of joinder, including those suggested by Patent Owner, is found in the language of § 315(c) itself. That is, § 315(c) specifies that joinder is at the discretion of the Director, and the Board has exercised that

IPR2014-00508
Patent RE43,563 E

discretion in situations that may have resulted otherwise, in Patent Owner's words, "untenable results." *See, e.g., Reloaded Games, Inc. v. Parallel Networks LLC.*, Case IPR2014-00950, slip. op. at 4–5 (PTAB Oct. 22, 2014) (Paper 12) (denying joinder request by the same petitioner, concluding that the petitioner was seeking "a second bite of the apple" on grounds that could have been raised in the earlier petition); *Medtronic, Inc. v. Endotach LLC*, Case IPR2014-00695, slip. op. at 5 (PTAB Sept. 25, 2014) (Paper 18) (denying joinder request by the same petitioner based, in part, that Petitioner created its own § 315(b) bar situation); *Apple Inc. v. Virnetx, Inc.*, Case IPR2014-00485, slip. op. at 8 (PTAB Sept. 16, 2014) (Paper 18) (denying joinder request in which the proceedings involved different patents involving claims of different scope).

Moreover, even assuming Patent Owner is correct that one objective of the AIA is to prevent harassment of patent owners who want to enjoy quiet title to their patent, it is unclear how that goal would be met here by denying joinder. Petitioner has limited the Petition to claims 20 and 21, which both depend on claim 1. Paper 7, 2. Thus, if independent claim 1 were determined unpatentable in IPR2013-00531, that determination may possibly cast doubt on Patent Owner's entitlement to dependent claims 20 and 21.

Finally, Patent Owner argues that the Board could not have misapprehended or overlooked any matters, as Petitioner's Request for Rehearing merely "reiterates arguments made by the dissent in the Board's Decision Denying Motion for Joinder." Paper 24, 14. That is, according to Patent Owner, as Petitioner's Request for Rehearing only repeats the arguments made by the dissent, it cannot meet the "misapprehended or

IPR2014-00508
Patent RE43,563 E

overlooked” standard and, thus, must be rejected on that ground alone. *Id.* at 15.

We are not persuaded by this argument. A conclusion based on an erroneous interpretation of law constitutes an abuse of discretion. *See Stevens*, 366 F.3d at 1331. We conclude that Petitioner is correct in its contention that the Decision Denying Joinder was based on an erroneously narrow interpretation of 35 U.S.C. § 315(c). We, therefore, determine that Petitioner’s Request for Rehearing was proper.

IV. CONCLUSION

For the foregoing reasons, we conclude that the Decision Denying Joinder was based on an improper construction of 35 U.S.C. § 315(c), and thus, the denial of joinder on that basis alone constituted an abuse of discretion. Accordingly, Petitioner’s Request for Rehearing is *granted*.

IPR2014-00508
Patent RE43,563 E

Opinion Dissenting filed by *Administrative Patent Judge* FITZPATRICK, in which BISK and WEATHERLY, *Administrative Patent Judges*, join.

I. INTRODUCTION

Via expanded panel, the majority grants rehearing of the Decision Denying Joinder. To do so, it rewrites two subsections of 35 U.S.C. § 315; reads past the most relevant provision of the Final Committee Report; misinterprets ambiguous statements by a single Member of Congress, some of which were made in connection with a version of a bill that differed materially from the enacted legislation; relies on non-binding prior Board decisions that allowed joinder of issues without explicitly analyzing § 315(c); and relies on the Board’s Rules and Office Patent Trial Practice Guide, which cannot trump a federal statute. In doing so, the majority converts a statutory bar to *inter partes* review into a discretionary bar. We respectfully dissent.¹

II. BACKGROUND

The majority asserts that the Decision Denying Joinder “would deprive the Board of any discretion to move forward in such circumstances, where a petitioner in a prior *inter partes* proceeding seeks joinder of an issue to that proceeding, and may not bring a separate petition because of a

¹ We recognize that in opposition to Petitioner’s Request for Rehearing, Patent Owner also makes procedural arguments related to the makeup of the panel. Paper 24, 7–13. Specifically, Patent Owner argues that creating a panel of seven to decide Petitioner’s Request for Rehearing would violate Due Process, the Administrative Procedures Act, and 35 U.S.C. § 2(b)(2). *Id.* Because we would not grant rehearing, we decline to address these additional arguments.

IPR2014-00508
Patent RE43,563 E

§ 315(b) bar.” Maj. Op. 14. To say that the Decision Denying Joinder would deprive the Board of discretion, however, presumes that the Board begins with the broad discretion resulting from the majority’s interpretation of § 315(c). The divergence in the two interpretations of § 315(c) stems from fundamentally different approaches to reading the statute. The majority reads § 315(c) as if it grants discretion for the Board to act in any way not expressly prohibited by the statute. By contrast, we interpret § 315(c) to grant discretion for the Board to act only in ways that are stated expressly in the statute. For reasons expressed more specifically below, we consider our interpretation also to be more consistent with the other portions of the statutory framework than the majority’s interpretation.

III. 35 U.S.C. § 315(c)

Petitioner filed a Motion for Joinder pursuant to § 315(c). Paper 3, 1. Specifically, Petitioner seeks to have the instant “Petition . . . joined with the instituted *inter partes* review, *Target Corp. v. Destination Maternity Corp.*, IPR2013-00531.” *Id.*

A. The Statutory Language

As our reviewing court has noted, “[a]s always, the ‘starting point in every case involving construction of a statute is the language itself.’” *Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1425 (Fed. Cir. 1988) (quoting *United States v. Hohri*, 482 U.S. 64, 69 (1987) and *Kelly v. Robinson*, 479 U.S. 36, 43 (1986)). Additionally, “[i]n expounding a statute, we must not be guided by a single sentence or member of a sentence, but look to the provisions of the whole law, and to its object and policy.” *Kelly*, 479 U.S. at

IPR2014-00508
Patent RE43,563 E

43 (quoting *Offshore Logistics, Inc. v. Tallentire*, 477 U.S. 207, 222 (1986)).

The statute under which Petitioner seeks relief provides:

(c) JOINDER.—If the Director institutes an inter partes review, the Director, in his or her discretion, may *join as a party* to that inter partes review *any person who properly files a petition* under section 311 that the Director, after receiving a preliminary response under section 313 or the expiration of the time for filing such a response, determines warrants the institution of an inter partes review under section 314.

35 U.S.C. § 315(c) (emphasis added). The statute does not refer to the joining of a petition or new patentability challenges presented therein. Rather, it refers to the joining of a petitioner (i.e., “any person who properly files a petition”). *Id.* Further, it refers to the joining of that petitioner “as a party to [the instituted] inter partes review.” *Id.* Because Target is already a party to the proceeding in IPR2013-00531, Target cannot be *joined* to IPR2013-00531.

The majority points out that the Board consistently has allowed joinder of additional grounds by the same party. *See, e.g.*, Maj. Op. 6. But, only the *Ariosa* panel explicitly construed § 315(c). *Compare Ariosa Diagnostics v. Isis Innovation Ltd.*, Case IPR2012-00022 (PTAB Sept. 2, 2014) (Paper 166) (explicitly interpreting § 315(c)) *with Samsung Elecs. Co. v. Virginia Innovation Scis., Inc.*, Case IPR2014-00557 (PTAB June 13, 2014) (Paper 10) (“*Samsung*”), *Sony Corp. v. Yissum Research Dev. Co. of the Hebrew Univ. of Jerusalem*, Case IPR2013-00327 (PTAB Sept. 24, 2013) (Paper 15), *ABB Inc. v. Roy-G-Biv Corp.*, Case IPR2013-00286 (PTAB Aug. 9, 2013) (Paper 14), *Microsoft Corp. v. Proxyconn, Inc.*, Case IPR2013-00109 (PTAB Feb. 25, 2013) (Paper 15). Given that the majority concludes that the statute is ambiguous, it should not place any weight on

IPR2014-00508
Patent RE43,563 E

such decisions, which are not binding and do not analyze the statute explicitly.

The *Ariosa* panel construed § 315(c) as authorizing joinder of issues presented in another petition. *Ariosa* at 18–21. In fact, *Ariosa* interpreted § 315(c) as authorizing joinder of issues presented in another petition *brought by the same petitioner. Id.* The decision stated:

While the plain language of the statute mentions joinder of “a party” and does not specifically articulate the joinder of issues, it states that “any person who properly files a petition under section 311” may be joined at the Director’s discretion. Thus, there does not appear to be any language in the statute directly prohibiting the joinder of issues by the same party.

Id. at 19.

We agree with *Ariosa*’s characterization of the express content of § 315(c), but we reach a different conclusion. In our view, the absence from the statute of an express prohibition against joining issues presented in another petition to an instituted *inter partes* review does not inform whether the authority to do so has been granted. “[A]n agency’s power is no greater than that delegated to it by Congress.” *Lyng v. Payne*, 476 U.S. 926, 937(1986); *Killip v. Office of Pers. Mgmt.*, 991 F.2d 1564, 1569 (Fed. Cir. 1993) (“An agency is but a creature of statute. Any and all authority pursuant to which an agency may act ultimately must be grounded in an express grant from Congress.”). Indeed, if the absence of a prohibition constituted a grant of authority, § 315(c)’s express grant of authority for joining a party would be superfluous. We view the statute as authorizing only what it states, i.e., that the Director “may join as a party to that *inter partes* review any person who properly files a petition.” 35 U.S.C. § 315(c).

IPR2014-00508
Patent RE43,563 E

1. *“Re-Joining” an Existing Party*

Central to the majority’s opinion is its focus on the statutory language “any person” to the exclusion of other statutory language, in particular the phrase “join as a party.” The majority erroneously characterizes the Decision Denying Joinder as reading the word “any” out of § 315(c). It did not. The Decision Denying Joinder did not hold that Target was not “any person.” Rather, it held that Target cannot be joined as a party to IPR2013-00531 because it already is a party. More specifically, it stated:

Ariosa noted that § 315(c) is available to “*any person* who properly files a petition under section 311,” and, thus, interpreted the statute to apply to an existing party. *Ariosa* at 19 (quoting 35 U.S.C. § 315(c)) (our emphasis). However, the relief described in § 315(c) is something an existing party already has, namely, party status in the instituted *inter partes* review. A person cannot be joined to a proceeding in which it already is a party.^{[FN]2}

[FN]2. Additionally, solely focusing upon “any person” does not give full effect to the other words in the statute that limit who “any person” may be. Other language in § 315(c) excludes from “any person” at least two persons from among those who may be joined to a proceeding. More specifically, the phrase “who properly files a petition under section 311” excludes the patent owner, and “as a party” excludes persons who are already a party.

Decision Denying Joinder 4–5 & n.2.

2. *Joining a Ground or an Issue*

Even if § 315(c) were to contemplate the *re*-joining, so to speak, of an existing party by virtue of the “any person” language, as the majority holds,

IPR2014-00508
Patent RE43,563 E

the statute never authorizes joining a ground or an issue (as opposed to a person) to the instituted *inter partes* review. *See* 35 U.S.C. § 315(c).

The majority asks, if our construction were correct, why then would § 315(c) require the person to be joined to properly file its own petition under § 311 and the Director to determine whether that petition warrants institution under § 314. The majority's question presupposes that the filing of such a petition would be redundant unless it permits the person to raise additional challenges to patentability *in* the previously-instituted *inter partes* review. But, that is not the case. The petition requirement of § 315(c) serves many purposes.

Foremost among these purposes is the initiation of a legal process in which a non-patent owner voluntarily subjects itself to the Board's jurisdiction by filing a petition. Without a requirement to file a petition, a person could be joined involuntarily as a party to someone else's *inter partes* review. For example, suppose a patent owner accuses two unrelated persons of infringing its patent: Person A and Person B. If Person A files a petition for an *inter partes* review and it is instituted, the patent owner may want to join Person B involuntarily to expand the number of persons subject to estoppel under 35 U.S.C. § 315(e)(1) and (2) upon a final written decision. *See* 37 C.F.R. § 42.122(b) ("Joinder may be requested *by a patent owner* or petitioner.") (emphasis added). But, the petition requirement in § 315(c) enables Person B to avoid being dragged into the *inter partes* review simply by not filing its own petition. *See* 35 U.S.C. § 315(c). The petition requirement of § 315(c) prevents involuntary joinder under such circumstances, and also prevents the potential estoppel that might result

IPR2014-00508
Patent RE43,563 E

from an involuntary joinder of a person who filed its own petition for an *inter partes* review but was not successful.

Still, it would be a mistake to focus exclusively on the merits of the petition in ascribing possible purposes for the petition requirement of § 315(c). Indeed, determining whether a petition warrants institution under § 314 involves far more than evaluating the merits of patentability challenges. Section 314 requires the Director to consider “any response filed under section 313.” The preliminary response under § 313 is a paper in which a patent owner may set forth “reasons why no *inter partes* review should be instituted based upon the failure of the petition to meet any requirement of this chapter.” 35 U.S.C. § 313. Thus, all requirements of Chapter 31 of Title 35 are relevant for determining whether a petition “warrants the institution of an *inter partes* review.”² For example, § 312(a), states:

(a) *Requirements of a petition.*—A petition filed under section 311 may be considered only if—

(1) the petition is accompanied by payment of the fee established by the Director under section 311;

² Those requirements are set forth in at least §§ 311(c), 312(a)(1), (2), (4), and (5), 315(a), (b), and (e)(1). These requirements do not include § 325(d), because it is not part of Chapter 31. The exclusion of § 325(d) is notable because it is § 325(d) that allows the Director to “take into account whether, and reject the petition or request because, the same or substantially the same prior art or arguments previously were presented to the Office.” 35 U.S.C. § 325(d). If § 325(d) were not excluded, it would provide an avenue for rejecting a request by a person seeking joinder as a party to an instituted *inter partes* review because he filed a petition that merely repeats the grounds involved in the instituted *inter partes* review.

IPR2014-00508
Patent RE43,563 E

(2) the petition identifies all real parties in interest;

(3) the petition identifies, in writing and with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim, . . . ;

(4) the petition provides such other information as the Director may require by regulation;”

35 U.S.C. § 312(a). Pursuant to 35 U.S.C. § 312(a)(4), the Director requires that petitions identify real parties-in-interest, related matters, lead and backup counsel, and service information. *See* 37 C.F.R. § 42.104 (requiring the notices set forth in 37 C.F.R. § 42.8 to be set forth in a petition).

Each statutory and regulatory requirement imposed upon a prospective party, i.e., a petitioner, remains meaningful. The second petitioner’s payment of a fee is equitable because the original petitioner paid a fee to create the proceeding and the second fee helps cover the costs of the added complexity to the proceeding. The second petitioner must identify all real parties-in-interest so that the Board may evaluate whether the second petitioner is barred under § 315(a) or § 315(b) and so that the estoppel provisions of § 315(e)(1) and (2) have the intended effect against the appropriate persons. Similarly, the second petitioner must identify the basis of each challenge so that the Board can determine whether the second petitioner’s participation in a prior *inter partes* review results in estoppel. The second petitioner must identify related matters to aid the Board in determining the presence of a bar under § 315(a) or (b) or estoppel under § 315(e)(1). The second petitioner must identify lead and backup counsel so that the Board can determine whether those counsel are qualified to

IPR2014-00508
Patent RE43,563 E

represent the petitioner and to render those counsel subject to the ethical requirements of practice that apply in *inter partes* reviews. The second petitioner must identify service information so that the Board and the other parties to the proceeding know how to communicate with the second petitioner's counsel and effect service of papers as required under the Rules.

Thus, many more reasons exist for requiring the filing of a petition that the Director determines “warrants institution of an *inter partes* review” than determining whether the patentability challenges presented in the petition are meritorious. The majority, however, posits that § 315(c), “by specifically referencing § 314, clearly contemplates that the merits of the petition be considered in determining whether joinder is granted, *and thus, as a consequence, necessarily contemplates joinder of issues* as well as joinder of parties.” Maj. Op. 9–10 (emphasis added). The majority's conclusion is not dictated by the stated premise. The majority implies that, if a second petitioner's petition warrants institution, it must be joined to a first *inter partes* review in order for the grounds therein to be heard. But, the statutorily-prescribed manner for the second petitioner's grounds to be heard is through institution of an *inter partes* review. 35 U.S.C. § 314. Section 315(c) does not contemplate, let alone authorize, joining the second petition to a first petitioner's *inter partes* review. Section 315(d), however, expressly authorizes the consolidation of a second *inter partes* review with a first *inter partes* review of the same patent.

In overemphasizing the merits of new patentability challenges presented in a second petition, the majority ignores the fundamentally stated character of joinder under § 315(c), namely to permit joinder of a person as a party to an instituted *inter partes* review. In our view, § 315(c) is not

IPR2014-00508
Patent RE43,563 E

ambiguous as to whether it permits joinder of grounds or issues. It unambiguously does not. It states that a person “may join as a party” and, despite referring to “a petition,”³ nowhere refers to the joining of that petition. 35 U.S.C. § 315(c).

B. The Legislative History

Because the majority perceives ambiguity in § 315(c), it reviews the legislative history for guidance in resolving the perceived ambiguity. While we consider § 315(c) to be unambiguous, we respond to the majority’s analysis of the legislative history.

The Final Committee Report states, under §§ 315(c) and 325(c), “[t]he Director may allow *other* petitioners to join an inter partes or post-grant review.” H.R. Rep. No. 112-98, pt.1, at 76 (2011) (emphasis added). The majority acknowledges this statement but discounts its plain reference to “other petitioners” as those who may seek joinder. Instead, the majority notes that the statement does not, on its face, prohibit same petitioner joinder. But, the statement was meant to “represen[t] the considered and collective understanding of those Congressmen involved in drafting and studying proposed legislation.” *Zuber v. Allen*, 396 U.S. 168, 186 (1969). We discern no reason why the drafters intentionally would describe only part

³ Whatever the reason for the petition requirement of § 315(c), the merits aspect of the requirement does not present much of an obstacle to a person seeking to join an instituted *inter partes* review. That person can satisfy the merits aspect of the requirement, regardless of whether it wishes to pursue new patentability challenges, merely by repeating the grounds upon which the *inter partes* review was instituted.

IPR2014-00508
Patent RE43,563 E

of their understanding of what the statute provides, for example, by referring to joinder of “other petitioners,” if, in fact, they understood the statute to provide for joinder also of same petitioners.

The majority relies heavily on comments from a single legislator and concludes that “joinder of issues was specifically envisioned by Congress.” Maj. Op. 12. The Supreme Court, however, informs us that committee reports are substantially more authoritative than comments from any one Member.

In surveying legislative history we have repeatedly stated that the authoritative source for finding the Legislature’s intent lies in the Committee Reports on the bill, which “represent[t] the considered and collective understanding of those Congressmen involved in drafting and studying proposed legislation.” *Zuber v. Allen*, 396 U.S. 168, 186 (1969). We have eschewed reliance on the passing comments of one Member, *Weinberger v. Rossi*, 456 U.S. 25, 35 (1982), and casual statements from the floor debates. *United States v. O’Brien*, 391 U.S. 367, 385; *Consumer Product Safety Comm’n v. GTE Sylvania, Inc.*, 447 U.S. 102, 108 (1980). In *O’Brien, supra*, 391 U.S., at 385, we stated that Committee Reports are “more authoritative” than comments from the floor, and we expressed a similar preference in *Zuber, supra*, 396 U.S., at 187.^{FN3}

FN3. As Justice Jackson stated:

“Resort to legislative history is only justified where the face of the Act is inescapably ambiguous, and then I think we should not go beyond Committee reports, which presumably are well considered and carefully prepared.... [T]o select casual statements from floor debates, not always distinguished for candor or accuracy, as a basis for making up our minds what law Congress intended to enact is to substitute ourselves for the Congress in one of its important functions.” *Schwegmann Bros. v. Calvert*

IPR2014-00508
Patent RE43,563 E

Distillers Corp., 341 U.S. 384, 395-396 (1951)
(concurring).

Garcia v. United States, 469 U.S. 70, 76 & n.3 (1984) (parallel citations omitted).

Instead of relying upon the clear intent set forth in the Final Committee Report as directed by the Supreme Court, the majority relies upon the following comments from Senator Kyl:

The Office anticipates that joinder will be allowed as of right—if an inter partes review is instituted on the basis of a petition, for example, a party that files an identical petition will be joined to that proceeding, and thus allowed to file its own briefs and make its own arguments. *If a party seeking joinder also presents additional challenges to validity that satisfy the threshold for instituting a proceeding, the Office will either join that party and its new arguments to the existing proceeding, or institute a second proceeding for the patent.*

157 Cong. Rec. S 1376 (daily ed. Mar. 8, 2011) (statement of Sen. Kyl) (emphasis added). Senator Kyl’s first sentence refers to “a party that files an identical petition,” which must refer to a person who is not already a party. Nevertheless, Senator Kyl also refers to a party who “presents additional challenges to validity.” It is not clear, from Senator Kyl’s statement, whether every word relates to his view of the operation of § 315(c) or § 325(c). His comments regarding “additional challenges” may relate solely to a second petitioner seeking consolidation of post-grant reviews under § 325(c), which expressly contemplates consolidation of issues presented in multiple petitions. *See* 35 U.S.C. § 325(c) (“If more than 1 petition for a post-grant review under this chapter is properly filed against the same patent and the Director determines that more than 1 of these petitions warrants the

IPR2014-00508
Patent RE43,563 E

institution of a post-grant review under section 324, the Director may *consolidate* such reviews into a single post-grant review.”) (emphasis added). At best, Senator Kyl’s remarks are ambiguous regarding his view of joinder under § 315(c). Regardless, under Supreme Court precedent, they are far less authoritative than the Final Committee Report, which expressly refers to those who the Director may join to an *inter partes* review as “other petitioners.”

The majority also quotes the following remarks by Senator Kyl as justifying its interpretation of § 315(c) as permitting joinder of issues: “[A] procedurally proper successive petition for second-period review may be joined to a pending proceeding at the discretion of the Director, even if the 329(b)(2) deadline has not been met, so long as the Director determines that the petition satisfies the threshold set in section 327(c).” 154 Cong. Rec. S 9988 (daily ed. Sept. 27, 2008) (statement of Sen. Kyl); Maj. Op. 11. Senator Kyl’s 2008 remarks relate to a statutory framework that materially differs from the AIA as enacted in 2011 and, in particular, from Chapter 31, which covers *inter partes* reviews. His remarks relate to S. 3600, a bill that was never considered in committee or presented to the Senate for a vote. That bill included the following provision, which states in pertinent part:

IPR2014-00508
Patent RE43,563 E

§ 322. Relation to other proceedings or actions

* * *

(c) **DUPLICATIVE PROCEEDINGS.**—A post-grant review^[4] or reexamination proceeding may not be instituted if—

(1) the petition requesting the proceeding identifies the same petitioner or real party in interest and the same patent as a previous petition requesting a post-grant review proceeding;

Patent Reform Act of 2008, S. 3600, 110th Congress § 5 (2008) (proposing 35 U.S.C. § 322 titled “Relation to other proceedings or actions” and including § 322(c) quoted above). Senator Kyl’s comments relate to a framework in which, once a party filed a first petition seeking review of a patent, the Board would be prohibited from instituting review on any subsequent petition filed by that party on the same patent. Thus, while the majority-quoted statement from Senator Kyl might support a view that he envisioned his 2008 bill would have permitted joinder of issues had it been enacted, it expressly barred institution based on subsequent petitions by the *same* petitioner.

The majority quotes a prediction by another Member that the AIA “will establish a more efficient and streamlined patent system that will

⁴ Senator Kyl’s bill, S. 3600, referred to two types of post-grant proceedings, a first-period proceeding and a second-period proceeding. Of these two types, the second-period proceeding is akin to an *inter partes* review. See Patent Reform Act of 2008, S. 3600, 110th Congress § 5 (2008) (proposing 35 U.S.C. § 321(c) titled “Second-Period Proceeding” describing a review of a patent based on prior art that includes only patents and printed publications for which a petition may be filed no sooner than 9 months after grant of the patent).

IPR2014-00508
Patent RE43,563 E

improve patent quality and limit unnecessary and counterproductive litigation costs, while making sure no party's access to court is denied." 157 Cong. Rec. S1349 (daily ed. Mar. 8, 2011) (statement of Sen. Leahy); Maj. Op. 12. Additionally, the majority quotes Rule 42.1(b) and the Office Patent Trial Practice Guide as stating: "The rules are to be construed so as to ensure the just, speedy, and inexpensive resolution of a proceeding." Maj. Op. 12 (citing 37 C.F.R. § 42.1(b); 77 Fed. Reg. 48,756, 48,758) (Aug. 14, 2012)). Upon citation of these sources, the majority concludes:

Thus, even if some claims of the '563 patent were to be found unpatentable in IPR2013-00531, by removing the discretion to join claim 21, as well as the new challenges, the case would necessarily have to go back to the district court for a separate determination as to those claims and challenges. That could result in a waste of judicial resources, increase the litigation costs to both parties, and be contrary to the purpose of ensuring a "just, speedy, and inexpensive resolution."

Maj. Op. 12. We do not find this reasoning persuasive.

First, Rule 42.1(b) directs the Board with regard to the manner in which our Rules should be interpreted. It does not provide a broad mandate for the Board to supplant U.S. District Courts as a venue for resolving disputes relating to patentability. Rule 42.1(b) also cannot permit the Board to act contrary to any statutory requirement. *See Santa Fe Indus., Inc. v. Green*, 430 U.S. 462, 472–73 (1977) ("The rulemaking power granted to an administrative agency charged with the administration of a federal statute is not the power to make law. Rather, it is 'the power to adopt regulations to carry into effect the will of Congress as expressed by the statute.' . . . (The scope of the Rule) cannot exceed the power granted the Commission by Congress under §10(b).") (quoting *Ernst & Ernst v. Hochfelder*, 425 U.S.

IPR2014-00508
Patent RE43,563 E

185, 212–14 (1976)); *Belkin Int’l., Inc. v. Kappos*, 696 F.3d 1379, 1384 (Fed. Cir. 2012) (“Statutes rank higher than regulations . . .”). We also note that U.S. District Courts are similarly directed to interpret the Federal Rules of Civil Procedure to “secure the just, speedy, and inexpensive determination of every action and proceeding.” FED. R. CIV. P. 1. While each venue has its own benefits and drawbacks from the perspective of potential parties, it is not a foregone conclusion that the Board automatically is preferred.

Second, although it might be more efficient and less costly to these parties for the Board to resolve the patentability challenges to claim 21 along with the challenges to other claims of the ’563 patent, we must be careful not to substitute our judgment for that of Congress. It is clear from the AIA that Congress did not give the Board a mandate to resolve all perceived clouds on a challenged patent. For example, a “petitioner in an inter partes review may request to cancel as unpatentable 1 or more claims of a patent *only* on a ground that could be raised under section 102 or 103 *and only* on the basis of prior art consisting of patents or printed publications.” 35 U.S.C. § 311(b) (emphasis added). Additionally, an “inter partes review may not be instituted if, before the date on which the petition for such a review is filed, the petitioner or real party in interest filed a civil action challenging the validity of a claim of the patent.” 35 U.S.C. § 315(a)(1); *see also* 35 U.S.C. § 315(b) (barring institution of an *inter partes* review if “the petition . . . is filed more than 1 year after the date on which the petitioner . . . is served with a complaint alleging infringement of the patent”). We may not discard any of these limitations in a quest to be speedy or efficient.

IPR2014-00508
Patent RE43,563 E

The plain language of § 315(c) permits the Director to join a “person” and only “as a party.” 35 U.S.C. § 315(c). The majority reads the words “join as a party” out of § 315(c) to permit an existing party to “re-join” an *inter partes* review to which it already is a party. The majority further rewrites § 315(c) by ignoring the word “person” to also permit joinder of grounds or issues. We respectfully dissent from the majority’s interpretation of § 315(c).

IV. OTHER RELEVANT PORTIONS OF THE STATUTORY FRAMEWORK

“In expounding a statute, we must not be guided by a single sentence or member of a sentence, but look to the provisions of the whole law, and to its object and policy.” *Kelly*, 479 U.S. at 43 (quoting *Offshore Logistics*, 477 U.S. at 222). We therefore look to other provisions in Chapter 31 of Title 35 for guidance regarding the meaning of § 315(c).

A. 35 U.S.C. § 315(b)

Section 315(b) is at issue in this proceeding because it provides a time bar to the Petition, which was filed more than one year after Petitioner was served with a complaint alleging infringement of the ’563 patent.⁵

Section 315(b) states:

(b) PATENT OWNER’S ACTION.—An *inter partes* review may not be instituted if the petition requesting the proceeding is

⁵ The Petition was accorded a filing date of March 14, 2014. Paper 5. Petitioner was served with a complaint alleging infringement of the ’563 patent on October 4, 2012. *Destination Maternity Corp. v. Target Corp.*, Case No. 2:12-cv-05680-AB (E.D. Pa.) (Dkt. No. 5).

IPR2014-00508
Patent RE43,563 E

filed more than 1 year after the date on which the petitioner . . . is served with a complaint alleging infringement of the patent. The time limitation set forth in the preceding sentence shall not apply to a request for joinder under subsection (c).

35 U.S.C. § 315(b). The first sentence of § 315(b) bars institution of an *inter partes* review if “the petition . . . is filed more than 1 year after the date on which the petitioner . . . is served with a complaint alleging infringement of the patent.” 35 U.S.C. § 315(b). The second sentence clarifies that the time limitation applies only to petitions and “shall not apply to a request for joinder under subsection (c).” 35 U.S.C. § 315(b) (emphasis added).

The majority holds that the second sentence of § 315(b) excludes petitions for *inter partes* reviews, rather than (or in addition to) requests for joinder, from the one-year bar set forth in the first sentence of § 315(b). *See* Maj. Op. 14 (“Under § 315(c), the *petition* need not be filed within a year of receiving a complaint alleging infringement of the patent at issue, as required § 315(b).”) (emphasis added); *see also* Paper 18, *dissent* at 11 (“[I]n our view, § 315(b) of the statute only allows waiver of the time bar if joinder is granted, and not by the mere filing of a motion requesting joinder.”). In doing so, the majority effectively rewrites the second sentence of § 315(b) as follows, with added material underlined: The time limitation set forth in the preceding sentence shall not apply to a petition accompanied by a request for joinder under subsection (c) if that request is granted.

The decision whether to grant joinder is discretionary. 35 U.S.C. § 315(c). Thus, the majority’s interpretation of § 315(b) converts the statutory bar set forth therein into a discretionary bar in certain circumstances, including those present in this proceeding. That is an

IPR2014-00508
Patent RE43,563 E

untenable result to us. We would enforce the statutory time bar against the Petition.

Under our interpretation, once a petitioner is time-barred under § 315(b) with respect to a particular patent, it is always time-barred. A time-barred petitioner cannot petition successfully for an *inter partes* review of the patent, regardless of whether it requests joinder under subsection (c). If an *inter partes* review of the patent is underway at the Board, a time-barred petitioner (as well as a non-time-barred petitioner) may request to join it as a party. 35 U.S.C. § 315(c). The Board, in its discretion, may grant or deny the request, but it may not deny the request as statutorily time-barred under § 315(b). If the request is granted, the requester becomes a party in the previously-instituted *inter partes* review, but § 315(c) does not provide for joining the requester's petition to the previously-instituted *inter partes* review.⁶

B. 35 U.S.C. § 315(d)

Section 315(d) is relevant to the construction of § 315(c) because the former, unlike the latter, expressly refers to the merging (termed “consolidation”) of two proceedings, such as two *inter partes* reviews.

Section 315(d) states:

MULTIPLE PROCEEDINGS.—Notwithstanding sections 135(a), 251, and 252, and chapter 30, during the pendency of an

⁶ Note, however, that the previously-instituted *inter partes* review potentially could be consolidated, under § 315(d), with another matter involving the same patent, which consolidation could result in expanded grounds or claims.

IPR2014-00508
Patent RE43,563 E

inter partes review, if another proceeding or matter involving the patent is before the Office, the Director may determine the manner in which the inter partes review or other proceeding or matter may proceed, including providing for stay, transfer, consolidation, or termination of any such matter or proceeding.

35 U.S.C. § 315(d). Thus, a clear distinction exists between § 315(c) and § 315(d) in that § 315(c) refers to the joinder of persons as parties, whereas § 315(d) refers to the consolidation of proceedings. This distinction undermines the majority's interpretation of § 315(c), which lacks language providing for joinder of proceedings.

The majority attempts to distinguish joinder under § 315(c) from consolidation under § 315(d) by stating that joinder is limited to the merging of two like proceedings (e.g., two *inter partes* reviews) whereas consolidation includes the merger of like proceedings as well as the merger of different proceedings (e.g., an *inter partes* review and a reexamination). Maj. Op. 14. But, this purported distinction is contradicted by Congress's use of the term "consolidate" to describe, specifically, the merger of two like proceedings. *See* 35 U.S.C. § 325(c) ("If more than 1 petition for a post-grant review under this chapter is properly filed against the same patent and the Director determines that more than 1 of these petitions warrants the institution of a post-grant review under section 324, the Director may consolidate such reviews into a single post-grant review.").

When Congress wanted to provide for the merger of multiple proceedings, it used language to that effect. *See* 35 U.S.C. § 315(d). It did not do so in § 315(c).

IPR2014-00508
Patent RE43,563 E

V. REHEARING STANDARD

Our rule on rehearing requires a request for rehearing to “identify all matters the party believes the Board misapprehended or overlooked, and the place where each matter was previously addressed in a motion, an opposition, or a reply.” 37 C.F.R. § 42.71(d). Petitioner has not done this, *see generally* Reh’g Req., and Patent Owner has pointed out the omission. *See* PO Opp. 14. The majority states that it is not persuaded that the Request for Rehearing fails to meet the requirement set forth in Rule 42.71(d), but does not explain why. Instead, the majority implies that the requirement set forth in Rule 42.71(d) is met whenever legal error is present. The legal error that the majority imputes to the Decision Denying Joinder, however, cannot be described fairly as based on misapprehending or overlooking anything presented in the record.

Under the standard applied by the majority, any decision based on legal error is amenable to rehearing regardless of whether the decision misapprehended or overlooked anything in the record. This would include, for example, all decisions that turn on claim construction or include a conclusion of obviousness or non-obviousness. *See, e.g., Teva Pharms. v. Sandoz, Inc.*, 135 S. Ct. 831, 842 (2015) (claim construction is a question of law); *Bristol-Myers Squibb Co. v. Teva Pharms. USA, Inc.*, 769 F.3d 1339, 1341 (Fed. Cir. 2014) (obviousness is a question of law). We disagree that the standard is so broad. We believe that the explicit requirement for the requester to identify something that was misapprehended or overlooked implicitly requires that something, in fact, was misapprehended or overlooked. *See* 37 C.F.R. § 42.71(d); *see also* 77 Fed. Reg. at 48,757 (“A party dissatisfied with the Board’s determination to institute a trial may

IPR2014-00508
Patent RE43,563 E

request rehearing as to points believed to have been overlooked or misapprehended. *See* § 42.71(d) and (c).”).

Petitioner has not identified any matter it believes the prior panel misapprehended or overlooked in the Decision Denying Joinder, or the place where Petitioner previously addressed that matter. *See* 37 C.F.R. § 42.71(d). For that reason alone, we would deny rehearing.

VI. CONCLUSION

We would deny rehearing because 35 U.S.C. § 315(c) does not provide for the relief requested by Petitioner and because its Petition is barred by 35 U.S.C. § 315(b). Additionally, we would deny rehearing because Petitioner has not identified any matter it believes the Decision Denying Joinder misapprehended or overlooked, or how that matter was previously addressed. *See* 37 C.F.R. § 42.71(d).

IPR2014-00508
Patent RE43,563 E

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**United States Court of Appeals
for the Federal Circuit**

In re: Windy City Innovations, LLC, 2018-102

CERTIFICATE OF SERVICE

I, Robyn Cocho, being duly sworn according to law and being over the age of 18, upon my oath depose and say that:

Counsel Press was retained by COOLEY LLP, Attorney for Defendant-Appellee to print this document. I am an employee of Counsel Press.

On **October 24, 2017**, Counsel for Facebook, Inc. has authorized me to electronically file the foregoing Response to Petition for Writ of Mandamus of Facebook, Inc. with the Clerk of Court using the CM/ECF System, which will serve via e-mail notice of such filing to any of the following counsel registered as CM/ECF users:

Alfred R. Fabricant Peter Lambrianakos Vincent J. Rubino, III Enrique W. Iturralde BROWN RUDNICK LLP 7 Times Square New York, NY 10036 Telephone: 212-209-4800 Facsimile: 212-209-4801	
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In addition, one copy will be sent overnight Federal Express to:

Director of the United States Patent and Trademark Office c/o Office of the General Counsel 600 Dulany Street Alexandria, VA 22314-5793	
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October 24, 2017

/s/ Robyn Cocho
Robyn Cocho
Counsel Press

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATION,
TYPEFACE REQUIREMENTS AND TYPE STYLE REQUIREMENTS**

1. This response complies with the type-volume limitation of Federal Rule of Appellate Procedure 21(d).

 X The response contains 5,340 words, excluding the parts of the response exempted by Rule.

2. This response complies with the typeface requirements of Federal Rule of Appellate Procedure 32(c)(2).

 X The response has been prepared in a proportionally spaced typeface using Times New Roman in a 14 point font.

October 24, 2017
Date

(s) /s/ Heidi L. Keefe
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Attorney for Facebook, Inc.