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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,673	04/28/2006	Ed Starrs	3829P	2637

Ed Starrs
P.O. Box 10072
Zephyr Cove, NV 89448

7590 09/27/2017

EXAMINER

TRAIL, ALLYSON NEEL

ART UNIT	PAPER NUMBER
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2876

MAIL DATE	DELIVERY MODE
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09/27/2017

PAPER

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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In re Patent No.: 7,389,913 :
Issue Date: June 24, 2008 :
Application No.: 11/413,673 : DECISION ON PETITION
Filed: April 28, 2006 :
Title: METHOD AND APPARATUS FOR :
ONLINE CHECK PROCESSING :

This is a decision on the renewed petition under 37 CFR § 1.378(b), filed September 1 and updated September 6, 2017, in response to the decision mailed August 1, 2017 dismissing the original petition to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition under 37 CFR 1.378(b) is **GRANTED**.

This patent expired on June 24, 2016 for failure to pay the 7.5 year maintenance fee. The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

The rules and statutory provisions governing the operations of the U.S. Patent and Trademark Office require payment of a fee on filing each petition under 37 CFR § 1.378(b). In this instance, the fees required are \$1,800 for the small entity maintenance fee due at 7.5 years and \$850 for the small entity delayed payment of the fee due at 7.5 years. The total fees owed are \$2,650. Petitioner submitted a payment of \$2,650 on April 5, 2017.

Telephone inquiries concerning this matter may be directed to Vanitha Elgart at 571. 272.7395.

/VANITHA ELGART/
Vanitha Elgart
Petitions Examiner
Office of Petitions

Office of Petitions: Routing Sheet



Application No. 11/413,673

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

11413673



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

ELGART, VANITHA

Count (1) - Palm Credit

11/413,673

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 533 - 37 CFR 1.378(c) - TO ACCEPT UNINTENTIONAL DEI



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on:

SEP 06 2017

PTO/AIA/123 (08-12)
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 Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS Patent Address to: Mail Stop Post Issue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Patent Number	7,389,913
	Issue Date	June 24, 2008
	Application Number	11/413,673
	Filing Date	April 28, 2006
	First Named Inventor	Ed Starrs
	Attorney Docket Number	

Please change the Correspondence Address for the above-identified patent to:

The address associated with Customer Number:

OR

Firm or Individual Name Ed Starrs
 PO Box 10072

Address

City Zephyr Cove **State** NV **ZIP** 89448

Country USA

Telephone (775) 434-5105 **Email** ed.starrs@gmail.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

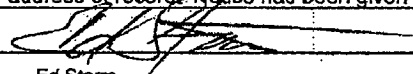
I am the:

Patentee.

If the Patentee was not the applicant for patent (37 CFR 1.42), then a Statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is enclosed or was filed on _____. See 37 CFR 3.71.

Attorney or agent of record. Registration Number: _____

Patent practitioner acting in a representative capacity whose correspondence address is the correspondence address of record. Notice has been given to the patentee or owner. Registration Number _____

Signature: 

Typed or Printed Name Ed Starrs

Date September 6, 2017 **Telephone** (775) 434-5105

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Docket Number (Optional)

Page 1 of 3

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OFFICE OF PETITIONS

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact the Office of Petitions at (571) 272-5282.

Patent No. 7,389,913 Application Number 11/413,673

Issue Date June 24, 2008 Filing Date April 28, 2006

CAUTION: Maintenance fee payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable.

The above-identified patent

is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

CERTIFICATE OF MAILING (37 CFR 1.8(a))

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

September 6, 2017
Date


Signature

Edward R Starrs

Typed or Printed Name of Person Signing Certificate

{page 1 of 3}

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT
OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Page 2 of 3

1. SMALL ENTITY

Patentee asserts, or has previously asserted, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MICRO ENTITY

Patentee certifies, or has previously certified, micro entity status. See 37 CFR 1.29
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

4. LOSS OF ENTITLEMENT TO MICRO ENTITY STATUS

Patentee is no longer entitled to micro entity status. See 37 CFR 1.29(j).

5. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier

Undiscounted			Small Entity			Micro Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3% yr fee	(1551)	<input type="checkbox"/> \$ _____	3% yr fee	(2551)	<input type="checkbox"/> \$ _____	3% yr fee	(3551)
<input type="checkbox"/> \$ _____	7% yr fee	(1552)	<input checked="" type="checkbox"/> \$ <u>1,900.⁰⁰</u>	7% yr fee	(2552)	<input type="checkbox"/> \$ _____	7% yr fee	(3552)
<input type="checkbox"/> \$ _____	11% yr fee	(1553)	<input type="checkbox"/> \$ _____	11% yr fee	(2553)	<input type="checkbox"/> \$ _____	11% yr fee	(3553)

MAINTENANCE FEE BEING SUBMITTED \$ 1,900.

6. PETITION FEE

The petition fee required by 37 CFR 1.17(m) of:

\$ _____ Undiscounted (Fee Code 1558); or
\$ 850.⁰⁰ Small Entity (Fee Code 2558)

must be paid as a condition of accepting an unintentionally delayed payment of a maintenance fee. (Note: There is currently no micro entity amount for the petition fee.)

PETITION FEE BEING SUBMITTED \$ 850.

7. MANNER OF PAYMENT

- Enclosed is a check for the sum of \$ _____
- Please charge Deposit Account No. _____ the sum of \$ _____
- Payment by credit card. Form PTO-2038 is attached.
- Payment made via EFS-Web.

8. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Director is hereby authorized to charge any maintenance fee or petition deficiency to Deposit Account No. _____

PTO/SB/66 (08-15)

Approved for use through 07/31/2018. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Page 3 of 3

9. OVERPAYMENT

As to any overpayment made, please

Credit to Deposit Account No. _____

OR

Send refund check.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information, such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form (PTO-2038) submitted for payment purposes), is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms (PTO-2038) submitted for payment purposes are not retained in the application file and therefore are not publicly available.

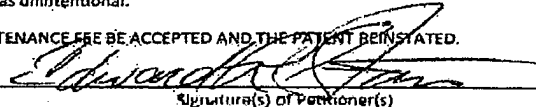
10. STATEMENT

The delay in payment of the maintenance fee for this patent was unintentional.

11. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

September 6, 2017

Date



Signature(s) of Petitioner(s)

Edward R Starrs

Typed or Printed Name(s)

Registration Number, if applicable

(775) 434-5105

Telephone Number

PO Box 10072, Zephyr Cove, NV 89448

Address

Address

37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with § 1.33(b)."

12. ENCLOSURES

Maintenance Fee Payment

Petition fee under 37 CFR 1.17(m) (fee for filing the maintenance fee petition)

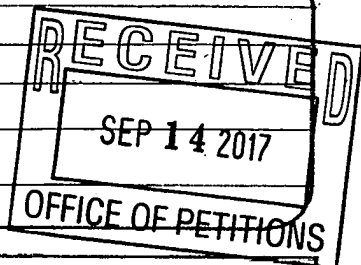
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<p align="center">CHANGE OF CORRESPONDENCE ADDRESS <i>Patent</i></p> <p>Address to: Mail Stop Post Issue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	Patent Number	7,389,913
	Issue Date	June 24, 2008
	Application Number	11/413,673
	Filing Date	April 28, 2006
	First Named Inventor	Ed Starrs
	Attorney Docket Number	



Please change the Correspondence Address for the above-identified patent to:

The address associated with Customer Number:

OR

Firm or Individual Name Ed Starrs
PO Box 10072

Address

City Zephyr Cove State NV ZIP 89448

Country USA

Telephone (775) 434-5105 Email ed.starrs@gmail.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

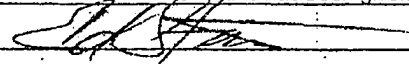
I am the:

Patentee.

If the Patentee was not the applicant for patent (37 CFR 1.42), then a Statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is enclosed or was filed on _____ See 37 CFR 3.71.

Attorney or agent of record. Registration Number _____

Patent practitioner acting in a representative capacity whose correspondence address is the correspondence address of record. Notice has been given to the patentee or owner. Registration Number _____

Signature 
Typed or Printed Name Ed Starrs

Date September 6, 2017 Telephone (775) 434-5105

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.

*Total of _____ forms are submitted.

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FAX COVER SHEET

TO	VanithaElgart
COMPANY	USPTO
FAXNUMBER	15712738300
FROM	EdStarrs
DATE	2017-09-06 18:36:56 GMT
RE	PetitiontoAcceptUnintentionallyDelayedPayment

COVER MESSAGE

Also attached Change of Address and Credit Card Payment

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Docket Number (Optional)

Page 1 of 3

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact the Office of Petitions at (571) 272-3282.

Patent No. 7,389,913

Application Number 11/413,673

Issue Date Jun. 24, 2008

Filing Date April 28, 2006

CAUTION: Maintenance fee payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable.

The above-identified patent

Is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____
filed on _____

CERTIFICATE OF MAILING (37 CFR 1.8(a))

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

Sep. 1, 2017
Date



Signature

Edward R Starrs

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT
OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Page 2 of 3

1. SMALL ENTITY

Patentee asserts, or has previously asserted, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MICRO ENTITY

Patentee certifies, or has previously certified, micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

4. LOSS OF ENTITLEMENT TO MICRO ENTITY STATUS

Patentee is no longer entitled to micro entity status. See 37 CFR 1.29(i).

5. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

Undiscounted			Small Entity			Micro Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ _____	3½ yr fee	(2551)	<input type="checkbox"/> \$ _____	3½ yr fee	(3551)
<input type="checkbox"/> \$ _____	7½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7½ yr fee	(2552)	<input type="checkbox"/> \$ _____	7½ yr fee	(3552)
<input type="checkbox"/> \$ _____	11½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11½ yr fee	(2553)	<input type="checkbox"/> \$ _____	11½ yr fee	(3553)

MAINTENANCE FEE BEING SUBMITTED \$ _____

6. PETITION FEE

The petition fee required by 37 CFR 1.17(m) of:

\$ _____ Undiscounted (Fee Code 1558); or

\$ _____ Small Entity (Fee Code 2558)

must be paid as a condition of accepting an unintentionally delayed payment of a maintenance fee. (Note: There is currently no micro entity amount for the petition fee.)

PETITION FEE BEING SUBMITTED \$ _____

7. MANNER OF PAYMENT

- Enclosed is a check for the sum of \$ _____
- Please charge Deposit Account No. _____ the sum of \$ _____
- Payment by credit card. Form PTO-203B is attached.
- Payment made via EFS-Web.

8. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Director is hereby authorized to charge any maintenance fee or petition deficiency to Deposit Account No. _____

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT
OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Page 3 of 3

9. OVERPAYMENT

As to any overpayment made, please

Credit to Deposit Account No. _____

OR

Send refund check.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information, such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form (PTO-2038) submitted for payment purposes), is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms (PTO-2038) submitted for payment purposes are not retained in the application file and therefore are not publicly available.

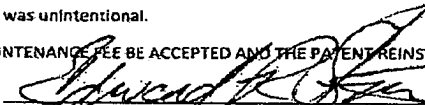
10. STATEMENT

The delay in payment of the maintenance fee for this patent was unintentional.

11. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Sep. 1, 2017

Date



Signature(s) of Petitioner(s)

Edward R Starrs

Typed or Printed Name(s)

Registration Number, if applicable

(775) 434-5105

Telephone Number

PO Box 10072, Zephyr Cove, NV 89448 (Mailing address)

Address

Address

37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with § 1.33(b)."

12. ENCLOSURES

Maintenance Fee Payment

Petition fee under 37 CFR 1.17(m) (fee for filing the maintenance fee petition)

Statement of unintentional delay in payment of maintenance fee

Best Available Copy

To: Ms. Elgart Page 5 of 6

2017-09-01 18:42:32 (GMT)

17755819001 From: Ed Starrs

Edward R Starrs

PO Box 10072

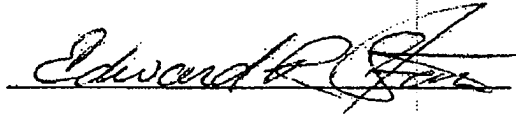
Zephyr Cove, NV 89448

September 1, 2017

Attn: Ms. Elgart, Examiner, USPTO

Re: US Patent: 7,389,913 Application: 11/413,673

I, Edward R Starrs, hereby certify that the delay in payment of the maintenance fee was unintentional

A handwritten signature in black ink, appearing to read "Edward R Starrs", is written over a horizontal line.

Edward R Starrs

SEP 01 2017

PTO/AJA/122 (08-12)

Approved for use through 01/31/2018: OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

<p align="center">CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i></p> <p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	Application Number	11/413,673
	Filing Date	April 28, 2006
	First Named Inventor	Ed Starrs
	Art Unit	
	Examiner Name	
	Attorney Docket Number	

RECEIVED

SEP 12 2017

OFFICE OF PETITIONS

Please change the Correspondence Address for the above-identified patent application to:

The address associated with Customer Number: _____

OR

Firm or Individual Name **Ed Starrs**

Address **PO Box 10072**

City **Zephyr Cove** State **NV** Zip **89448**

Country **USA**

Telephone **(775) 434-5105** Email **ed.starrs@gmail.com**

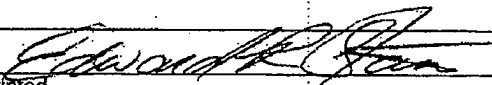
This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

Applicant

Attorney or agent of record. Registration Number _____

Registered practitioner named in the application, transmittal papers who acts in a representative capacity under 37 CFR 1.34. See 37 CFR 1.33(a)(1). Registration Number _____

Signature 

Typed or Printed Name **Edward R Starrs**

Date **9/1/2017** Telephone **(775) 434-5105**

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required. see below*

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

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SEP 01 2017

FAX COVER SHEET

TO	Ms. Elgart
COMPANY	USPTO
FAXNUMBER	15712738300
FROM	EdStarrs
DATE	2017-09-01 18:42:08 GMT
RE	PetitiontoAcceptUnintentionallyDelayedPayment

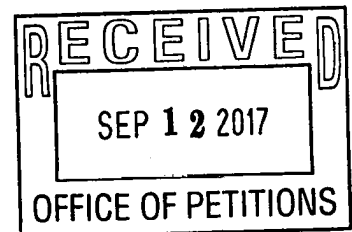
COVER MESSAGE

US Patent # 7,389,913

Contact: Ed Starrs (775) 434-5105

ed.starrs@gmail.com

PO Box 10072, Zephyr Cove, NV 89448



TC2800

JEFF

Organization Bldg./Room

UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

Alexandria, VA. 22313-1450

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Penalty For Private Use, \$300



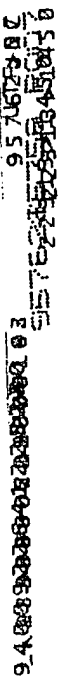
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0008003330 JUL 28 2017
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UNABLE TO FORWARD

BC: 22313145050 *0217-00245-28-39



FW

Transmittal Communication on Petition	Application No. 11/413,673	Applicant/Patent Under Reexamination STARRS, ED	
	Deciding Official VANITHA ELGART	Office of Petitions OPET	

U.S. PATENT & TRADEMARK OFFICE
AUG 22 2017
AKIMA-14

The MAILING DATE of this communication appears on the cover sheet with the correspondence address. --
(ADDITIONAL PARTY'S CORRESPONDENCE ADDRESS)

Edward R. Starrs
1101 Investment Blvd.
Suite 125
El Dorado Hills, CA 95762

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above-identified Application/Patent.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Patent No. 7,389,913 :
Issue Date: June 24, 2008 :
Application No.: 11/413,673 : **DECISION ON PETITION**
Filed: April 28, 2006 :
Title: METHOD AND APPARATUS FOR :
ONLINE CHECK PROCESSING :

This is a decision on the petition under 37 CFR 1.378(b), filed March 8, 2017, to accept delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

Any request for reconsideration under 37 CFR 1.378(d) may be filed within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. This is **not** a final agency action within the meaning of 5 USC 704.

A maintenance fee payment is required in a patent at 3.5 years, 7.5 years, and 11.5 years from the date of issuance. A petition may be filed to accept the unintentionally delayed payment of a maintenance fee in the event that a maintenance fee is not timely paid.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(b) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the petition fee set forth in 37 CFR 1.17(m). Where there is a question as to whether the delay in payment of the maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(b) was unintentional, the Director may require additional information. This change went into effect on December 18, 2013, the effective date of the Patent Law Treaties Implementation Act, and applies to this petition. The petition lacks item (1) above.

Regarding item (1), the petition lacks a statement of unintentional delay regarding payment of the 7.5 year maintenance fee.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Art Unit: OPET

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By internet: EFS-Web¹

Any questions concerning this matter may be directed to Vanitha Elgart at 571.272.7395.

/VANITHA ELGART/
Vanitha Elgart
Petitions Examiner
Office of Petitions

cc: Edward R. Starrs
 1101 Investment Blvd.
 Suite 125
 El Dorado Hills, CA 95762

¹ <http://portal.uspto.gov> (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197).



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,673	04/28/2006	Ed Starrs	3829P	2637

29141 7590 08/01/2017
Brundidge & Stanger, P.C./SLG
1925 BALLENGER AVENUE, STE. 560
Alexandria, VA 22314

EXAMINER

TRAIL, ALLYSON NEEL

ART UNIT	PAPER NUMBER
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2876

NOTIFICATION DATE	DELIVERY MODE
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08/01/2017

ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@brundidge-stanger.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Patent No. 7,389,913 :
Issue Date: June 24, 2008 :
Application No.: 11/413,673 : **DECISION ON PETITION**
Filed: April 28, 2006 :
Title: METHOD AND APPARATUS FOR :
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Art Unit: OPET

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 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
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 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By internet: EFS-Web¹

Any questions concerning this matter may be directed to Vanitha Elgart at 571.272.7395.

/VANITHA ELGART/
Vanitha Elgart
Petitions Examiner
Office of Petitions

cc: Edward R. Starrs
 1101 Investment Blvd.
 Suite 125
 El Dorado Hills, CA 95762

¹ <http://portal.uspto.gov> (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197).

Transmittal Communication on Petition	Application No. 11/413,673	Applicant/Patent Under Reexamination STARRS, ED	
	Deciding Official VANITHA ELGART	Office of Petitions OPET	

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

(ADDITIONAL PARTY'S CORRESPONDENCE ADDRESS)

Edward R. Starrs
1101 Investment Blvd.
Suite 125
El Dorado Hills, CA 95762

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above-identified Application/Patent.

Office of Petitions: Routing Sheet



Application No. 11/413,673

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

11413673



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

ELGART, VANITHA

Count (1) - Palm Credit

11/413,673

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 533 - 37 CFR 1.378(c) - TO ACCEPT UNINTENTIONAL DEI



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on:

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))				
Patent Number	Issue Date (YYYY-MM-DD)	Application Number	Filing Date (YYYY-MM-DD)	Docket Number (if applicable)
7,389,913	2008-06-24	11413673	2006-04-28	
CAUTION: Maintenance fee payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).				
SMALL ENTITY <input checked="" type="checkbox"/> Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.				
LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS <input type="checkbox"/> Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)				
NOT Small Entity		Small Entity		
<input type="radio"/>	Fee	Code	<input checked="" type="radio"/>	Fee
<input type="radio"/>	3 ½ year	(1551)	<input type="radio"/>	3 ½ year
<input type="radio"/>	7 ½ year	(1552)	<input type="radio"/>	7 ½ year
<input type="radio"/>	11 ½ year	(1553)	<input type="radio"/>	11 ½ year
PETITION FEE The petition fee required by 37 CFR 1.17(m) (Fee Code 1558 /2558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.				
MAINTENANCE FEE (37 CFR 1.20(e)-(g)) The appropriate maintenance fee must be submitted with this petition.				
STATEMENT THE UNDERSIGNED CERTIFIES THAT THE DELAY IN PAYMENT OF THE MAINTENANCE FEE TO THIS PATENT WAS UNINTENTIONAL				
PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED				
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES 37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with 37 CFR 1.33(b)." I certify, in accordance with 37 CFR 1.4(d)(4) that I am				
<input type="radio"/> An attorney or agent registered to practice before the Patent and Trademark Office <input checked="" type="radio"/> A sole patentee <input type="radio"/> A joint patentee; I certify that I am authorized to sign this submission on behalf of all the other patentees as evidenced by the power of attorney in the application <input type="radio"/> A joint patentee; all of whom are signing this e-petition <input type="radio"/> The assignee of record of the entire interest that qualifies as an authorized party under 37 CFR 1.33(b)				

04/06/2017 DALLEN 00000028 7389913

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2650.00 0P

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

Sole Patentee			
A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.			
Signature	/Edward R. Starrs/	Date (YYYY-MM-DD)	2017-04-05
Name	Edward R. Starrs		
<p>This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. This form can only be used when in conjunction with EFS-Web. If this form is mailed to the USPTO, it may cause delays in reinstating the patent.</p>			

From:

04/05/2017 09:43

#068 P.001/004

1101 Investment Blvd, Ste. 125
El Dorado Hills, CA 95762
Office: 844.693.2432
Fax: 016.542-7991
www.MyCcheck.com



Fax

To: USPatent & Trademark Office

From: Christine Cowan

Fax: (571) 273-8300

Pages: 4

Phone: (571) 272-3282

Date: 3/08/2017

**Re: Petition to Accept
Unintentionally Delayed Payment of
Maintenance fee in an Expired
Patent**

cc: Edward R. Starrs

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Patent to Accept Unintentionally delayed payment of maintenance fee in an expired patent.

Thank you,

Christine Cowan
Finance Manager
Assistant to the CEO
Christine.cowan@myecheck.com
(916) 300-0880

From:

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03/08/2017 12:09

#067 P.002/004

MAR 08 2017

PTO/SB/66 (12-13)

Approved for use through 05/31/2015. OMB 0651-0016
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Patent Number	Issue Date (YYYY-MM-DD)	Application Number	Filing Date (YYYY-MM-DD)	Docket Number (if applicable)
7,389,913	2008-06-24	11413673	2006-04-28	

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MAR 29 2017
OFFICE OF PETITIONS

CAUTION: Maintenance fee payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. See 37 CFR 1.366(c) and (d).

SMALL ENTITY

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

NOT Small Entity

- | | | |
|-----------------------|-----------|--------|
| | Fee | Code |
| <input type="radio"/> | 3 ½ year | (1551) |
| <input type="radio"/> | 7 ½ year | (1552) |
| <input type="radio"/> | 11 ½ year | (1553) |

Small Entity

- | | | |
|----------------------------------|-----------|--------|
| | Fee | Code |
| <input checked="" type="radio"/> | 3 ½ year | (2551) |
| <input type="radio"/> | 7 ½ year | (2552) |
| <input type="radio"/> | 11 ½ year | (2553) |

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MAR 29 2017
ACCOUNTING

PETITION FEE

The petition fee required by 37 CFR 1.17(m) (Fee Code 1558 /2558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition.

STATEMENT

THE UNDERSIGNED CERTIFIES THAT THE DELAY IN PAYMENT OF THE MAINTENANCE FEE TO THIS PATENT WAS UNINTENTIONAL

PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with 37 CFR 1.33(b)."

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

- An attorney or agent registered to practice before the Patent and Trademark Office
- A sole patentee
- A joint patentee; I certify that I am authorized to sign this submission on behalf of all the other patentees as evidenced by the power of attorney in the application
- A joint patentee; all of whom are signing this e-petition
- The assignee of record of the entire interest that qualifies as an authorized party under 37 CFR 1.33(b)

From:

03/08/2017 12:09

#067 P.003/004

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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

Patent Practitioner

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature

Signature	/EDWARD STARRS/	Date (YYYY-MM-DD)	2017-03-07
Name	EDWARD STARRS	Registration Number	

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. This form can only be used when in conjunction with EFS-Web. If this form is mailed to the USPTO, it may cause delays in reinstating the patent.

67 2 11 12 09
U.S. DEPARTMENT OF COMMERCE

From:

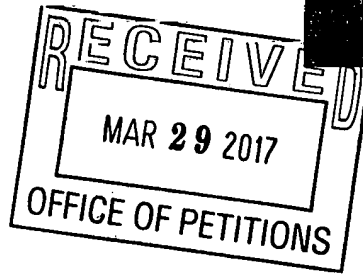
03/08/2017 12:08

#067 P.001/004

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MAR 08 2017

1101 Investment Blvd, Ste. 125
El Dorado Hills, CA 95762
Office: 844.693.2432
Fax: 916.542-7991
www.MyEcheck.com



Fax

To: US Patent & Trademark Office

From: Christine Cowan

Fax: (571) 273-8300

Pages: 4

Phone: (571) 272-3282

Date: 3/08/2017

**Re: Petition to Accept
Unintentionally Delayed Payment of
Maintenance fee in an Expired
Patent**

cc: Edward R. Starrs

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Patent to Accept Unintentionally delayed payment of maintenance fee in an expired patent.

Thank you,

Christine Cowan
Finance Manager
Assistant to the CEO
Christine.cowan@myecheck.com
(916) 300-0880

6/2/2017 10:00 AM
Christine.Cowan@myecheck.com



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,673	06/24/2008	7389913	3829P	2637

29141 7590 06/04/2008
SAWYER LAW GROUP LLP
P O BOX 51418
PALO ALTO, CA 94303

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

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

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

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

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (571)-272-4200.

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

Ed Starrs, El Dorado Hills, CA;

PART B - FEE(S) TRANSMITTAL

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

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

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

29141

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Shana Haack	(Depositor's name)
/Shana Haack/	(Signature)
May 15, 2008	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,673	04/28/2006	Ed Starrs	3829P	2637

TITLE OF INVENTION:

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	yes	\$720	\$300	\$0	\$1020	07/22/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
TRAIL, ALLYSON NEEL	2876	235-379000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 Sawyer Law Group LLP
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

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

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

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

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

4a. The following fee(s) are submitted:

- Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies 3

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 02-2120 (enclose an extra COPY of this form).

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

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Joseph A. Sawyer, Jr./

Date May 15, 2008

Typed or printed name Joseph A. Sawyer, Jr.

Registration No. 30,801

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ed Starrs

Confirmation No: 2637

Serial No: 11/413,673

Group Art Unit: 2876

Filed: April 28, 2006

Examiner: Allyson Neel TRAIL

For: METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

MAIL STOP ISSUE FEE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that the identified limitations with respect to independent claim 1, 9, 17, and 28 is the only grounds for patentability of the allowed claims. Furthermore, the claims may be patentable for other reasons. In addition, Applicant notes that the dependent claims may also be allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Respectfully submitted,

SAWYER LAW GROUP LLP

May 15, 2008
Date

/Joseph A Sawyer, Jr./
Joseph A. Sawyer, Jr.
Attorney for Applicants
Reg. No. 30,801
(650) 493-4540

Electronic Patent Application Fee Transmittal

Application Number:	11413673
Filing Date:	28-Apr-2006
Title of Invention:	METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING
First Named Inventor/Applicant Name:	Ed Starrs
Filer:	Joseph A. Sawyer/Shana Haack
Attorney Docket Number:	3829P

Filed as Small Entity

Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	720	720
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Printed copy of patent - no color	8001	3	3	9
Total in USD (\$)				1029

Electronic Acknowledgement Receipt

EFS ID:	3312395
Application Number:	11413673
International Application Number:	
Confirmation Number:	2637
Title of Invention:	METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING
First Named Inventor/Applicant Name:	Ed Starrs
Customer Number:	29141
Filer:	Joseph A. Sawyer/Shana Haack
Filer Authorized By:	Joseph A. Sawyer
Attorney Docket Number:	3829P
Receipt Date:	15-MAY-2008
Filing Date:	28-APR-2006
Time Stamp:	20:30:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1029
RAM confirmation Number	4578
Deposit Account	022120
Authorized User	HAACK,SHANA

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	3829P_PTOL85.pdf	41242 2753476204acc844fca62cb7fab77dc6e8a0e3ac	no	1
Warnings:					
Information:					
2	Applicant Arguments/Remarks Made in an Amendment	3829P_CommentsonStatementofReasonsforAllowance.pdf	19223 a7bb85c11eb22c17c60148dcb453e322332b9c63	no	1
Warnings:					
Information:					
3	Fee Worksheet (PTO-06)	fee-info.pdf	8443 408ded8c1d4bfe7c5698f012d42f08b292ea6107	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			68908		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



NOTICE OF ALLOWANCE AND FEE(S) DUE

29141 7590 04/22/2008

SAWYER LAW GROUP LLP
P O BOX 51418
PALO ALTO, CA 94303

EXAMINER
TRAIL, ALLYSON NEEL
ART UNIT PAPER NUMBER

2876
DATE MAILED: 04/22/2008

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

11/413,673 04/28/2006 Ed Starrs 3829P 2637

TITLE OF INVENTION: METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

nonprovisional YES \$720 \$300 \$0 \$1020 07/22/2008

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

29141 7590 04/22/2008

SAWYER LAW GROUP LLP
 P O BOX 51418
 PALO ALTO, CA 94303

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,673	04/28/2006	Ed Starrs	3829P	2637

TITLE OF INVENTION: METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	07/22/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
TRAIL, ALLYSON NEEL	2876	235-379000

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

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

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

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

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

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

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

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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

Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER. Includes application details for Ed Starrs and examiner TRAIL, ALLYSON NEEL.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

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

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

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No. 11/413,673	Applicant(s) STARRS, ED	
Examiner ALLYSON N. TRAIL	Art Unit 2876	

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

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

- 1. This communication is responsive to the amendment filed March 3, 2008.
- 2. The allowed claim(s) is/are 1-3, 5-12, 14-19, and 21-32.
- 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

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

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
- 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application
- 6. Interview Summary (PTO-413), Paper No./Mail Date _____.
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the Amendment filed March 3, 2008.

Allowable Subject Matter

2. Claims 1-3, 5-12, 14-19, and 21-32 are allowable over prior art.
3. The following is an examiner's statement of reasons for allowance: The best prior art of record, taken alone or in combination, fails to specifically teach or fairly suggest the computer-implemented method for processing an online payment from a user as well as the check processing system as is disclosed in the currently amended claims. Specifically, prior art fails to teach the method wherein the electronic image of an authorized demand draft allows a financial institution to transmit funds in substantially real-time. The prior art systems/methods disclosed require an extended processing period. Therefore the claimed method for processing an online payment from a user wherein an electronic image of an authorized demand draft is created and transmitted to the financial institution and the received funds from the financial institution based on the electronic image of the authorized demand draft are performed in substantially real-time is not disclosed in prior art. The above disclosed limitations are not taught in prior art and moreover, one of ordinary skill in the art would not have been motivated to come to the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allyson N. Trail whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**allyson.trail@uspto.gov**].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published

Art Unit: 2876

in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG

89.

/A.N.T./

Allyson N. Trail
Patent Examiner
Art Unit 2876
April 10, 2008

/Michael G Lee/
Supervisory Patent Examiner, Art Unit 2876



UNITED STATES PATENT AND TRADEMARK OFFICE

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

BIB DATA SHEET

CONFIRMATION NO. 2637

SERIAL NUMBER 11/413,673	FILING or 371(c) DATE 04/28/2006 RULE	CLASS 235	GROUP ART UNIT 2876	ATTORNEY DOCKET NO. 3829P		
APPLICANTS Ed Starrs, El Dorado Hills, CA;						
** CONTINUING DATA *****						
** FOREIGN APPLICATIONS *****						
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 05/22/2006						
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Met after Allowance	STATE OR COUNTRY CA	SHEETS DRAWINGS 29	TOTAL CLAIMS 24	INDEPENDENT CLAIMS 3
Verified and /ALLYSON NEEL TRAIL/	Examiner's Signature	Initials				
ADDRESS SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303 UNITED STATES						
TITLE Method and apparatus for online check processing						
FILING FEE RECEIVED 1100	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit			

Index of Claims 	Application/Control No. 11413673	Applicant(s)/Patent Under Reexamination STARRS, ED
	Examiner ALLYSON N TRAIL	Art Unit 2876

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE									
Final	Original	04/10/2008									
1	1	=									
2	2	=									
3	3	=									
	4	-									
5	5	=									
6	6	=									
7	7	=									
8	8	=									
10	9	=									
11	10	=									
12	11	=									
13	12	=									
	13	-									
15	14	=									
16	15	=									
17	16	=									
19	17	=									
20	18	=									
21	19	=									
	20	-									
23	21	=									
24	22	=									
25	23	=									
26	24	=									
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14	26	=									
22	27	=									
28	28	=									
9	29	=									
18	30	=									
27	31	=									
29	32	=									

Search Notes 	Application/Control No. 11413673	Applicant(s)/Patent Under Reexamination STARRS, ED
	Examiner ALLYSON N TRAIL	Art Unit 2876

SEARCHED			
Class	Subclass	Date	Examiner
235	379, 375	4/10/2008	AT
705	1, 26, 45	4/10/2008	AT

SEARCH NOTES		
Search Notes	Date	Examiner
EAST search attached - includes class and text search	4/10/2008	AT

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
same as	above	4/10/2008	AT

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	24	check with imag\$4 with draft and ("235"/\$.ccls. or "705"/\$.ccls.)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:09
L3	1381	"electronic check"	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:09
L4	957	3 and (website or online or web-site or on-line or internet)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:09
L5	48	3 and (website or online or web-site or on-line or internet) and "check 21"	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:10
L6	551	3 and (risk or score)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:10
L7	296	check same (real-time or "real time") with (cash or process\$4 or authoriz\$4 or verify or verification) same (imag\$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:12
L8	1994	235/379.ccls.	USPAT	OR	ON	2008/04/10 12:16
L11	2	"20070288380"	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2008/04/10 12:19

4/ 10/ 08 12:20:24 PM

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4/10/2008
AT

Attorney Docket: 3829P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ed STARRS

Confirmation No. 2637

Serial No. 11/413,673

Group Art Unit: 2876

Filed: April 28, 2006

Examiner: Allyson Neel Trail

For: METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

MAIL STOP AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Office Action of January 3, 2008, Applicant submits the following amendments and remarks:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

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In response to the Office Action of January 3, 2008, Applicant submits the following amendments and remarks:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions of the claims in the present application:

Listing of Claims:

1. (Currently Amended) A computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the method comprising:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item,

wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to the financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed in substantially real-time.

2. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an

authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

3. (Original) The method of claim 2, wherein the electronic image of the authorized demand draft is unsigned by the user.

4. (Cancelled)

5. (Original) The method of claim 1, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

6. (Original) The method of claim 5, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

7. (Original) The method of claim 6, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

8. (Original) The method of claim 1, wherein:

the item comprises one of a physical product, a service, digital media, or digital content; and

the financial institution is one of a bank, savings and loan (S&L), credit union, or Federal Reserve.

9. (Currently Amended) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment

for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface,

wherein the electronic image of the authorized demand draft allows a financial institution to transmit funds in substantially real-time, upon receipt of the electronic image of the authorized demand draft.

10. (Original) The method of claim 9, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

11. (Original) The method of claim 10, wherein the electronic image of the authorized demand draft is unsigned by the user.

12. (Original) The method of claim 10, further comprising:
transmitting the electronic image of the authorized demand draft to a financial institution;
and
receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

13. (Cancelled)

14. (Original) The method of claim 9, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

15. (Original) The method of claim 14, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

16. (Original) The method of claim 9, wherein the information from the user is received through a graphical user interface associated with a website of a merchant through which the item is purchasable.

17. (Currently Amended) A check processing system for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the system comprising:

a first engine to receive information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

a second engine to create an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

a third engine to transmit the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

a fourth engine to receive funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item,

wherein the fourth engine is operable to receive the funds from the financial institution in substantially real-time relative to when the electronic image of

the authorized demand draft is created and transmitted to the financial institution.

18. (Original) The system of claim 17, wherein the electronic image of the authorized demand draft is compliant with the Check Clearing for the 21st Century Act (Check 21).

19. (Original) The system of claim 18, wherein the electronic image of the authorized demand draft is unsigned by the user.

20. (Cancelled)

21. (Previously Presented) The system of claim 17, wherein one or more of the first engine, the second engine, the third engine, and the fourth engine are components of a single engine.

22. (Original) The system of claim 17, further comprising a fifth engine operable to perform one or more real-time verifications on the user prior to the second engine creating the electronic image of the authorized demand draft.

23. (Original) The system of claim 22, wherein the fifth engine operable to perform one or more real-time verifications including generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

24. (Original) The system of claim 23, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

25. (Previously Presented) The method of claim 2, wherein creating an electronic image of an authorized demand draft comprises creating an electronic (X9.37) image file.

26. (Previously Presented) The method of claim 10, wherein creating an electronic image of an authorized demand draft comprises creating an electronic (X9.37) image file.

27. (Previously Presented) The system of claim 18, wherein the electronic image of an authorized demand

28. (Previously Presented) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic (X9.37) image file of an authorized demand draft based on the authorization received from the user, the electronic (X9.37) image file of the authorized demand draft being created directly from the information provided by the user through the graphical user interface;

transmitting the electronic (X9.37) image file directly to the Federal Reserve; and

receiving funds from the Federal Reserve based on the electronic (X9.37) image file, wherein the funds are received from the Federal Reserve substantially in real-time relative to a time of the transmission of the electronic (X9.37) image file to the Federal Reserve.

29. (New) The method of claim 1, wherein the processing is completed without printing a paper check.

30. (New) The method of claim 9, wherein the processing is completed without printing a paper check.

31. (New) The system of claim 17, wherein the processing is completed without printing a paper check.

32. (New) The method of claim 28, wherein the processing is completed without printing a paper check.

REMARKS

Claims 1-28 of the patent application were presented for examination. In the Office Action of January 3, 2008, claims 1-28 were rejected. The claims, as amended are listed above. Claims 4, 13 and 20 have been cancelled. Claims 29-32 have been added. Accordingly, claims 1-3, 5-12, 14-19 and 21-32 are now pending for examination.

Applicant points out that the amendments to the independent claims incorporate the limitations of previously presented dependent claims (i.e., limitations of dependent claim 4 incorporated into independent claim 1; limitations of dependent claim 13 incorporated into independent claim 9; and limitations of dependent claim 20 incorporated into independent claim 17). The amendments are responsive to Examiner's suggestion in the Office Action (see para. 8). Applicant submits that amendments place the application in condition for allowance. Therefore, Applicant requests that Examiner enter the amendments, although submitted after final rejections.

Claim Rejections under 35 USC § 102

Claims 9-13 and 26 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2006/0161501 submitted by Waserstein et al. ("Waserstein"). Applicant respectfully traverses the rejections. In summary, whereas an electronic image of an authorized demand draft allows a financial institution to transmit funds in substantially real-time, Waserstein merely discloses an electronic check requiring 4 to 5 business days for processing.

Independent claim 9, as amended, is directed towards a computer-implemented method for processing an online payment for an item. The method comprises.

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface,

wherein the electronic image of the authorized demand draft allows a financial institution to transmit funds in substantially real-time, upon receipt of the electronic image of the authorized demand draft.

Advantageously, the funds can be transmitted from the financial institution in substantially real-time.

Waserstein discloses an electronic check requiring, for example, 4 to 5 business days for processing. More particularly, Waserstein discloses an e-check payment system which requires that a final, traditional paper check be produced from an electronic check (see para. 0023; Fig. 14, reference 137). Even though a payee can optionally transmit a check image to a payee's bank, the check image is converted to a paper check prior to processing. Further, Waserstein generally requires 4 to 5 business days for a bank to clear the check (see Fig. 1, reference 23).

Waserstein fails to teach or suggest the invention as recited in claim 0, as amended. For example, claim 9 recites that "the electronic image of the authorized demand draft allows a financial institution to transmit funds in substantially real-time, upon receipt of the electronic image of the authorized demand draft." As suggested by Examiner in paragraph 8 of the Office Action, the claim has been amended to recite "the processing time of the electronic check." On the other hand Waserstein explicitly discloses a system requiring 4 to 5 business days for processing. The extended processing time is because an e-check must first be converted to a traditional paper check. The paper check teaches away from claim 9 which is an electronic system from end-to-end.

Therefore, Applicant submits that independent claim 9, and all dependent claims, are patentable over Waserstein (and all other prior art of record).

Claim Rejections under 35 USC § 103

A. Claims 1-4, 8, 16-21, 25, and 27

Claims 1-4, 8, 16-21, 25, and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Waserstein in view of U.S. Patent Publication No. 2003/0093367 submitted by Allen-Rouman et al (“Allen-Rouman”). Applicant respectfully traverses the rejections. In summary, whereas an electronic image of an authorized demand draft allows a financial institution to transmit funds in substantially real-time, Waserstein merely discloses an electronic check requiring 4 to 5 business days for processing.

Independent claim 1, as amended, is representative of independent claim 17, as amended. Claim 1 is directed towards a computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant. The method comprises:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item,

wherein creating the electronic image of the authorized demand draft, transmitting the electronic image of the authorized demand draft to the financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed in

substantially real-time.

As with claim 9, claim 1 allows substantially real-time receipt of funds.

Waserstein fails to teach or suggest the invention as recited in claim 1. Claim 1 recites “creating the electronic image of the authorized demand draft, transmitting the electronic image of the authorized demand draft to the financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed in substantially real-time.” As discussed above with respect to claim 9, claim 1 allows substantially real-time receipt of funds whereas Waserstein requires 4 to 5 business days for receipt of funds, because the payee has to print a traditional paper check.

Therefore, Applicant submits that independent claims 1 and 17, and all dependent claims, are patentable over Waserstein for at least the same reasons as independent claim 9. Furthermore, Allen-Rouman, which is directed towards a process for transferring funds between a payor and a payee in an online transaction, fails to cure the deficiencies of Waserstein, either alone or in combination.

B. Claims 14 and 15

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waserstein in view of U.S. Patent Publication No. 2004/0199462 submitted by Starrs (“Starrs”). Because claims 14 and 15 depend upon patentable base claims, these claims are patentable for at least the same reasons discussed above. Also, Starrs, which is directed to providing a secure payment over a network, fails to cure the deficiencies of Waserstein, either alone or in combination. Therefore, Applicant submits that the rejections are traversed.

C. Claims 5-7 and 22-24

Claims 5-7 and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Waserstein in combination with Allen-Rouman and in further view of Starrs. Because claims 10 and 24 depend upon patentable base claims, these claims are patentable for at least the same reasons discussed above. As discussed, Allen-Rouman and Starrs, fail to cure the deficiencies on Wasterstein, either alone or in combination,.

D. Claim 28

Claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Waserstein in combination with Allen-Rouman and in further view of U.S. Patent Publication 2007/0156438 submitted by Popadic (“Popadic”). Applicant respectfully traverses the rejections. In summary, whereas an electronic image of an authorized demand draft allows a financial institution to transmit funds in substantially real-time, Waserstein merely discloses an electronic check requiring 4 to 5 business days for processing.

Claim 28 is directed towards a computer-implemented method for processing an online payment for an item. The method comprises:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic (X9.37) image file of an authorized demand draft based on the authorization received from the user, the electronic (X9.37) image file of the authorized demand draft being created directly from the information provided by the user through the graphical user interface;

transmitting the electronic (X9.37) image file directly to the Federal Reserve;
and

receiving funds from the Federal Reserve based on the electronic (X9.37) image file, wherein the funds are received from the Federal Reserve substantially in real-time relative to a time of the transmission of the electronic (X9.37) image file to the Federal Reserve.

As with claim 9, claim 28 allows substantially real-time receipt of funds.

Waserstein fails to teach or suggest the invention as recited in claim 28. Claim 28 recites that “the funds are received from the Federal Reserve substantially in real-time relative to a time of transmission of the electronic (X9.37) image file to the Federal Reserve.” As discussed above with respect to claim 9, claim 28 allows substantially real-time receipt of funds whereas Waserstein requires 4 to 5 business days for receipt of funds, because the payee has to print a traditional paper check.

Therefore, Applicant submits that independent claim 28, and all dependent claims, are patentable over Waserstein for at least the same reasons as independent claim 9. Furthermore, Allen-Rouman (discussed above) and Popadic which is directed towards images and data related to ANSI X9.100-180 and requirements of the Federal Reserve, fail to cure the deficiencies of Waserstein, either alone or in combination.

CONCLUSION

Applicant's attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

March 3, 2008

/Joseph A. Sawyer, Jr./
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Electronic Acknowledgement Receipt

EFS ID:	2942545
Application Number:	11413673
International Application Number:	
Confirmation Number:	2637
Title of Invention:	Method and apparatus for online check processing
First Named Inventor/Applicant Name:	Ed Starrs
Customer Number:	29141
Filer:	Joseph A. Sawyer
Filer Authorized By:	
Attorney Docket Number:	3829P
Receipt Date:	03-MAR-2008
Filing Date:	28-APR-2006
Time Stamp:	17:41:46
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment After Final	3829P_FinalAmend.pdf	56849 <small>cc7410d13a810dc93e3b19d0dae722204decb2f5</small>	no	15

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/413,673	Filing Date 04/28/2006	<input type="checkbox"/> To be Mailed
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APPLICATION AS FILED – PART I			OTHER THAN SMALL ENTITY				
(Column 1)		(Column 2)	SMALL ENTITY <input checked="" type="checkbox"/>		OR	SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A			N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A			N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A			N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =		OR	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =			X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)	(Column 3)		SMALL ENTITY		OR	SMALL ENTITY		
AMENDMENT	03/03/2008	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(i))</small>	* 29	Minus	** 28	= 1	X \$25 =	25	OR	X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	* 4	Minus	***4	= 0	X \$105 =	0	OR	X \$ =	
<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>								OR		
						TOTAL ADD'L FEE	25	OR	TOTAL ADD'L FEE	

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY					
(Column 1)		(Column 2)	(Column 3)		SMALL ENTITY		OR	SMALL ENTITY		
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =		OR	X \$ =	
<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>								OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
 /CHRISTINE MOLLISH/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/413,673	04/28/2006	Ed Starrs	3829P	2637
29141	7590	01/03/2008	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			TRAIL, ALLYSON NEEL	
			ART UNIT	PAPER NUMBER
			2876	
			NOTIFICATION DATE	DELIVERY MODE
			01/03/2008	ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com
nikia@sawyerlawgroup.com

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the Amendment filed October 5, 2007.

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

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

3. Claims 9-13 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Wasserstein et al (2006/0161501), hereinafter Wasserstein.

With respect to claim 9, discloses a method for paying a merchant comprising:

- Receiving information from the user corresponding to the payment for the item

Specifically, paragraph 0048 discloses payor information being administered by payer 41 through the user interface. Payor information may include the current check number, the payee's name, the amount, and any comments. The user interface described in paragraph 0048 used to receive information from the user is being interpreted as applicant's information provided through the graphical user interface. The payor must enter an account number to be printed on the check (in addition to paragraph 0048, see figure 4, numeral 35). By providing this information, the payor is providing authorization to pay for an item using the electronic check.

Art Unit: 2876

- Creating an electronic check digital image. Specifically paragraph 0047 discloses, "the creation of the electronic check digital image". Figure 3 additionally illustrates an electronic check digital image. The digitized signature 34 shown on the electronic check in figure 3 shows that the electronic check is an authorized demand draft based on the authorization received from the user. The payor information is administered by the payor through the user interface as described in paragraph 0048 is interpreted as applicant's limitation of creating an electronic image of a demand draft based information provided through the graphical user interface.

With respect to claim 10, Waserstein discloses that the electronic check emulates substitute check standards as specified in X9.100-140 (see paragraph 0046). ANSI X9.100-140 is the standard that governs the Check 21 law (see paragraph 0011).

With respect to claim 11, as is seen in figure 3 of Waserstein, the electronic check contains a digitized signature (numeral 34). This is not a physical signature, and therefore the check is unsigned.

With respect to claim 12, Waserstein discloses in paragraph 0056 that the electronic check can be transmitted to a financial payment gateway (applicant's financial institution) that acquires funds from the payor and then transfers funds to the payee.

With respect to claim 13, Waserstein discloses in paragraph 0054, that the transmission can be in real-time. This involves a financial payment gateway that not only serves as the end-point for the payor data transmission, but it also acquires funds from the payor and then transfers funds to the payee. (see also paragraph 0056).

With respect to claim 26, Waserstein discloses in paragraph 0045, the check image (figure 3) comprises an electronic (X9.37) image file. Specifically, paragraph 0045 discloses using MICR font 35 according to ANSI X9 standards, a background surrounding the "pay to the order of" line which repeats the payee's name 36, and a background on the body of the check image which is the bank's name and logo 37.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 8, 16-21, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waserstein in view of Allen-Rouman et al (2003/0093367), hereinafter Allen-Rouman.

With respect to claims 1 and 17, Waserstein discloses a method for paying a merchant comprising:

- Receiving information from the user corresponding to the payment for the item (paragraph 0048). This information includes the name of the sender (applicant's user), the sender's bank information (applicant's bank data associated with the user). Since Waserstein's invention pertains to the use of an electronic check to purchase items, the authorization to use said check to pay for an item is implied.

- Creating an electronic check digital image. Specifically paragraph 0047 discloses, "the creation of the electronic check digital image". Figure 3 additionally

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illustrates an electronic check digital image. The digitized signature 34 shown on the electronic check in figure 3 shows that the electronic check is an authorized demand draft based on the authorization received from the user. The payor information is administered by the payor through the user interface as described in paragraph 0048 is interpreted as applicant's limitation of creating an electronic image of a demand draft based information provided through the graphical user interface. Figure 4 shows that the electronic check contains the name of the user (numeral 26) and bank data associated with the user (numerals 37 and 35).

- The electronic check (applicant's electronic image of the authorized demand draft) is then sent to a payment gateway, which in one embodiment can be a financial institution (paragraph 0068). The check barcode will be encrypted using the payor's bank public key and only the bank will be able to decrypt the barcode using its private key (applicant's correspondence between the electronic image and the bank data associated with the user).

- Transferring money (applicant's receiving funds) from the payment gateway (applicant's financial institution) to the payee. (see paragraph 0068).

With respect to claim 2, Wasserstein discloses in paragraph 0046 that the electronic check emulates substitute check standards as specified in X9.100-140. Paragraph 0011 discloses that ANSI X9.100-140 is the standard that governs the Check 21 law.

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With respect to claim 3, as seen in figure 3 of Waserstein, the electronic check contains a digitized signature (numeral 34). This is not a physical signature, and therefore the check is unsigned.

With respect to claim 4, Waserstein discloses the transmission can be in real-time (see paragraph 0054). This involves a financial payment gateway that acquires funds from the payor and then transfers funds to the payee. (see also paragraph 0056).

With respect to claim 8, Waserstein discloses in paragraph 0012 using electronic payments of checks to purchase goods on the Internet.

With respect to claim 17, Waserstein discloses in paragraph 0048, software that creates an electronic check digital image (applicant's second engine). Waserstein further discloses in paragraph 0052, that the electronic check can be sent over the Internet (applicant's third engine). Lastly, Waserstein discloses in paragraph 0068, that the bank transmits the funds to a payment gateway that then transfers the funds to the payee (applicant's fourth engine).

With respect to claim 18, Waserstein's system produces an electronic check that emulates substitute check standards as specified in X9.100-140 (paragraph 0046). It is disclosed in paragraph 0011 that ANSI X9.100-140 is the standard that governs the Check 21 law.

With respect to claim 19, as can be seen in figure 3 of Waserstein, the electronic check contains a digitized signature (numeral 34). This is not a physical signature, and therefore the check is unsigned.

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With respect to 20, Waserstein discloses the transmission can be in real-time (see paragraph 0054). This involves a financial payment gateway (applicant's fourth engine) that acquires funds from the payor and then transfers funds to the payee (see paragraph 0056).

With respect to claims 25 and 27, Waserstein discloses in paragraph 0045, the check image (figure 3) comprises an electronic (X9.37) image file. Specifically, paragraph 0045 discloses using MICR font 35 according to ANSI X9 standards, a background surrounding the "pay to the order of" line which repeats the payee's name 36, and a background on the body of the check image which is the bank's name and logo 37.

Waserstein's teachings above fail to specifically teach that the information from the user is received through a graphical user interface (first engine) associated with the website of the merchant and additionally fail to teach the second, third and fourth engine being combined with a first engine to create a system.

With respect to claims 1, 16, 17, and 21, Allen-Rouman discloses an online payment method using a graphical user interface associated with the website to receive information from the user. Paragraph 0093 discloses that upon selecting an item from a merchant's website, a checkout window from the FTS web pages is opened to overlay the merchant window (this is being interpreted as applicant's graphical user interface associated with the website of the merchant and also applicant's first engine – claim 17). This checkout window, shown in figure 9, receives information from the user corresponding to the online payment.

In view of Allen-Rouman's teachings, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the graphical user interface of Allen-Rouman in the payment method of Waserstein. The invention of Allen-Rouman allows a purchaser to transfer funds from an account to a vendor without providing sensitive account information to the vendor. One would be motivated to use such a transfer method to reduce the opportunity of identity theft and unauthorized transfers of funds.

6. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waserstein in view of Starrs (2004/0199462).

Waserstein's teachings are disclosed above. The teachings however fails to specifically teach the verification of a user using a blended risk score being a plurality of individual risk scores.

With respect to claims 14 and 15, discloses in paragraph 0022-0027 that the use of blended risk scores to authorize transactions is not new. Starrs discloses a method for providing secure payment over a network comprising six individual risk scores. The risk scores are then weighted and blended to obtain the blended risk score. The blended risk score represents the degree of risk associated with the consumer request. Requests are accepted or rejected by comparing the blended risk score with an acceptance threshold (paragraph 0028).

In view of Starrs' teachings it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the blended risk score of Starrs in the electronic payment system taught by Waserstein. As is disclosed by Starrs, one

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would be motivated to use a blended risk score in any payment system in order to provide an improved fraud control method for network transactions.

7. Claims 5-7 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasserstein in combination with Allen-Rouman and in further view of Starrs.

Wasserstein's teachings in combination with the teachings of Allen-Rouman are discussed above. The combination however fails to specifically teach the verification of a user using a blended risk score being a plurality of individual risk scores.

With respect to claims 5-7 and 22-24, see Starrs' teachings above with regards to claims 14 and 15. Additionally, Starrs discloses in paragraph 0017 a security check software, which is interpreted as applicant's fifth engine.

In view of Starrs' teachings it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the blended risk score of Starrs in the electronic payment system taught by Wasserstein in combination with Allen-Rouman. As is disclosed by Starrs, one would be motivated to use a blended risk score in any payment system in order to provide an improved fraud control method for network transactions.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wasserstein in combination with Allen-Rouman and in further view of Popadic et al (2007/0156438), hereinafter Popadic.

Wasserstein's teachings in combination with the teachings of Allen-Rouman are discussed above. The combination however fails to specifically teach transmitting the

electronic (X9.37) image file directly to the Federal Reserve; and receiving funds from the Federal Reserve based on the electronic (X9.37) image file.

With respect to claim 28, Popadic discloses in paragraph 0020, that images and related data conform to ANSI X9.100-180 standards (formerly X9.37) and the requirements of the Federal Reserve. It is further disclosed that once the image is received and a deposit is proved 240, existing systems check images and data in the correct formats for the bank's account statements and check clearing. Alternatively, the system 200 generates a paper substitute check conforming to ANSI 9.100-140 and Federal Reserve Standards.

In view of Popadic's teachings it would have been obvious to one having ordinary skill in the art at the time the invention was made to transmit the electronic image taught by Wasserstein in combination with Allen-Rouman directly to the Federal Reserve. The Federal Reserve is the central banking system of the United States. Therefore one would be motivated to use the most widely used banking system in the country in order to having the electronic banking system reach its full potential.

Response to Arguments

8. Applicant's arguments filed September 28, 2007 and October 5, 2007 have been fully considered but they are not persuasive. Applicant states that claim 9 recites the limitation of creating an electronic image of an authorized demand draft. Applicant argues that construing an "electronic check" as an "electronic image of an authorized demand draft" as asserted by the Examiner is contrary to the interpretation that one of skill in the art would reach in view of Applicant's specification. Although the

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specification cannot be ignored, the claim language is silent to the processing time of the electronic check. The authorization discussed in the claims relates specifically to the authorization of the user.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

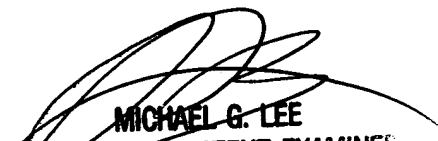
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (571) 273-8300.

Art Unit: 2876

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [allyson.trail@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Allyson N. Trail
Patent Examiner
Art Unit 2876
December 23, 2007


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2807

Notice of References Cited	Application/Control No. 11/413,673	Applicant(s)/Patent Under Reexamination STARRS, ED	
	Examiner Allyson N. Trail	Art Unit 2876	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2007/0156438	07-2007	Popadic et al.	705/001
	B US-			
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Index of Claims



Application/Control No.

11/413,673

Examiner

Allyson N. Trail

Applicant(s)/Patent under Reexamination

STARRS, ED

Art Unit

2876

√	Rejected
=	Allowed

-	(Through numeral) Cancelled
+	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claim		Date				
Final	Original					
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EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	3	"20060161501"	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2007/12/24 10:51
S2	9	"x9.37" with "image file"	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2007/12/24 10:53
S3	27	"x9.37" with image	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2007/12/24 10:58
S4	21	"x9.37" with image and federal with reserve	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2007/12/24 10:59



APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/413,673	04/28/2006	Ed Starrs	3829P

CONFIRMATION NO. 2637

29141
SAWYER LAW GROUP LLP
P O BOX 51418
PALO ALTO, CA94303

Title: Method and apparatus for online check processing

Publication No. US-2007-0288380-A1

Publication Date: 12/13/2007

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

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OCT 10 2007

SAWYER LAW GROUP LLP
2465 E. Bayshore Road, Suite 406
Palo Alto, CA 94303
Phone: (650) 493-4540
Fax: (650) 493-4549

FACSIMILE TRANSMITTAL

Date: October 10, 2007
To: Examiner Adrian Hruszkewycz
Organization: U.S. Patent and Trademark Office
Fax Number: (571) 273-8300
Phone Number:
From: Kelvin M. Vivian, Reg. No. 53,727
Re: **Interview Request**
Serial No.: 11/413,673 filed on 04/28/2006
Case No.: 3829P

This is page 1 of 2 pages.

CONFIDENTIALITY NOTE:

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

APPLICANT INITIATED INTERVIEW REQUEST FORM 10 2007

Application No.: 11/413,673

First Named Applicant: Ed STARRS

Examiner: Adrian Hruszkewycz

Art Unit: 2876

Status of Application: pending

Tentative Participants:

1) Kelvin M. Vivian (Tel. No. ((650) 493-4540)

2) Examiner Adrian Hruszkewycz

Proposed Date of Interview: TBD

Proposed Time: TBD

Type of Interview Requested:

(1) Telephonic

(2) Personal

(3) Video Conference

Exhibit To Be Shown or Demonstrated: YES

NO

If yes, provide brief description:

ISSUES TO BE DISCUSSED

Issues (Rej., Obj., etc.)	Claims Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>102 rej.</u>	_____	2006/0161501_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Arguments to be Presented:

--102 Rejection: Claim 9 recites creating an electronic image of an authorized demand draft. To construe an "electronic check" as an "electronic image of an authorized demand draft" would be contrary to the interpretation that one skilled in the art would reach in view of Applicant's specification. As described in the Applicant's specification at paragraph [0021], an electronic image of an authorized demand draft is *itself* a bank instrument, and such an instrument can be processed substantially in real-time as set forth, for example, in dependent claim 13. The patent application is directed to a new method for making online payments that has not yet been used.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by Applicant and submitted to the Examiner in advance of the interview (see MPEP 713.01).

This application will not be delayed from issue because of Applicant's failure to submit a written record of this interview. Therefore, Applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Kelvin M. Vivian/
(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

Amendments to the Specification:

Please amend paragraph [0034] beginning at page 17 as follows:

FIGs. 15-30 illustrate one implementation of an electronic image of an authorized demand draft, and components (or data sources) thereof. The electronic images shown in FIGs. 15-30 are electronic X9.37 image files. In general, various financial institutions have different requirements regarding acceptance of an electronic image of an authorized demand draft and, therefore, the electronic image (and components thereof) shown in FIGs. 15-30 are exemplary.

Amendments to the Claims

This listing of claims replaces all prior versions and listings of claims in the application.

Listing of Claims:

1. (Original) A computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the method comprising:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

2. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

3. (Original) The method of claim 2, wherein the electronic image of the authorized demand draft is unsigned by the user.
4. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.
5. (Original) The method of claim 1, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.
6. (Original) The method of claim 5, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.
7. (Original) The method of claim 6, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.
8. (Original) The method of claim 1, wherein:
the item comprises one of a physical product, a service, digital media, or digital content;
and
the financial institution is one of a bank, savings and loan (S&L), credit union, or Federal

Reserve.

9. (Original) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface.

10. (Original) The method of claim 9, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

11. (Original) The method of claim 10, wherein the electronic image of the authorized demand draft is unsigned by the user.

12. (Original) The method of claim 10, further comprising:

transmitting the electronic image of the authorized demand draft to a financial institution;
and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

13. (Original) The method of claim 12, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.

14. (Original) The method of claim 9, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

15. (Original) The method of claim 14, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

16. (Original) The method of claim 9, wherein the information from the user is received through a graphical user interface associated with a website of a merchant through which the item is purchasable.

17. (Original) A check processing system for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the system comprising:

a first engine to receive information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of

the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

a second engine to create an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

a third engine to transmit the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

a fourth engine to receive funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

18. (Original) The system of claim 17, wherein the electronic image of the authorized demand draft is compliant with the Check Clearing for the 21st Century Act (Check 21).

19. (Original) The system of claim 18, wherein the electronic image of the authorized demand draft is unsigned by the user.

20. (Original) The system of claim 17, wherein the fourth engine is operable to receive the funds from the financial institution substantially in real-time relative to when the electronic image of the authorized demand draft is created and transmitted to the financial institution.

21. (Currently Amended) The system of claim 17, wherein one or more of the first engine, the second engine, the third engine, and the fourth engine are components of ~~the same~~ a single

engine.

22. (Original) The system of claim 17, further comprising a fifth engine operable to perform one or more real-time verifications on the user prior to the second engine creating the electronic image of the authorized demand draft.

23. (Original) The system of claim 22, wherein the fifth engine operable to perform one or more real-time verifications including generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

24. (Original) The system of claim 23, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

25. (New) The method of claim 2, wherein creating an electronic image of an authorized demand draft comprises creating an electronic (X9.37) image file.

26. (New) The method of claim 10, wherein creating an electronic image of an authorized demand draft comprises creating an electronic (X9.37) image file.

27. (New) The system of claim 18, wherein the electronic image of an authorized demand draft comprises an electronic (X9.37) image file.

28. (New) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic (X9.37) image file of an authorized demand draft based on the authorization received from the user, the electronic (X9.37) image file of the authorized demand draft being created directly from the information provided by the user through the graphical user interface;

transmitting the electronic (X9.37) image file directly to the Federal Reserve; and

receiving funds from the Federal Reserve based on the electronic (X9.37) image file,

wherein the funds are received from the Federal Reserve substantially in real-time relative to a time of the transmission of the electronic (X9.37) image file to the Federal Reserve.

REMARKS

Claims 1-24 were pending in the application. In the response mailed September 28, 2007, Claim 21 was amended (as indicated above in the Listing of the Claims). In the present supplemental response, claims 25-28 are newly submitted. Support for added claims can be found in the specification, for example, in paragraph [0023] and Figures 15-30. In addition to the arguments presented in the response mailed September 28, 2007, Applicant provides the following additional remarks.

The specification has been amended to correspond with the figures – specifically, to include mention that the electronic images depicted in FIGs. 15-30 are electronic X9.37 image files. Applicant submits that one skilled in the art would readily recognize the electronic images shown in FIGs. 15-30 to be electronic X9.37 image files and, therefore, no new matter is added by such amendment. *See* MPEP 2163.07 - Amendments to an application which are supported in the original description are NOT new matter. X9.37 image files are image files that are compliant with the Check Clearing for the 21st Century Act (Check 21) as described in the specification in paragraphs [0022]-[0023] and illustrated in FIGs. 15-30.

Applicant respectfully submits that claim 28 is allowable over the cited references for reasons similar to those set forth in the response mailed September 28, 2007.

Should any unresolved issues remain, Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

October 05, 2007
Date

/Kelvin M. Vivian/
Kelvin M. Vivian
Reg. No. 53,727
Attorney for Applicant
(650) 475-1448

Amendments to the Specification:

Please amend paragraph [0034] beginning at page 17 as follows:

FIGs. 15-30 illustrate one implementation of an electronic image of an authorized demand draft, and components (or data sources) thereof. The electronic images shown in FIGs. 15-30 are electronic X9.37 image files. In general, various financial institutions have different requirements regarding acceptance of an electronic image of an authorized demand draft and, therefore, the electronic image (and components thereof) shown in FIGs. 15-30 are exemplary.

Amendments to the Claims

This listing of claims replaces all prior versions and listings of claims in the application.

Listing of Claims:

1. (Original) A computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the method comprising:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

2. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

3. (Original) The method of claim 2, wherein the electronic image of the authorized demand draft is unsigned by the user.
4. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.
5. (Original) The method of claim 1, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.
6. (Original) The method of claim 5, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.
7. (Original) The method of claim 6, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.
8. (Original) The method of claim 1, wherein:
the item comprises one of a physical product, a service, digital media, or digital content;
and
the financial institution is one of a bank, savings and loan (S&L), credit union, or Federal

Reserve.

9. (Original) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface.

10. (Original) The method of claim 9, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

11. (Original) The method of claim 10, wherein the electronic image of the authorized demand draft is unsigned by the user.

12. (Original) The method of claim 10, further comprising:

transmitting the electronic image of the authorized demand draft to a financial institution;
and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

13. (Original) The method of claim 12, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.

14. (Original) The method of claim 9, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

15. (Original) The method of claim 14, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

16. (Original) The method of claim 9, wherein the information from the user is received through a graphical user interface associated with a website of a merchant through which the item is purchasable.

17. (Original) A check processing system for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the system comprising:

a first engine to receive information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of

the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

a second engine to create an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

a third engine to transmit the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

a fourth engine to receive funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

18. (Original) The system of claim 17, wherein the electronic image of the authorized demand draft is compliant with the Check Clearing for the 21st Century Act (Check 21).

19. (Original) The system of claim 18, wherein the electronic image of the authorized demand draft is unsigned by the user.

20. (Original) The system of claim 17, wherein the fourth engine is operable to receive the funds from the financial institution substantially in real-time relative to when the electronic image of the authorized demand draft is created and transmitted to the financial institution.

21. (Currently Amended) The system of claim 17, wherein one or more of the first engine, the second engine, the third engine, and the fourth engine are components of ~~the same~~ a single

engine.

22. (Original) The system of claim 17, further comprising a fifth engine operable to perform one or more real-time verifications on the user prior to the second engine creating the electronic image of the authorized demand draft.

23. (Original) The system of claim 22, wherein the fifth engine operable to perform one or more real-time verifications including generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

24. (Original) The system of claim 23, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

25. (New) The method of claim 2, wherein creating an electronic image of an authorized demand draft comprises creating an electronic (X9.37) image file.

26. (New) The method of claim 10, wherein creating an electronic image of an authorized demand draft comprises creating an electronic (X9.37) image file.

27. (New) The system of claim 18, wherein the electronic image of an authorized demand draft comprises an electronic (X9.37) image file.

28. (New) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic (X9.37) image file of an authorized demand draft based on the authorization received from the user, the electronic (X9.37) image file of the authorized demand draft being created directly from the information provided by the user through the graphical user interface;

transmitting the electronic (X9.37) image file directly to the Federal Reserve; and

receiving funds from the Federal Reserve based on the electronic (X9.37) image file,

wherein the funds are received from the Federal Reserve substantially in real-time relative to a time of the transmission of the electronic (X9.37) image file to the Federal Reserve.

REMARKS

Claims 1-24 were pending in the application. In the response mailed September 28, 2007, Claim 21 was amended (as indicated above in the Listing of the Claims). In the present supplemental response, claims 25-28 are newly submitted. Support for added claims can be found in the specification, for example, in paragraph [0023] and Figures 15-30. In addition to the arguments presented in the response mailed September 28, 2007, Applicant provides the following additional remarks.

The specification has been amended to correspond with the figures – specifically, to include mention that the electronic images depicted in FIGs. 15-30 are electronic X9.37 image files. Applicant submits that one skilled in the art would readily recognize the electronic images shown in FIGs. 15-30 to be electronic X9.37 image files and, therefore, no new matter is added by such amendment. *See* MPEP 2163.07 - Amendments to an application which are supported in the original description are NOT new matter. X9.37 image files are image files that are compliant with the Check Clearing for the 21st Century Act (Check 21) as described in the specification in paragraphs [0022]-[0023] and illustrated in FIGs. 15-30.

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Reg. No. 53,727
Attorney for Applicant
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Please amend paragraph [0034] beginning at page 17 as follows:

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Amendments to the Claims

This listing of claims replaces all prior versions and listings of claims in the application.

Listing of Claims:

1. (Original) A computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the method comprising:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

2. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

3. (Original) The method of claim 2, wherein the electronic image of the authorized demand draft is unsigned by the user.
4. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.
5. (Original) The method of claim 1, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.
6. (Original) The method of claim 5, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.
7. (Original) The method of claim 6, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.
8. (Original) The method of claim 1, wherein:
the item comprises one of a physical product, a service, digital media, or digital content;
and
the financial institution is one of a bank, savings and loan (S&L), credit union, or Federal

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creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface.

10. (Original) The method of claim 9, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

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creating an electronic (X9.37) image file of an authorized demand draft based on the authorization received from the user, the electronic (X9.37) image file of the authorized demand draft being created directly from the information provided by the user through the graphical user interface;

transmitting the electronic (X9.37) image file directly to the Federal Reserve; and

receiving funds from the Federal Reserve based on the electronic (X9.37) image file,

wherein the funds are received from the Federal Reserve substantially in real-time relative to a time of the transmission of the electronic (X9.37) image file to the Federal Reserve.

REMARKS

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SAWYER LAW GROUP LLP

October 05, 2007
Date

/Kelvin M. Vivian/
Kelvin M. Vivian
Reg. No. 53,727
Attorney for Applicant
(650) 475-1448

Electronic Patent Application Fee Transmittal

Application Number:	11413673			
Filing Date:	28-Apr-2006			
Title of Invention:	Method and apparatus for online check processing			
First Named Inventor/Applicant Name:	Ed Starrs			
Filer:	Kelvin M. Vivian/Kym Moore			
Attorney Docket Number:	3829P			
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	1202	3	50	150
Independent claims in excess of 3	1201	1	210	210
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				360

Electronic Acknowledgement Receipt

EFS ID:	2285988
Application Number:	11413673
International Application Number:	
Confirmation Number:	2637
Title of Invention:	Method and apparatus for online check processing
First Named Inventor/Applicant Name:	Ed Starrs
Customer Number:	29141
Filer:	Kelvin M. Vivian/Kym Moore
Filer Authorized By:	Kelvin M. Vivian
Attorney Docket Number:	3829P
Receipt Date:	05-OCT-2007
Filing Date:	28-APR-2006
Time Stamp:	15:57:13
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$360
RAM confirmation Number	1049
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Supplemental Response or Supplemental Amendment	3829P_SupplementalAmendment.pdf	40794	no	11
			576a629024f2db8fc44e1ca59cb878b3eff5cf3		
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8274	no	2
			803a1a94898c162c760841c79c0189faf4a31247		
Warnings:					
Information:					
Total Files Size (in bytes):				49068	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/413,673	Filing Date 04/28/2006	<input type="checkbox"/> To be Mailed
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APPLICATION AS FILED – PART I			OTHER THAN SMALL ENTITY				
	(Column 1)	(Column 2)	SMALL ENTITY <input type="checkbox"/>	OR			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A		OR	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A		OR	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A		OR	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =		OR	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =		OR	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				OR		
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>					OR		
			TOTAL		OR	TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY				
	(Column 1)	(Column 2)	(Column 3)		SMALL ENTITY	OR			
AMENDMENT	10/05/2007	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 28	Minus ** 24	= 4	X \$ =		OR	X \$50=	200
	Independent (37 CFR 1.16(h))	* 4	Minus ***3	= 1	X \$ =		OR	X \$210=	210
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR		
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	410

	(Column 1)	(Column 2)	(Column 3)					
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus **	=	X \$ =		OR	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus ***	=	X \$ =		OR	X \$ =
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR	
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/Monique Brunson/

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

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Document code: WFEE

United States Patent and Trademark Office
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		01	FC : 1202	50.00	DA	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Date: September 28, 2007
Ed STARRS	Confirmation No.: 2637
Serial No.: 11/413,673	Group Art Unit: 2876
Filed: April 28, 2006	Examiner: Adrian Hruszkewycz
Title: METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING	

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

AMENDMENT IN REPLY TO OFFICE OF MAY 28, 2007

In response to the Office Action dated March 28, 2007, please amend the application identified above as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page **2** of this paper.

Remarks begin on page **8** of this paper.

Amendments to the Claims

This listing of claims replaces all prior versions and listings of claims in the application.

Listing of Claims:

1. (Original) A computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the method comprising:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

2. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

3. (Original) The method of claim 2, wherein the electronic image of the authorized demand draft is unsigned by the user.
4. (Original) The method of claim 1, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.
5. (Original) The method of claim 1, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.
6. (Original) The method of claim 5, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.
7. (Original) The method of claim 6, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.
8. (Original) The method of claim 1, wherein:
the item comprises one of a physical product, a service, digital media, or digital content;
and
the financial institution is one of a bank, savings and loan (S&L), credit union, or Federal

Reserve.

9. (Currently Amended) A computer-implemented method for processing an online payment for an item, the method comprising:

receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface.

10. (Original) The method of claim 9, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

11. (Original) The method of claim 10, wherein the electronic image of the authorized demand draft is unsigned by the user.

12. (Original) The method of claim 10, further comprising:

transmitting the electronic image of the authorized demand draft to a financial institution;
and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

13. (Original) The method of claim 12, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.

14. (Original) The method of claim 9, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

15. (Original) The method of claim 14, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

16. (Original) The method of claim 9, wherein the information from the user is received through a graphical user interface associated with a website of a merchant through which the item is purchasable.

17. (Original) A check processing system for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the system comprising:

a first engine to receive information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of

the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

a second engine to create an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

a third engine to transmit the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

a fourth engine to receive funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

18. (Original) The system of claim 17, wherein the electronic image of the authorized demand draft is compliant with the Check Clearing for the 21st Century Act (Check 21).

19. (Original) The system of claim 18, wherein the electronic image of the authorized demand draft is unsigned by the user.

20. (Original) The system of claim 17, wherein the fourth engine is operable to receive the funds from the financial institution substantially in real-time relative to when the electronic image of the authorized demand draft is created and transmitted to the financial institution.

21. (Currently Amended) The system of claim 17, wherein one or more of the first engine, the second engine, the third engine, and the fourth engine are components of ~~the same~~ a single

engine.

22. (Original) The system of claim 17, further comprising a fifth engine operable to perform one or more real-time verifications on the user prior to the second engine creating the electronic image of the authorized demand draft.

23. (Original) The system of claim 22, wherein the fifth engine operable to perform one or more real-time verifications including generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

24. (Original) The system of claim 23, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

REMARKS

Claims 1-24 are pending in the application. Claim 21 has been amended.

Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

I. The § 112 Rejections

Claim 21 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner was unclear as to what “the same engine” was meant to refer to.

Applicant has amended claim 21 to recite that “one or more of the first engine, the second engine, the third engine, and the fourth engine are components of a single engine”, which is consistent with the written description in paragraph [0025]. That is, in general, each of the engines can be separate engines or components of a single engine. Applicant, therefore, respectfully requests withdrawal of the § 112 rejection as applied to claim 21.

II. The § 102 Rejections

Claims 9-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2006/0161501 to Waserstein (“Waserstein”).

Applicant respectfully disagrees.

As described in background of the Applicant’s specification in paragraph [0003], conventional e-check payment systems typically require merchants (or other check processors) to buy special check printing equipment and proprietary checks, so that the merchants can print out and then deposit physical paper copies of the consumer check.

Waserstein describes such a conventional e-check payment system which requires that a final paper check be produced from an electronic check (see paragraph [0023]). Further, even though Waserstein also discloses that a payee can optionally transmit a check image to a payee’s

bank, the check image is converted to a paper check prior to processing. Further, Waserstein's system generally requires 4-5 business days for a bank to clear a check (see FIG. 1, reference 23).

Although the Examiner is entitled to a reasonably broad interpretation of the claim terms, the Examiner must give the claims an interpretation that is consistent with the specification. See *In re Graves*, 69 F.3d 1147, 1152, 36 USPQ2d 1697, 1701 (Fed. Cir. 1995).

Claim 9 recites creating an electronic image of an authorized demand draft (emphasis added). To construe an "electronic check" as an "electronic image of an authorized demand draft" as asserted by the Examiner, is contrary to the interpretation that one of skill in the art would reach in view of Applicant's specification. As described in the Applicant's specification at paragraph [0021], an electronic image of an authorized demand draft is *itself* a bank instrument, and such an instrument can be processed substantially in real-time as set forth, for example, in dependent claim 13. In contrast, as noted above, Waserstein's electronic check requires 4-5 business days to process.

Applicant, therefore, respectfully submits that claim 9, and the claims that depend therefrom, are allowable over Waserstein.

III. The § 103 Rejections

Claims 1-4, 8-9, and 16-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Waserstein in view of U.S. Patent Publication No. 2003/0093367 to Allen-Rouman ("Allen-Rouman").

Applicant respectfully disagrees.

Claim 1 recites a computer-implemented method for processing an online payment from a user, in which the online payment is for an item that is purchasable through a website of a merchant. The method includes creating an electronic image of an authorized demand draft based on the authorization received from the user.

As discussed above, Waserstein fails to disclose creating an electronic image of an authorized demand draft. Also, while Allen-Rouman discloses a process for transferring funds between a payor and a payee – such a process does not include creating an electronic image of an authorized demand draft, as recited in the claims.

Applicant respectfully submits that claim 1, and the claims that depend therefrom, are allowable over Waserstein and Allen-Rouman.

Claim 17 incorporates limitations similar to those of claim 1. Claim 17 (and the claims that depend therefrom) are also allowable over Waserstein and Allen-Rouman for reasons corresponding to those set forth with respect to claim 1.

Should any unresolved issues remain, Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

September 28, 2007
Date

/Kelvin M. Vivian/
Kelvin M. Vivian
Reg. No. 53,727
Attorney for Applicant
(650) 475-1448

Electronic Patent Application Fee Transmittal

Application Number:	11413673
Filing Date:	28-Apr-2006
Title of Invention:	Method and apparatus for online check processing
First Named Inventor/Applicant Name:	Ed Starrs
Filer:	Kelvin M. Vivian/Kym Moore
Attorney Docket Number:	3829P

Filed as Large Entity

Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1020	1020

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				1020

Electronic Acknowledgement Receipt

EFS ID:	2259957
Application Number:	11413673
International Application Number:	
Confirmation Number:	2637
Title of Invention:	Method and apparatus for online check processing
First Named Inventor/Applicant Name:	Ed Starrs
Customer Number:	29141
Filer:	Kelvin M. Vivian/Kym Moore
Filer Authorized By:	Kelvin M. Vivian
Attorney Docket Number:	3829P
Receipt Date:	28-SEP-2007
Filing Date:	28-APR-2006
Time Stamp:	19:19:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 1020
RAM confirmation Number	7197
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1		3829P_Amendment092807.pdf	42919 aaf480e7fd1cc292b18bae452ce938e74ad82c89	yes	10
Multipart Description/PDF files in .zip description					
Document Description		Start	End		
Amendment - After Non-Final Rejection		1	1		
Claims		2	7		
Applicant Arguments/Remarks Made in an Amendment		8	10		
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8140 aeb518fb307ba073932f32987addaeac6717068f	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			51059		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875 Effective December 8, 2004

Application or Docket Number

11/13/07

APPLICATION AS FILED - PART I

FOR	NUMBER FILED (Column 1)	NUMBER EXTRA (Column 2)
BASIC FEE (37 CFR 1.16(e), (d), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(d), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(c), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(i))	24 minus 20 =	4
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	0
APPLICATION SIZE FEE (37 CFR 1.16(e))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

SMALL ENTITY	
RATE (\$)	FEE (\$)
N/A	150.00
N/A	\$250
N/A	\$100
X\$ 25 =	100
X100 =	
+180=	
TOTAL	600

OTHER THAN SMALL ENTITY	
RATE (\$)	FEE (\$)
N/A	300.00
N/A	\$500
N/A	\$200
X\$50 =	
X200 =	
+360=	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

9/28/07

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(p))	24	24	0
Independent (37 CFR 1.16(q))	3	3	0
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

SMALL ENTITY	
RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(p))			
Independent (37 CFR 1.16(q))			
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

SMALL ENTITY	
RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/413,673	04/28/2006	Ed Starrs	3829P	2637
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29141 7590 03/28/2007
SAWYER LAW GROUP LLP
P O BOX 51418
PALO ALTO, CA 94303

EXAMINER

HRUSZKEWYCZ, ADRIAN

ART UNIT	PAPER NUMBER
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2876

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS	03/28/2007	PAPER
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

1. Claims 1-24 are pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what "the same engine" is meant to refer to. It is being interpreted to include the entire check processing system.

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Art Unit: 2876

5. Claims 9-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Waserstein et al. (US Pub. 2006/0161501).

Consider claim 9. Waserstein discloses a method for paying a merchant comprising:

- Receiving information from the user corresponding to the payment for the item (§ 0048). The payor information is administered by the payor through the user interface (§ 0048; applicant's information provided through the graphical user interface). The payor must enter an account number to be printed on the check (§ 0048, also numeral 35 of Fig. 4). By providing this information, the payor is providing authorization to pay for an item using the electronic check.
- Creating an electronic check digital image (§ 0047). The payor information is administered by the payor through the user interface (§ 0048; applicant's creating an electronic image of a demand draft based information provided through the graphical user interface).

Art Unit: 2876

Consider claim 10. Wasserstein discloses that the electronic check emulates substitute check standards as specified in X9.100-140 (¶ 0046). ANSI X9.100-140 is the standard that governs the Check 21 law (¶ 0011).

Consider claim 11. As seen in Fig. 3 of Wasserstein, the electronic check contains a digitized signature (numeral 34). This is not a physical signature, and therefore the check is unsigned.

Consider claim 12. Wasserstein discloses the electronic check can be transmitted to a financial payment gateway (applicant's financial institution) that acquires funds from the payor and then transfers funds to the payee (¶ 0056).

Consider claim 13. Wasserstein discloses the transmission can be in real-time. This involves a financial payment gateway that not only serves as the end-point for the payor data transmission, but it also acquires funds from the payor and then transfers funds to the payee (¶ 0056).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 8, 9 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasserstein et al. (US Pub. 2006/0161501) in view of Allen-Rouman et al. (US Pub. 2003/0093367).

Consider claim 1. Waserstein discloses a method for paying a merchant comprising:

- Receiving information from the user corresponding to the payment for the item (§ 0048). This information includes the name of the sender (applicant's user), the sender's bank information (applicant's bank data associated with the user). Since Waserstein's invention pertains to the use of an electronic check to purchase items, the authorization to use said check to pay for an item is implied.
- Creating an electronic check digital image (§ 0047). The payor information is administered by the payor through the user interface (§ 0048; applicant's creating an electronic image of a demand draft based information provided through the graphical user interface). Figure 4 shows that the electronic check contains the name of the user (numeral 26) and bank data associated with the user (numerals 37 and 35).
- The electronic check (applicant's electronic image of the authorized demand draft) is then sent to a payment gateway, which in one embodiment can be a financial institution (§ 0068). The check barcode will be encrypted using the payor's bank public key and only the bank will be able to decrypt the barcode using its private key (applicant's correspondence between the electronic image and the bank data associated with the user).

Art Unit: 2876

- Transferring money (applicant's receiving funds) from the payment gateway (applicant's financial institution) to the payee (§ 0068).

Waserstein fails to teach that the information from the user is received through a graphical user interface associated with the website of the merchant.

However, Allen-Rouman discloses an online payment method using a graphical user interface associated with the website to receive information from the user. Upon selecting an item from a merchant's website, a checkout window from the FTS web pages is opened to overlay the merchant window (§ 0093; applicant's graphical user interface associated with the website of the merchant). This checkout window is shown in Fig. 9 and receives information from the user corresponding to the online payment.

Therefore, it would have been obvious at the time the invention was made to use the graphical user interface of Allen-Rouman in the payment method of Waserstein the invention of Allen-Rouman allows a purchaser to transfer funds from an account to a vendor without providing sensitive account information to the vendor.

Consider claim 2. Waserstein discloses that the electronic check emulates substitute check standards as specified in X9.100-140 (§ 0046). ANSI X9.100-140 is the standard that governs the Check 21 law (§ 0011).

Consider claim 3. As seen in Fig. 3 of Waserstein, the electronic check contains a digitized signature (numeral 34). This is not a physical signature, and therefore the check is unsigned.

Art Unit: 2876

Consider claim 4. Waserstein discloses the transmission can be in real-time. This involves a financial payment gateway that acquires funds from the payor and then transfers funds to the payee (§§ 0056).

Consider claim 9. Waserstein discloses a method for paying a merchant comprising:

- Receiving information from the user corresponding to the payment for the item (§§ 0048). The payor information is administered by the payor through the user interface (§§ 0048; applicant's information provided through the graphical user interface). The payor must enter an account number to be printed on the check (§§ 0048, also numeral 35 of Fig. 4). By providing this information, the payor is providing authorization to pay for an item using the electronic check.
- Creating an electronic check digital image (§§ 0047). The payor information is administered by the payor through the user interface (§§ 0048; applicant's creating an electronic image of a demand draft based information provided through the graphical user interface).

Consider claim 8. Allen-Rouman discloses that his online payment method can be used to purchase goods and services (§§ 0047), applicant's item comprising one of a physical product, a service, digital media, or digital content). Both Allen-Rouman and Waserstein list banks as their financial institutions (§§ 0036 and §§ 0044, respectively).

Art Unit: 2876

Consider claim 16. Allen-Rouman discloses that upon selecting an item from a merchant's website, a checkout window from the FTS web pages is opened to overlay the merchant window (§ 0093; applicant's graphical user interface associated with the website of the merchant). This checkout window is shown in Fig. 9 and receives information from the user corresponding to the online payment.

Consider claim 17. Allen-Rouman discloses a checkout window from the FTS web pages is opened to overlay the merchant window (§ 0093; applicant's first engine). Waserstein discloses software that creates an electronic check digital image (§ 0048; applicant's second engine). Waserstein discloses the electronic check can be sent over the internet (§ 0052; applicant's third engine).

Waserstein discloses that the bank transmits the funds to a payment gateway that then transfers the funds to the payee (§ 0068; applicant's fourth engine).

Consider claim 18. Waserstein's system produces an electronic check that emulates substitute check standards as specified in X9.100-140 (§ 0046). ANSI X9.100-140 is the standard that governs the Check 21 law (§ 0011).

Consider claim 19. As seen in Fig. 3 of Wasserstein, the electronic check contains a digitized signature (numeral 34). This is not a physical signature, and therefore the check is unsigned.

Consider claim 20. Wasserstein discloses the transmission can be in real-time. This involves a financial payment gateway (applicant's fourth engine) that acquires funds from the payor and then transfers funds to the payee (§ 0056).

Consider claim 21. When combined, the engines disclosed in Allen-Rouman and Wasserstein work together as components of one engine that generates electronic checks and transmits funds to the payee.

8. Claims 9, 14-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Wasserstein et al. (US Pub. 2006/0161501) in view of Starrs (US Pub. 2004/0199462).

Consider claim 14-15. Wasserstein discloses the invention of claims 9-13 as shown above, but fails to disclose the verification of a user using a blended risk score being a plurality of individual risk scores.

However, the use of blended risk scores to authorize transactions is not new. Starrs discloses a method for providing secure payment over a network comprising six individual risk scores (§ 0022-0027). The risk scores are then weighted and blended to obtain the blended risk score. The blended risk score represents the degree of risk associated with the consumer request. Requests are accepted or rejected by comparing the blended risk score with an acceptance threshold (§ 0028).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the blended risk score of Starrs in Waserstein since Starrs provides an improved fraud control method for network transactions.

9. Claims 1, 5-7, 17 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waserstein et al. (US Pub. 2006/0161501) in view of Allen-Rouman et al. (US Pub. 2003/0093367) as applied to claims 1 and 17 above, and further in view of Starrs (US Pub. 2004/0199462).

Consider claim 5-7 and 22-24. Waserstein in view of Allen-Rouman discloses the invention applied to claims 1-8 and 16-21 above, but fails to disclose the verification of a user using a blended risk score being a plurality of individual risk scores.

However, the use of blended risk scores to authorize transactions is not new. Starrs discloses a method for providing secure payment over a network comprising six individual risk scores (§§ 0022-0027). The risk scores are then weighted and blended to obtain the blended risk score. The blended risk score represents the degree of risk associated with the consumer request. Requests are accepted or rejected by comparing the blended risk score with an acceptance threshold (§§ 0028). This is performed by security check software (§§ 0017; applicant's fifth engine).

Art Unit: 2876

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the blended risk score of Starrs in Waserstein in view of Allen-Rouman since Starrs provides an improved fraud control method for network transactions.

Conclusions

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Requirements for Network Payment: The NetCheque Perspective* by Neuman and Medvinsky discloses an electronic check containing the account holders information and electronic signature that can be processed in real-time.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrian M. Hruszkewycz whose telephone number is (571)272-9799. The examiner can normally be reached on Monday through Thursday 8:30-5:00 E.S.T..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2876

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

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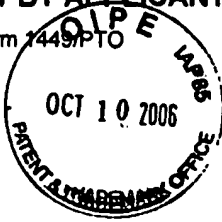
Adrian Hruszkewycz
Assistant Examiner


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Substitute for form 7449/PTO

Sheet 1 of 1



Application Number	11/413,673
Filing Date	April 28, 2006
First Named Inventor	STARRS, Ed
Art Unit	2876
Examiner Name	To be Assigned ADRIAN HRUSZKEWYCZ
Attorney Docket Number	3829P

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. 1	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages/Columns/Lines Where Relevant Passages Appear
/A.M.H./		5,732,400	3/24/1998	Mandler et al.	
/A.M.H./		2003/0093367	5/15/2003	Allen-Rouman et al.	
/A.M.H./		2006/0045321	3/2/2006	Yu	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. 1	Foreign Patent Document Country	Publication Date	Name of Patentee or Applicant of Cited Document	Pages/Columns/Lines Where Relevant Passages Appear

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. 1	Include name of author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

Examiner Signature
/Adrian Hruszkewycz/

Date Considered
03/19/2007

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

Notice of References Cited	Application/Control No. 11/413,673	Applicant(s)/Patent Under Reexamination STARRS, ED	
	Examiner Adrian M. Hruszkewycz	Art Unit 2876	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2006/0161501	07-2006	Waserstein et al.	705/065
*	B US-2004/0199462	10-2004	Starrs, Ed	705/039
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

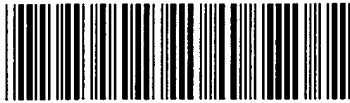
*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)			
	U	Neuman, B C., and Gennady Medvinsky. "Requirements for Network Payment: the NetCheque Perspective." IEEE (1995).		
	V			
	W			
	X			

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

Index of Claims



Application/Control No.

11/413,673

Examiner

Adrian M. Hruszkewycz

Applicant(s)/Patent under Reexamination

STARRS, ED

Art Unit

2876

√	Rejected
=	Allowed

-	(Through numeral) Cancelled
+	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claim		Date	
Final	Original		
		3/12/07	
	1	√	
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Bib Data Sheet

CONFIRMATION NO. 2637

SERIAL NUMBER 11/413,673	FILING OR 371(c) DATE 04/28/2006 RULE	CLASS 235	GROUP ART UNIT 2809	ATTORNEY DOCKET NO. 3829P
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APPLICANTS
 Ed Starrs, El Dorado Hills, CA;
**** CONTINUING DATA ******* *None*
**** FOREIGN APPLICATIONS ******* *None*
IF REQUIRED, FOREIGN FILING LICENSE GRANTED SMALL ENTITY ****
**** 05/22/2006**

Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	STATE OR COUNTRY CA	SHEETS DRAWING 29	TOTAL CLAIMS 24	INDEPENDENT CLAIMS 3
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged <i>[Signature]</i> Examiner's Signature	<i>[Initials]</i>			

ADDRESS
29141

TITLE
Method and apparatus for online check processing

FILING FEE RECEIVED 665	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees (Filing)
		<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)
		<input type="checkbox"/> 1.18 Fees (Issue)
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	3247	235/379.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2007/03/12 17:56
S1	1	((ED) near2 (STARRS)).INV.	US-PGPUB; USPAT	AND	ON	2007/03/05 16:11
S2	3	("20030093367" "20060045321" "5732400").PN.	US-PGPUB; USPAT	AND	ON	2007/03/05 16:11
S3	127	("4734564" "4736294" "4799156" "4812628" "4947028" "4994964" "5239462" "5293310" "Re32985").PN. OR ("5732400").URPN.	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/05 17:26
S4	28	("20020087465" "20020169712" "4678895" "5383113" "5453601" "5649116" "5699528" "5757917" "5802497" "5825881" "5826241" "5899980" "5903721" "5920847" "5987132" "5987140" "5987429" "5991750" "5999625" "6012048" "6029150" "6070798" "6098053" "6122624" "6122625" "6246996" "6393412" "6609113").PN.	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/05 17:40
S5	57	"check 21" and image with ("demand draft" or check)	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/05 17:58
S6	958	"electronic check"	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/05 18:22
S7	6	"6676310" "5504677".pn.	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 08:43
S8	1	"20020099652".pn.	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 14:11
S9	1	"20040030647".pn.	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 18:09
S10	958	"electronic check"	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 18:09
S11	688	S10 and (website or online or internet)	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 18:11

EAST Search History

S12	192	S11 not print\$4	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 18:15
S14	681	S10 and ("705".clas. or "235".clas.)	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 18:43
S15	28	S10 and "check 21"	US-PGPUB; USPAT; USOCR	AND	ON	2007/03/06 18:44
S16	5	waserstein.in.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2007/03/12 11:07
S17	5396	705/26.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2007/03/08 11:01
S18	85	S17 and (associat\$4 or correlat\$4) same (website or online or internet) same (merchant or seller or payee) same (interface or gui)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2007/03/08 11:03
S19	9	"blended risk"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2007/03/12 11:14
S20	49	composite with risk with score	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2007/03/12 17:56

TRANSMITTAL FORM

Attorney Docket No.
3829P

IPW

In re the application of: **Ed STARRS**

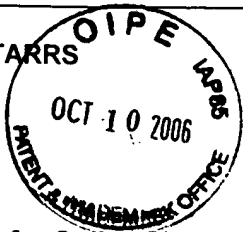
Confirmation No: **2637**

Serial No: **11/413,673**

Group Art Unit: **2876**

Filed: **April 28, 2006**

Examiner: **To be Assigned**



For: **Method and Apparatus for Online Check Processing**

ENCLOSURES (check all that apply)

<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input type="checkbox"/>	Notice of Appeal
<input checked="" type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input type="checkbox"/>	Appeal Brief
<input checked="" type="checkbox"/>	Substitute Form 1449	<input type="checkbox"/>	Drawings	<input type="checkbox"/>	Status Letter
<input type="checkbox"/>	Reference Copies	<input type="checkbox"/>	Petition	<input checked="" type="checkbox"/>	Postcard
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer		
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxx month(s), from to .			
<input type="checkbox"/>	Executed Declaration by Inventor(s)				

CLAIMS

FOR	Claims Remaining	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	24	24	0	\$ 50.00	\$ 0.00
Independent Claims	3	3	0	\$200.00	\$ 0.00
				Total Fees	\$ 0.00

METHOD OF PAYMENT

<input type="checkbox"/>	Check no. _____ in the amount of \$ _____ is enclosed for payment of fees.
<input type="checkbox"/>	Charge \$ _____ to Deposit Account No. _____ (Account Holder Name) for payment of fees.
<input checked="" type="checkbox"/>	Charge any fees or credit any overpayment to Deposit Account No. <u>02-2120</u> (Sawyer Law Group LLP)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Attorney Name	Kelvin M. Vivian, Reg. No. 53,727
Signature	
Date	October 5, 2006

CERTIFICATE OF TRANSMISSION/MAILING

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Type or printed name	Kym Moore
Signature	

TRANSMITTAL FORM

Attorney Docket No.
3829P

In re the application of: **Ed STARRS**

Confirmation No: **2637**

Serial No: **11/413,673**

Group Art Unit: **2876**

Filed: **April 28, 2006**

Examiner: **To be Assigned**



COPY

For: **Method and Apparatus for Online Check Processing**

ENCLOSURES (check all that apply)					
<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input type="checkbox"/>	Notice of Appeal
<input checked="" type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input type="checkbox"/>	Appeal Brief
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<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer		
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxx month(s), from to .			
<input type="checkbox"/>	Executed Declaration by Inventor(s)				

CLAIMS					
FOR	Claims Remaining	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	24	24	0	\$ 50.00	\$ 0.00
Independent Claims	3	3	0	\$200.00	\$ 0.00
Total Fees					\$ 0.00

METHOD OF PAYMENT	
<input type="checkbox"/>	Check no. _____ in the amount of \$ _____ is enclosed for payment of fees.
<input type="checkbox"/>	Charge \$ _____ to Deposit Account No. _____ (Account Holder Name) for payment of fees.
<input checked="" type="checkbox"/>	Charge any fees or credit any overpayment to Deposit Account No. <u>02-2120</u> (Sawyer Law Group LLP)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Attorney Name	Kelvin M. Vivian, Reg. No. 53,727
Signature	
Date	October 5, 2006

CERTIFICATE OF TRANSMISSION/MAILING	
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Type or printed name	Kym Moore
Signature	



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Kym Moore

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: **October 5, 2006**

Ed STARRS

Confirmation No: **2637**

Serial No: **11/413,673**

Group Art Unit: **2876**

Filed: **April 28, 2006**

Examiner: **To be Assigned**

For: **METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING**

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

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §1.97**

Sir:

Pursuant to 37 C.F.R. §1.97 and §1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. The Examiner is requested to make these documents of record. This Information Disclosure Statement is being submitted:

- With copies.
- Without copies. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial No. **, filed **. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609 (A)(2).
- This Information Disclosure Statement is being submitted with only copies of non-U.S. patent publication(s) and non-patent literature. This protocol conforms with 37 CFR 1.98(a)(2)(i), which waives the requirement for submitting a copy of each cited U.S. Patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

- The documents listed on the attached Form PTO-1449 were cited in a Search Report directed to a counterpart international or foreign application.
- With the application; accordingly, no fee or separate requirements are required.
- Within three months of the application filing date, or before mailing of a first Office Action on the merits.
- Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- After receipt of a first Office Action on the merits, but before the mailing date of a Final Office Action under §1.113, or a Notice of Allowance §1.311. Accompanied by one of:
 - Certification under 37 CFR §1.97(e); **or**
 - The fee set forth in §1.17(p)
- After mailing of a final Office Action or Notice of Allowance, but on or before payment of the issue fee. Accompanied by:
 - Certification under 37 CFR §1.97(e); **and**
 - The fee set forth in §1.17(p)
- A Certification under 37 C.F.R. §1.97(e) is provided below:
 - I hereby certify that each item of information was 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 Information Disclosure Statement.
 - or-
 - I hereby certify that no item of information was cited in a communication from a foreign patent office in a counterpart foreign application and, to the best of my knowledge after making a reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein. If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,



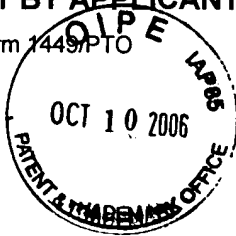
Kelvin M. Vivian
Attorney for Applicant(s)
Reg. No. 53,727
(650) 493-4540

October 5, 2006
Date

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Substitute for form 1449 PTO

Sheet 1 of 1



Application Number	11/413,673
Filing Date	April 28, 2006
First Named Inventor	STARRS, Ed
Art Unit	2876
Examiner Name	To be Assigned
Attorney Docket Number	3829P

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages/Columns/Lines Where Relevant Passages Appear
		5,732,400	3/24/1998	Mandler et al.	
		2003/0093367	5/15/2003	Allen-Rouman et al.	
		2006/0045321	3/2/2006	Yu	

FOREIGN PATENT DOCUMENTS

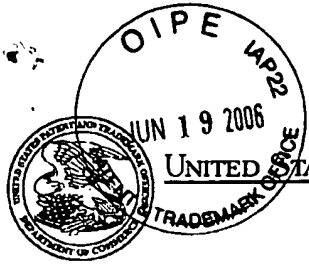
Examiner Initials	Cite No. ¹	Foreign Patent Document Country	Publication Date	Name of Patentee or Applicant of Cited Document	Pages/Columns/Lines Where Relevant Passages Appear

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

Examiner Signature	Date Considered
--------------------	-----------------

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

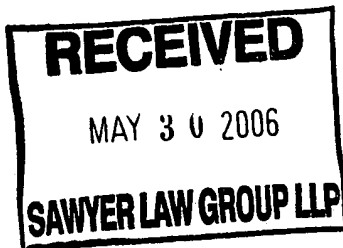


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/413,673	04/28/2006	Ed Starrs	3829P

29141
SAWYER LAW GROUP LLP
P O BOX 51418
PALO ALTO, CA 94303



CONFIRMATION NO. 2637
FORMALITIES
LETTER

Date Mailed: 05/24/2006

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/20/2006 SHASSEN1 00000021 11413673

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

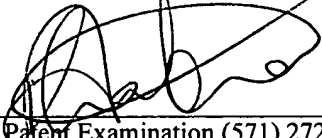
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Surcharge.

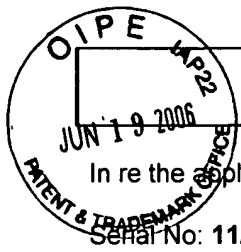
Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TRANSMITTAL FORM

Attorney Docket No.
3829P

In re the application of: **Ed STARRS**
Serial No: **11/413,673**

Confirmation No: **2637**
Group Art Unit: **2876**

Filed: **April 28, 2006**

Examiner: **To Be Assigned**

For: **Method and Apparatus for Online Check Processing**

ENCLOSURES (check all that apply)			
<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal
<input type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman
<input type="checkbox"/>	Substitute Form 1449	<input type="checkbox"/>	Drawings
<input type="checkbox"/>	Reference Copies	<input type="checkbox"/>	Petition
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address
<input checked="" type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxx month(s), from to .	
<input checked="" type="checkbox"/>	Executed Declaration by Inventor(s)		

CLAIMS					
FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	24	24	0	\$ 50.00	\$ 0.00
Independent Claims	3	3	0	\$200.00	\$ 0.00
				Total Fees	\$ 0.00

METHOD OF PAYMENT	
<input checked="" type="checkbox"/>	Check no. 10403 in the amount of \$65.00 is enclosed for payment of surcharge fee.
<input type="checkbox"/>	Charge \$ _____ to Deposit Account No. _____ (Account Holder Name) for payment of fees.
<input checked="" type="checkbox"/>	Charge any additional fees or credit any overpayment to Deposit Account No. 02-2120 (Sawyer Law Group LLP).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Attorney Name	Kelvin M. Vivian, Reg. No. 53,727
Signature	
Date	June 15, 2006

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile/transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 15, 2006 .	
Type or printed name	Kym Moore
Signature	



CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 15, 2006.


Kym Moore

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: June 15, 2006

Ed STARRS

Confirmation No.: 2637

Serial No.: 11/413,673

Group Art Unit: 2876

Filed: April 28, 2006

Examiner: To Be Assigned

For: METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS


Sir:

In response to the Notice to File Missing parts dated May 24, 2006, Applicant submits herewith the executed Declaration for the above-referenced patent application.

Enclosed is check no. 10403 in the amount of **\$65.00** for payment of the surcharge in accordance with 37 CFR 1.16(e). If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

June 15, 2006
Date


Kelvin M. Vivian
Attorney for Applicant(s)
Reg. No. 53,727
(650) 493-4540



**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

- Declaration Submitted with Initial Filing
 Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16(e) required)

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

the specification of which

- is attached hereto.
 was filed on April 28, 2006 as US Application Serial No. 11/413,673.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119	
			YES:	NO:
			YES:	NO:
			YES:	NO:

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(pending)

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION (continued)**

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**Joseph A. Sawyer, Jr., Reg. No. 30,801
Kelvin M. Vivian, Reg. No. 53,727**

**Janyce R. Mitchell, Reg. No. 40,095
Erin C. Ming, Reg. No. 47,797**

Send Correspondence to: Customer No. 29141
SAWYER LAW GROUP LLP
P.O. Box 51418
Palo Alto, CA 94303

Direct Telephone Calls To:
Kelvin M. Vivian
Phone: (650) 493-4540
Facsimile: (650) 493-4549

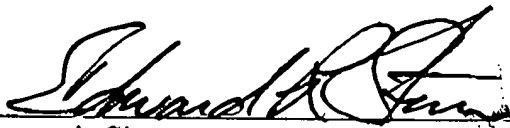
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment,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

Full Name of Inventor: **Ed STARRS** Citizenship: US

Residence: **674 Platt Circle
El Dorado Hills, CA 95762**

Post Office Address: **Same**

6-14-2006
Date


Inventor's Signature



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/413,673	04/28/2006	Ed Starrs	3829P

CONFIRMATION NO. 2637
FORMALITIES
LETTER

29141
 SAWYER LAW GROUP LLP
 P O BOX 51418
 PALO ALTO, CA 94303

Date Mailed: 05/24/2006

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

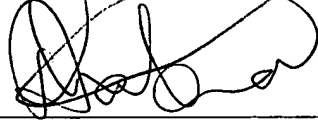
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned below the instruction text.

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382

PART 3 - OFFICE COPY

042806
16152 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL (New Nonprovisional Applications Under 37 CFR § 1.53(b))	Attorney Docket No. 3829P
---	-------------------------------------

113009 U.S. PTO
11/413673
042806

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of Ed STARRS, entitled METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING, for a(n):

- ▶ Original Patent Application
- ▷ Continuing Application (prior application not abandoned):
 - ▷ Continuation
 - ▷ Divisional
 - ▷ Continuation-in-part (CIP)
 of prior application No: _____ Filed on: _____

Enclosed are:

- ▶ Specification; 30 Total Pages
- ▶ Drawing(s); 29 Total Sheets
- ▶ *Unexecuted* Combined Oath or Declaration and Power of Attorney
 - ▷ Newly Executed (original or copy)
 - ▷ Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d))
- ▷ Assignment Papers (cover sheet and document(s))
- ▷ Nonpublication Request under 35 USC 122(b)(2)(B)(i)
- ▷ Information Disclosure Statement and Form PTO-1449
- ▷ Preliminary Amendment
- ▷ Certified Copy of Priority Documents (if foreign priority is claimed)
- ▶ Return Receipt Postcard

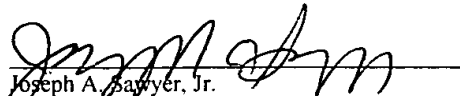
CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	24	4	\$25.00	\$ 100.00
Independent Claims	3	0	\$100.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic (\$150.00) + Search (\$250.00) + Examination (\$100.00) Fee =				\$ 500.00
Application Size Fee	30 Pages	-100 = 0	/ 50 = 0 x 125	\$ 0.00
Total Filing Fee				\$ 600.00

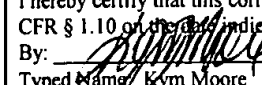
Payment of Fees:

- ▶ Check no. 10123 in the amount of \$ 600.00 is enclosed for payment of Filing Fees(s).
- ▷ Charge \$ _____ to Deposit Account No. _____ (Acct Holder Name) for payment of Filing Fee(s).
- ▶ The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 02-2120 (Sawyer Law Group LLP).

Customer No. 29141
Sawyer Law Group LLP
P.O. Box 51418
Palo Alto, CA 94303
Telephone: (650) 493-4540
Facsimile: (650) 493-4549

Respectfully submitted,
SAWYER LAW GROUP LLP


Joseph A. Sawyer, Jr.
Attorney for Applicant(s)
Reg. No. 30,801

EXPRESS MAIL CERTIFICATE	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
By: 	Express Mail Label No: EV800453250US
Typed Name: Kym Moore	Date of Deposit: April 28, 2006

042806
16152 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL (New Nonprovisional Applications Under 37 CFR § 1.53(b))	Attorney Docket No. 3829P
---	-------------------------------------

113009 U.S. PTO
11/413673
042806

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of Ed STARRS, entitled METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING, for a(n):

- ▶ Original Patent Application
- ▷ Continuing Application (prior application not abandoned):
 - ▷ Continuation
 - ▷ Divisional
 - ▷ Continuation-in-part (CIP)
 of prior application No: _____ Filed on: _____

Enclosed are:

- ▶ Specification; 30 Total Pages
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- ▶ *Unexecuted* Combined Oath or Declaration and Power of Attorney
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- ▷ Information Disclosure Statement and Form PTO-1449
- ▷ Preliminary Amendment
- ▷ Certified Copy of Priority Documents (if foreign priority is claimed)
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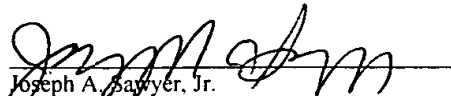
CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	24	4	\$25.00	\$ 100.00
Independent Claims	3	0	\$100.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic (\$150.00) + Search (\$250.00) + Examination (\$100.00) Fee =				\$ 500.00
Application Size Fee	30 Pages	-100 = 0	/ 50 = 0 x 125	\$ 0.00
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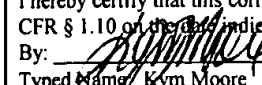
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- ▷ Charge \$ _____ to Deposit Account No. _____ (Acct Holder Name) for payment of Filing Fee(s).
- ▶ The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 02-2120 (Sawyer Law Group LLP).

Customer No. 29141
Sawyer Law Group LLP
P.O. Box 51418
Palo Alto, CA 94303
Telephone: (650) 493-4540
Facsimile: (650) 493-4549

Respectfully submitted,
SAWYER LAW GROUP LLP


Joseph A. Sawyer, Jr.
Attorney for Applicant(s)
Reg. No. 30,801

EXPRESS MAIL CERTIFICATE	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
By: 	Express Mail Label No: EV800453250US
Typed Name: Kym Moore	Date of Deposit: April 28, 2006

UNITED STATES PATENT APPLICATION

FOR

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

Inventor(s):
Ed STARRS

Sawyer Law Group LLP
2465 E. Bayshore Road, Suite 406
Palo Alto, California 94303

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

FIELD OF THE INVENTION

[0001] The present invention relates generally to data processing, and more particularly to methods and apparatus for processing a bank instrument.

BACKGROUND OF THE INVENTION

[0002] The development of the Internet has created new online markets and marketplaces. For example, a user (e.g., a consumer) with an Internet connection can search for a variety of items (including, for example, physical products, services, digital media or content, and the like) provided by online merchants. Users can typically pay for items using a number of different online payment processing options. One common online payment processing option includes payment through credit cards. In a typical credit card payment purchasing scheme, a user accesses a website (e.g., of a merchant or other provider of items) and provides required personal information and a credit card number. The merchant submits a charge to a corresponding credit card company, and completes the online payment purchase with the user once the credit card company authorizes the charge. Online merchants, however, are exposed to high costs associated with fraud and charge back fees, and bear liability because typically no credit card signature is required when a user pays online using a credit card.

[0003] Another online payment processing option includes payment using electronic checks (referred to herein also as e-checks) through a funds transfer system associated

with the Automated Clearing House (ACH) network. The ACH network is an electronic funds transfer system governed by NACHA (National Automated Clearing House Association) which sets operating rules that provide for inter-bank clearing of electronic payments for participating depository financial institutions. However, as with the credit card payment purchasing scheme, payments made using e-checks through a funds transfer system associated with the ACH network can be charged back or reversed long after a transaction date. In addition, not all financial institutions (including banks) participate in the ACH network. Other conventional e-check payment systems typically require merchants (or other check processors) to buy special check printing equipment and proprietary checks, so that the merchants can print out and then deposit physical paper copies of the consumer check. Merchants, however, must typically wait a long period of time (e.g., 5-7 days) for a printed check to clear.

[0004] Accordingly, what is needed is an improved online consumer payment solution. The present invention addresses such a need.

SUMMARY OF THE INVENTION

[0005] In general, in one aspect, this specification describes a computer-implemented method for processing an online payment for an item. The method includes receiving information from a user corresponding to the online payment for the item. The information from the user is received through a graphical user interface, and includes an authorization to pay for the item using an electronic check. The method further includes creating an electronic image of an authorized demand draft based on the authorization

received from the user. The electronic image of the authorized demand draft is created directly from the information provided by the user through the graphical user interface.

[0006] Particular implementations can include one or more of the following features. Creating an electronic image of an authorized demand draft can include creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21). The electronic image of the authorized demand draft can be unsigned by the user. The method can further include transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item. Creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft can be performed substantially in real-time. The method can further include performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft. Performing one or more real-time verifications on the user can include generating a blended risk score on the user. The blended risk score can correspond to a degree of risk associated with successfully performing an online payment transaction with the user. The blended risk score can be a composite of a plurality of individual risk scores. The information from the user can be received through a graphical user interface associated with a website of a merchant through which the item is purchasable.

[0007] In general, in another aspect, this specification describes a check processing system for processing an online payment from a user, in which the online payment is for an item that is purchasable through a website of a merchant. The check processing system includes a first engine to receive information from the user corresponding to the online payment for the item. The information from the user is received through a graphical user interface associated with the website of the merchant. The information from the user includes a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check. The check processing system further includes a second engine to create an electronic image of an authorized demand draft based on the authorization received from the user. The electronic image of the authorized demand draft is created directly from the information provided by the user through the graphical user interface associated with the website of the merchant. The electronic image of the authorized demand draft includes the name of the user, the bank data associated with the user. The check processing system further includes a third engine to transmit the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user, and a fourth engine to receive funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

[0008] Implementations can include one or more of the following features. The fourth engine can be operable to receive the funds from the financial institution substantially in real-time relative to when the electronic image of the authorized demand draft is created and transmitted to the financial institution. The first engine, the second

engine, the third engine, and the fourth engine can be components of the same engine. The check processing system can further include a fifth engine operable to perform one or more real-time verifications on the user prior to the second engine creating the electronic image of the authorized demand draft. The fifth engine can be operable to perform one or more real-time verifications including generating a blended risk score on the user.

[0009] In general, in another aspect, this specification describes a computer-implemented method for processing an online payment from a user, in which the online payment is for an item that is purchasable through a website of a merchant. The method includes receiving information from the user corresponding to the online payment for the item. The information from the user is received through a graphical user interface associated with the website of the merchant, and includes a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check. The method further includes creating an electronic image of an authorized demand draft based on the authorization received from the user. The electronic image of the authorized demand draft is created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, and includes the name of the user, the bank data associated with the user. The method further includes transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user, and receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

[0010] Particular implementations can include one or more of the following features. The item can comprise one of a physical product, a service, digital media, or digital content. The financial institution can be one of a bank, savings and loan (S&L), credit union, or Federal Reserve.

[0011] Implementations may provide one or more of the following advantages. In one implementation, a fully integrated online check processing system is provided that functions much like credit card authorization and settlement, but is much more universally available to consumers or other users. Unlike transactions involving credit cards or a funds transfer system associated with the ACH network, the electronic images of authorized demand drafts created by the check payment/processing system cannot be easily or readily reversed, and are acceptable at every U.S. bank. Moreover, the check processing system is not subject to NACHA rules and/or other regulatory oversight.

[0012] The details of one or more implementations are set forth in the accompanying drawings and the description below. Other features and advantages will be apparent from the description and drawings, and from the claims.

BRIEF DESCRIPTION OF THE DRAWINGS

[0013] FIG. 1 is a block diagram of an online payment system including a check processing system in accordance with one implementation.

[0014] FIG. 2 illustrates a block diagram of the check processing system of FIG. 1 in accordance with one implementation.

[0015] FIG. 3 illustrates a method for authorizing a user in accordance with one implementation.

[0016] FIG. 4 illustrates a method for processing an electronic check online in accordance with one implementation.

[0017] FIGs. 5-14 are screen shots of exemplary graphical user interfaces that can be implemented on, for example, a merchant website.

[0018] FIGs. 15-30 illustrate an example electronic image of an authorized demand draft in accordance with one implementation.

[0019] Like reference symbols in the various drawings indicate like elements.

DETAILED DESCRIPTION OF THE INVENTION

[0020] Implementations of the present invention relates generally to data processing, and more particularly to methods and apparatus for processing a bank instrument. The following description is presented to enable one of ordinary skill in the art to make and use the invention and is provided in the context of a patent application and its requirements. Various modifications to implementations and the generic principles and features described herein will be readily apparent to those skilled in the art. Thus, the present invention is not intended to be limited to the implementations shown but is to be accorded the widest scope consistent with the principles and features described herein.

[0021] FIG. 1 illustrates an online payment system 100 in accordance with one implementation. In one implementation, the online payment system 100 includes a user system 102, a check processing system 104 and a merchant system 106. In one implementation, the user system 102, the check processing system 104 and the merchant system 106 are interconnected through a network (e.g., the Internet or other wide area network). Other types of networks through which the online payment system 100 can be interconnected include, for example, telephone networks, wireless digital networks, serial cable networks, ATM or credit card networks, or other private networks and collections of networks including intranets, and/or local area networks. In one implementation, the check processing system 104 permits a user (using the user system 102) to pay for items (including, e.g., physical products, services, digital media or content, and the like) that are displayed on (or available/purchasable through) a website, e.g., a merchant website provided by the merchant system 106. In one implementation, the check processing system 104 generates an electronic image of an (unsigned) authorized demand draft, or other bank instrument, (based on user information) that is compliant with the Check Clearing for the 21st Century Act (Check 21), which electronic image is then processed at a financial institution to provide payment for an item. Such financial institutions include, for example, banks, savings and loans (S&Ls), credit unions, the Federal Reserve, and other check processing centers. In general, the electronic image of the authorized demand draft is a bank instrument corresponding to, for example, a personal check, business check, certified check, bank check, sight draft, demand draft, money order, and the like. Unlike transactions involving credit cards or a funds transfer system associated with the ACH network, the electronic images of authorized demand drafts

created by the check processing system 104 cannot be easily or readily reversed and are acceptable at all U.S. banks and other financial institutions.

[0022] Check 21 is a new federal law that was signed on October 28, 2003, and became effective on October 28, 2004. Check 21 is designed to foster innovation in the payments system and to enhance efficiency by reducing some of the legal impediments to check truncation. The law facilitates check truncation by creating a new negotiable instrument called a substitute check, which permits banks to truncate original checks, to process check information electronically, and to deliver substitute checks to banks that want to continue receiving paper checks. A substitute check is the legal equivalent of the original check and includes all the information contained on the original check. Accordingly, Check 21 permits banks to process paper checks electronically for faster, more efficient check clearing. Instead of physically moving paper checks between banks, Check 21 permits banks to capture a picture of the front and back of a check and transmit the picture electronically.

[0023] Referring to FIG. 1, in one implementation, the electronic image of the authorized demand draft generated by the check processing system 104 is made payable to an entity (e.g., a person or business) associated with the check processing system 104. In this implementation, the check processing system 104 can provide funds received from a financial institution (responsive to a corresponding electronic image of an authorized demand draft) to an entity (e.g. a person or business) associated with the merchant system 106. The check processing system 104 can provide the funds to the merchant system 106

through (e.g.) wire, ACH, or a paper check. In one implementation, the electronic image of the authorized demand draft generated by the check processing system 104 is made payable to an entity associated with the merchant system 106. In this implementation, the funds are provided from the financial institution (or drawee bank) directly to the merchant system 106. In this implementation, the electronic image can be sent directly from the check processing system 104 to the financial institution (or indirectly through a 3rd party or the merchant system 106). For example, the electronic image can first be sent to a bank associated with the merchant system 106, which will then forward the electronic image to the drawee bank. The financial system can provide the funds to the merchant system 106 through (e.g.) wire, ACH, or a paper check. Alternatively, the electronic image of the authorized demand draft generated by the check processing system 104 can be made payable to an entity associated with a 3rd party not associated with the check processing system 104 or the merchant system 106. In this implementation, the settlement of funds for payment of an item is provided by the 3rd party.

[0024] In addition to making payments for items that are available through a website, the check processing system 104 can be used to make payments for items generally. For example, the check processing system 104 can be used to provide payment for car payments, insurance payments, mortgage payments, payroll checks, and so on. In one implementation, the check processing system 104 is operable to automatically make recurring payment by generating electronic images of the authorized demand drafts on a pre-determined reoccurring basis. The recurring payments can involve creation of an

electronic image of an authorized demand draft based on a previous authorization made for other electronic images.

[0025] FIG. 2 illustrates a block diagram of a check processing system 200 in accordance with one implementation. In one implementation, the check processing system 200 includes a user validation engine 202 and a check processing engine 204. Although the check processing system 200 is shown as including two separate engines – e.g., the user validation engine 202 and the check processing engine 204 – the check processing system can include other engines (not shown) operable to perform the functions described below. In addition, the two separate engines can be combined into a single engine.

[0026] In one implementation, the user validation engine 202 performs a series of real-time verifications to ensure that every electronic check (or demand draft) is authorized by a user (or account owner), and that the check will clear the user's bank (or other financial institution associated with the user). More generally, the user validation engine 202 provides bank data, age and identity verification for users of the check processing system 200. In one implementation, the user validation engine 202 generates a blended risk score for each user that registers with the check processing system 200 as described in pending U.S. Patent Application No. 10/405,410 - entitled "Fraud Control Method and System For Network Transactions", which is incorporated by reference herein. In one implementation, the blended risk score corresponds to a degree of risk associated with successfully performing an online payment transaction with a given user.

For example, a good blended risk score for a user can indicate a greater likelihood of a successful online payment transaction.

[0027] For example, referring to FIG. 3, a method 300 for validating a user is shown according to one implementation. A plurality of individual risk scores are generated (e.g., by the user validation engine 202) (step 302). The plurality of individual risk scores can be generated based at least in part on information provided by a user that desires to pay for an item using the check processing system 200. In one implementation, a first individual risk score is generated from a credit history of a user. In this case, the first individual risk score can correspond to a credit score of a given user. In one implementation, a second individual risk score is generated using Network Geolocation Technology (NGT) to determine a user's physical location, which is compared to a reported location and IP address of the user's (hardware) system. In this implementation, the second individual risk score corresponds to the certainty that a user is physically located near a user system through which the user's information was received. Other individual risk scores can be generated to verify user information and/or bank data using any type of suitable information including for example, publicly maintained databases (e.g., Department of Motor Vehicles (DMV) records, education records, and the like) or privately maintained databases (e.g., Lexis-Nexis, Martindale-Hubbell, and the like).

[0028] A blended (or composite) risk score is generated (e.g., by the user validation engine 202) (step 304). In one implementation, the blended risk score is generated by

assigning weights to each of the plurality of individual risk scores, substantially according to equation 1 below:

$$(X)(1\text{st risk score}) + (Y)(2\text{nd risk score}) + \dots + (Z)(\text{nth risk score}) = \text{blended risk score (eq.1)}$$

where X , Y , and Z represent a weight assigned to a given risk score. The weights can be assigned to give more (or less) influence to each of the individual risks scores on the (overall) blended risk score. A determination is made (e.g., by the user validation engine 202) whether the blended risk score meets a pre-determined threshold (step 306). The pre-determined threshold can correspond to a level of acceptable risk. If the blended risk score meets the pre-determined threshold then a user request to pay using the check processing system is accepted (e.g., by the user validation engine 202) (step 308). If the blended risk score does not meet the pre-determined threshold then the user request to pay using the check processing system is rejected (e.g., by the user validation engine 202) (step 310).

[0029] Referring again to FIG. 2, (in one implementation) the check processing engine 204 is operable to create an electronic image of an authorized demand draft (or an electronic check) that can be processed to provide online payment for an item. For example, referring to FIG. 5, a screenshot 500 is shown of a user selecting (1) anvil for purchase through a merchant website. As shown in FIG. 6, a screenshot 600 is shown including a window 602 that provides a number of payment options for selection by the user. The window 602 includes a conventional credit card payment option 604 and an electronic check payment option 606 (“MyECheck”) through which an electronic image of an authorized demand draft can be generated to pay for the anvil. FIG. 4 illustrates one

implementation of a method for processing an electronic image of an authorized demand draft.

[0030] As shown in FIG. 4, user information is received (step 402). In one implementation, the user information is received through a user registration process. For example, FIG. 7 shows a screenshot 700 of a login screen 702 that is displayable to a user once the user selects the electronic check payment option 606 (FIG. 6). In one implementation, the login screen 702 includes a registration section 704 for new users and a login section 706 for returning users. If a given user is a returning user, then the user's information can be retrieved from a database or other storage. FIG. 8 shows a screenshot 800 of a registration screen 802 that is displayable to new users of the electronic check payment option. In one implementation, the user information that is received includes date, name, address, driver's license identification number, bank data (e.g., including a bank routing number and a bank account number), payee information, and the amount to be paid. In one implementation, the information is entered directly into an electronic template 804 in the form of a conventional paper check as shown in FIG. 8. As discussed above, the payee can be an entity associated with the check processing system, the merchant system, or a 3rd party. FIG. 9 shows a screenshot 900 of an authorization page 902. In one implementation, the authorization page 902 includes email and telephone contact numbers and includes an authorization selection button 904 indicating a user's authorization of an electronic check.

[0031] In one implementation, prior to completing registration, a user enters additional personal information including, for example, date of birth, social security number, previous home addresses, and so on, as shown in the screenshot 1000 of FIG. 10. FIG. 11 illustrates a screenshot 1100 of a confirmation page 1102 containing all of the information previously entered by a user. In one implementation, a quiz is presented to a user (e.g., by the user validation engine 202 (FIG.2)) to further confirm identity of the user as shown in the screenshot 1200 of FIG. 12. The questions can be generated from public and/or private databases, or other information databases. FIG. 13 illustrates a screenshot 1300 of additional information that can be entered by a user to simplify future electronic check payment transactions. The additional information includes a username, password, account PIN (personal identification number), secret question and answer. The secret question and answer can be used to verify identity of a user should the user later forget a username, password, and/or account PIN.

[0032] Referring again to FIG. 4, a determination is made (e.g., by the user validation engine 202 of FIG. 2) whether the user is authorized to complete online payment using the electronic check payment option. In one implementation, a user is authorized to complete an online payment using the electronic check payment option if a blended risk score associated with the user meets a pre-determined threshold as discussed above. If the user is not authorized to complete the online payment, then the process ends. If the user is authorized to complete the online payment using the electronic check payment option, then an electronic image of an authorized demand draft is created (e.g., by the check processing engine 202 of FIG. 2) (step 406). In one implementation, the electronic

image of the authorized demand draft is created directly from information provided by a user through a graphical user interface, e.g., running on (or associated with) a website of a merchant. For example, referring to FIG. 8, an electronic image of an authorized demand draft can be created based on the information provided on the electronic template of a conventional check. More generally, the information for generating an electronic image of an authorized demand draft can be received through data collection means or transmittal methods. For example, the information for generating an electronic image of an authorized demand draft can be received from a merchant (or payment gateway). In one implementation, the check processing engine generates electronic images of authorized demand draft in response to transactions that are sent to the check processing engine in batches. For example, a merchant may delay release of payment processing of a previously authorized transaction to the check processing system (e.g., the purchase of a charter flight plane ticket may require the merchant to defer issuance (by hours or days) pending confirmation of seat availability of a carrier).

[0033] In one implementation, the electronic image of the authorized demand draft is compliant with Check 21 to guarantee that the electronic image of the authorized demand draft will be acceptable at all U.S. banks or other financial institutions. In one implementation, the electronic image of the authorized demand draft is unsigned by the user. Alternatively, an electronic signature can be placed on the electronic image of the authorized demand draft. The electronic image of the authorized demand draft is transmitted (e.g., by the check processing system 200 (FIG. 2)) to a check processing center (e.g., the user's bank or other financial institution) (step 408). In one

implementation, the electronic image of the authorized demand draft is transmitted substantially in real-time to the check processing center. Once the electronic image of the authorized demand draft is processed, funds are received (e.g., by the check processing system 200) (step 410). In one implementation, the funds are received by the check processing system substantially in real-time. The funds are then wired to the merchant (step 412). FIG. 14 shows a screenshot 1400 indicating successful online registration and payment through the electronic check payment option. Alternatively, as discussed above, the electronic image of the authorized demand draft can be made payable to the merchant (or a 3rd party), in which case the check processing center (or financial institution) directly sends the funds to the merchant (or the 3rd party).

[0034] FIGs. 15-30 illustrate one implementation of an electronic image of an authorized demand draft, and components (or data sources) thereof. In general, various financial institutions have different requirements regarding acceptance of an electronic image of an authorized demand draft and, therefore, the electronic image (and components thereof) shown in FIGs. 15-30 are exemplary.

[0035] Referring first to FIG. 15, one implementation of an electronic image of an authorized demand draft 1500 is shown. The electronic image of an authorized demand draft 1500 includes a front side 1502 and a back side 1504. As shown on the front side 1502, the electronic image of an authorized demand draft 1500 is unsigned. FIG. 16 shows file header that is associated with the electronic image of an authorized demand draft 1500. In one implementation, the file header includes origin and destination routing

number information as shown, in addition to the total amount (\$1044.99) to be transferred between the two accounts associated with the routing numbers. FIGs. 17-30 respectively illustrates other components (or data sources) that can be associated with the electronic image of an authorized demand draft 1500 including, for example, a record type 01, a cash letter, a record type 10, a bundle, a record type 20, an item identifier (item 1), a record type 25, a record type 50 (associated with the front side 1502), a record type 52 (associated with the front side 1502), a record type 50 (associated with the back side 1504), a record type 52 (associated with the back side 1504), a record type 70, a record type 90, and a record type 99.

[0036] Below is provided an exemplary process steps that can occur through a merchant website and a check processing system that is in accordance with the method steps discussed above.

1) Merchant Web Site

- Merchant collects amount of item
- Customer selects Check Processing System to pay for item

2) Check Processing System creates secure session with Customer inside frames on Merchant Web Site

- Amount of item is electronically sent to Check Processing System
- Check Processing System creates a unique session ID and transaction ID
- Check Processing System serves a log-in page

- Pre-registered users log-in user username and password, and new users click through to register

3) (a) New User Registration

- Check Processing System serves customer registration pages
- Customer enters name, address, phone number, driver license number, bank name, bank routing number, bank account number into fields on blank check image
- Customer enters phone numbers, date of birth, other addresses, social security number into additional fields
- Customer agrees to terms of use and authorizes transaction
- Customer's identity attributes are verified by Check Processing System matching customer provided data with data in external private and public records databases
- Check Processing System serves interactive quiz to customer to validate identity
- Check Processing System verifies customer bank account funds availability through interfaces with external data providers
- Check Processing System queries external negative check writer databases
- Check Processing System uses risk assessment and decision tools to approve or decline transaction
- Check Processing System serves Approved or Declined page to Customer, declined customers are redirected to the merchant web site
- Check Processing System serves page for approved customer to enter a username, password, PIN and secret question to identify themselves to the Check Processing System on future transactions.
- Customer and transaction data is posted to the Check Processing System database

- Customer is redirected to the merchant website along with transaction data
- An electronic, Check 21 compliant file containing an image of authorized demand draft is created and electronically sent to a financial institution for processing
- Check Processing System sends receipt to customer email

3)(b) Pre-Registered Users

- Check Processing System serves page containing image of demand draft for customer approval or editing
- Customer enters PIN to authorize demand draft
- Transaction data is posted to the Check Processing System database
- Customer is redirected to the merchant website along with transaction data
- An electronic, Check 21 compliant file containing an image of authorized demand draft is created and electronically sent to a financial institution for processing
- Check Processing System sends receipt to customer email address

[0037] One or more of method steps described above can be implemented in digital electronic circuitry, or in computer hardware, firmware, software, or in combinations of them. Apparatus of the invention may be implemented in a computer program product tangibly embodied in a machine-readable storage device for execution by a programmable processor; and method steps of the invention can be performed by a programmable processor executing a program of instructions to perform functions of the invention by operating on input data and generating output. The invention can be implemented advantageously in one or more computer programs that are executable on a programmable system including at least one programmable processor coupled to receive

data and instructions from, and to transmit data and instructions to, a data storage system, at least one input device, and at least one output device. Each computer program can be implemented in a high-level procedural or object-oriented programming language, or in assembly or machine language if desired; and in any case, the language can be a compiled or interpreted language. Suitable processors include, by way of example, both general and special purpose microprocessors. Generally, a processor will receive instructions and data from a read-only memory and/or a random access memory. Generally, a computer will include one or more mass storage devices for storing data files; such devices include magnetic disks, such as internal hard disks and removable disks; magneto-optical disks; and optical disks. Storage devices suitable for tangibly embodying computer program instructions and data include all forms of non-volatile memory, including by way of example semiconductor memory devices, such as EPROM, EEPROM, and flash memory devices; magnetic disks such as internal hard disks and removable disks; magneto-optical disks; and CD-ROM disks. Any of the foregoing may be supplemented by, or incorporated in specially-designed ASICs (application-specific integrated circuits).

[0038] To provide for interaction with a user, the invention can be implemented on a computer system having a display device such as a monitor or LCD screen for displaying information to the user, and a keyboard and a pointing device (e.g., a mouse or a trackball) by which the user can provide input to the computer system. The computer system can be programmed to provide a graphical user interface through which the computer programs interact with users.

[0039] Various implementations of an online payment system and methods for providing payment online have been described. Nevertheless, one of ordinary skill in the art will readily recognize that various modifications may be made to the implementations, and those variations would be within the scope of the present invention. For example, the steps of methods discussed above can be performed in a different order to achieve desirable results. In addition, although FIG. 1 depicts the user system 102, the check processing system 104 and the merchant system 106 as separate systems, two or more of the systems can be combined within a single system. Accordingly, many modifications may be made by one of ordinary skill in the art without departing from the spirit and scope of the following claims.

CLAIMS

What is claimed is:

1. A computer-implemented method for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the method comprising:

receiving information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

transmitting the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

2. The method of claim 1, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is

compliant with the Check Clearing for the 21st Century Act (Check 21).

3. The method of claim 2, wherein the electronic image of the authorized demand draft is unsigned by the user.

4. The method of claim 1, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.

5. The method of claim 1, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

6. The method of claim 5, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

7. The method of claim 6, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

8. The method of claim 1, wherein:
the item comprises one of a physical product, a service, digital media, or digital content; and
the financial institution is one of a bank, savings and loan (S&L), credit union, or Federal Reserve.

9. A computer-implemented method for processing an online payment for an item, the method comprising:
receiving information from a user corresponding to the online payment for the item, the information from the user being received through a graphical user interface, the information from the user including an authorization to pay for the item using an electronic check;
creating an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface.

10. The method of claim 9, wherein creating an electronic image of an authorized demand draft includes creating an electronic image of an authorized demand draft that is compliant with the Check Clearing for the 21st Century Act (Check 21).

11. The method of claim 10, wherein the electronic image of the authorized demand draft is unsigned by the user.

12. The method of claim 10, further comprising:
transmitting the electronic image of the authorized demand draft to a financial institution; and
receiving funds from the financial institution based on the electronic image of the authorized demand draft to provide payment for the item.

13. The method of claim 12, wherein creating an electronic image of an authorized demand draft, transmitting the electronic image of the authorized demand draft to a financial institution, and receiving funds from the financial institution based on the electronic image of the authorized demand draft are performed substantially in real-time.

14. The method of claim 9, further comprising performing one or more real-time verifications on the user prior to creating the electronic image of the authorized demand draft.

15. The method of claim 14, wherein performing one or more real-time verifications on the user comprises generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with successfully performing an online payment transaction with the user, the blended risk score being a composite of a plurality

of individual risk scores.

16. The method of claim 9, wherein the information from the user is received through a graphical user interface associated with a website of a merchant through which the item is purchasable.

17. A check processing system for processing an online payment from a user, the online payment being for an item that is purchasable through a website of a merchant, the system comprising:

a first engine to receive information from the user corresponding to the online payment for the item, the information from the user being received through a graphical user interface associated with the website of the merchant, the information from the user including a name of the user, bank data associated with the user, and an authorization to pay for the item using an electronic check;

a second engine to create an electronic image of an authorized demand draft based on the authorization received from the user, the electronic image of the authorized demand draft being created directly from the information provided by the user through the graphical user interface associated with the website of the merchant, the electronic image of the authorized demand draft including the name of the user, the bank data associated with the user;

a third engine to transmit the electronic image of the authorized demand draft to a financial institution corresponding to the bank data associated with the user; and

a fourth engine to receive funds from the financial institution based on the

electronic image of the authorized demand draft to provide payment for the item.

18. The system of claim 17, wherein the electronic image of the authorized demand draft is compliant with the Check Clearing for the 21st Century Act (Check 21).

19. The system of claim 18, wherein the electronic image of the authorized demand draft is unsigned by the user.

20. The system of claim 17, wherein the fourth engine is operable to receive the funds from the financial institution substantially in real-time relative to when the electronic image of the authorized demand draft is created and transmitted to the financial institution.

21. The system of claim 17, wherein the first engine, the second engine, the third engine, and the fourth engine are components of the same engine.

22. The system of claim 17, further comprising a fifth engine operable to perform one or more real-time verifications on the user prior to the second engine creating the electronic image of the authorized demand draft.

23. The system of claim 22, wherein the fifth engine operable to perform one or more real-time verifications including generating a blended risk score on the user, the blended risk score corresponding to a degree of risk associated with performing an online

payment transaction with the user, the blended risk score being a composite of a plurality of individual risk scores.

24. The system of claim 23, wherein each of the plurality of individual risk scores are weighted by a pre-determined factor.

ABSTRACT

Methods and apparatus for processing an online payment for an item. In one implementation, the method includes receiving information from a user corresponding to online payment for an item. The information from the user is received through a graphical user interface, and includes an authorization to pay for the item using an electronic check. The method further includes creating an electronic image of an authorized demand draft based on the authorization received from the user. The electronic image of the authorized demand draft is created directly from the information provided by the user through the graphical user interface.

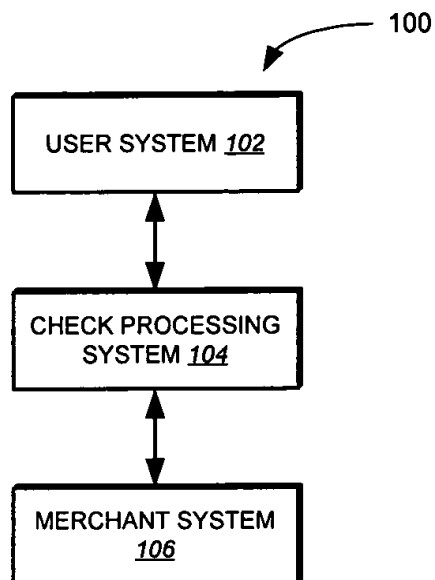


FIG. 1

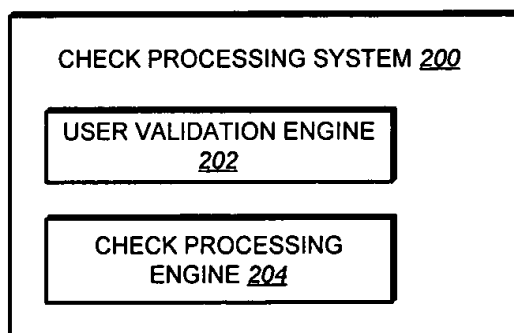


FIG. 2

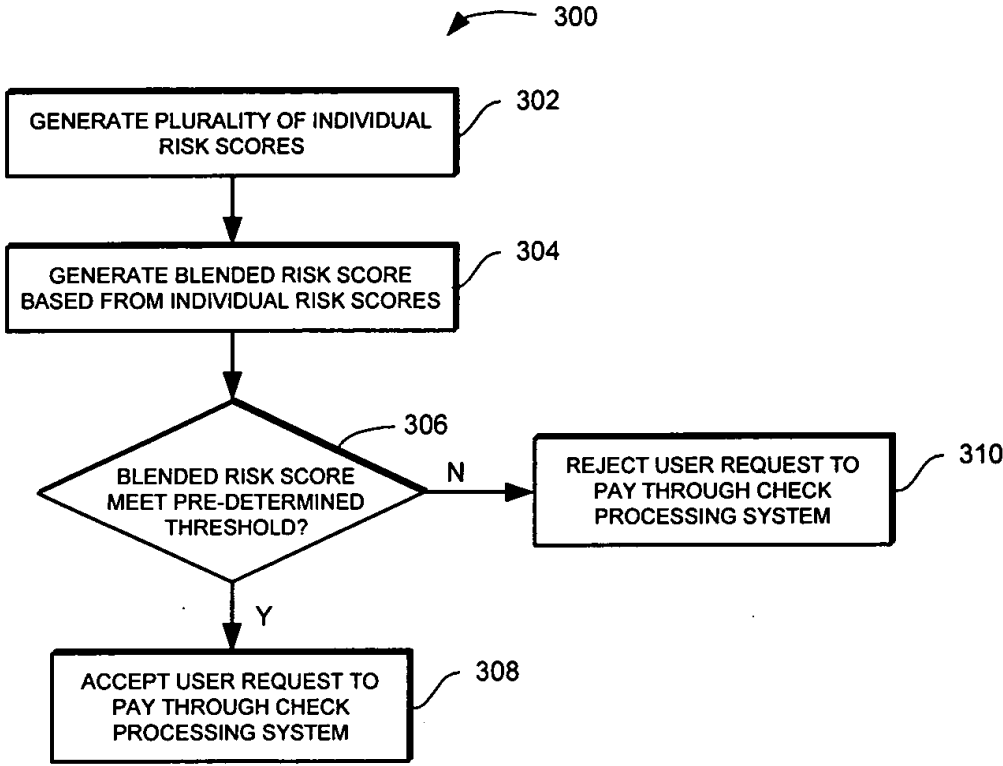


FIG. 3

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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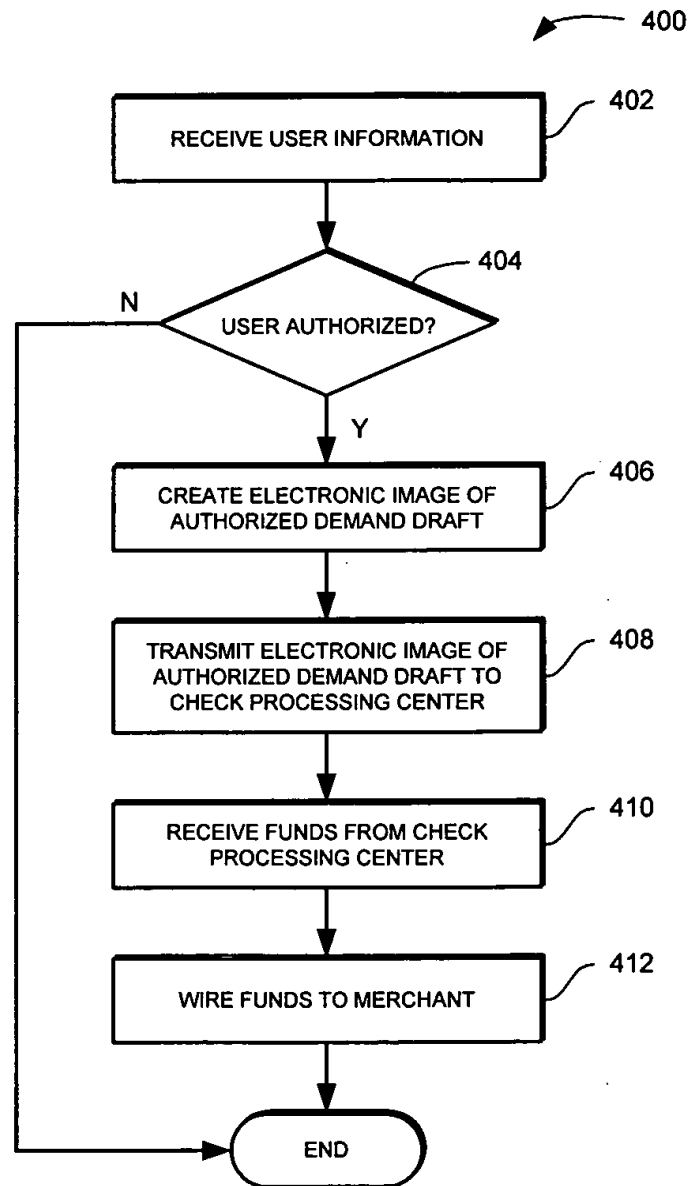


FIG. 4



600



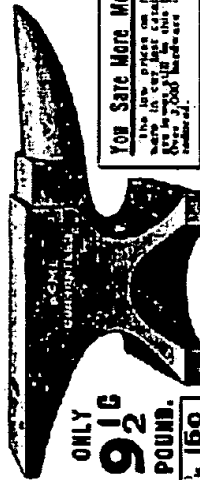
ACME Anvils

- Home
- Products
- Showcase
- Store
- Solutions
- Support
- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More

ACME AMERICAN WROUGHT ANVILS

THEY RING LIKE A BELL. No steel made, forged or American, has ever surpassed our Acme in strength, stability and workability. Our anvils are made from the finest steel and are heat treated to give them the strength and stability that have made them a favorite of blacksmiths and industrial workers alike. They are the only anvils that will hold their shape under the most severe conditions of use.

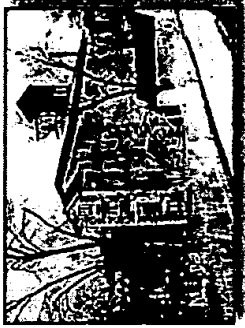
WE HAVE THE EXCLUSIVE SALE OF THE ACME. We take the pride of ownership in our products and we are pleased to sell them at a low price. We are the only ones who sell more anvils than any other firm in the world. We will be glad to supply you with the best quality anvils at the lowest price. We will be glad to supply you with the best quality anvils at the lowest price.



ONLY 92 POUNDS.

Price \$150.

You Save More Money
The low price on these anvils is not a mistake. It is a fact. We have 2,000 anvils in stock.



602

Your Order: 1 Anvils Totals \$ 29.95	
Please Choose a Payment Method	
MyEcheck	mycheck
Visa or Mastercard	
Barter (eg. Chickens)	

606

604

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FIG. 6





700



ACME Anvils

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- Support
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- News Room
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- Jobs
- Contact
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e-Check Processing for the 21st Century

There is never any cost to you when using the MyECheck System!

New MyECheck User

702

MyECheck Users Login Here

MyECheck Username:
Password

706

[Automated Username and/or Password Recovery](#)



Welcome to MyEcheck, the safest and most convenient payment system for the Internet.

New users can register electronically by clicking on the "Register" button or by calling the MyEcheck Customer Support Center at 1-800-756-0686, daily from 5:00 AM PST through 8:00 PM PST.

Thank you for using MyEcheck.

If you wish to cancel this transaction and return to the merchant site, please click [here](#).

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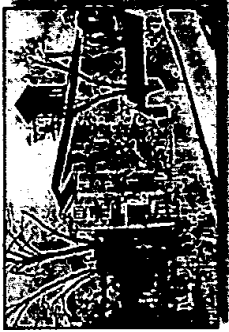
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FIG. 7



800

ACME Anvils



Home

Products

Showcase

Store

Solutions

Support

Investor Relations

News Room

Community Events

Jobs

Contact

More

802

804



MyECheck Registration

Please ensure the validity, completeness and spelling of all input data when completing this registration. Currently, MyECheck only supports U.S. residents with a valid Social Security Number and a valid U.S. bank or credit union checking account.

Name: First	Edward	Middle	R	Last	Starrs	Date:	Dec 20, 2005
Address:	1190 Suncoast Lane			Apt./Ste:	5		
City:	El Dorado Hills	State:	CA	zip:	95762		
ID card #:	B1234567			State:	CA		
PAY TO THE ORDER OF: <input type="text"/> \$ 29.95 Please enter your Driver License number, State ID number or Military ID number exactly as it appears on your ID card.							
Bank Name:	Bank of America			Checking Account Number			
Routing Number	121008565			Checking Account Number	98765432		

MyECheck strongly safeguards your personal identity and payment information. To protect against unauthorized transactions, MyECheck will send you an e-mail receipt depicting any deposits or withdrawals from your account. In addition, the MyECheck Fraud Prevention Team will contact you via phone in the event that we notice any suspicious activity occurring with your account.

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FIG. 8

- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More

902

900

Email Address:
Confirm Email Address:
Home Phone:
Mobile Phone:

For your information and protection, please review the MyECheck User Agreement before continuing.

904

I authorize this check and I agree to the Terms and Conditions of the MyECheck User Agreement. Yes No

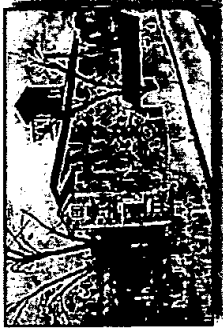
If you wish to cancel this transaction and return to the merchant site, please click [here](#).

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FIG. 9

1000



ACME Anvils

- Home
- Products
- Showcase
- Store
- Solutions
- Support
- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More

mycheck

MyECheck Registration

In order to protect your checking account from unauthorized use, MyECheck requires that customers strongly identify themselves prior to approving transactions. Your Social Security Number and Date of Birth are necessary to properly identify you as a legitimate checking account owner.

MyECheck employs the industries most stringent encryption, access control and data monitoring techniques and will not share your personal information with any outside third parties. A complete description of our data protection safeguards can be found in the MyECheck Privacy Policy.

Date of Birth:	Month	Nov	Day	04	Year	1960
Social Security Number:	485	96	0000			

If you have moved within last 12 month, please enter your previous home address.

Address: Apt/Ste:

City: State: Zip:

Continue

If you wish to cancel this transaction and return to the merchant site, please click here.

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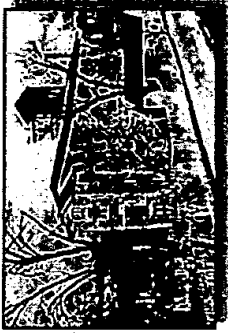
FIG. 10



1102

- Home
- Products
- Showcase
- Store
- Solutions
- Support
- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More

1100



ACME ANVILS

Is all of this information correct? Please check carefully before continuing.

Name: Edward R Stairs		Date: Dec 20, 2005
Address: 1190 Suncoast Ln Ste 5		
El Dorado Hills, CA 95762		
Drivers Lic #: B1234567 CA		
PAY TO THE MyEcheck Inc.		\$ 29.95
ORDER OF:		
TWENTY NINE DOLLARS AND 95 CENTS.		
Bank Name: Wells Fargo		Edward R Stairs
I: 121042882 I: 98765432 II		

Email Address: ed.stairs@myecheck.com
Home Phone: 916-939-6534
Mobile Phone: 916-390-2866
Date of Birth: Nov 04, 1960
Social Security Number: 485-96-0000

Choose 'Edit' to modify your entries or choose 'Continue' to continue.

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FIG. 11



1200



ACME Anvils

- Home
- Products
- Showcase
- Store
- Solutions.
- Support
- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More

myEcheck

MyECheck Registration

The final step in confirming your identity is contained below.

Which one of these addresses is or has been associated with you?	select answer
Which one of these persons lives or used to live with you?	select answer
What state was your SSN issued in?	select answer
What county was your previous address in?	select answer
What Area Code was your previous address in?	select answer
<input type="button" value="Continue"/>	

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FIG. 12



1300



ACME Anvils



- Home
- Products
- Showcase
- Store
- Solutions
- Support
- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More

myEcheck

MyEcheck Registration

In order to simplify future MyEcheck transactions, please take a moment to select your personal Username, Password, PIN and Secret Question/Answer.

Username:	<input type="text"/>
Password:	<input type="text"/>
Confirm password:	<input type="text"/>
Account PIN:	<input type="text"/>
Confirm Account PIN:	<input type="text"/>
Secret question:	<input type="text"/>
Answer:	<input type="text"/>
<input type="button" value="Continue"/>	

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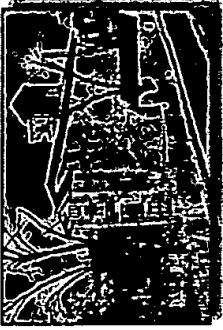
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FIG. 13





1400



ACME Anvils

- Home
- Products
- Showcase
- Store
- Solutions
- Support
- Investor Relations
- News Room
- Community Events
- Jobs
- Contact
- More



Registration and payment successfully completed

Congratulations, your payment transaction has been approved and your MyECheck account has been successfully created!

Thank you for registering with MyECheck!

You will be automatically redirected to the merchant site in 10 seconds. If not please use [Link](#)

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FIG. 14



METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING
CUST. NO.: 29141
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1500

John Smith
123 Second Ave.
Chicago, IL 60605
(123) 555-1112

Wells Fargo

Check No. 139132801
Check Date Mar 24, 2005

Pay To: MyECheck Inc. \$1044.89

Pay Amount: One Thousand Forty Four Dollars And 89 Cents

MEMO: Acme Asset (800) 555-6521
MyECheck Inc (202) 555-0000

Authorized by your customer
No signature required

⑆030903280⑆ ⑆00000123150434638834⑆ ⑆0000104499⑆

1504

DEPOSIT TO THE ACCOUNT
OF THE
WITHIN NAMED PAYEE

Do not sign, write or stamp below this line

For depository bank use only

Subsequent collecting bank only

FIG. 15

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING
 CUST. NO.: 29141
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<input type="checkbox"/> File Reader	Endian: Little	Encoding: ASCII
<input type="checkbox"/> Cash Letter 1 -	Standard Level: 03	Cash Letters: 1
10	Creation Date: 3/24/2005	Records: 12
<input type="checkbox"/> Bundle 1 -	Create Time:	Items: 1
20	Country:	Total Amount: \$1,044.99
<input type="checkbox"/> Item 1 - 0000000		
25		
<input type="checkbox"/> Front	Origin	Destination
50	Routing Number: 044000804	Routing Number: 000000123
<input type="checkbox"/> Back	Name:	Name:
50	Contact:	
<input type="checkbox"/> 70	Phone: () -	
90		
99		

FIG. 16

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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Field No.	Description	Value
1	Record Type	"01"
2	Standard Level	"03"
3	Test File Indicator	"J"
4	Immediate Destination Routing Number	"000000123"
5	Immediate Origin Routing Number	"064000804"
6	File Creation Date	"20050324"
7	File Creation Time	"1143"
8	Resend Indicator	"H"
9	Immediate Destination Name	" "
10	Immediate Origin Name	" "
11	File ID Modifier	" "
12	Country Code	" "
13	User Field	" "
14	Reserved	" "

Field No.	Description	Value
1	File Header	"01"
2	Cash Letter 1	" "
3	Bundle 1	" "
4	Item 1 - 00000000	" "
5	From	" "
6	Back	" "
7	Reserved	" "

FIG. 17

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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File Header	
01	
02	0000000000
10	Bundle 1
20	Item 1 - 00000000
25	Front
50	Back
52	Back
53	Back
52	Back
70	
90	
99	

Create Date: 3/24/2009
Create Time:
Settlement Date:
Business Date: 3/24/2009

Bundles: 1
Items: 1
Total Amount: \$1,044.99

Destination Routing Number: 000000123
ECE Institution Routing Number: 044000804
ECE Institution Name:
Originator Contact:
Originator Phone: () -

FIG. 18

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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F.	Description	Value
1	Record Type	"10"
2	Collection Type Indicator	"01"
3	Destination Routing Number	"000000123"
4	ZEC Institution Routing Number	"044000904"
5	Cash Letter Business Date	"20050924"
6	Cash Letter Creation Date	"20050924"
7	Cash Letter Creation Time	"1149"
8	Cash Letter Record Type Indicator	"1"
9	Cash Letter Documentation Type Indicator	"C"
10	Cash Letter ID	.
11	Originator Contact Name	.
12	Originator Contact Phone Number	.
13	Fed Work Type	.
14	User Field	.
15	Reserved	.

FIG. 19

File Header

1-01

Cash Letter 1-

1-20

Bundle 1-

20

From 1-00000000

25

Front

50

52

Back

50

52

70

90

99

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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File Header					
1-01					
Cash Letter 1					
-10					
Bundled					
.20					
Item 1 - 0000000					
25					
From					
50					
52					
Back					
50					
52					
70					
90					
99					

Creation Date: 3/24/2005
Business Date: 3/24/2005
Seq Number:
Cycle Number:

Items: 1
Total Amount: \$104,999

Destination Routing Number: 000000123
ECE Institution Routing Number: 044000804
Return Location Routing Number:

FIG. 20

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

20 / 29

H...	Description	Value
1	Record Type	"20"
2	Collection Type Indicator	"01"
3	Destination Routing Number	"000000123"
4	ICC Institution Routing Number	"044000304"
5	Bundle Business Date	"20050314"
6	Bundle Creation Date	"20090314"
7	Bundle ID	"
8	Bundle Sequence Number	"
9	Cycle Number	"
10	Return Location Routing Number	"
11	User Field	"
12	Reserved	"

File Header	Value
.01	
⊖ Cash Letter 1 -	
10	
⊖ Bundle 1 -	
20	
⊖ Item 1 - 00000000	
25	
⊖ Front	
50	
52	
⊖ Back	
50	
52	
70	
90	
99	

FIG. 21

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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<p>File Header</p> <ul style="list-style-type: none"> 01 Cash Letter 1 - 10 Bundle 1 - 20 25 Friend 50 52 Beck 50 52 70 90 99 	<p>00000009123456</p> <p>John Smith 123 Main Ave. City, State 12345</p> <p>Wells Fargo</p> <p>Check No. 12345678 Check Date Mar 24, 2085</p> <p>Pay To: <u>U/Check Inc</u> \$1044.89</p> <p>Pay Amount: One Thousand Forty Four Dollars And 89 Cents</p> <p>Micro PO 139332801P 00000012345678901P /0000101199P</p> <p>Authorized by you / customer No signature required</p> <p>0139332801P 00000012345678901P0000101199P</p> <p>Payee: Amount: \$1,044.89 Payer Bank Routing Number: 000000123 BOPD Routing Number: Business Date: Deposit Branch: Deposit Account: Sequence Number:</p>
--	--

FIG. 22

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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File Header	Description	Value
01	Record Type	"25"
02	Auxiliary OnUs	0139132801"
03	External Processing Code	"00000012"
04	Payer Bank Routing Number	"5"
05	Payer Bank Routing Number Check Digit	0434338834"
06	ORUs	"0000104699"
07	Item Amount	"00000000123456"
08	ECE Institution Item Sequence Number	"6"
09	Documentation Type Indicator	"0"
10	Return Acceptance Indicator	"1"
11	MICR Valid Indicator	"0"
12	SOFD Indicator	"90"
13	Check Detail Record Addendum Count	"0"
14	Correction Indicator	"0"
15	Archive Type Indicator	"1"

FIG. 23

01	Cash Letter 1.	
10	Bundle 1.	
20	Item 1 - 00000000000123456	
50	Print	
52	Back	
70		
90		

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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Field	Description	Value
1	Record Type	"80"
2	Image Indicator	"1"
3	Image Creator Routing Number	"04600804"
4	Image Creator Date	"20050324"
5	Image View Format Indicator	"90"
6	Image View Compression Algorithm Ident.	"00"
7	Image View Date Size	"0004364"
8	View Side Indicator	"0"
9	View Descriptor	"00"
10	Digital Signature Indicator	"0"
11	Digital Signature Method	"0"
12	Security Key Size	"0"
13	Start Of Protected Data	"0"
14	Length Of Protected Data	"0"
15	Image Recreate Indicator	"0"
16	User Field	"0"
17	Reserved	"0"

FIG. 24

File Header	01	Item 1 - 0000000000123456
Cash Letter 1 -	10	
Bundle 1 -	20	
Front	50	
Back	50	
	70	
	90	
	99	

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

24 / 29

File Header	Description	Value
1 - 01	Record Type	"52"
⊖ Cash Letter 1 -	ECE Institution Routing Number	"044000804"
10	Bundle Business Date	"20050324"
⊖ Bundle 1 -	Cycle Number	" "
20	ECE Institution Item Sequence Number	"000000000129456"
⊖ Item 1 - 000000000129456	Security Originator Name	" "
25	Security Authenticator Name	" "
⊖ From	Security Key Name	"0"
50	Clipping Origin	" "
⊖ Back	Clipping Coordinate H1	" "
50	Clipping Coordinate H2	" "
⊖	Clipping Coordinate V1	" "
50	Clipping Coordinate V2	"0"
52	Image Reference Key Length	" "
70	Image Reference Key	"0"
90	Digital Signature Length	" "
99	Digital Signature	"0004354"
	Image Data Length	"C:\Documents and Settings\steve.CORP.000...."
	Image Data	

FIG. 25

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING
 CUST. NO.: 29141
 25 / 29

Y...	Description	Value
1	Record Type	"50"
2	Image Indicator	"1"
3	Image Creator Routing Number	"04000804"
4	Image Creator Date	"20050326"
5	Image View Format Indicator	"00"
6	Image View Compression Algorithm Ident...	"00"
7	Image View Date Size	"0003452"
8	View Side Indicator	"1"
9	View Descriptor	"00"
10	Digital Signature Indicator	"0"
11	Digital Signature Method	"0"
12	Security Key Size	"0"
13	Start Of Protected Data	"0"
14	Length Of Protected Data	"0"
15	Image Recreate Indicator	"1"
16	User Field	"0"
17	Reserved	"0"

FIG. 26

File Header	Value
01	
3 Cash Letter 1 -	
10	
3 Bundle 1 -	
20	
3 Item 1 - 0000000000123456	
25	
3 Front	
50	
92	
3 Back	
50	
52	
70	
90	
99	

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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F...	Description	Value
1	Record Type	"52"
2	ECZ Institution Routing Number	"044000804"
3	Bundle Business Date	"20050324"
4	Cycle Number	" "
5	ECZ Institution Item Sequence Number	"000000000123456"
6	Security Originator Name	" "
7	Security Authenticator Name	" "
8	Security Key Name	"0"
9	Clipping Origin	" "
10	Clipping Coordinate H1	" "
11	Clipping Coordinate H2	" "
12	Clipping Coordinate V1	" "
13	Clipping Coordinate V2	" "
14	Image Reference Key Length	" 0"
16	Image Reference Key	" "
16	Digital Signature Length	" 0"
17	Digital Signature	" "
18	Image Data Length	"0003453"
19	Image Data	"C:\Documents and Settings\stave.CORP.000...

FIG. 27

File Header	Value
01	...
01	Cash Letter 1 -
10	...
20	Bundle 1 -
25	Item 1 - 000000000123456
50	Front
52	Back
53	...
52	...
70	...
90	...
99	...

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

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File Header	Record Type	Description	Value
01	1	Record Type	"00"
01	2	Items Within Bundle Count	"0001"
01	3	Bundle Total Amount	"000000104499"
01	4	MICR Valid Total Amount	"000000104499"
01	5	Images Within Bundle Count	"00002"
01	6	User field	"
01	7	Reserved	"

FIG. 28

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

28 / 29

File Header	Description	Value
01	Record Type	"90"
	Bundle Count	"000001"
	Items Within Cash Letter Count	"00000001"
	Cash Letter Total Amount	"00000000104499"
	Images Within Cash Letter Count	"000000002"
	RCE Institution Name	
	Settlement Date	
	Reserved	
99		

FIG. 29

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

CUST. NO.: 29141

29 / 29

File Header	Description	Value
01	Record Type	"99"
02	Cash Letter Count	"000001"
03	Total Record Count	"00000012"
04	Total Item Count	"00000001"
05	File Total Amount	"0000000000104499"
06	Immediate Origin Contact Name	"
07	Immediate Origin Contact Phone Number	"
08	Reserved	"

01	File Header	
02	Cash Letter 1 -	
03	- 10	
04	Bundle 1 -	
05	20	
06	Item 1 - 0000000000123456	
07	25	
08	Front	50
09		52
10	Back	50
11		52
12		70
13		90

FIG. 30

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**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

- Declaration Submitted with Initial Filing
 Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16(e) required)

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR ONLINE CHECK PROCESSING

the specification of which

- is attached hereto.
 was filed on _____ as US Application Serial No. _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119	
			YES:	NO:
			YES:	NO:
			YES:	NO:

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(pending)

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

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875 Effective December 8, 2004

Application or Docket Number

11413623

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.18(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.18(b), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.18(d), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(f))	24 minus 20 =	4
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	0
APPLICATION SIZE FEE (37 CFR 1.16(e))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i))		

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE (\$)	FEE (\$)
N/A	150.00
N/A	250
N/A	100
X\$ 25 =	100
X100 =	
+180=	
TOTAL	600

RATE (\$)	FEE (\$)
N/A	300.00
N/A	500
N/A	200
X\$50 =	
X200 =	
+360=	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	Minus **	=
	Independent (37 CFR 1.16(h))	Minus ***	=
	Application Size Fee (37 CFR 1.16(s))		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	Minus **	=
	Independent (37 CFR 1.16(h))	Minus ***	=
	Application Size Fee (37 CFR 1.16(s))		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

05/02/2006 HLE333 00000066 11413673

01 FC:2011	150.00	OP
02 FC:2111	250.00	OP
03 FC:2311	100.00	OP
04 FC:2202	100.00	OP

PTO-1556
(5/87)