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EXPRESS MAIL CERTIFICATE

Date 6/16/03 Label No. EU 349695023-45

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

B.W. LEE Name (Print)      B.W. Lee Signature

Customer No.:

Dkt. No. 2637/1F581US2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Daniel Nissanoff; Mark Allan Schenecker

Serial No.: 09/869,538

Art Unit: 2165

**RECEIVED**

JUN 23 2003

Confirmation No.: 4656

**GROUP 3600**

Filed: November 2, 2001

For: SYSTEMS AND METHODS FOR ELECTRONIC COMMERCE

Date June 16, 2003

INFORMATION DISCLOSURE STATEMENT

Mail Stop Non Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the

above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed: (Check one of the boxes A-D)

- A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- C. after (A) and (B) above, but before the mailing date of a final rejection, a notice of allowance, or any other action that closes prosecution, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- i. Counsel states that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ii. A check for the fee set forth in 1.17(p), presently believed to be \$180, is enclosed.
- D. after (A), (B) and (C) above, but before payment of the issue fee: Counsel states that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- i. A check for the fee set forth in 1.17 (p), presently believed to be \$180, is enclosed.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto.

U.S. Patent No. 6,085,176 to Woolston was cited in an Office Action, dated May 23, 2003, for Application Serial No. 09/578,014, filed May 24, 2000. U.S. Patent No. 5,842,178 to Giovannoli is a continuation of U.S. Patent No. 5,578,328 and is of record in this application. Applicants believe U.S. Patent No. 5,758,328 to be cumulative, however, a copy is being enclosed with this submission. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

- A. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- B. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

Applicant Identifies these documents by attaching hereto copies of the forms PTO-892 and PTO- 1449 from the files of the prior application(s) or a fresh PTO- 1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

3. Document Nos. \_\_\_\_\_ are not in the English language. In accordance with 1.98(c), Applicant states:

- An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application is enclosed.
- A concise explanation of the relevance of document(s) \_\_\_\_\_ is found in the attached search report (see MPEP § 609 A(3)x).
- A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows: [Insert concise explanation of relevance]
- A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on pages \_\_\_\_\_ of the specification.
- A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see MPEP § 609 A(3)).

5. Other information being provided for the examiner's consideration follows:

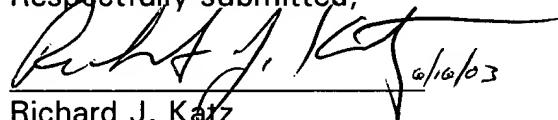
6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

**CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS**

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related in subject matter to the following U.S. Patent Application: U.S. Patent Application Serial No 09/578,014, filed May 24, 2000.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



Richard J. Katz

Registration No. 47,698

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