Issue Fee Transmittal Form

Application Number	Filing Date	First Named Inventor	Atty. Docket No.	Confirmation No.
14457828	12-Aug-2014	Brian SHUSTER	12865.29	1033

TITLE OF INVENTION :

METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

Entity Status	Application Type	Art Unit	Class - Subclass	EXAMINER
Small	Utility under 35 USC 111(a)	2484	230000	LOI TRAN

Issue Fee Due	Publication Due	Total Fee(s) Due	Date Due	Prev. Paid Fee
$480	$0	$480	08-Sep-2017	$0

1.Change of Correspondence Address and/or Indication Of Fee Address (37 CFR 1.33 & 1.363)

Current Correspondence Address:	Current Indicated Fee Address :
112918 Coleman & Horowitt, LLP 499 W. Shaw Ave., Ste. 116 Fresno CA 93704 UNITED STATES 559-248-4820 sflynn@ch-law.com	

☐ Change of correspondence address requested, system generated AIA/122-EFS form attached

☐ Fee Address indication requested, system generated SB/47-EFS form attached

2.Entity Status

Change in Entity Status

○ Applicant certifying micro entity status; system generated Micro Entity certification form attached. See 37 CFR 1.29.
Note: Absent a valid certification of micro entity status, issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
If this box is checked, you will be prompted to choose a micro entity status on the gross income basis (37 CFR 1.29(a)) or the institution of higher education basis (37 CFR 1.29(d)), and make the applicable certification online.

◉ Applicant asserting small entity status. See 37 CFR 1.27.
Note: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

○ Applicant changing to regular undiscounted fee status.
Note: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

3.The Following Fee(s) Are Submitted:

☒ Issue Fee

☐ I authorize USPTO to apply my previously paid issue fee to the current fees due

☐ Publication Fee

☐ The Director is hereby authorized to apply my previously paid issue fee to the current fee due and to charge deficient fees to Deposit Account Number _____

☐ Advance Order - # of copies _____

☒ If **in addition to** the payment of the issue fee amount submitted with this form, there are any discrepancies in any amount(s) due, the Director is authorized to charge any deficiency, or credit any overpayment, to Deposit Account Number 505426 _____ . The **issue fee must be submitted** with this form. **If payment of the issue fee does not accompany this form, checking this box and providing a deposit account number will NOT be effective to satisfy full payment of the fee(s) due.**

4.Firm and/or Attorney Names To Be Printed

NOTE: If no name is listed, no name will be printed
For printing on the patent front page, list to be displayed as entered

1. SHERRIE FLYNN

2. COLEMAN & HOROWITT, LLP

3.

5.Assignee Name(s) and Residence Data To Be Printed

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.

Name	City	State	Country	Category

6.Signature

I certify, in accordance with 37 CFR 1.4(d)(4) that I am an attorney or agent registered to practice before the Patent and Trademark Office who has filed and has been granted power of attorney in this application. I also certify that this Fee(s) Transmittal form is being transmitted to the USPTO via EFS-WEB on the date indicated below.

Signature	/Sherrie M. Flynn/	Date	07-06-2017
Name	Sherrie Marie Flynn	Registration Number	62066

WEB IFEE 1.0

Electronic Patent Application Fee Transmittal

Application Number:	14457828
Filing Date:	12-Aug-2014
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Filer:	Sherrie Marie Flynn/Naji Alshikhaiti
Attorney Docket Number:	12865.29

Filed as Small Entity

Filing Fees for   Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY APPL ISSUE FEE	2501	1	480	480
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**480**

Electronic Acknowledgement Receipt

EFS ID:	29709528
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn/Naji Alshikhaiti
Filer Authorized By:	Sherrie Marie Flynn
Attorney Docket Number:	12865.29
Receipt Date:	06-JUL-2017
Filing Date:	12-AUG-2014
Time Stamp:	18:58:06
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$480
RAM confirmation Number	070717INTEFSW00005648505426
Deposit Account	505426
Authorized User	Sherrie Flynn
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	
37 CFR 1.20 (Post Issuance fees)	
37 CFR 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)	Web85b.pdf	45863 882a6d5d9c66329d84c7e73bfaf84190a9084717	no	2

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
2	Fee Worksheet (SB06)	fee-info.pdf	32347 a27c7951edbe18c20f36c52db5dd69a0a32ddf2a	no	2

Warnings:

Information:

Total Files Size (in bytes):	78210

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

| 112918 | 7590 | 06/08/2017 |

Coleman & Horowitt, LLP
499 W. Shaw Ave., Ste. 116
Fresno, CA 93704

EXAMINER
TRAN, LOI H

ART UNIT	PAPER NUMBER
2484	

DATE MAILED: 06/08/2017

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	12865.29	1033

TITLE OF INVENTION: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	09/08/2017

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

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

Page 1 of 3

PTOL-85 (Rev. 02/11)

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or <u>Fax</u> **(571)-273-2885**

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

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

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

| 112918 | 7590 | 06/08/2017 |

Coleman & Horowitt, LLP
499 W. Shaw Ave., Ste. 116
Fresno, CA 93704

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	12865.29	1033

TITLE OF INVENTION: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	09/08/2017

EXAMINER	ART UNIT	CLASS-SUBCLASS
TRAN, LOI H	2484	386-230000

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,

(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.

1 _____

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 _____

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 credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

Page 2 of 3

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	12865.29	1033

112918   7590   06/08/2017

Coleman & Horowitt, LLP
499 W. Shaw Ave., Ste. 116
Fresno, CA 93704

EXAMINER
TRAN, LOI H

ART UNIT	PAPER NUMBER
2484	

DATE MAILED: 06/08/2017

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

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

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

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

PTOL-85 (Rev. 02/11)

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

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

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:
1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No.	Applicant(s)
Notice of Allowability	14/457,828	SHUSTER ET AL.
	Examiner	Art Unit	AIA (First Inventor to File) Status
	WILLIAM TRAN	2484	Yes

-- 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 *Applicant's amendment and remarks dated 04/17/2017*.

    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are *1-7,9-15 and 17-21*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

     a) ☐ All   b) ☐ Some   *c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

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

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

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

5. ☒ Examiner's Amendment/Comment

6. ☐ Examiner's Statement of Reasons for Allowance

7. ☐ Other _____.

/WILLIAM TRAN/
Primary Examiner, Art Unit 2484

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sherrie Flynn, Reg. #62,066 on May 24, 2017.

Amendment to the Claims.

1.   (Currently Amended) A method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance;

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance, including one or more avatars, and rendering updates to the initial scene state based on the subsequent changes over the time period; and

automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event, wherein the threshold event comprises when a maximum capacity of avatars has been reached in the new instance of the scene.

2.   (Previously Presented) The method of claim 1, wherein movement within the new instance by the one or more avatars associated with at least one client device is limited by objects of the recorded experience.

3.   (Previously Presented) The method of claim 1, wherein the recorded experience file comprises less than all boundaries of the initial scene state.

4.   (Previously Presented) The method of claim 1, wherein the recorded experience

file is supplemented with a separate file that comprises private messages selected for saving generated contemporaneously with the recorded experience file.

5.   (Previously Presented) The method of claim 1, wherein the recorded experience file is not modifiable by events occurring during playback of the recorded experience.

6.   (Currently Amended) The method of claim 1, wherein the threshold event is the also comprises expiration of a time interval.

7.   (Previously Presented) The method of claim 1, wherein the recorded experience is played back in response to a threshold number of users waiting to view the recorded experience.

8.   (Canceled)

9.   (Previously Presented) The method of claim 1, wherein the new instance of the scene is three-dimensional.

10.   (Previously Presented) The method of claim 1, wherein the new instance is empty of objects when initiated.

11.   (Previously Presented) The method of claim 1, wherein objects of the new instance have a different degree of shading, color, clothing or different theme from

the objects of the recorded experience.

12.	(Previously Presented) The method of claim 1, wherein the objects are

distinguishable based on audio.

13.	(Original) The method of claim 1, wherein the recorded experience file

does not include objects that have opted out.

14.   (Original)   The method of claim 13, wherein the recorded experience is editable to replace objects that have opted out of the recorded experience with replacement objects.

15.   (Previously Presented) The method of claim 14, wherein the replacement of objects is automated.

16.   (Canceled) ~~The method of claim 1, wherein the threshold event is when a maximum capacity of avatars have been reached in the new instance of the scene.~~

17.   (Currently Amended) The method of claim 1, wherein the threshold event ~~is~~ also comprises a request by a user of the at least one client device.

18.   (Currently Amended) The method of claim 1, wherein the threshold event ~~is~~ also comprises unavailability of one or more objects in the new instance of the scene.

19.   (Currently Amended) A virtual worlds system for playing back a recorded experience, comprising:

one or more servers instantiating a new instance of a scene using one or more processors, <u>the new instance defined by data stored in memory,</u> wherein the new instance comprises video inserted into the new instance of the scene, and playing back a recorded experience in the new instance by rendering<u> for display</u> objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period;

one or more client devices in communication with the one or more servers, the one or more client devices <u>displaying and </u>participating in the new instance, wherein the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event<u>, and</u> <u>wherein the threshold event comprises when a maximum capacity of avatars has been reached in the new instance of the scene</u>.

20.   (Currently Amended)   An apparatus for playing back a recorded experience in a virtual worlds system, comprising:

one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in<u> and displaying</u> the new instance;

memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

wherein (i) the processor plays back the recorded experience file in the new instance by rendering, for display by the one or more client devices, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, and wherein (ii) the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event, and (iii) the threshold event comprises when a maximum capacity of avatars has been reached in the new instance of the scene.

21.   (Currently Amended) The system of Claim 19, wherein the threshold event is also comprises unavailability of one or more objects within the new instance of the scene.

Allowable Claims

Claims 1-7, 9-15 and 17-21 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM TRAN whose telephone number is (571)270-5645. The examiner can normally be reached on Monday-Friday 8:00-5:00, first Friday of bi-week off.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an

interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/WILLIAM TRAN/
Primary Examiner, Art Unit 2484

Issue Classification	**Application/Control No.**	**Applicant(s)/Patent Under Reexamination**
[barcode]	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

CPC

Symbol				Type	Version
A63F		13	/ 497	F	2014-09-02
A63F		13	/ 355	I	2014-09-02
A63F		13	/ 60	I	2014-09-02
			/		
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CPC Combination Sets

Symbol				Type	Set	Ranking	Version

NONE		**Total Claims Allowed:**	
		19	
(Assistant Examiner)	(Date)		
/WILLIAM TRAN/ Primary Examiner.Art Unit 2484	05/30/2017	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
[barcode]	**Examiner**	**Art Unit**
	WILLIAM TRAN	2484

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION											
CLASS	**SUBCLASS**	**CLAIMED**					**NON-CLAIMED**						
386	230	H	0	4	N	5 / 775 (2006.01.01)							

CROSS REFERENCE(S)														
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**													

NONE		**Total Claims Allowed:**	
		19	
(Assistant Examiner)	(Date)		
/WILLIAM TRAN/ Primary Examiner.Art Unit 2484	05/30/2017	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

☐ Claims renumbered in the same order as presented by applicant						☐ CPA		☐ T.D.		☐ R.1.47					
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	15	17												
2	2	16	18												
3	3	17	19												
4	4	19	20												
5	5	18	21												
6	6														
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	8														
8	9														
9	10														
10	11														
11	12														
12	13														
13	14														
14	15														
	16														

NONE		**Total Claims Allowed:**	
		19	
(Assistant Examiner)	(Date)		
/WILLIAM TRAN/ Primary Examiner.Art Unit 2484	05/30/2017	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

CPC- SEARCHED

Symbol	Date	Examiner
(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553)	11/1/2015	LT

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
386	230	11/1/2015	LT
345	419	11/1/2015	LT
715	757	11/1/2015	LT

SEARCH NOTES

Search Notes	Date	Examiner
Name search	11/1/2015, 06/01/2016, 11/28/2016	LT
CPC search	11/1/2015, 06/01/2016, 11/28/2016, 05/21/2017	LT
Classified search	11/1/2015, 06/01/2016, 11/28/2016, 05/21/2017	LT
EAST search	11/01/2015, 06/01/2016, 12/13/2016, 05/21/2017	LT

	/WILLIAM TRAN/ Primary Examiner.Art Unit 2484

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
H04N	5/775 5/85 9/8042	5/30/2017	LT
G11B	27/34 27/105	5/30/2017	LT
A63F	13/12 A9/24 13/12 2300/5553	5/30/2017	LT
G06F	3/04815 3/011	5/30/2017	LT
H04L	29/06034	5/30/2017	LT
345	419	5/30/2017	LT
715	757	5/30/2017	LT
386	230	5/30/2017	LT

/WILLIAM TRAN/
Primary Examiner.Art Unit 2484

UNITED STATES PATENT AND TRADEMARK OFFICE

BIB DATA SHEET

CONFIRMATION NO. 1033

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
14/457,828	08/12/2014	386	2484	12865.29
	RULE			

APPLICANTS
  UTHERVERSE DIGITAL INC., Vancouver, CANADA

INVENTORS
  Brian SHUSTER, Vancouver, CANADA;
  Aaron BURCH, Vancouver, CANADA;

** **CONTINUING DATA** *************************

** **FOREIGN APPLICATIONS** *************************

** **IF REQUIRED, FOREIGN FILING LICENSE GRANTED** ** ** SMALL ENTITY **
  08/20/2014

Foreign Priority claimed ☐ Yes ☑ No		STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
35 USC 119(a-d) conditions met ☐ Yes ☐ No	☐ Met after Allowance				
Verified and Acknowledged /WILLIAM H TRAN/ Examiner's Signature	Initials	CANADA	9	19	3

ADDRESS

  Coleman & Horowitt, LLP
  499 W. Shaw Ave., Ste. 116
  Fresno, CA 93704
  UNITED STATES

TITLE

  METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

FILING FEE RECEIVED 800	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees
		☐ 1.16 Fees (Filing)
		☐ 1.17 Fees (Processing Ext. of time)
		☐ 1.18 Fees (Issue)
		☐ Other _____
		☐ Credit

BIB (Rev. 05/07).

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S140	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((replay$3 playback) with (recorded near6 past near6 history) with ((different another) adj4 scene))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 15:44
S141	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((replay$3 playback) with (recorded near6 past near6 history) with ((different another) adj4 scene))	US-PGPUB; USPAT	OR	ON	2017/05/20 15:44
S142	0	(replay$3 playback) with (recorded near6 past near6 history) with ((different another) adj4 scene)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 15:44
S143	0	(replay$3 playback) with (recorded near6 past near6 history) with scene$1	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 15:45
S144	18	(replay$3 playback) with (recorded near6 (past experience history)) with scene$1	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 15:48
S145	17	S144 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 15:48
S149	4	("20100095213" "20110319160" "20110179356" "20150035823").pn.	US-PGPUB	OR	OFF	2017/05/20 17:37
S150	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((replay$3 playback) with (recorded near6 (past experience history)) same ((different another) adj4 scene) same ((number adj4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 18:22

		avatar$1) with (maximum threshold)))				
S151	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((replay$3 playback) with (recorded near6 (past experience history)) same ((different another) adj4 scene) same ((number adj4 avatar$1) with (maximum threshold)))	US-PGPUB; USPAT	OR	ON	2017/05/20 18:22
S152	0	(replay$3 playback) with (recorded near6 (past experience history)) same ((different another) adj4 scene) same ((number adj4 avatar$1) with (maximum threshold))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/05/20 18:23

5/30/2017 5:34:15 AM
C:\ Users\ ltran\ Documents\ EAST\ Workspaces\ 14457828.wsp

EAST Search History

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S153	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((replay$3 playback) with (recorded past) with (experience history) with ((different another) adj4 scene) same ((number capacity) with avatar$1 with (maximum threshold))).clm.	US-PGPUB; USPAT	OR	ON	2017/05/30 05:15
S154	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((replay$3 playback) with (recorded past) with (experience history) with ((different another) adj4 scene) same ((number capacity) with avatar$1 with (maximum threshold))).clm.	US-PGPUB; USPAT	OR	ON	2017/05/30 05:16
S155	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((replay$3 playback) with (recorded past) with (experience history) with ((different another) adj4 scene) and ((number capacity) with avatar$1 with (maximum threshold))).clm.	US-PGPUB; USPAT	OR	ON	2017/05/30 05:17
S156	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((replay$3 playback) with (recorded past) with (experience history) with ((different another) adj4 scene) and ((number capacity) with avatar$1 with (maximum threshold))).clm.	US-PGPUB; USPAT	OR	ON	2017/05/30 05:17

5/30/2017 5:33:28 AM
C:\Users\ltran\Documents\EAST\Workspaces\14457828-Interference.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	Art Unit
	WILLIAM TRAN	2484

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

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

CLAIM		DATE								
Final	Original	11/02/2015	06/01/2016	12/13/2016	05/30/2017					
	1	✓	✓	✓	=					
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	18	✓	✓	✓	=					
	19	✓	✓	✓	=					
	20	✓	✓	✓	=					
	21			✓	=					

Electronic Patent Application Fee Transmittal

Application Number:	14457828
Filing Date:	12-Aug-2014
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Filer:	Sherrie Marie Flynn
Attorney Docket Number:	12865.29

Filed as Small Entity

Filing Fees for **Utility under 35 USC 111(a)**

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	2251	1	100	100
Miscellaneous:				
		Total in USD ($)		**100**

Electronic Acknowledgement Receipt

EFS ID:	28950045
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn
Filer Authorized By:	
Attorney Docket Number:	12865.29
Receipt Date:	17-APR-2017
Filing Date:	12-AUG-2014
Time Stamp:	22:56:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$ 100
RAM confirmation Number	041817INTEFSW00007038505426
Deposit Account	505426
Authorized User	Sherrie Flynn
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	
37 CFR 1.16 (National application filing, search, and examination fees)	
37 CFR 1.17 (Patent application and reexamination processing fees)	

37 CFR 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	Fee Worksheet (SB06)	fee-info.pdf	31020 b4790122bf5c89db8e0a465b8acf13d0a1382cb4	no	2

Warnings:

Information:

Total Files Size (in bytes):	31020

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.

Atty. Docket No. 12865.29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Brian SHUSTER, et al.

Application No.: 14/457,828

Filing Date: 08/12/2014

Examiner: Loi H. TRAN

Art Unit: 2484

Conf. No: 1033

Title: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being submitted *via* the USPTO EFS Filing System on the date shown below to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: April 17, 2017

By: /Naji Alshikhaiti/
Naji Alshikhaiti

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 35 U.S.C. 132 AND 37 C.F.R. 1.111

To Whom It May Concern:

Responsive to the non-final Office Action dated December 15, 2016, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

AMENDMENTS TO THE CLAIMS

Claim 8 has been canceled. Claims 4, 5, 7 and 9-15 are original or were previously presented. Please amend Claims 1-3, 6 and 16-21 as follows:

1.   (Currently Amended) A method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance;

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, wherein at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback; and

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance, including one or more avatars, and rendering updates to the initial scene state based on the subsequent changes over the time period; and

automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event.

2.   (Currently Amended) The method of claim 1, wherein movement within the new instance by the one or more avatars associated with at least one client device is limited by objects of the recorded experience.

3.   (Currently Amended) The method of claim 1, wherein the the recorded experience file comprises less than all boundaries of the initial scene state.

4.   (Previously Presented) The method of claim 1, wherein the recorded experience

file is supplemented with a separate file that comprises private messages selected for saving generated contemporaneously with the recorded experience file.

5.   (Previously Presented) The method of claim 1, wherein the recorded experience file is not modifiable by events occurring during playback of the recorded experience.

6.   (Currently Amended) The method of claim 1, wherein the ~~at least one of the avatars excluded comprises an avatar not known to the at least one user~~ threshold event is the expiration of a time interval.

7.   (Previously Presented) The method of claim 1, wherein the recorded experience is played back in response to a threshold number of users waiting to view the recorded experience.

8.   (Canceled)

9.   (Previously Presented) The method of claim 1, wherein the new instance of the scene is three-dimensional.

10.   (Previously Presented) The method of claim 1, wherein the new instance is empty of objects when initiated.

11.   (Previously Presented) The method of claim 1, wherein objects of the new instance have a different degree of shading, color, clothing or different theme from the objects of the recorded experience.

12.   (Previously Presented) The method of claim 1, wherein the objects are distinguishable based on audio.

13.   (Original) The method of claim 1, wherein the recorded experience file does not include objects that have opted out.

14.   (Original)   The method of claim 13, wherein the recorded experience is editable to replace objects that have opted out of the recorded experience with replacement objects.

15.   (Previously Presented) The method of claim 14, wherein the replacement of objects is automated.

16.   (Currently Amended) The method of claim 1, comprising, in response to receiving data from the at least one client device requesting changes to the new instance, generating a new recorded experience file comprising an initial scene state of the new instance and data representing subsequent changes and respective times during a time period of the new instance wherein the threshold event is when a maximum capacity of avatars have been reached in the new instance of the scene.

17.   (Currently Amended) The method of claim [[16]]1, comprising instantiating, using the one or more processors of the server, a second new instance of a scene, the second new instance being defined by data stored in the memory, at least one client device displaying and participating in the second new instance; retrieving from the memory and rendering for playback the recorded experience file and the new recorded experience file wherein the threshold event is a request by a user of the at least one client device.

18.   (Currently Amended) A non-transitory computer-readable medium comprising instructions executable on the one or more processors for implementing the method of claim 1 The method of claim 1, wherein the threshold event is unavailability of one or more objects in the new instance of the scene.

19.   (Currently Amended) A virtual worlds system for playing back a recorded experience, comprising:
one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein the new instance comprises video inserted into

the new instance of the scene, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, ~~wherein at least one of the avatars present at the time of the generation of the recorded experience is excluded from the playback; and~~

one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance<u>, wherein the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event</u>.

20.   (Currently Amended) An apparatus for playing back a recorded experience in a virtual worlds system, comprising:

one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance, ~~wherein objects of the new instance of the scene are hidden~~;

memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, <u>and </u>wherein the ~~recorded experience file is not modifiable by events occurring during playback~~<u> new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event</u>.

21.   (Currently Amended) The system of Claim 19, wherein the ~~recorded experience file is not modifiable by events occurring during playback~~<u> threshold event is unavailability of one or more objects within the new instance of the scene</u>.

<u>**REMARKS**</u>

Applicants and their representative wish to thank Examiner Tran for the thorough examination of the present application and the detailed explanations in the Office Action dated December 15 2016 (the "Office Action"), the helpful comments during the Examiner's Interview on April 5, 2017 and the follow up discussion on April 12, 2017. The Examiner's concerns have been given serious consideration, and in view of the present amendments and remarks, Applicants believe the present claims are allowable over the cited references.

Claim 8 has been canceled. Claim 21 is new. Claims 4, 5, 7 and 9-15 are original or were previously presented. Claims 1-3, 6 and 16-21 have been amended. Claims 1, 19 and 20 are independent claims. Claims 1-7 and 8-21 are pending in the instant application.

As amended, the claims in the present application relate to a method of playing back a recorded experience in a virtual worlds system, comprising: (i) instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance; (ii) retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; (iii) playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance, including one or more avatars, and rendering updates to the initial scene state based on the subsequent changes over the time period; and (iv) **automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event**. See amended Claim 1.

The claims in the present application also relate to a virtual worlds system for playing back a recorded experience, comprising: (i) one or more servers instantiating a new instance of a scene using one or more processors, wherein the new instance comprises video inserted into the new instance of the scene, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period; (ii) one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance**, wherein the new**

instance of the scene automatically changes to a different scene based upon occurrence of a threshold event. See amended Claim 19.

Further, the claims in the present application also relate to an apparatus for playing back a recorded experience in a virtual worlds system, comprising: (i) one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance; (ii) memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; (iii) wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, and **wherein the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event**. See amended Claim 20.

The references cited against the previously-filed claims, Chimes et al., U.S. Pat. Pub. No. 2014/0194211 published July 10, 2014 ("Chimes"), Pereira et al., U.S. Publication No. 2012/0004041, published January 5, 2012 ("Pereira"), Geisner et al., U.S. Publication No. 2013/0083062, published April 4, 2013 ("Geisner"), Dunstan et al., U.S. Publication No. 2008/0026838, published January 31, 2008 ("Dunstan"), Shuster et al., U.S. Publication No. 2013/0044106, published February 21, 2013 ("Shuster"), Sobel, U.S. Publication No. 2006/0028476, published February 9, 2006 ("Sobel"), Kurabayashi et al., U.S. Publication No. 2012/0143361, published June 7, 2012 ("Kurabayashi"), and Reisner-Kollmann et al., U.S. Publication No. 2015/0062120, published March 5, 2015 ("Reisner-Kollmann") neither disclose or suggest, at minimum, that (i) **automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event**, as recited in amended Claim 1; or (ii) **wherein the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event**, as recited in amended Claims 19 and 20.

Thus Claims 1, 19 and 20, and all claims depending from Claims 1, 19 and 20 are patentable over the cited references.

I.   Rejection of Claims 1, 3-5, 7, 13-19 and 21 Under AIA 35 U.S.C. 103(a)

The rejection of Claims 1, 3-5, 7, 13-19 and 21 under AIA 35 U.S.C. 103(a) as being patentable over Chimes in view of Pereira is respectfully traversed. Claims 1 and 19 are independent claims and have been amended. In addition, Claims 2, 3 and 16-18 have been amended. Claims 3-5, 7, and 13-18 depend, either directly or indirectly, from Claim 1. Claim 21 depends from Claim 19.

The rejections are based on a finding that the combination of Chimes and Pereira disclose or suggest all of the limitations of independent Claims 1 and 19. Office Action, pp. 3-10, item 6. Without agreeing as to the propriety of the rejections, Claim 1 has been amended to recite the limitation **automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event**, and Claim 19 has been amended to recite the limitation, wherein **the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event**.

The invention claimed in the present application is distinguishable from the invention disclosed in Chimes. Chimes discloses methods, computer-readable media and devices for restoring gameplay by replaying past inputs. Chimes, Abstract. Electronic records of gameplay are generated based on different portions of different past instances of gameplay. Participants may then engage in one or more instances of gameplay where the initial state of gameplay is the state that existed at some specific point in time of the first instance or subsequent instances of the gameplay. Id, paras. [0045] and [0046]. In other words, Chimes discloses that past gameplay is displayed to candidate participants that may participate in subsequent gameplay. See e.g., Chimes, FIG. 2 and para. [0022], stating that "The new play phase is the phase, after the replay phase, in which participants play the game starting from the target point state"; see also Chimes, para. [0058]. Once the new play phase begins, participants may change views of the gameplay as well as act in ways that then become a part of the gameplay, and the participants' actions may change the state of objects during the gameplay. Chimes, para. [0057]. Moreover, participants may change settings and game objects before the new play phase of a replay game begins. Chimes, para. [0088].

However, Chimes does not disclose or suggest **automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event,**

as recited in amended Claim 1 or **the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event** as recited in amended Claim 19.

Pereira does not cure the salient deficiencies of Chimes. Pereira is cited for disclosing that at least one of the avatars present at the time of generation of the recorded experience file is excluded from the playback. See Office Action, p. 4, 3rd full para. However, like Chimes, Pereira does not disclose or suggest **automatically transporting the one or more avatars to a different new instance of the scene, upon occurrence of a threshold event**, as recited in amended Claim 1 or **the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event**, as recited in amended Claim 19.

For these reasons, independent Claims 1 and 19, and Claims 3-5, 7, 13-18 and 21, which depend from either Claim 1 or Claim 19, are patentable over Chimes in view of Pereira.

Applicants respectfully request that the rejections be withdrawn.

II.   Rejection of Claims 2, 6, 9-12 and 20 under 35 U.S.C. 103(a)

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes and Pereira in view of Geisner. Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes and Pereira in view of Dunstan. Claim 9 stands under 35 U.S.C. 103(a) as being unpatentable over Chimes and Pereira in view of Shuster. Claim 10 stands rejected under Chimes and Pereira. Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes and Pereira in view of Sobel. Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes and Pereira in view of Kurabayashi. Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes and Pereira in view of Reisner-Kollmann. These rejections are all respectfully traversed.

Because independent Claim 1 is patentable over Chimes in view of Pereira, Claims 2, 6 and 9-12, which depends from Claim 1, are also patentable over Chimes in view of Pereira.

As to Claim 20, Chimes and Pereira are discussed above. Reisner-Kollmann is cited for disclosing that objects of the new instance of the scene are hidden. Office Action, pp. 14-15, item 13, citing Reisner-Kollmann, para. [0099]. However, Reisner-Kollman does not disclose or suggest **the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event**. Thus, Claim 20 is patentable over Chimes and Pereira in view of Reisner-Kollmann.

Further, the Office Action cites Geisner disclosing that objects are substituted with other objects during playback of the recorded experience. Office Action, p. 10-11, item 7, citing Geisner, para. [0143]. Dunstan is cited for disclosing wherein the avatar is not known to the at least one user. Office Action, p. 11-12, item 8. Shuster is cited for disclosing that a new instance of a scene may be three-dimensional. Office Action, p. 12, item 19, citing, Shuster, para. [0356]. Sobel is cited for disclosing that objects in a new instance have a different degree of shading, color clothing or different theme. Office Action, pp. 13-14, item 11, citing Sobel, para. [0006]. Kurabayashi is cited for disclosing that objects are distinguishable based on audio. Office Action, p. 14, item 12, citing Kurabayashi, para. [0064].

However, Chimes, Geisner, Shuster, Sobel. Kurabayashi and Reisner-Kollmann, alone or in combination, neither disclose or suggest that **the new instance of the scene automatically changes to a different scene based upon occurrence of a threshold event**, as recited in amended Claim 20.

Thus, independent Claim 20, and Claims 2, 6 and 9-12, which depend from Claim 1, are patentable over the cited references. Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

Date: April 17, 2017   /Sherrie M. Flynn/
                              Sherrie M. Flynn
                              Reg. No. 62,066

Coleman & Horowitt, LLP
499 West Shaw Ave., Suite 116
Fresno, CA 93704
Telephone: (559) 248-4820

Electronic Patent Application Fee Transmittal

Application Number:	14457828
Filing Date:	12-Aug-2014
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Filer:	Sherrie Marie Flynn/Naji Alshikhaiti
Attorney Docket Number:	12865.29

Filed as Small Entity

Filing Fees for   Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	2251	1	100	100
Miscellaneous:				
Total in USD ($)				**100**

Electronic Acknowledgement Receipt

EFS ID:	28949363
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn
Filer Authorized By:	
Attorney Docket Number:	12865.29
Receipt Date:	17-APR-2017
Filing Date:	12-AUG-2014
Time Stamp:	21:34:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		ResptoNOAdated_12-15-16.pdf	134669 094140cd24864f3ff172496cb933a9369ebbce6d	yes	10

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	5
Applicant Arguments/Remarks Made in an Amendment	6	10

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	31203 34d031c4788ea2971ad24d94f9c4458b0c0 ca457	no	2

Warnings:

Information:

Total Files Size (in bytes):	165872

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<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.

<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.

<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.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/457,828	Filing Date 08/12/2014	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)		
AMENDMENT **04/17/2017**	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 20	Minus ** 20	= 0	x $40 =	0
Independent (37 CFR 1.16(h))	* 3	Minus *** 3	= 0	x $210 =	0
☐ Application Size Fee (37 CFR 1.16(s))					
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
				TOTAL ADD'L FEE	0

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

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

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

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

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

LIE
EFREM WARREN

Doc Code: ECOMM.AUTH/ECOMM.WTDW
Doc Description: Internet Communications Authorized/Internet Communications Authorization Withdrawn

AUTHORIZATION FOR INTERNET COMMUNICATIONS IN A PATENT APPLICATION OR REQUEST TO WITHDRAW AUTHORIZATION FOR INTERNET COMMUNICATIONS	Application No.	14/457,828
	Filing Date	2014-08-12
	First Named Inventor	Brian SHUSTER
	Art Unit	2484
	Examiner Name	Loi H. TRAN
	Practitioner Docket No.	12865.29

To: Commissioner for Patents
        P.O. Box 1450
        Alexandria, VA 22313-1450

I. To authorize permission for Internet Communications.

[✔] Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with the undersigned and practitioners in accordance with 37 CFR 1.33 and 37 CFR 1.34 concerning any subject matter of this application via video conferencing, instant messaging, or electronic mail. I understand that a copy of these communications will be made of record in the application file. (MPEP 502.03)

II. To withdraw authorization for Internet Communications.

[ ] The authorization given on _____, to the USPTO to communicate with the undersigned and any practitioner in accordance with 37 CFR 1.33 and 37 CFR 1.34 concerning any subject matter of this application via Internet communications such as video conferencing, instant messaging, or electronic mail is hereby withdrawn. I understand that the withdrawal is effective when approved rather than when received.

I am the

        [ ] applicant.

        [✔] attorney or agent of record. Registration number 62066_____.

        [ ] attorney or agent acting under 37 CFR 1.34. Registration number _____.

Sherrie M. Flynn_____   3-28-17_____
            Signature   Date

/Sherrie M. Flynn/_____   559-248-4820_____
        Typed or printed name   Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Juristic entities must be represented by a patent practitioner (see 37 CFR 1.31, which is applicable to any paper filed on or after September 16, 2012, that is presented on behalf of a juristic entity, regardless of application filing date). Submit multiple forms if more than one signature is required, see below*.

[ ] * Total of _____ forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	28763953
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn/Naji Alshikhaiti
Filer Authorized By:	Sherrie Marie Flynn
Attorney Docket Number:	12865.29
Receipt Date:	28-MAR-2017
Filing Date:	12-AUG-2014
Time Stamp:	17:22:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Internet Communications Authorized	AuthorizationForInternetCommunication.pdf	103828 0893b70a237272a9c239320a6f9ae603fc035f07	no	2

Warnings:

Information:	
Total Files Size (in bytes):	103828

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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.

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2	1033

112918   7590   12/15/2016
Coleman & Horowitt, LLP
499 W. Shaw Ave., Ste. 116
Fresno, CA 93704

EXAMINER
TRAN, LOI H

ART UNIT	PAPER NUMBER
2484	

MAIL DATE	DELIVERY MODE
12/15/2016	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.

	Application No.	Applicant(s)
	14/457,828	SHUSTER ET AL.
Office Action Summary	Examiner	Art Unit	AIA (First Inventor to File) Status
	WILLIAM TRAN	2484	Yes

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11/07/2016*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☒ Claim(s) *1-7 and 9-21* is/are pending in the application.
   5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☒ Claim(s) *1-7, 9-21* is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10) ☐ The specification is objected to by the Examiner.

11) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    Certified copies:
    a) ☐ All   b) ☐ Some** c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
   Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

4) ☐ Other: _____.

DETAILED ACTION

1.   The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

2.   In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/07/2016 has been entered.

Claim 8 has been cancelled.

Claims 1, 4-7, and 19 have been amended.

Claim 21 is newly added.

Claims 1-7, 8-21 are pending and have been examined.

Response to Arguments

4.   Applicant's arguments with respect to the rejections of claims 1-7, and 9-21 have

been considered but are moot in view of the new grounds of rejection.

Response to Amendment

Claim Rejections - 35 USC § 103

5.   The text of those sections of Title 35, U.S. Code not included in this section can

be found in a prior Office action.

6.   **Claims 1, 3-5, 7, 13-19, and 21 are rejected under AIA 35 U.S.C. 103(a) as**

being unpatentable over Chimes et al. (US Publication 2014/0194211) (hereinafter

Chimes) in view of Pereira et al. (US Publication 2012/0004041) (hereinafter

Pereira).

Regarding claim 1, Chimes discloses a method of playing back a recorded

experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a

scene, the new instance being defined by data stored in memory, at least one client

device displaying and participating in the new instance (*Chimes, par. 0052, a participant*

may start a new instance of a gameplay by selecting a replay file comprising records of

past game instance);

retrieving a recorded experience file from the memory, the recorded experience

file having been generated by saving an initial scene state and saving subsequent

changes and respective times during a time period of the recorded experience (*Chimes, par. 0053, loading/retrieving a game state from records of the past game instance; par. 0043 through par. 0051, and par. 0073, disclose records of past gameplay over different particular time periods and in multiple times; par. 0023, the electronic record may represent an entire instance of past gameplay or a portion thereof. The electronic record include captured participant inputs that occurred during the period of past gameplay*); and

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period (*Chimes, at least in par. 0052 through par. 0056, replaying past instance by displaying objects of initial scene state and displaying change in states of objects in a new game instance in response to received new inputs from participants over periods of time*).

Chimes does not explicitly disclose wherein at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback.

Pereira discloses wherein at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback (*Pereira, par. 0147, an avatar may be removed from a game according to a game state*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Pereira's feature into Chimes' invention for enhancing player's playback experience with game dynamic by controlling avatars' existence.

Regarding claim 3, Chimes-Pereira discloses the method of claim 1, wherein the recorded experience file comprises less than all boundaries of the initial scene state (*Chimes, claims 1 and 15, storing one or more electronic records of at least a period of past gameplay, the one or more electronic records comprising captured participant inputs that occurred during the period of past gameplay; wherein each of the participant inputs occurred at a corresponding time during the period of past gameplay; wherein the captured participant inputs changed states of game objects during the period of past gameplay; since not all periods of past gameplay were recorded, not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file; the recorded experience file therefore comprises less than all boundaries of the initial scene state*).

Regarding claim 4, Chimes-Pereira discloses the method of claim 1, wherein the recorded experience file is supplemented with a separate file that comprises private messages selected for saving (*Chimes, par. 0042, chat messages between players may be recorded; storing data in separate file is a well-known technique in computer art and is seen as a design choice*).

Regarding claim 5, Chimes-Pereira discloses the method of claim 1, wherein the recorded experience file <u>is not modifiable by events occurring during playback of the recorded experience</u> (*Chimes, par's 0046, 0065, electronic records of past gameplay*

are stored as trees that are created from different and possibly overlapping instances of past gameplay. For example, a game may have been played multiple times from a given target point or from multiple target points as part of multiple past game instances. Each of these past game instances may be stored together in the same package of electronic records; multiple electronic records of past game instances, such as replay files, may be automatically or manually uploaded to one or more centralized, networked replay repositories after gameplay during the past game instances. These electronic records may also be stored locally. The electronic records may be shared via a sharing or messaging system in which messages include the electronic records as attachments or links to download the electronic records. Upon selection of a replay file, the replay file may be downloaded. Therefore the electronic records of past gameplay, i.e., "the recorded experience file" that corresponds to a previous instance during a previous time period is stored in repositories and available for downloading without being modified).

Regarding claim 7, Chimes-Pereira discloses the method of claim 1, further comprising instantiating a new instance when the recorded experience is modified by skipping a portion of the recorded experience (*Chimes, par. 0033 and par. 0034, request to begin subsequent gameplay may be received before simulating one or more periods of past gameplay, and a point is selected from which to begin the subsequent gameplay as the one or more periods of past gameplay are simulated. Simulating the one or more periods of past gameplay may include reloading game states as viewers of the simulation skip or otherwise navigate to different times in the simulated past*

gameplay. In one example, past inputs may be replayed from a checkpoint at which state has been saved if viewers choose to navigate to a time for which state has not been saved).

Regarding claim 13, Chimes-Pereira discloses the method of claim 1, wherein the recorded experience file does not include objects that have opted out (*Chimes, par's 0092 and 0093, phasing out objects of removed participants*).

Regarding claim 14, Chimes-Pereira discloses the method of claim 13, wherein the recorded experience is editable to replace objects that have opted out of the recorded experience with replacement objects (*Chimes, par's 0092 and 0093, adding new objects and phasing out objects of removed participants*).

Regarding claim 15, Chimes-Pereira discloses the method of claim 14, wherein the replacement of objects is automated (*Chimes, par. 0091, game objects of removed participants may be phased out of existence at the starting point after replay, i.e. automated replacement*).

Regarding claim 16, Chimes-Pereira discloses the method of claim 1, comprising, in response to receiving data from the at least one client device requesting changes to the new instance, generating a new recorded experience file comprising an initial scene state of the new instance and data representing subsequent changes and

respective times during a time period of the new instance (*Chimes, par's 0022, the new gameplay includes the phase, after the replay phase, in which participants play the game starting from the target state. Input during the new gameplay phase is from live action and is received from participants, rather than from previously-captured input; par. 0051, the computing devices store starting conditions for gameplay in electronic records. The computing devices receive inputs from participants during gameplay, and, in response to the inputs, in addition to triggering actions in the game, store the inputs in the electronic records. At particular times, the computing devices also store, in the electronic records, states that the game objects were in at the particular times*).

Regarding claim 17, Chimes-Pereira discloses the method of claim 1, comprising instantiating, using the one or more processors of the server, a second new instance of a scene, the second new instance being defined by data stored in the memory, at least one client device displaying and participating in the new instance; retrieving from the memory and rendering for playback the recorded experience file and the new recorded experience file (*Chimes, par. 0046, electronic records of past gameplay are stored as trees that are created from different and possibly overlapping instances of past gameplay. For example, a game may have been played multiple times from a given target point or from multiple target points as part of multiple past game instances. Each of these past game instances may be stored together in the same package of electronic records. Therefore a second new instance of a gameplay can be initiated, the second new instance being defined by data stored in the memory, at least*

one device displaying and participating in the new instance; retrieving from the memory and rendering for playback the recorded past gameplay and the new recorded gameplay).

Regarding claim 18, this claim comprises limitations substantially the same as claim 1; therefore it is rejected for the same reasons set forth.

Regarding claim 19, this claim comprises limitations substantially the same as claim 1; therefore it is rejected by Chimes-Pereira for the same reasons set forth.

Chimes-Pereira further discloses wherein the new instance comprises video inserted into the new instance of the scene (*Chimes, par's 0057, and 0088, after the replay phase has finished and the new play phase begins, the new participants may not only change views of the gameplay but may also perform actions that form a part of the gameplay. These actions may change the state of the objects during the gameplay. For example, after subsequent gameplay begins, participants may move, attack, or build by controlling units. Customization of new play also adds new players and/or objects to the past gameplay which includes inserting new video to instance of the recorded experience, and limit the movement of avatars within the new instance).*

Regarding claim 21, Chimes-Pereira discloses the method of claim 19, wherein the recorded experience file is not modifiable by events occurring during playback (*Chimes, par's 0046, 0065, electronic records of past gameplay are stored as trees that*

are created from different and possibly overlapping instances of past gameplay. For

example, a game may have been played multiple times from a given target point or from

multiple target points as part of multiple past game instances. Each of these past game

instances may be stored together in the same package of electronic records; multiple

electronic records of past game instances, such as replay files, may be automatically or

manually uploaded to one or more centralized, networked replay repositories after

gameplay during the past game instances. These electronic records may also be stored

locally. The electronic records may be shared via a sharing or messaging system in

which messages include the electronic records as attachments or links to download the

electronic records. Upon selection of a replay file, the replay file may be

downloaded. Therefore the electronic records of past gameplay, i.e., "the recorded

experience file" that corresponds to a previous instance during a previous time period is

stored in repositories and available for downloading without being modified).

**7.   Claim 2 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over
Chimes-Pereira, as applied to claim 1 above, in view of Geisner et al. (US
Publication 2013/0083062) (hereinafter Geisner).**

    Regarding claim 2, Chimes-Pereira discloses the method of claim 1, and further

discloses objects that are not recorded (*Chimes, claims 1 and 15, storing one or more*

electronic records of at least a period of past gameplay, since not all periods of past

gameplay were recorded, not all objects of the initial scene state have been saved in

the recorded experience file; however, an object not previously recorded may be added

during subsequent gameplay, see Chimes, par. 0092).

Chimes-Pereira does not explicitly disclose objects are substituted with other objects during playback of the recorded experience.

Geisner discloses objects are substituted with other objects during playback of the recorded experience (*Geisner, par. 0143, adjustment may include replacing/substituting virtual objects with different virtual objects*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Geisner's feature into Chimes-Pereira' invention for enhancing viewer's playing experience by providing a creative virtual game environment.

8.   Claim 6 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes-Pereira, as applied to claim 1 above, in view of Dunstan et al. (US Publication 2008/0026838) (hereinafter Dunstan).

Regarding claim 6, Chimes-Pereira discloses the method of claim 1 wherein the at least one of the avatars is excluded from the playback as disclosed above.

Chimes-Pereira does not explicitly disclose wherein the avatar is not known to the at least one user.

Dunstan discloses wherein the avatar is not known to the at least one user (*Dunstan, par. 0074, a player's avatar can be hidden from view from other participant's avatars).*

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Dunstan's feature into Chimes-Pereira' invention for enhancing viewer's playing experience by providing a creative virtual game environment.

9.   **Claim 9 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes-Pereira, as applied to claim 1 above, in view of Shuster et al. (US Publication 2013/0044106) (hereinafter Shuster).**

Regarding claim 9, Chimes-Pereira discloses the method of claim 1.

Chimes-Pereira does not explicitly disclose wherein the new instance of the scene is three-dimensional.

Shuster discloses wherein the new instance of the scene is three-dimensional (*Shuster, par. 0356, instantiating an instance of the requested 3D scene*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Shuster's feature into Chimes-Pereira' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

10.   **Claim 10 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes-Pereira.**

Regarding claim 10, Chimes-Pereira discloses the method of claim 1.

Chimes-Pereira is silent as to wherein the new instance is empty of objects when

initiated; however it would have been obvious to one of ordinary skill in the art before

the effective filing date of the claimed invention to obtain the feature "wherein the new

instance is empty of objects when initiated" by swapping of human participants for

machine-controlled participants and vice versa, as disclosed by *Chimes, (see par. 0088*

through par. 0094, swapping *of human participants for machine-controlled participants*

and vice versa result in the new instance being empty of objects) and therefore

providing a more interesting gameplay.

11.   Claim 11 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over

Chimes-Pereira, as applied to claim 1 above, in view of Sobel (US Publication

2006/0028476).

        Regarding claim 11, Chimes-Pereira discloses the method of claim 1.

        Chimes-Pereira does not explicitly disclose wherein objects of the new instance

have a different degree of shading, color, clothing or different theme from the objects of

the recorded experience.

        Sobel discloses wherein objects of the new instance have a different degree of

shading, color, clothing or different theme from the objects of the recorded experience

(*Sobel, par. 0006, a rendered view of an object may be substituted by a solid color,*

such as green in a virtual environment).

        It would have been obvious to one of ordinary skill in the art before the effective

filing date of the claimed invention to incorporate Sobel's feature into Chimes-Pereira'

invention for enhancing viewer's playing experience by providing a richer virtual game environment.

12.   Claim 12 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes-Pereira, as applied to claim 1 above, in view of Kurabayashi et al. (US Publication 2012/0143361) (hereinafter Kurabayashi).

Regarding claim 12, Chimes-Pereira discloses the method of claim 1.

Chimes-Pereira does not explicitly disclose wherein the objects are distinguishable based on audio.

Kurabayashi discloses wherein the objects are distinguishable based on audio (Kurabayashi, *par. 0064, virtual objects may be distinguished according to corresponding sound files*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Kurabayashi's feature into Chimes-Pereira' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

13.   Claim 20 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes-Pereira in view of Reisner-Kollmann et al. (US Publication 2015/0062120) (hereinafter Reisner-Kollmann).

Regarding claim 20, this claim comprises limitations substantially the same as claims 1 and 5; therefore it is rejected by Chimes in view of Pereira for the same reasons set forth.

However, Chimes-Pereira does not explicitly disclose wherein objects of the new instance of the scene are hidden.

Reisner-Kollmann discloses wherein objects of the new instance of the scene are hidden (*Reisner-Kollmann, par. 0099, allow for virtual objects to be hidden from view*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Reisner-Kollmann's feature into Chimes-Pereira' invention for enhancing viewer's playing experience by ensuring that a virtual object does not collide with other virtual objects.

Examiner's notes

14.   The referenced citations made in the rejection(s) above are intended to exemplify areas in the prior art document(s) in which the examiner believed are the most relevant to the claimed subject matter. However, it is incumbent upon the applicant to analyze the prior art document(s) in its/their entirety since other areas of the document(s) may be relied upon at a later time to substantiate examiner's rationale of record. A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. W.L. Gore & Associates, Inc. vs Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

However, "the prior art's mere disclosure of more than one alternative does not

constitute a teaching away from any of these alternatives because such disclosure does

not criticize, discredit, or otherwise discourage the solution claimed ...." In re Fulton,

391F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to WILLIAM TRAN whose telephone number is (571)270-

5645. The examiner can normally be reached on Monday-Friday 8:00-5:00, first Friday

of bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, THAI TRAN can be reached on (571) 272-7382. The fax phone number for

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

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WILLIAM TRAN/
Primary Examiner, Art Unit 2484

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited		14/457,828	SHUSTER ET AL.
		Examiner	Art Unit	
		WILLIAM TRAN	2484	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2008/0026838 A1	01-2008	Dunstan; James E.	A63F13/00	463/30
*	B	US-2012/0004041 A1	01-2012	Pereira; Rui Filipe Andrade	A63F9/24	463/42
	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	CPC 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.** 14457828	**Applicant(s)/Patent Under Reexamination** SHUSTER ET AL.		
	Examiner WILLIAM TRAN	**Art Unit** 2484		

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

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

CLAIM		DATE								
Final	Original	11/02/2015	06/01/2016	12/13/2016						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
	6	✓	✓	✓						
	7	✓	✓	✓						
	8	✓	✓	-						
	9	✓	✓	✓						
	10	✓	✓	✓						
	11	✓	✓	✓						
	12	✓	✓	✓						
	13	✓	✓	✓						
	14	✓	✓	✓						
	15	✓	✓	✓						
	16	✓	✓	✓						
	17	✓	✓	✓						
	18	✓	✓	✓						
	19	✓	✓	✓						
	20	✓	✓	✓						
	21			✓						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S119	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and (exclud$3 with avatar$1 with instance$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/11/28 10:09
S120	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and (exclud$3 with avatar$1 with instance$1)	US-PGPUB; USPAT	OR	ON	2016/11/28 10:10
S121	2	(exclud$3 with avatar$1 with instance$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/11/28 10:10
S122	9	(exclud$3 omit$4 dismiss$3 disregard$3 eliminat$3) with avatar$1 with instance$1	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/11/28 10:13
S123	8	S122 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/11/28 10:13
S124	29	(exclud$3 omit$4 dismiss$3 disregard$3 eliminat$3 remov$3 discard$3 terminat$3 delet$3) with avatar$1 with instance$1	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/11/30 00:23
S125	28	S124 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/11/30 00:23
S126	1	"20110131510".pn.	US-PGPUB	OR	OFF	2016/11/30 00:28
S127	1069	(exclud$3 omit$4 dismiss$3 disregard$3 eliminat$3 remov$3 discard$3 terminat$3 delet$3) with avatar$1 and instance	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/12/12 20:16
S128	194	(exclud$3 omit$4 dismiss$3 disregard$3 eliminat$3 remov$3 discard$3 terminat$3 delet$3) with	US-PGPUB; USPAT; USOCR; FPRS;	OR	ON	2016/12/12 20:17

		avatar$1 same instance	EPO; JPO; DERWENT; IBM_TDB			
S129	194	(exclud$3 omit$4 dismiss$3 eliminat$3 remov$3 discard$3 terminat$3 delet$3) with avatar$1 same instance	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/12/12 20:18
S130	192	S129 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/12/12 20:19

12/ 13/ 2016 9:49:27 AM
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

CPC- SEARCHED

Symbol	Date	Examiner
(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553)	11/1/2015	LT

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
386	230	11/1/2015	LT
345	419	11/1/2015	LT
715	757	11/1/2015	LT

SEARCH NOTES

Search Notes	Date	Examiner
Name search	11/1/2015, 06/01/2016, 11/28/2016	LT
CPC search	11/1/2015, 06/01/2016, 11/28/2016	LT
Classified search	11/1/2015, 06/01/2016, 11/28/2016	LT
EAST search	11/01/2015, 06/01/2016, 12/13/2016	LT

INTERFERENCE SEARCH

	/WILLIAM TRAN/ Primary Examiner.Art Unit 2484

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

	/WILLIAM TRAN/ Primary Examiner.Art Unit 2484

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
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 contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	14457828	Filing Date	2014-08-12	Docket Number (if applicable)	12865.29	Art Unit	2484
First Named Inventor	Brian SHUSTER			Examiner Name	Loi H. TRAN		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

SUBMISSION REQUIRED UNDER 37 CFR 1.114

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

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

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

    ☒ Other   Applicant requests entry of Amendment / Reply previously filed on August 8, 2016.

☒ Enclosed

    ☒ Amendment/Reply

    ☐ Information Disclosure Statement (IDS)

    ☐ Affidavit(s)/ Declaration(s)

    ☐ Other

MISCELLANEOUS

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

☐ Other

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

   Applicant Signature

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-14)
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Signature of Registered U.S. Patent Practitioner			
Signature	/Sherrie M. Flynn/	Date (YYYY-MM-DD)	2016-11-07
Name	Sherrie M. Flynn	Registration Number	62066

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8.   A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9.   A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	14457828
Filing Date:	12-Aug-2014
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Filer:	Sherrie Marie Flynn
Attorney Docket Number:	PAT 102879-2

Filed as Small Entity

Filing Fees for   Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 2 months with $0 paid	2252	1	300	300
Miscellaneous:				
RCE- 1st Request	2801	1	600	600
Total in USD ($)				**900**

Electronic Acknowledgement Receipt

EFS ID:	27437905
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn
Filer Authorized By:	
Attorney Docket Number:	PAT 102879-2
Receipt Date:	07-NOV-2016
Filing Date:	12-AUG-2014
Time Stamp:	18:41:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
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Payment was successfully received in RAM	$900
RAM confirmation Number	110816INTEFSW00004189505426
Deposit Account	505426
Authorized User	Sherrie Flynn
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	
37 CFR 1.16 (National application filing, search, and examination fees)	
37 CFR 1.17 (Patent application and reexamination processing fees)	

37 CFR 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		ResptoOAdated_06-06-16_3Mo Resp.pdf	140506 485d6bd116c6ad7cec08aacaaf60f233e5b3 d79b	yes	11

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	5
Applicant Arguments/Remarks Made in an Amendment	6	11

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
2	Request for Continued Examination (RCE)	RCE.pdf	1349921 0a0398eef43e37d6a5910d2978ba6014e9c 7986a	no	3

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
3	Fee Worksheet (SB06)	fee-info.pdf	32864 8d204a05f5dcc3345aaf23facb68393be6a8 c5a1	no	2

Warnings:

Information:

		Total Files Size (in bytes):	1523291

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Brian SHUSTER, et al.

Application No.: 14/457,828

Filing Date: 08/12/2014

Examiner: Loi H. TRAN

Art Unit: 2484

Conf. No: 1033

Title: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being submitted *via* the USPTO EFS Filing System on the date shown below to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: November 7, 2016   By: /Naji Alshikhaiti/
                                        Naji Alshikhaiti

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ALEXANDRIA, VIRGINIA 22313-1450

RESPONSE AND REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. 1.114

To Whom It May Concern:,

Responsive to the Final Office Action dated June 6, 2016, Applicant respectfully submits a Request for Continued Examination in view of the following amendments and remarks.

AMENDMENTS TO THE CLAIMS

Claim 8 has been canceled. Claim 21 is new. Claims 2-3, 7, 9-18 and 20 are original or were previously presented. Please amend Claims 1, 4-6, and 19 as follows:

1.   (Currently Amended) A method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance;

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, wherein at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback; and

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback of the recorded experience.

2.   (Previously Presented) The method of claim 1, wherein movement within the new instance by avatars associated with at least one client device is limited by objects of the recorded experience.

3.   (Previously Presented) The method of claim 1, wherein the the recorded experience file comprises less than all boundaries of the initial scene state.

4.   (Currently Amended) The method of claim 1, wherein the recorded experience file is supplemented with a separate file that comprises private messages selected for saving generated contemporaneously with the recorded experience file.

5.   (Currently Amended) The method of claim 1, wherein the recorded experience file ~~comprise less than all avatars of the initial scene state~~ is not modifiable by events occurring during playback of the recorded experience.

6.   (Currently Amended) The method of claim [[5]]1, wherein the ~~less than all~~ at least one of the avatars excluded comprises an avatar[[s]] not known to the at least one user.

7.   (Previously Presented) The method of claim 1, wherein the recorded experience is played back in response to a threshold number of users waiting to view the recorded experience.

8.   (Canceled)

9.   (Previously Presented) The method of claim 1, wherein the new instance of the scene is three-dimensional.

10.   (Previously Presented) The method of claim 1, wherein the new instance is empty of objects when initiated.

11.   (Previously Presented) The method of claim 1, wherein objects of the new instance have a different degree of shading, color, clothing or different theme from the objects of the recorded experience.

12.   (Previously Presented) The method of claim 1, wherein the objects are distinguishable based on audio.

13.   (Original) The method of claim 1, wherein the recorded experience file does not include objects that have opted out.

14.   (Original) The method of claim 13, wherein the recorded experience is

editable to replace objects that have opted out of the recorded experience with replacement objects.

15.   (Previously Presented) The method of claim 14, wherein the replacement of objects is automated.

16.   (Previously Presented) The method of claim 1, comprising, in response to receiving data from the at least one client device requesting changes to the new instance, generating a new recorded experience file comprising an initial scene state of the new instance and data representing subsequent changes and respective times during a time period of the new instance.

17.   (Previously Presented) The method of claim 16, comprising instantiating, using the one or more processors of the server, a second new instance of a scene, the second new instance being defined by data stored in the memory, at least one client device displaying and participating in the second new instance; retrieving from the memory and rendering for playback the recorded experience file and the new recorded experience file.

18.   (Original)   A non-transitory computer-readable medium comprising instructions executable on the one or more processors for implementing the method of claim 1.

19.   (Currently Amended) A virtual worlds system for playing back a recorded experience, comprising:

one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein the new instance comprises video inserted into the new instance of the scene, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, wherein ~~the recorded experience is not modifiable by~~

~~events occurring during playback~~ <u>at least one of the avatars present at the time of the generation of the recorded experience is excluded from the playback</u>; and

one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance.

20.   (Previously Presented) An apparatus for playing back a recorded experience in a virtual worlds system, comprising:

one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance, wherein objects of the new instance of the scene are hidden;

memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback.

21.   (New) The system of Claim 19, wherein the recorded experience file is not modifiable by events occurring during playback.

REMARKS

Applicants and their representative wish to thank Examiner Tran for the thorough examination of the present application and the detailed explanations in the final Office Action dated June 6, 2016 (the "Office Action"), the helpful comments during the Examiner's Interview on August 19, 2016 and the follow up discussion on August 23, 2016, and the explanations in the Advisory Action dated September 1, 2016. The Examiner's concerns have been given serious consideration. However, in view of the present amendments and remarks, Applicants believe the present claims are allowable over the cited references.

Claim 8 has been canceled. Claim 21 is new. Claims 2-3, 7, 9-18 and 20 are original or were previously presented. Claims 1, 4-6, and 19 have been amended. Claims 1, 19 and 20 are independent claims.

As amended, the claims in the present application relate to a method of playing back a recorded experience in a virtual worlds system, comprising: (i) instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance; (ii) retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, wherein **at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback**, and (iii) playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period. See amended Claim 1.

The claims in the present application also relate to a virtual worlds system for playing back a recorded experience, comprising: (i) one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein **the new instance comprises video inserted into the new instance of the scene**, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, wherein **at**

least one of the avatars present at the time of the generation of the recorded experience is excluded from the playback; and (ii) one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance. See amended Claim 19.

Further, the claims in the present application also relate to an apparatus for playing back a recorded experience in a virtual worlds system, comprising: (i) one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance, wherein objects of the new instance of the scene are hidden; (ii) memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; wherein the processor **plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback**. See Claim 20.

The references cited against the previously-filed claims, Chimes et al., U.S. Pat. Pub. No. 2014/0194211 published July 10, 2014 ("Chimes"), Geisner et al., U.S. Publication No. 2013/0083062, published April 4, 2013 ("Geisner"), Shuster et al., U.S. Publication No. 2013/0044106, published February 21, 2013 ("Shuster"), Sobel, U.S. Publication No. 2006/0028476, published February 9, 2006 ("Sobel"), Kurabayashi et al., U.S. Publication No. 2012/0143361, published June 7, 2012 ("Kurabayashi"), and Reisner-Kollmann et al., U.S. Publication No. 2015/0062120, published March 5, 2015 ("Reisner-Kollmann") neither disclose or suggest, at minimum, that (i) **at least one of the avatars present at the time of the generation of the recorded experience is excluded from the playback**, as recited in amended Claims 1 and Claims 19; (ii) **the new instance comprises video inserted into the new instance of the scene**, as recited in amended Claim 19, and (iii) wherein the processor **plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback**, as recited in Claim 20.

Thus Claims 1, 19 and 20, and all claims depending from Claims 1, 19 and 20 are patentable over the cited references.

I. **Rejection of Claims 1, 3-5, 7, 8 and 13-19 Under AIA 35 U.S.C. 102(a)**

The rejection of Claims 1, 3-5, 7, 8 and 13-19 under AIA 35 U.S.C. 102(a) as being anticipated by Chimes is respectfully traversed. Claims 1 and 19 are independent claims and have been amended. In addition, Claims 4 and 5 have been amended. Claims 3-5, 7, and 13-18 depend, either directly or indirectly, from Claim 1. Claim 8 has been canceled, and thus, the rejection of Claim 8 is moot.

The rejections are based on a finding that Chimes discloses all of the limitations of independent Claims 1 and 19. Office Action, pp. 5-6 and 10-11. Although Applicant respectfully disagrees that Chimes discloses all of the limitations of the previously filed Claims 1 and 19, Claims 1 and 19 have been amended to add the limitation, wherein **at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback**.

The invention claimed in the present application is distinguishable from the invention disclosed in Chimes. Chimes discloses methods, computer-readable media and devices for restoring gameplay by replaying past inputs. Chimes, Abstract. Electronic records of gameplay are generated based on different portions of different past instances of gameplay. Participants may then engage in one or more instances of gameplay where the initial state of gameplay is the state that existed at some specific point in time of the first instance or subsequent instances of the gameplay. Id, paras. [0045] and [0046]. In other words, Chimes discloses that past gameplay is displayed to candidate participants that may participate in subsequent gameplay. See e.g., Chimes, FIG. 2 and para. [0022], stating that "The new play phase is the phase, after the replay phase, in which participants play the game starting from the target point state"; see also Chimes, para. [0058]. Once the new play phase begins, participants may change views of the gameplay as well as act in ways that then become a part of the gameplay, and the participants' actions may change the state of objects during the gameplay. Chimes, para. [0057]. Moreover, participants may change settings and game objects before the new play phase of a replay game begins. Chimes, para. [0088].

However, the claims of the instant invention recite playback of objects of the recorded experience file in a new instance, allowing users of the at least one client device to participate in the recorded experience file (as opposed to participating in subsequent play). Chimes does not disclose or suggest playing back the recorded experience file by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent recorded changes over the time period, wherein **at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback**, as recited in Claims 1 and 19. Thus, the instant invention allows users to participate in past events (in other words, travel back in time) and participate in a recorded experience. However, the recorded experience is modified because at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback. This is significantly different than Chimes, which provides for new gameplay beginning at a target point, and modification of the gameplay subsequent to the target point.

In addition, Applicants maintain that Chimes does not disclose or suggest **the new instance comprises video inserted into the new instance of the scene**. Instead, after subsequent gameplay begins, new players or objects may be added to the gameplay at the starting point after replay. Chimes, para. [0092]. Users may also swap human participants for machine participants and vice versa, and such gameplay starting from the replay point may be recorded. Chimes, paras. [0046], [0088]. However, nowhere does Chines disclose inserting video (separately recorded) into a new instance of gameplay. For these reasons, independent Claims 1 and 19, and Claims 3-5, 7 and 13-18, which depend from Claim 1, are patentable over Chimes.

Applicants respectfully request that the rejections be withdrawn.

II.   Rejection of Claims 2, 6, 9-12 and 20 under 35 U.S.C. 103(a)

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Geisner. Claims 6 and 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes alone. Claim 9 stands under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Shuster. Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Sobel. Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Kurabayashi. Claim 20 stands rejected under 35 U.S.C. 103(a) as being

unpatentable over Chimes in view of Reisner-Kollmann. These rejections are all respectfully traversed.

Chimes is discussed above. Because independent Claim 1 is patentable over Chimes, Claims 2, 6 and 9-12, which depends from Claim 1, are also patentable over Chimes.

As to Claim 20, Chimes discloses replay of past inputs of game play to new participants on a replay interface. The new participants may change views of the replay, but may not perform actions that form a part of the gameplay or otherwise change the state of objects that are being replayed. Chimes. Para. [0057]. In contrast, the claims of the instant invention recite playback of objects of the recorded experience file **in a new instance**, allowing users of the at least one client device to participate in the recorded experience file (as opposed to participating in subsequent play). While users participate in the new instance, updates to the initial scene state are rendered based on subsequent changes over a time period. However, the initially recorded experience file is not modifiable by events occurring during playback. Thus, Chimes does not disclose or suggest wherein the processor **plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback**, as recited in Claim 20.

Geisner is cited for disclosing that objects are substituted with other objects during playback of the recorded experience. Office Action, p. 11-12, item 8, citing Geisner, para. [0143]. Shuster is cited for disclosing that a new instance of a scene may be three-dimensional. Office Action, p. 13, item 10; see also, Shuster, para. [0356]. Sobel is cited for disclosing that objects in a new instance have a different degree of shading, color clothing or different theme. Office Action, p. 14, item 11, citing Sobel, para. [0006]. Kurabayashi is cited for disclosing that objects are distinguishable based on audio. Office Action, p. 15, item 12, citing Kurabayashi, para. [0064]. Reisner-Kollmann is cited for disclosing that objects of the new instance of the scene are hidden. Office Action, pp. 15-16, item 13, citing Reisner-Kollmann, para. [0099].

However, Chimes, Geisner, Shuster, Sobel. Kurabayashi and Reisner-Kollmann, alone or in combination, neither disclose or suggest that (i) **at least one of the avatars present at the time of the generation of the recorded experience file is excluded from the playback**, as recited in amended Claims 1 and 19; and (ii) **the new instance comprises video inserted into**

the new instance of the scene, as recited in amended Claim 19; and (iii) wherein the processor **plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback**, as recited in Claim 20.

Thus, independent Claims 1, 19 and 20, and Claims 2, 6 and 9-12, which depend from Claim 1, are patentable over the cited references. Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

Date: November 7, 2016   /Sherrie M. Flynn/
                                       Sherrie M. Flynn
                                       Reg. No. 62,066

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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2	1033

112918   7590   09/01/2016
Coleman & Horowitt, LLP
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Fresno, CA 93704

EXAMINER
TRAN, LOI H

ART UNIT	PAPER NUMBER
2484	

MAIL DATE	DELIVERY MODE
09/01/2016	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.

	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	14/457,828	SHUSTER ET AL.
	Examiner	**Art Unit**	
	WILLIAM TRAN	2484	

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

(1) *WILLIAM TRAN*.

(3) _____.

(2) *SHERRIE FLYNN, Reg. #62,006*.

(4) _____.

Date of Interview: *19 August 2016*.

Type: ☒ Telephonic ☐ Video Conference
       ☐ Personal [copy given to: ☐ applicant   ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
   If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *1-20*.

Identification of prior art discussed: *Chimes et al.*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner informed Applicant that the amended claims are broad and the reference Chimes reads on the amended claims. Applicant proposed changes to further clarify the claims. In the follow-up meeting with Applicant on 8/23/2016, Examiner found that Chimes still reads on the proposed amendments, and newly found reference by Nassiri 2012/0254925 discloses that a replay/access of a video may be based upon a threshold number >= 2 of users wanting to view the video.

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

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/WILLIAM TRAN/	
Primary Examiner, Art Unit 2484	

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	*14/457,828*	SHUSTER ET AL.
	Examiner WILLIAM TRAN	**Art Unit** 2484	**AIA (First Inventor to File) Status** Yes

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

THE REPLY FILED <u>08 August 2016</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
<u>NO NOTICE OF APPEAL FILED</u>

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance;
   (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires _____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   > *Examiner Note*: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE <u>FIRST</u> RESPONSE TO APPLICANT'S <u>FIRST</u> AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).
<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).
<u>AMENDMENTS</u>

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   b) ☐ They raise the issue of new matter (see NOTE below);

   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): (a) ☒ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.
<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.
<u>REQUEST FOR RECONSIDERATION/OTHER</u>

12. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
    <u>See Continuation Sheet.</u>

13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

14. ☒ Other: <u>See Continuation Sheet</u>.
<u>STATUS OF CLAIMS</u>

15. The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: .
   Claim(s) objected to: .
   Claim(s) rejected: 1-20.
   Claim(s) withdrawn from consideration: .

	/WILLIAM TRAN/ Primary Examiner, Art Unit 2484

U.S. Patent and Trademark Office
PTOL-303 (Rev. 08-2013)   **Advisory Action Before the Filing of an Appeal Brief**   Part of Paper No. 20160825

 Continuation of 12. does NOT place the application in condition for allowance because: Applicant's arguments wiith respect to claims 1-20 have been fully considered but they are not pursuasive. Therefore the rejections of claims 1-20 are maintained.
Applicant argues that Chimes et al. does not teach "the recorded experience file is not modifiable by events occurring during playback of the recorded experience", as recited in amended Claim 1, and similarly in amended Claims 19 and 20; and "the new instance comprises video inserted into the new instance of the scene", as recited in amended Claim 19.

Examiner respectfully disagrees. Chimes discloses:

(see para's 0046, 0065) electronic records of past gameplay are stored as trees that are created from different and possibly overlapping instances of past gameplay. For example, a game may have been played multiple times from a given target point or from multiple target points as part of multiple past game instances. Each of these past game instances may be stored together in the same package of electronic records; multiple electronic records of past game instances, such as replay files, may be automatically or manually uploaded to one or more centralized, networked replay repositories after gameplay during the past game instances. These electronic records may also be stored locally. The electronic records may be shared via a sharing or messaging system in which messages include the electronic records as attachments or links to download the electronic records. Upon selection of a replay file, the replay file may be downloaded. Therefore the electronic records of past gameplay, i.e., "the recorded experience file" is stored in repositories and may get downloaded to player's machine in response to a replay request, and the electronic records is not modifiable by events or user's interaction during replay of past gameplay. Further, para's 0057, and 0088, after the replay phase has finished and the newplay phase begins, the new participants may not only change views of the gameplay but may also perform actions that form a part of the gameplay. These actions may change the state of the objects during the gameplay. For example, after subsequent gameplay begins, participants may move, attack, or build by controlling units. Customization of new play also adds new players and/or objects to the past gameplay which obviously inserts new video to instance of the recorded experience, and limit the movement of avatars within the new instance. Newly found reference by Nassiri 2012/0254925 discloses that a replay/access of a video may be based upon a threshold number of users wanting to view the video.

Continuation of 14. Other: Interview Summary and PTO-2323 form attached per AFCP 2.0 request.

	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	14/457,828	SHUSTER ET AL.
	Examiner	Art Unit	
	WILLIAM TRAN	2484	

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

(1) _WILLIAM TRAN_.   (3) _____.

(2) _SHERRIE FLYNN, Reg. #62,006_.   (4) _____.

   Date of Interview: _19 August 2016_.

   Type: ☒ Telephonic   ☐ Video Conference
            ☐ Personal [copy given to: ☐ applicant   ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes   ☒ No.
   If Yes, brief description: _____.

Issues Discussed   ☐101 ☐112 ☐102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: _1-20_.

   Identification of prior art discussed: _Chimes et al.._.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner informed Applicant that the amended claims are broad and the reference Chimes reads on the amended claims. Applicant proposed changes to further clarify the claims. In the follow-up meeting with Applicant on 8/23/2016, Examiner found that Chimes still reads on the proposed amendments, and newly found reference by Nassiri 2012/0254925 discloses that a replay/access of a video may be based upon a threshold number >= 2 of users wanting to view the video.

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

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/WILLIAM TRAN/	
Primary Examiner, Art Unit 2484	

AFCP 2.0 Decision	Application No.	Applicant(s)
	14/457,828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

This is in response to the After Final Consideration Pilot request filed 08/08/2016.

1. **Improper Request** – The AFCP 2.0 request is improper for the following reason(s) and the after final amendment submitted with the request will be treated under pre-pilot procedure.

   ☐ An AFCP 2.0 request form PTO/SB/434 (or equivalent document) was not submitted.

   ☐ A non-broadening amendment to at least one independent claim was not submitted.

   ☐ A proper AFCP 2.0 request was submitted in response to the most recent final rejection.

   ☐ Other:

2. **Proper Request**

   A. After final amendment submitted with the request will not be treated under AFCP 2.0.
      The after final amendment cannot be reviewed and a search conducted within the guidelines of the pilot program.

      ☐ The after final amendment will be treated under pre-pilot procedure.

   B. Updated search and/or completed additional consideration.
      The examiner performed an updated search and/or completed additional consideration of the after final amendment within the time authorized for the pilot program. The result(s) of the updated search and/or completed additional consideration are:

      ☐ 1. All of the rejections in the most recent final Office action are overcome and a Notice of Allowance is issued herewith.

      ☐ 2. The after final amendment would not overcome all of the rejections in the most recent final Office action. See attached interview summary for further details.

      ☐ 3. The after final amendment was reviewed, and it raises a new issue(s). See attached interview summary for further details.

      ☐ 4. The after final amendment raises new issues, but would overcome all of the rejections in the most recent final Office action. A decision on determining allowability could not be made within the guidelines of the pilot. See attached interview summary for further details, including any newly discovered prior art.

      ☒ 5. Other: The after final emendment would not overcome all of the rejections in the most recent final Office action. Newly found reference by Nassiri 2012/0254925 discloses that a replay/access of a video may be based upon a threshold number of users wanting to view the video. See attached Interview summary.

      Examiner Note: Please attach an interview summary when necessary as described above.

Atty. Docket No. 12865.29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Brian SHUSTER, et al.

Application No.: 14/457,828

Filing Date: 08/12/2014

Examiner: Loi H. TRAN

Art Unit: 2484

Conf. No: 1033

Title: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being submitted *via* the USPTO EFS Filing System on the date shown below to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: August 8, 2016   By: /Naji Alshikhaiti/
                                    Naji Alshikhaiti

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

RESPONSE UNDER 37 C.F.R. 1.116 AND REQUEST FOR CONSIDERATION UNDER AFTER FINAL CONSIDERATION PILOT 2.0

To Whom It May Concern:

Responsive to the final Office Action dated June 6, 2016, Applicants respectfully submit the following amendments and remarks, and concurrently submit a Certification and Request for Consideration under the After Final Consideration Pilot Program 2.0.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Brian SHUSTER, et al. | Examiner: Loi H. TRAN

Application No.: 14/457,828 | Art Unit: 2484

Filing Date: 08/12/2014 | Conf. No: 1033

Title: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being submitted *via* the USPTO EFS Filing System on the date shown below to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: August 8, 2016   By: /Naji Alshikhaiti/
                                        Naji Alshikhaiti

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

RESPONSE UNDER 37 C.F.R. 1.116 AND REQUEST FOR CONSIDERATION UNDER AFTER FINAL CONSIDERATION PILOT 2.0

To Whom It May Concern:

Responsive to the final Office Action dated June 6, 2016, Applicants respectfully submit the following amendments and remarks, and concurrently submit a Certification and Request for Consideration under the After Final Consideration Pilot Program 2.0.

AMENDMENTS TO THE CLAIMS

Claims 3-6, 8-16 and 18 are original or were previously presented. Please amend Claims 1-2, 7, 17 and 19-20 as follows:

1.   (Currently Amended) A method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance;

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, ~~wherein not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file~~; and

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, wherein the recorded experience file is not modifiable by events occurring during playback of the recorded experience.

2.   (Currently Amended) The method of claim 1, wherein movement within the new instance by avatars associated with at least one client device is limited by objects ~~that are not recorded are substituted with other objects during playback~~ of the recorded experience.

3.   (Previously Presented) The method of claim 1, wherein the the recorded experience file comprises less than all boundaries of the initial scene state.

4.   (Previously Presented) The method of claim 1, wherein the recorded experience file comprises private messages selected for saving.

5. (Previously Presented) The method of claim 1, wherein the recorded experience file comprise less than all avatars of the initial scene state.

6. (Previously Presented) The method of claim 5, wherein the less than all avatars comprise avatars not known to the at least one user.

7. (Currently Amended) The method of claim 1, ~~further comprising instantiating a new instance when the recorded experience is modified by skipping a portion of the recorded experience~~ wherein the recorded experience is played back in response to a threshold number of users waiting to view the recorded experience.

8. (Original) The method of claim 1, wherein other client devices may join the new instance after the recorded experience has begun playing back.

9. (Previously Presented) The method of claim 1, wherein the new instance of the scene is three-dimensional.

10. (Previously Presented) The method of claim 1, wherein the new instance is empty of objects when initiated.

11. (Previously Presented) The method of claim 1, wherein objects of the new instance have a different degree of shading, color, clothing or different theme from the objects of the recorded experience.

12. (Previously Presented) The method of claim 1, wherein the objects are distinguishable based on audio.

13. (Original) The method of claim 1, wherein the recorded experience file does not include objects that have opted out.

14. (Original) The method of claim 13, wherein the recorded experience is

editable to replace objects that have opted out of the recorded experience with replacement objects.

15.   (Previously Presented) The method of claim 14, wherein the replacement of objects is automated.

16.   (Previously Presented) The method of claim 1, comprising, in response to receiving data from the at least one client device requesting changes to the new instance, generating a new recorded experience file comprising an initial scene state of the new instance and data representing subsequent changes and respective times during a time period of the new instance.

17.   (Currently Amended) The method of claim 1~~6~~, comprising instantiating, using the one or more processors of the server, a second new instance of a scene, the second new instance being defined by data stored in the memory, at least one client device displaying and participating in the second new instance; retrieving from the memory and rendering for playback the recorded experience file and the new recorded experience file.

18.   (Original)   A non-transitory computer-readable medium comprising instructions executable on the one or more processors for implementing the method of claim 1.

19.   (Currently Amended) A virtual worlds system for playing back a recorded experience, comprising:
        one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein the new instance comprises ~~not all boundaries of the scene~~ video inserted into the new instance of the scene, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, ~~one or more recorded experience files comprising the recorded initial scene state and the subsequent recorded~~

~~changes being stored in memory of the one or more servers~~ <u>wherein the recorded experience is not modifiable by events occurring during playback</u>; and

one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance.

20.   (Currently Amended) An apparatus for playing back a recorded experience in a virtual worlds system, comprising:

one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance<u>,</u> wherein objects of the new instance of the scene are hidden;

memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period<u>, wherein the recorded experience file is not modifiable by events occurring during playback</u>.

REMARKS

Applicants and their representative wish to thank Examiner Tran for the thorough examination of the present application and the detailed explanations in the final Office Action dated June 6, 2016 (the "Office Action"). The Examiner's concerns have been given serious consideration. However, in view of the present amendments and remarks, Applicants believe the present claims are allowable over the cited references.

Claims 3-6, 8-16 and 18 are original or were previously presented. Claims 1-2, 7, 17 and 19-20 have been amended. Claims 1, 19 and 20 are independent claims.

As amended, the claims in the present application relate to a method of playing back a recorded experience in a virtual worlds system, comprising: (i) instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance; (ii) retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, and (iii) playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period **wherein the recorded experience file is not modifiable by events occurring during playback of the recorded experience**. See amended Claim 1.

The claims in the present application also relate to a virtual worlds system for playing back a recorded experience, comprising: (i) one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein the new instance comprises **video inserted into the new instance of the scene**, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, **wherein the recorded experience is not modifiable by events occurring during playback**; and (ii) one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance. See amended Claim 19.

6

Further, the claims in the present application also relate to an apparatus for playing back a recorded experience in a virtual worlds system, comprising: (i) one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance, wherein objects of the new instance of the scene are hidden; (ii) memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period, **wherein the recorded experience file is not modifiable by events occurring during playback**. See amended Claim 20.

The references cited against the previously-filed claims, Chimes et al., U.S. Pat. Pub. No. 2014/0194211 published July 10, 2014 ("Chimes"), Geisner et al., U.S. Publication No. 2013/0083062, published April 4, 2013 ("Geisner"), Shuster et al., U.S. Publication No. 2013/0044106, published February 21, 2013 ("Shuster"), Sobel, U.S. Publication No. 2006/0028476, published February 9, 2006 ("Sobel"), Kurabayashi et al., U.S. Publication No. 2012/0143361, published June 7, 2012 ("Kurabayashi"), and Reisner-Kollmann et al., U.S. Publication No. 2015/0062120, published March 5, 2015 ("Reisner-Kollmann") neither disclose or suggest, at minimum, that (i) **the recorded experience file is not modifiable by events occurring during playback of the recorded experience**, as recited in amended Claim 1, and similarly in amended Claims 19 and 20; and (ii) **the new instance comprises video inserted into the new instance of the scene**, as recited in amended Claim 19.

Thus Claims 1, 19 and 20, and all claims depending from Claims 1, 19 and 20 are patentable over the cited references.

I.   **Rejection of Claims 1, 3-5, 7, 8 and 13-19 Under AIA 35 U.S.C. 102(a)**

The rejection of Claims 1, 3-5, 7, 8 and 13-19 under AIA 35 U.S.C. 102(a) as being anticipated by Chimes is respectfully traversed. Claims 1 and 19 are independent claims and have been amended. In addition, Claims 7 and 17 have been amended. Claims 3-5, 7, 8 and 13-18 depend, either directly or indirectly, from Claim 1.

The rejections are based on a finding that Chimes discloses all of the limitations of independent Claims 1 and 19. Office Action, pp. 5-6 and 10-11. Although Applicant respectfully disagrees that Chimes discloses all of the limitations of the previously filed Claims 1 and 19, Claims 1 and 19 have been amended to further clarify that the recorded experience file is not modifiable by events occurring during playback of the recorded experience.

The invention claimed in the present application is distinguishable from the invention disclosed in Chimes. Chimes discloses methods, computer-readable media and devices for restoring gameplay by replaying past inputs. Chimes, Abstract. Electronic records of gameplay are generated based on different portions of different past instances of gameplay. Participants may then engage in one or more instances of gameplay where the initial state of gameplay is the state that existed at some specific point in time of the first instance or subsequent instances of the gameplay. Id, paras. [0045] and [0046]. In other words, Chimes discloses that past gameplay is displayed to candidate participants that may participate in subsequent gameplay. See e.g., Chimes, FIG. 2 and para. [0022], stating that "The new play phase is the phase, after the replay phase, in which participants play the game starting from the target point state"; see also Chimes, para. [0058]. Once the new play phase begins, participants may change views of the gameplay as well as act in ways that then become a part of the gameplay, and the participants' actions may change the state of objects during the gameplay. Chimes, para. [0057]. Moreover, participants may change settings and game objects before the new play phase of a replay game begins. Chimes, para. [0088].

However, the claims of the instant invention recite playback of objects of the recorded experience file in a new instance, allowing users of the at least one client device to participate in the recorded experience file (as opposed to participating in subsequent play). Chimes does not disclose or suggest playing back the recorded experience file by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent recorded changes over the time period, wherein **the recorded experience file is not modifiable by events occurring during playback of the recorded experience**, as recited in Claim 1 and similarly in Claim 19. Thus, the instant invention allows users to participate in past events (in other words, travel back in time) and participate in a recorded experience. However, the participants cannot modify the recorded experience file by actions or events occurring during the playback of the file. This is significantly different than Chimes,

which provides for new gameplay beginning at a target point, and modification of the gameplay subsequent to the target point.

For these reasons, Claims 1 and 19, and Claims 3-5, 7, 8 and 13-18, which depend from Claim 1, are patentable over Chimes. Applicants respectfully request that the rejections be withdrawn.

II.   Rejection of Claims 2, 6, 9-12 and 20 under 35 U.S.C. 103(a)

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Geisner. Claims 6 and 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes alone. Claim 9 stands under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Shuster. Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Sobel. Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Kurabayashi. Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Reisner-Kollmann. These rejections are all respectfully traversed. Claims 2 and 20 have been amended.

Chimes is discussed above. Because independent Claim 1 is patentable over Chimes, Claims 2, 6 and 9-12, which depends from Claim 1, are also patentable over Chimes.

In any case, Geisner is cited for disclosing that objects are substituted with other objects during playback of the recorded experience. Office Action, p. 11-12, item 8, citing Geisner, para. [0143]. Shuster is cited for disclosing that a new instance of a scene may be three-dimensional. Office Action, p. 10; see also, Shuster, para. [0356]. Sobel is cited for disclosing that objects in a new instance have a different degree of shading, color clothing or different theme. Office Action, p. 14, item 11, citing Sobel, para. [0006]. Kurabayashi is cited for disclosing that objects are distinguishable based on audio. Office Action, p. 15, item 12, citing Kurabayashi, para. [0064]. Reisner-Kollmann is cited for disclosing that objects of the new instance of the scene are hidden. Office Action, pp. 15-16, item 13, citing Reisner-Kollmann, para. [0099].

However, Chimes, Geisner, Shuster, Sobel. Kurabayashi and Reisner-Kollmann, alone or in combination, neither disclose or suggest that (i) **the recorded experience file is not modifiable by events occurring during playback of the recorded experience**, as recited in

amended Claim 1, and similarly in amended Claims 19 and 20; and (ii) **the new instance comprises video inserted into the new instance of the scene**, as recited in amended Claim 19

Thus, independent Claims 1, 19 and 20, and Claims 2, 6 and 9-12, which depend from Claim 1, are patentable over the cited references. Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

Date: __August 8, 2016__   /Sherrie M. Flynn/___
                                   Sherrie M. Flynn
                                   Reg. No. 62,066

Coleman & Horowitt, LLP
499 West Shaw Ave., Suite 116
Fresno, CA 93704
Telephone: (559) 248-4820

CERTIFICATION AND REQUEST FOR CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0

Practitioner Docket No.:	Application No.:	Filing Date:
12865.29	14/457,828	08/12/2014

First Named Inventor:	Title:
Brian SHUSTER	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK ...

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0 (AFCP 2.0) OF THE ACCOMPANYING RESPONSE UNDER 37 CFR 1.116.

1. The above-identified application is (i) an original utility, plant, or design nonprovisional application filed under 35 U.S.C. 111(a) [a continuing application (*e.g.*, a continuation or divisional application) is filed under 35 U.S.C. 111(a) and is eligible under (i)], or (ii) an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).

2. The above-identified application contains an outstanding final rejection.

3. Submitted herewith is a response under 37 CFR 1.116 to the outstanding final rejection. The response includes an amendment to at least one independent claim, and the amendment does not broaden the scope of the independent claim in any aspect.

4. This certification and request for consideration under AFCP 2.0 is the only AFCP 2.0 certification and request filed in response to the outstanding final rejection.

5. Applicant is willing and available to participate in any interview requested by the examiner concerning the present response.

6. This certification and request is being filed electronically using the Office's electronic filing system (EFS-Web).

7. Any fees that would be necessary consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, extension of time fees, are being concurrently filed herewith. [There is no additional fee required to request consideration under AFCP 2.0.]

8. By filing this certification and request, applicant acknowledges the following:

    - Reissue applications and reexamination proceedings are not eligible to participate in AFCP 2.0.
    - The examiner will verify that the AFCP 2.0 submission is compliant, *i.e.*, that the requirements of the program have been met (see items 1 to 7 above). For compliant submissions:
        o The examiner will review the response under 37 CFR 1.116 to determine if additional search and/or consideration (i) is necessitated by the amendment and (ii) could be completed within the time allotted under AFCP 2.0. If additional search and/or consideration is required but cannot be completed within the allotted time, the examiner will process the submission consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, by mailing an advisory action.
        o If the examiner determines that the amendment does not necessitate additional search and/or consideration, or if the examiner determines that additional search and/or consideration is required and could be completed within the allotted time, then the examiner will consider whether the amendment places the application in condition for allowance (after completing the additional search and/or consideration, if required). If the examiner determines that the amendment does not place the application in condition for allowance, then the examiner will contact the applicant and request an interview.
            ▪ The interview will be conducted by the examiner, and if the examiner does not have negotiation authority, a primary examiner and/or supervisory patent examiner will also participate.
            ▪ If the applicant declines the interview, or if the interview cannot be scheduled within ten (10) calendar days from the date that the examiner first contacts the applicant, then the examiner will proceed consistent with current practice concerning responses after final rejection under 37 CFR 1.116.

Signature	Date
/Sherrie M. Flynn/	August 8, 2016

Name (Print/Typed)	Practitioner Registration No.
Sherrie M. Flynn	62066

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.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	26583014
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn
Filer Authorized By:	
Attorney Docket Number:	PAT 102879-2
Receipt Date:	08-AUG-2016
Filing Date:	12-AUG-2014
Time Stamp:	20:57:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		ResptoFinalOAdated_06-06-16.pdf	136676 3de4523d86df9919fc0fd03bc2d441179cbe0e14	yes	10

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Response After Final Action	1	1
Claims	2	5
Applicant Arguments/Remarks Made in an Amendment	6	10

Warnings:

Information:

			226339		
2	After Final Consideration Program Request	AfterFinalConsiderationForm. pdf	7c4d0cde1397250c40a0eb61a6a2b677b1b 91e30	no	2

Warnings:

Information:

Total Files Size (in bytes):	363015

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.

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	
14/457,828	08/12/2014	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT	**08/08/2016**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	x $40 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	x $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

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

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

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

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

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

LIE
SHEILA D. CHAPMAN

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2	1033

112918   7590   06/06/2016
Coleman & Horowitt, LLP
499 W. Shaw Ave., Ste. 116
Fresno, CA 93704

EXAMINER
TRAN, LOI H

ART UNIT	PAPER NUMBER
2484	

MAIL DATE	DELIVERY MODE
06/06/2016	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.

<table>
<tr>
<td rowspan="2">Office Action Summary</td>
<td>Application No.
14/457,828</td>
<td>Applicant(s)
SHUSTER ET AL.</td>
</tr>
<tr>
<td>Examiner
WILLIAM TRAN</td>
<td>Art Unit
2484</td>
<td>AIA (First Inventor to File) Status
Yes</td>
</tr>
</table>

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02/08/2016</u>.
    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) <u>1-20</u> is/are pending in the application.
    5a) Of the above claim(s) _____ is/are withdrawn from consideration.
6)☐ Claim(s) _____ is/are allowed.
7)☒ Claim(s) <u>1-20</u> is/are rejected.
8)☐ Claim(s) _____ is/are objected to.
9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.
11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
    a)☐ All   b)☐ Some** c)☐ None of the:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
    Paper No(s)/Mail Date _____.

3)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
4)☐ Other: _____.

DETAILED ACTION

1.   The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

2.   In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

This Office Action is in response to the communication filed on 02/08/2016.

Claims 1-7, 9-12, 15, 16, 19, and 20 have been amended.

Claims 1-20 are pending and have been examined.

Response to Arguments

3.   Applicant's arguments with respect to the rejections of claims 1-20 have been considered but they are not persuasive. Therefore the rejection of claims 1-20 are maintained.

        Regarding claims 1-20, Applicant argues that Chimes does not disclose or suggest, (i) playing back the recorded experience file by rendering objects of the initial scene state <u>in the new instance </u>and rendering updates <u>to the initial scene state based on the subsequent changes, </u>as recited in amended Claim 1, and similarly in amended

Claims 19 and 20; (ii) <u>not all contents of initial scene state and/or the subsequent</u>

<u>changes have been saved in the recorded experience file,</u> as recited in amended Claim

1; (iii) <u>the new instance comprises not all boundaries of the scene,</u> as recited in

amended Claims 19; or (iv) <u>objects of the new instance of the scene are hidden,</u> as

recited in amended Claim 20.

Examiner respectfully disagrees. Chimes discloses:

(i) playing back the recorded experience file by rendering objects of the initial

scene state <u>in the new instance</u> and rendering updates <u>to the initial scene state based</u>

<u>on the subsequent changes</u> (*Chimes, at least in par. 0052 through par. 0056, replaying*

past instance by displaying objects of initial scene state and displaying change in states

of objects in a new game instance in response to received new inputs from participants

over periods of time);

(ii) <u>not all contents of initial scene state and/or the subsequent changes have</u>

<u>been saved in the recorded experience file</u> (*Chimes, par. 0053, loading/retrieving a*

game state from records of the past game instance; par. 0043 through par. 0051, and

par. 0073, disclose records of past gameplay over different particular time periods and

in multiple times; par. 0023, the electronic record may represent an entire instance of

past gameplay or a portion thereof. The electronic record include captured participant

inputs that occurred during the period of past gameplay; claims 1 and 15, storing one or

more electronic records of at least a period of past gameplay, the one or more

electronic records comprising captured participant inputs that occurred during the period

of past gameplay; wherein each of the participant inputs occurred at a corresponding

time during the period of past gameplay; wherein the captured participant inputs changed states of game objects during the period of past gameplay; since not all periods of past gameplay were recorded, not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file);

(iii) <u>the new instance comprises not all boundaries of the scene</u> (*Chimes, par. 0033 and par. 0034, a request may cause subsequent gameplay to begin from a second point in time from the period of past gameplay. The second point of time may be after a particular checkpoint and after some of the captured inputs but before others of the captured inputs; request to begin subsequent gameplay may be received before simulating one or more periods of past gameplay, and a point is selected from which to begin the subsequent gameplay as the one or more periods of past gameplay are simulated. Simulating the one or more periods of past gameplay may include reloading game states as viewers of the simulation skip or otherwise navigate to different times in the simulated past gameplay; further, par. 0087 through par. 0092, customizing and changing setting of subsequent gameplay include adding and removal of objects at the starting point after replay; since the period at which to replay past game and the point at which to begin subsequent play can be selected, and objects can be added or removed in the subsequent gameplay, the new instance comprises not all boundaries of the scene);*

4.   Applicant's argument with respect to feature (iv) <u>objects of the new instance of the scene are hidden</u>, as recited in amended Claim 20 has been considered but is moot in view of the new ground of rejection.

Response to Amendment

Claim Rejections - 35 USC § 102

5.   The text of those sections of Title 35, U.S. Code not included in this section can be found in a prior Office action.

6.   **Claims 1, 3-5, 7, 8, and 13-19 are rejected under AIA 35 U.S.C. 102a(1)(2) as being anticipated by Chimes et al. (US Publication 2014/0194211) (hereinafter Chimes).**

Regarding claim 1, Chimes discloses a method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance (*Chimes, par. 0052, a participant may start a new instance of a gameplay by selecting a replay file comprising records of past game instance*);

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, <u>wherein not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file</u> (*Chimes, par. 0053, loading/retrieving a game state from records of the past game instance; par. 0043 through par. 0051, and par. 0073, disclose records of past gameplay over different particular time periods and in*

multiple times; par. 0023, the electronic record may represent an entire instance of past

gameplay or a portion thereof. The electronic record include captured participant inputs

that occurred during the period of past gameplay; claims 1 and 15, storing one or more

electronic records of at least a period of past gameplay, the one or more electronic

records comprising captured participant inputs that occurred during the period of past

gameplay; wherein each of the participant inputs occurred at a corresponding time

during the period of past gameplay; wherein the captured participant inputs changed

states of game objects during the period of past gameplay; since not all periods of past

gameplay were recorded, not all contents of the initial scene state and/or the

subsequent changes have been saved in the recorded experience file); and

playing back the recorded experience file by rendering, for display by the at least

one client device, objects of the initial scene state in the new instance and rendering

updates to the initial scene state based on the subsequent changes over the time period

(*Chimes, at least in par. 0052 through par. 0056, replaying past instance by displaying*

objects of initial scene state and displaying change in states of objects in a new game

instance in response to received new inputs from participants over periods of time).

Regarding claim 3, Chimes discloses the method of claim 1, wherein the

<u>recorded experience file comprises less than all boundaries of the initial scene state</u>

(*Chimes, claims 1 and 15, storing one or more electronic records of at least a period of*

past gameplay, the one or more electronic records comprising captured participant

inputs that occurred during the period of past gameplay; wherein each of the participant

inputs occurred at a corresponding time during the period of past gameplay; wherein the captured participant inputs changed states of game objects during the period of past gameplay; since not all periods of past gameplay were recorded, not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file; the recorded experience file therefore comprises less than all boundaries of the initial scene state).

Regarding claim 4, Chimes discloses the method of claim 1, wherein the recorded experience file comprises private messages selected for saving (*Chimes, par. 0042, chat messages between players may be recorded*).

Regarding claim 5, Chimes discloses the method of claim 1, wherein the recorded experience file comprise <u>less than all avatars</u> of the initial scene state (*Chimes, par. 0088, users may change various settings or game objects before the newplay phase of a replay game begins. In one embodiment, the replay interface causes display of an option to swap human participants for machine-controlled participants and vice versa, i.e. having less machine-controlled participants/avatars*).

Regarding claim 7, Chimes discloses the method of claim 1, further comprising instantiating a new instance when the recorded experience is modified by skipping a portion of the recorded experience (*Chimes, par. 0033 and par. 0034, request to begin subsequent gameplay may be received before simulating one or more periods of past*

gameplay, and a point is selected from which to begin the subsequent gameplay as the

one or more periods of past gameplay are simulated. Simulating the one or more

periods of past gameplay may include reloading game states as viewers of the

simulation skip or otherwise navigate to different times in the simulated past gameplay.

In one example, past inputs may be replayed from a checkpoint at which state has been

saved if viewers choose to navigate to a time for which state has not been saved).

Regarding claim 8, Chimes discloses the method of claim 1, wherein other

client devices may join the new instance after the recorded experience has begun

playing back (*Chimes, par's 0037, 0052, 0067, other participants may join*).

Regarding claim 13, Chimes discloses the method of claim 1, wherein the

recorded experience file does not include objects that have opted out (*Chimes, par's

0092 and 0093, phasing out objects of removed participants*).

Regarding claim 14, Chimes discloses the method of claim 13, wherein the

recorded experience is editable to replace objects that have opted out of the recorded

experience with replacement objects (*Chimes, par's 0092 and 0093, adding new objects

and phasing out objects of removed participants*).

Regarding claim 15, Chimes discloses the method of claim 14, wherein the

replacement of objects is automated (*Chimes, par. 0091, game objects of removed*

*participants may be phased out of existence at the starting point after replay, i.e.
automated replacement).*

Regarding claim 16, Chimes discloses the method of claim 1, comprising, <u>in
response to receiving data from the at least one client device requesting changes to the
new instance,</u> generating a new recorded experience file comprising an initial scene
state of the new instance and <u>data representing</u> subsequent changes and respective
times during a time period of the new instance (*Chimes, par's 0022, the new gameplay
includes the phase, after the replay phase, in which participants play the game starting
from the target state. Input during the new gameplay phase is from live action and is
received from participants, rather than from previously-captured input; par. 0051, the
computing devices store starting conditions for gameplay in electronic records. The
computing devices receive inputs from participants during gameplay, and, in response
to the inputs, in addition to triggering actions in the game, store the inputs in the
electronic records. At particular times, the computing devices also store, in the
electronic records, states that the game objects were in at the particular times*).

Regarding claim 17, Chimes discloses the method of claim 1, comprising
instantiating, using the one or more processors of the server, a second new instance of
a scene, the second new instance being defined by data stored in the memory, at least
one client device displaying and participating in the new instance; retrieving from the
memory and rendering for playback the recorded experience file and the new recorded

experience file (*Chimes, par. 0046, electronic records of past gameplay are stored as trees that are created from different and possibly overlapping instances of past gameplay. For example, a game may have been played multiple times from a given target point or from multiple target points as part of multiple past game instances. Each of these past game instances may be stored together in the same package of electronic records. Therefore a second new instance of a gameplay can be initiated, the second new instance being defined by data stored in the memory, at least one device displaying and participating in the new instance; retrieving from the memory and rendering for playback the recorded past gameplay and the new recorded gameplay*).

Regarding claim 18, this claim comprises limitations substantially the same as claim 1; therefore it is rejected for the same reasons set forth.

Regarding claim 19, this claim comprises limitations substantially the same as claim 1; therefore it is rejected by Chimes for the same reasons set forth.

Chimes further discloses <u>wherein the new instance comprises not all boundaries of the scene</u> (*Chimes, par. 0033 and par. 0034, a request may cause subsequent gameplay to begin from a second point in time from the period of past gameplay. The second point of time may be after a particular checkpoint and after some of the captured inputs but before others of the captured inputs; request to begin subsequent gameplay may be received before simulating one or more periods of past gameplay, and a point is selected from which to begin the subsequent gameplay as the one or more periods of*

past gameplay are simulated. Simulating the one or more periods of past gameplay may

include reloading game states as viewers of the simulation skip or otherwise navigate to

different times in the simulated past gameplay; further, par. 0087 through par. 0092,

customizing and changing setting of subsequent gameplay include adding and removal

of objects at the starting point after replay; since the period at which to replay past game

and the point at which to begin subsequent play can be selected, and objects can be

added or removed in the subsequent gameplay, the new instance comprises not all

boundaries of the scene)

Claim Rejections - 35 USC § 103

7.   The text of those sections of Title 35, U.S. Code not included in this section can

be found in a prior Office action.

8.   Claim 2 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over

Chimes, as applied to claim 1 above, in view of Geisner et al. (US Publication

2013/0083062) (hereinafter Geisner).

Regarding claim 2, Chimes discloses the method of claim 1, and further

discloses objects that are not recorded (*Chimes, claims 1 and 15, storing one or more*

electronic records of at least a period of past gameplay, since not all periods of past

gameplay were recorded, not all objects of the initial scene state have been saved in

the recorded experience file; however, an object not previously recorded may be added

during subsequent gameplay, see Chimes, par. 0092).

Chimes does not explicitly disclose objects <u>are substituted with other objects</u> <u>during playback</u> of the recorded experience.

Geisner discloses objects <u>are substituted with other objects during playback</u> of the recorded experience (*Geisner, par. 0143, adjustment may include replacing/substituting virtual objects with different virtual objects*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Geisner's feature into Chimes' invention for enhancing viewer's playing experience by providing a creative virtual game environment.

9.   Claims 6 and 10 are rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes.

Regarding claim 6, Chimes discloses the method of claim 5.

Chimes is silent as to wherein less than all avatars comprise <u>avatars not known</u> <u>to the at least one user</u>; however it would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to obtain the feature "wherein less than all avatars comprise <u>avatars not known to the at least one user</u>" by swapping of human participants for machine-controlled participants and vice versa, and substituting one human participant for another human participant as disclosed by *Chimes, (see par. 0088 through par. 0094, swapping of human participants for machine-controlled participants and vice versa, and substituting one human participant*

for another human participant result in the avatars not known to the at least one user),

and therefore providing a more interesting gameplay.

Regarding claim 10, Chimes discloses the method of claim 1.

Chimes is silent as to wherein the new instance <u>is empty of objects</u> when

initiated; however it would have been obvious to one of ordinary skill in the art before

the effective filing date of the claimed invention to obtain the feature "wherein the new

instance <u>is empty of objects</u> when initiated" by swapping of human participants for

machine-controlled participants and vice versa, as disclosed by *Chimes, (see par. 0088*

through par. 0094, swapping *of human participants for machine-controlled participants*

and vice versa result in the new instance being empty of objects) and therefore

providing a more interesting gameplay.

10.   Claim 9 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over

Chimes, as applied to claim 1 above, in view of Shuster et al. (US Publication

2013/0044106) (hereinafter Shuster).

Regarding claim 9, Chimes discloses the method of claim 1.

Chimes does not explicitly disclose wherein the new instance <u>of</u> the scene is

three-dimensional.

Shuster discloses wherein the new instance <u>of</u> the scene is three-dimensional

(*Shuster, par. 0356, instantiating an instance of the requested 3D scene*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Shuster's feature into Chimes' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

11.   Claim 11 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes, as applied to claim 1 above, in view of Sobel (US Publication 2006/0028476).

Regarding claim 11, Chimes discloses the method of claim 1.

Chimes does not explicitly disclose wherein objects of the new instance <u>have a different degree of shading, color, clothing or different theme from</u> the objects of the recorded experience.

Sobel discloses wherein objects of the new instance <u>have a different degree of shading, color, clothing or different theme from</u> the objects of the recorded experience (*Sobel, par. 0006, a rendered view of an object may be substituted by a solid color, such as green in a virtual environment*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Sobel's feature into Chimes' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

12.   Claim 12 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes, as applied to claim 1 above, in view of Kurabayashi et al. (US Publication 2012/0143361) (hereinafter Kurabayashi).

Regarding claim 12, Chimes discloses the method of claim 1.

Chimes does not explicitly disclose wherein the objects are distinguishable based on audio.

Kurabayashi discloses wherein the objects are distinguishable based on audio (Kurabayashi, *par. 0064, virtual objects may be distinguished according to corresponding sound files*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Kurabayashi's feature into Chimes' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

13.   Claim 20 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Reisner-Kollmann et al. (US Publication 2015/0062120) (hereinafter Reisner-Kollmann).

Regarding claim 20, this claim comprises limitations substantially the same as claim 1; therefore it is rejected by Chimes for the same reasons set forth.

However, Chimes does not explicitly disclose <u>wherein objects of the new instance of the scene are hidden</u>.

Reisner-Kollmann discloses <u>wherein objects of the new instance of the scene are</u>

<u>hidden</u> (*Reisner-Kollmann, par. 0099, allow for virtual objects to be hidden from view*).

It would have been obvious to one of ordinary skill in the art before the effective

filing date of the claimed invention to incorporate Reisner-Kollmann's feature into

Chimes' invention for enhancing viewer's playing experience by ensuring that a virtual

object does not collide with other virtual objects.

Conclusion

14.   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.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to WILLIAM TRAN whose telephone number is (571)270-

5645. The examiner can normally be reached on Monday-Friday 8:00-5:00, first Friday

of bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/WILLIAM TRAN/
Primary Examiner, Art Unit 2484

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2006/0028476 A1	02-2006	Sobel; Irwin	G06T13/00	345/474
*	B	US-2012/0143361 A1	06-2012	Kurabayashi; Shuichi	G06T19/006	700/94
*	C	US-2013/0083062 A1	04-2013	Geisner; Kevin A.	G02B27/017	345/633
*	D	US-2015/0062120 A1	03-2015	Reisner-Kollmann; Irene	G06T7/0042	345/419
	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	CPC 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.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

CPC- SEARCHED

Symbol	Date	Examiner
(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553)	11/1/2015	LT

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
386	230	11/1/2015	LT
345	419	11/1/2015	LT
715	757	11/1/2015	LT

SEARCH NOTES

Search Notes	Date	Examiner
Name search	11/1/2015, 06/01/2016	LT
CPC search	11/1/2015, 06/01/2016	LT
Classified search	11/1/2015, 06/01/2016	LT
EAST search	11/1/2015, 06/01/2016	LT

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

	/WILLIAM TRAN/ Primary Examiner.Art Unit 2484

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S20	2	"20160049003".pn.	US-PGPUB; DERWENT	OR	OFF	2016/06/01 16:47
S21	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (previous$2 past recorded) with (instance experience input$1 gameplay) with (information data state) same ((navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) with (chang$3 updat$3 modify$3)) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:02
S22	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (previous$2 past recorded) with (instance experience input$1 gameplay) with (information data state) same ((navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) with (chang$3 updat$3 modify$3)) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT	OR	ON	2016/06/01 18:03
S23	0	((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (previous$2 past recorded) with (instance experience input$1 gameplay) with (information data state) same ((navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) with (chang$3 updat$3 modify$3)) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:03
S24	0	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (previous$2 past recorded) with (instance experience input$1 gameplay) same ((navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) with (chang$3 updat$3 modify$3)) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:04

S25	0	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (previous$2 past recorded) with (instance experience input$1 gameplay) same ((navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) with (chang$3 updat$3 modify$3)) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT	OR	ON	2016/06/01 18:05
S26	1	((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (previous$2 past recorded) with (instance experience input$1 gameplay) same ((navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) with (chang$3 updat$3 modify$3)) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:06
S27	176	((play$3 replay$3 playback instantiat$3 initiat$3 navigat$3 step$3) with (previous$2 past recorded) with (instance experience input$1 gameplay) same (chang$3 updat$3 modify$3) with (state position orientation location) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:11
S28	169	S27 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:12
S29	4	("20040204230" | "6231443" | "8088012" | "8298059").PN.	US-PGPUB; USPAT	OR	OFF	2016/06/01 18:35
S30	6	("20040204230" | "20060148571" | "20080004095" | "20140194211" | "5261820" | "8088012").PN.	US-PGPUB; USPAT	OR	OFF	2016/06/01 18:36
S31	65	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((record$3 stor$3 sav$3) with (portion limited part) with (state$1 position$1) with (instance experience input$1 gameplay) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:56
S32	64	S31 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 18:57
S33	1	("8088012").PN.	USPAT	OR	OFF	2016/06/01 19:52
S34	4	("20060148571" | "20040204230" |	US-PGPUB;	OR	OFF	2016/06/01

		"5261820" | "20080004095").PN.	USPAT			19:53
S35	45	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((record$3 stor$3 sav$3) with (partial subset number) with (state$1 position$1) with (instance experience input$1 gameplay) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 19:59
S36	45	S35 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:00
S37	36	((record$3 stor$3 sav$3) with (partial subset number) with (state$1 position$1) with (instance experience input$1 gameplay) and (instantiat$3 adj6 instance) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:01
S38	27	S37 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:02
S39	54	((record$3 stor$3 sav$3) with (partial subset number portion part) with (state$1 position$1) with (instance experience input$1 gameplay) and (instantiat$3 adj6 instance) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:04
S40	38	S39 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:04
S41	20	((record$3 stor$3 sav$3) with (partial subset number portion part) with (state$1 position$1 orientation) with (instance experience input$1 gameplay) and (instantiat$3 adj6 instance) and (virtual near6 (world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:07
S42	15	S41 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:08
S43	234	(record$3 stor$3 sav$3) with (partial	US-PGPUB;	OR	ON	2016/06/01

		subset number portion part) with (state$1 position$1 orientation) with (instance experience input$1 gameplay) and (instantiat$3 adj6 instance)	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			20:10
S44	217	S43 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:10
S45	9295	(record$3 stor$3 sav$3) near6 (partial subset number portion part) near6 (state$1 position$1 orientation) with (instance experience input$1 gameplay)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:26
S46	2931	(record$3 stor$3 sav$3) adj2 (partial subset number portion part) near6 (state$1 position$1 orientation) with (instance experience input$1 gameplay)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:27
S47	662	(record$3 stor$3 sav$3) adj2 (subset number portion part) adj6 (state$1 position$1 orientation) near6 (instance experience input$1 gameplay)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:28
S48	643	S47 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/01 20:29
S49	31	object$1 near8 (identified identify$3 distinguish$3) near8 (sound audio) same (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 00:47
S50	30	S49 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 00:47
S51	117	object$1 near8 (substituted replaced) same (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2016/06/02 01:08

			IBM_TDB			
S52	111	S51 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:08
S53	12	object$1 adj6 (substituted) same (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:09
S54	12	S53 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:09
S55	50	object$1 adj6 (substituted) adj6 object$1 and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:14
S56	48	S55 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:15
S57	310	(substitut$3 replac$3) near8 (virtual adj2 object$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:20
S58	305	S57 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:20
S59	65	substitut$3 near8 (virtual adj2 object$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 01:22
S60	64	S59 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS;	OR	ON	2016/06/02 01:22

			EPO; JPO; DERWENT; IBM_TDB			
S61	19	object$1 near8 hidden near8 instance and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:37
S62	19	S61 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:37
S63	4	object$1 near8 (hide hiding) near8 instance and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:45
S64	4	S63 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:46
S65	1050	object$1 adj6 hidden and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:49
S66	73	object$1 adj6 hidden same instance and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:49
S67	104	(object$1 adj6 (hidden concealed covered)) same instance and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:51
S68	99	S67 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/06/02 02:51

6/ 2/ 2016 10:29:15 AM

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	Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
		14457828	SHUSTER ET AL.
		Examiner	Art Unit
		WILLIAM TRAN	2484

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

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

CLAIM		DATE								
Final	Original	11/02/2015	06/01/2016							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

CONFIRMATION NO. 1033

112918
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PUBLICATION NOTICE

OC000000080708352

Title:METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

Publication No.US-2016-0049003-A1
Publication Date:02/18/2016

NOTICE OF PUBLICATION OF APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Brian SHUSTER, et al.

Application No.: 14/457,828

Filing Date: 08/12/2014

Examiner: Loi H. TRAN

Art Unit: 2484

Conf. No: 1033

Title: METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being submitted *via* the USPTO EFS Filing System on the date shown below to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: February 8, 2016   By: /Naji Alshikhaita/

Naji Alshikhaiti

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 35 U.S.C. 132 AND 37 C.F.R. 1.111

To Whom It May Concern:

Responsive to the non-final Office Action dated November 6, 2015, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

AMENDMENTS TO THE CLAIMS

Claims 8, 13-14 and 17-18 are original. Claims 1-7, 9-12, 15-16 and 19-20 are amended as follows:

1.   (Currently Amended) A method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance;

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, wherein not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file; and

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period.

2.   (Currently Amended) The method of claim 1, wherein ~~movement by avatars associated with the at least one client device within the new instance is limited by~~ objects that are not recorded are substituted with other objects during playback of the recorded experience.

3.   (Currently Amended) The method of claim 1, wherein the ~~at least one client device is associated with one of: an observer navigating through the new instance and an avatar navigating through the new instance~~ the recorded experience file comprises less than all boundaries of the initial scene state.

4.   (Currently Amended) The method of claim 1, wherein the ~~subsequent~~

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~~changes are stored one or more of: a series of frames and changes associated with times at which the changes occurred over the time period~~ recorded experience file comprises private messages selected for saving.

5.   (Currently Amended)   The method of claim 1, ~~comprising, in response to receiving data from the at least one client device requesting changes to the new instance, providing data representing the changes to the at least one client device including at least position and orientation of objects rendered in the new instance~~ wherein the recorded experience file comprise less than all avatars of the initial scene state.

6.   (Currently Amended)   The method of claim [[1]]5, wherein the ~~recorded experience is edited prior to playback~~ less than all avatars comprise avatars not known to the at least one user.

7.   (Currently Amended)   The method of claim 1, ~~wherein the recorded experience is played back in response to one or more of: a user request, a threshold number of users waiting to view the recorded experience being reached and a time interval expiring~~ further comprising instantiating a new instance when the recorded experience is modified by skipping a portion of the recorded experience.

8.   (Original)   The method of claim 1, wherein other client devices may join the new instance after the recorded experience has begun playing back.

9.   (Currently Amended)   The method of claim 1, wherein the new instance of the scene is three- dimensional.

10.   (Currently Amended)   The method of claim 1, wherein the new instance ~~comprises at least one~~ is empty of object~~s~~ when initiated.

11.   (Currently Amended)   The method of claim 1, wherein objects of the new instance ~~are distinguishable~~ have a different degree of shading, color, clothing or different

theme from the objects of the recorded experience.

12.   (Currently Amended) The method of claim [[11]]1, wherein the objects are distinguishable based on ~~appearance or~~ audio.

13.   (Original) The method of claim 1, wherein the recorded experience file does not include objects that have opted out.

14.   (Original) The method of claim 13, wherein the recorded experience is editable to replace objects that have opted out of the recorded experience with replacement objects.

15.   (Currently Amended) The method of claim 14, wherein the replacement of objects ~~are one or more of: selectable and~~ is automated.

16.   (Currently Amended) The method of claim [[5]]1, comprising, in response to receiving data from the at least one client device requesting changes to the new instance, generating a new recorded experience file comprising an initial scene state of the new instance and data representing subsequent changes and respective times during a time period of the new instance.

17.   (Original) The method of claim 1, comprising instantiating, using the one or more processors of the server, a second new instance of a scene, the second new instance being defined by data stored in the memory, at least one client device displaying and participating in the new instance; retrieving from the memory and rendering for playback the recorded experience file and the new recorded experience file.

18.   (Original) A non-transitory computer-readable medium comprising instructions executable on the one or more processors for implementing the method of claim 1.

19.   (Currently Amended) A virtual worlds system for playing back a recorded experience, comprising:

one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein the new instance comprises not all boundaries of the scene, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, one or more recorded experience files comprising the recorded initial scene state and the subsequent recorded changes being stored in memory of the one or more servers; and

one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance.

20.   (Currently Amended) An apparatus for playing back a recorded experience in a virtual worlds system, comprising:

one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance, wherein objects of the new instance of the scene are hidden;

memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period.

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REMARKS

Applicants and their representative wish to thank Examiner Tran for the thorough examination of the present application and the detailed explanations in the Office Action dated November 6, 2015 (the "Office Action"). The Examiner's concerns have been given serious consideration. However, in view of the present amendments and remarks, Applicant believes the present claims are allowable over the cited references.

Claims 8, 13-14 and 17-18 are original. Claims 1-7, 9-12, 15-16 and 19-20 have been amended. Claims 1, 19 and 20 are independent claims.

As amended, the claims in the present application relate to a method of playing back a recorded experience in a virtual worlds system, comprising: (i) instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance; (ii) retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience, wherein not all contents of the initial scene state and/or the subsequent changes have been saved in the recorded experience file; and (iii) playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period. See amended Claim 1.

The claims in the present application also relate to a virtual worlds system for playing back a recorded experience, comprising: (i) one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers, wherein the new instance comprises not all boundaries of the scene, and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, one or more recorded experience files comprising the recorded initial scene state and the subsequent recorded changes being stored in memory of the one or more servers; and (ii) one or more client devices in

communication with the one or more servers, the one or more client devices participating in the new instance. See amended Claim 19.

Further, the claims in the present application also relate to an apparatus for playing back a recorded experience in a virtual worlds system, comprising: (i) one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance, wherein objects of the new instance of the scene are hidden; (ii) memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period. See amended Claim 20.

The references cited against the previously-filed claims, Chimes et al., U.S. Pat. Pub. No. 2014/0194211 published July 10, 2014 ("Chimes"), Suzman et al., U.S. Pat. Pub. No. 2015/0050997, published February 19, 2015 ("Suzman"), Shuster et al., U.S. Pat. Pub. No. 2013/0044106, published February 21, 2013 ("Shuster"), and Hamilton et al., U.S. Pat. Pub. No. 2011/0055726, published March 3, 2011 ("Hamilton") neither disclose or suggest, at minimum, (i) playing back the recorded experience file by rendering objects of the initial scene state **in the new instance** and rendering updates **to the initial scene state based on the subsequent changes**, as recited in amended Claim 1, and similarly in amended Claims 19 and 20; (ii) **not all contents of initial scene state and/or the subsequent changes have been saved in the recorded experience file**, as recited in amended Claim 1; (iii) **the new instance comprises not all boundaries of the scene**, as recited in amended Claims 19; or (iv) **objects of the new instance of the scene are hidden**, as recited in amended Claim 20.

Thus Claims 1, 19 and 20, and all claims depending from Claims 1, 19 and 20 are patentable over the cited references.

I.   Rejection of Claims 1, 3, 5-8, 10-11 and 13-20 Under Pre-AIA 35 U.S.C. 102(a)

The rejection of Claims 1, 3, 5-8, 10, 11 and 13-20 under pre-AIA 35 U.S.C. 102(a) as being anticipated by Chimes is respectfully traversed. Claims 1, 19 and 20 are independent Claims and have been amended. Claims 3, 5-8, 10, 11 and 13-18 depend from Claim 1.

The rejections are based, at least in part, on a finding that Chimes discloses all of the limitations of independent Claims 1, 19 and 20. Office Action, pp. 3 and 7. Applicant respectfully disagrees.

The invention claimed in the present application is distinguishable from the invention disclosed in Chimes. Chimes discloses methods, computer-readable media and devices for restoring gameplay by replaying past inputs. Chimes, Abstract. Electronic records of gameplay are generated based on different portions of different past instances of gameplay. Participants may then engage in one or more instances of gameplay whose **initial state** is a state that existed at some specific point in time of the first instance or subsequent instances of the gameplay. Id, paras. [0045] and [0046]. In other words, Chimes discloses that past gameplay is displayed to candidate participants that may participate in **subsequent** gameplay. See e.g., Chimes, FIG. 2 and para. [0022], stating that "The newplay phase is the phase, after the replay phase, in which participants play the game starting from the target point state"; see also Chimes, para. [0058].

However, the claims of the instant invention recite playback of objects of the recorded experience file in a new instance, allowing users of the least one client device to participate in **the recorded experience file** (as opposed to participating in subsequent play), thereby allowing updates to the initial scene state based on subsequent changes. Chimes does not disclose or suggest playing back the recorded experience file by rendering objects of the initial scene state **in the new instance** and rendering updates **to the initial scene state** based on the subsequent changes over the time period, as recited in Claim 1 and similarly in Claims 19 and 20.

Notwithstanding these differences, Claims 1, 19 and 20 have been amended to further distinguish these claims from Chimes. In addition to the foregoing, Chimes also does not disclose or suggest that (i) **not all contents of initial scene state and/or the subsequent changes have been saved in the recorded experience file**, as recited in amended Claim 1, (ii)

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the new instance comprises not all boundaries of the scene, as recited in amended Claims 19, or (iii) **objects of the new instance of the scene are hidden**, as recited in amended Claim 20.

For the above reasons, Claims 1, 19 and 20, and Claims 3, 5-8, 10, 11 and 13-20, which depend from Claim 1, are patentable over Chimes.

Applicants respectfully request that the rejections be withdrawn.

II.   Rejection of Claims 2, 4, 9 and 12 under Pre-AIA 35 U.S.C. 103(a)

Claim 2 stands rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Suzman. Claim 4 stands rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Official Notice. Claim 9 stands under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Shuster. Claim 12 stands under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Chimes in view of Hamilton. These rejections are respectfully traversed.

Chimes is discussed above. Suzman is cited for teaching movement by avatars is limited by objects of the recorded experience. Office Action, p. 8. Specifically, Suzman discloses permitting a player to draw an object and replenish a resource required to create an instance of the object by navigating a player avatar to a predetermined resource supply object. Suzman, para. [0009]. The Office Action takes Official Notice that it is well known in the art to store changes of a scene in a series of frames. Office Action, p. 9. Shuster is cited for disclosing that a new instance of a scene may be three-dimensional. Office Action, p. 10; see also, Shuster, para. [0356]. Hamilton is cited for teaching that objects are distinguishable based on appearance or audio. Office Action, p. 10; see also Hamilton, para. [0039], which discloses that a rendering component may change the shape or decrease the complexity of an object (an avatar) to reduce the potential load on the server.

However, Chimes, Suzman, the Official Notice, Shuster and Hamilton, alone or in combination, neither disclose or suggest that (i) playing back the recorded experience file by rendering objects of the initial scene state **in the new instance** and rendering updates **to the initial scene state** based on the subsequent changes over the time period, as recited in Claims 1 and similarly in Claims 19 and 20; (ii) **not all contents of initial scene state and/or the subsequent changes have been saved in the recorded experience file**, as recited in amended Claim 1, (iii) **the new instance comprises not all boundaries of the scene**, as recited

in amended Claims 19, or (iv) **objects of the new instance of the scene are hidden**, as recited in amended Claim 20.

Thus, independent Claims 1, 19 and 20, and Claims 2, 4, 9 and 12, which depend from Claim 1, are patentable over the cited references. Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

Date: __February 8 , 2016__   /Sherrie M. Flynn/
                                     Sherrie M. Flynn
                                     Reg. No. 62,066

Coleman & Horowitt, LLP
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Electronic Acknowledgement Receipt

EFS ID:	24857809
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	112918
Filer:	Sherrie Marie Flynn
Filer Authorized By:	
Attorney Docket Number:	PAT 102879-2
Receipt Date:	08-FEB-2016
Filing Date:	12-AUG-2014
Time Stamp:	18:56:59
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		ResptoOAdated_11-06-15.pdf	137389 241f0d857d51146a412431d4e5bbe8a7c26 0062b	yes	10

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	5
Applicant Arguments/Remarks Made in an Amendment	6	10

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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.

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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	
14/457,828	08/12/2014	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT	**02/08/2016**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	x $40 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	x $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

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

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

LIE
/RUTH LLOYD/

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14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

CONFIRMATION NO. 1033

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POA ACCEPTANCE LETTER

OC000000080365349

Date Mailed: 02/05/2016

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/25/2016.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the
requirements it sets forth should be directed to the Office
of Data Management, Application Assistance Unit, at
(571) 272-4000 or **(571) 272-4200** or **1-888-786-0101**.

/sleutchit/

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

CONFIRMATION NO. 1033

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CANADA

POWER OF ATTORNEY NOTICE

OC000000080365325

Date Mailed: 02/05/2016

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/25/2016.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

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requirements it sets forth should be directed to the Office
of Data Management, Application Assistance Unit, at
(571) 272-4000 or **(571) 272-4200** or **1-888-786-0101**.

/sleutchit/

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

☑ Practitioners associated with Customer Number: | **112918**

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

☑ The address associated with Customer Number: | **112918**

OR

☐

Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address: Utherverse Digital, Inc.
2985 Virtual Way, Suite 150
Vancouver BC V5M 4X7 Canada

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature	*(signature)*	Date	6/12/2015
Name	Brian Shuster	Telephone	778-668-4962
Title	Utherverse Digital, Inc. CEO		

Electronic Acknowledgement Receipt

EFS ID:	24711068
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	28278
Filer:	Sherrie Marie Flynn/Naji Alshikhaiti
Filer Authorized By:	Sherrie Marie Flynn
Attorney Docket Number:	PAT 102879-2
Receipt Date:	25-JAN-2016
Filing Date:	12-AUG-2014
Time Stamp:	12:46:35
Application Type:	Utility under 35 USC 111(a)

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	PowerOfAttorney_Utherverse_signed.pdf	234528 fe672fa7e49ed57f083a2ea70519b57aa82e7bac	no	1

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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.

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

CONFIRMATION NO. 1033

28278
BORDEN LADNER GERVAIS (Vancouver)
1200 WATERFRONT CENTRE
200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

MISCELLANEOUS NOTICE

OC000000079041250

Date Mailed: 12/03/2015

A communication which cannot be delivered in electronic form has been mailed to the applicant.

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 NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

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200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

OC000000079041250

Cc: COLEMAN & HOROWITT, LLP
499 W. SHAW AVE., STE. 116
FRESNO, CA 93704

Date Mailed: **12/03/2015**

DENIAL OF REQUEST FOR POWER OF ATTORNEY

The request for Power of Attorney filed 11/24/2015 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.

☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.

☐ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(c) has not been received.

☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.

☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.

☐ The signature(s) of _____, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).

☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.

☐ Only one Customer Number can be designated for the Power of Attorney in an application. The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.

UNITED STATES PATENT AND TRADEMARK OFFICE

❏ A request under 37 CFR 1.48 to add an inventor was granted in this application, however, no power of attorney consistent with the power of attorney granted by the originally named inventive entity has been received. Thus, the addition of the inventor has resulted in the loss of power of attorney in the application. See 37 CFR 1.32(e).

☒ The power of attorney has not been accepted because the party who is giving power of attorney has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A patent owner who was not the applicant must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).

❏ The power of attorney from the inventors has not been accepted because it is a copy from a prior national application for which benefit is claimed and the continuing application names an inventor who was not named as an inventor in the prior application.

❏ The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).

☒ Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

Any inquiries regarding this notice should be directed to the Application Assistance Unit at 571-272-4200.

Application Assistance Unit
571-272-4200

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

☒ Practitioners associated with Customer Number: | 112918

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned <u>only</u> to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

☒ The address associated with Customer Number: | 112918

OR

☐	Firm or Individual Name	
	Address	
	City	State	Zip
	Country	
	Telephone	Email

Assignee Name and Address: Brian Shuster
1328 Marinaside Crescent, Apt #1002
Vancouver BC V6Z 3B3 Canada

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature	*(signature)*	Date	
Name	Brian Shuster	Telephone	
Title	Inventor		

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

■ Practitioners associated with Customer Number: **112918**

OR

☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

■ The address associated with Customer Number: **112918**

OR

☐

Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address: Aaron Burch
2985 Virtual Way, Suite 150
Vancouver, BC V5M 4X7

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date November 03, 2015
Name	Aaron Burch	Telephone
Title	Inventor	

Electronic Acknowledgement Receipt

EFS ID:	24185721
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	28278
Filer:	Sherrie Marie Flynn/Naji Alshikhaiti
Filer Authorized By:	Sherrie Marie Flynn
Attorney Docket Number:	PAT 102879-2
Receipt Date:	24-NOV-2015
Filing Date:	12-AUG-2014
Time Stamp:	18:58:38
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	PowerOfAttorney_BShuster_Signed.pdf	636559 fa53205b1a429c170df5bfdf482e4131d75e923c	no	1

Warnings:

The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing

Information:

2	Power of Attorney	PowerOfAttorney_ABurch_Signed.pdf	862300	no	1
			707c2b4a13bb17568bf05951c179709792fac39f		

Warnings:

Information:

Total Files Size (in bytes):	1498859

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.

<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.

<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.

<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.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2	1033

28278   7590   11/06/2015
BORDEN LADNER GERVAIS (Vancouver)
1200 WATERFRONT CENTRE
200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

EXAMINER
TRAN, LOI H

ART UNIT	PAPER NUMBER
2484	

NOTIFICATION DATE	DELIVERY MODE
11/06/2015	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):

IPMailVancouver@blg.com

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *8/12/2014*.
  ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-20* is/are pending in the application.
  5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☒ The drawing(s) filed on *8/12/2014* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

  a)☐ All   b)☐ Some** c)☐ None of the:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
  Paper No(s)/Mail Date _____.

3)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

4)☐ Other: _____.

DETAILED ACTION

1.   The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

2.   In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

Claim Rejections - 35 USC § 102

3.   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 –

(a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

(a)(2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention.

4.   **Claims 1, 3, 5-8, 10, 11, 13-20 are rejected under AIA 35 U.S.C. 102a(1)(2) as being anticipated by Chimes et al. (US Publication 2014/0194211) (hereinafter Chimes).**

Regarding claim 1, Chimes discloses a method of playing back a recorded experience in a virtual worlds system, comprising:

instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance (*Chimes, par. 0052, a participant may start a new instance of a gameplay by selecting a replay file comprising records of past game instance*);

retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience (*Chimes, par. 0053, loading/retrieving a game state from records of the past game instance; par. 0043 through par. 0051, and par. 0073, disclose records of past gameplay over different particular time periods and in multiple times*); and

playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period (*Chimes, par. 0053 through par. 0056, replay of past instance by displaying objects of the past instance and displaying change in states of objects in response to new inputs from participants over time period*).

Regarding claim 3, Chimes discloses the method of claim 1, wherein the at least one client device is associated with one of: an observer navigating through the

new instance and an avatar navigating through the new instance (*Chimes, par. 0052, a*

participant navigating through new instance of a gameplay).

Regarding claim 5, Chimes discloses the method of claim 1, comprising, in

response to receiving data from the at least one client device requesting changes to the

new instance, providing data representing the changes to the at least one client device

including at least position and orientation of objects rendered in the new instance

(*Chimes, par's 0028 and 0032, capture logic periodically saves states of states of game*

objects and other states of the game; the saved states may include unit locations, unit

movements; the captured participant inputs may have caused units to move, attack,

hold position).

Regarding claim 6, Chimes discloses the method of claim 1, wherein the

recorded experience is edited prior to playback (*Chimes, par. 0046, a game may have*

been played multiple times from a given target point or from multiple target points as

part of multiple past game instances).

Regarding claim 7, Chimes discloses the method of claim 1, wherein the

recorded experience is played back in response to one or more of: a user request, a

threshold number of users waiting to view the recorded experience being reached and a

time interval expiring (*Chimes, par. 0024, a user request*).

Regarding claim 8, Chimes discloses the method of claim 1, wherein other client devices may join the new instance after the recorded experience has begun playing back (*Chimes, par's 0037, 0052, 0067, other participants may join*).

Regarding claim 10, Chimes discloses the method of claim 1, wherein the new instance comprises at least one object when initiated (*Chimes, par. 0058, new instance comprises an object*).

Regarding claim 11, Chimes discloses the method of claim 1, wherein objects of the new instance are distinguishable from the objects of the recorded experience (*Chimes, par. 0088 through par. 0092, changing/customizing objects in new instance*).

Regarding claim 13, Chimes discloses the method of claim 1, wherein the recorded experience file does not include objects that have opted out (*Chimes, par's 0092 and 0093, phasing out objects of removed participants*).

Regarding claim 14, Chimes discloses the method of claim 13, wherein the recorded experience is editable to replace objects that have opted out of the recorded experience with replacement objects (*Chimes, par's 0092 and 0093, adding new objects and phasing out objects of removed participants*).

Regarding claim 15, Chimes discloses the method of claim 14, wherein the

replacement objects are one or more of: selectable and automated (*Chimes, par's 0092*

and 0093, adding new objects and phasing out objects of removed participants are

selectable).

Regarding claim 16, Chimes discloses the method of claim 5, comprising

generating a new recorded experience file comprising an initial scene state of the new

instance and subsequent changes and respective times during a time period of the new

instance (*Chimes, par's 0022, the newplay phase is the phase, after the replay phase,*

in which participants play the game starting from the target state. Input during the

newplay phase is from live action, rather than from previously-captured input; par. 0051,

the computing devices store starting conditions for gameplay in electronic records. Te

computing devices receive inputs from participants during gameplay, and, in response

to the inputs, in addition to triggering actions in the game, store the inputs in the

electronic records. At particular times, the computing devices also store, in the

electronic records, states that the game objects were in at the particular times).

Regarding claim 17, Chimes discloses the method of claim 1, comprising

instantiating, using the one or more processors of the server, a second new instance of

a scene, the second new instance being defined by data stored in the memory, at least

one client device displaying and participating in the new instance; retrieving from the

memory and rendering for playback the recorded experience file and the new recorded

experience file (*Chimes, par. 0046, electronic records of past gameplay are stored as*

trees that are created from different and possibly overlapping instances of past

gameplay. For example, a game may have been played multiple times from a given

target point or from multiple target points as part of multiple past game instances. Each

of these past game instances may be stored together in the same package of electronic

records. Therefore a second new instance of a gameplay can be initiated, the second

new instance being defined by data stored in the memory, at least one device displaying

and participating in the new instance; retrieving from the memory and rendering for

playback the recorded past gameplay and the new recorded gameplay).

Regarding claims 18-20, these claims comprise limitations substantially the

same as claim 1; therefore they are rejected for the same reasons set forth.

Claim Rejections - 35 USC § 103

5.   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 negatived by the manner in which the
> invention was made.

The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1,148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness

under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating
   obviousness or nonobviousness.

6.   **Claim 2 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over**

Chimes, as applied to claim 1 above, in view of Suzman et al. (US Publication

2015/0050997) (hereinafter Suzman).

Regarding claim 2, Chimes discloses the method of claim 1, wherein a

participant or a machine-controlled participants is associated with the at least one client

device within the new instance (*see Chimes, par. 0043, associating a participant or*

machine-controlled participants with a new instance of gameplay).

Chimes does not explicitly disclose wherein movement by avatars associated

with the at least one client device is limited by objects of the recorded experience.

Suzman discloses wherein movement by avatars associated with the at least one

client device is limited by objects of the recorded experience (*Suzman, par. 0009,*

movement of avatar in a virtual world can be limited by objects created within).

It would have been obvious to one of ordinary skill in the art before the effective

filing date of the claimed invention to incorporate Suzman's feature into Chimes'

invention for enhancing viewer's playing experience by providing a creative virtual game

environment.

7.   **Claim 4 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over**

Chimes, as applied to claim 1 above, in view of Official Notice.

Regarding claim 4, Chimes discloses the method of claim 1, wherein the subsequent changes are stored and associated with times at which the changes occurred over the time period (Chimes, *par. 0030, capture logic also captures participant inputs that were received or executed between the periodically captured states. Captured inputs may include directives, instructions, or other decisions or selections communicated by the participant to the game engine during gameplay, or any other inputs that trigger network communications or contribute to changes in game states. The capture logic stores the captured information in electronic records of periods of the gameplay*).

Chimes does not explicitly disclose wherein the subsequent changes are stored in a series of frames.

Official Notice is taken as it is well known in the art to store changes of a scene in a series of frames. Therefore it would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate the well-known technique of storing changes of a scene in a series of frames into Chimes' invention for effectively recording state of a gameplay.

8.   **Claim 9 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes, as applied to claim 1 above, in view of Shuster et al. (US Publication 2013/0044106) (hereinafter Shuster).**

Regarding claim 9, Chimes discloses the method of claim 1.

Chimes does not explicitly disclose wherein the new instance the scene is three-dimensional.

Shuster discloses wherein the new instance the scene is three- dimensional (*Shuster, par. 0356, instantiating an instance of the requested 3D scene*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Shuster's feature into Chimes' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

9.   Claim 12 is rejected under AIA 35 U.S.C. 103(a) as being unpatentable over Chimes, as applied to claim 1 above, in view of Hamilton et al. (US Publication 2011/0055726) (hereinafter Hamilton).

Regarding claim 12, Chimes discloses the method of claim 1.

Chimes does not explicitly disclose wherein the objects are distinguishable based on appearance or audio.

Hamilton discloses wherein the objects are distinguishable based on appearance or audio (*Hamilton, par. 0039, rendering component is configured to modify the geometric shape of the object in the virtual universe*).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate Hamilton's feature into Chimes' invention for enhancing viewer's playing experience by providing a richer virtual game environment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM TRAN whose telephone number is (571)270-5645. The examiner can normally be reached on Monday-Friday 8:00-5:00, first Friday of bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/WILLIAM TRAN/
Primary Examiner, Art Unit 2484

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited		14/457,828	SHUSTER ET AL.
		Examiner	Art Unit	
		WILLIAM TRAN	2484	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2011/0055726 A1	03-2011	Hamilton, II; Rick A.	G06F3/04815	715/753
*	B	US-2013/0044106 A1	02-2013	Shuster; Brian	G06T19/20	345/419
*	C	US-2014/0194211 A1	07-2014	Chimes; Carl	A63F13/497	463/43
*	D	US-2015/0050997 A1	02-2015	Suzman; Ted	A63F13/10	463/31
	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	CPC 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.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)   **Notice of References Cited**   Part of Paper No. 20151031

UNITED STATES PATENT AND TRADEMARK OFFICE

BIB DATA SHEET

CONFIRMATION NO. 1033

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
14/457,828	08/12/2014	386	2484	PAT 102879-2
	RULE			

APPLICANTS
UTHERVERSE DIGITAL INC., Vancouver, CANADA

INVENTORS
Brian SHUSTER, Vancouver, CANADA;
Aaron BURCH, Vancouver, CANADA;

** CONTINUING DATA *************************

** FOREIGN APPLICATIONS ************************

** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **
08/20/2014

Foreign Priority claimed ☐ Yes ☑ No			STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
35 USC 119(a-d) conditions met ☐ Yes ☐ No	☐ Met after Allowance					
Verified and Acknowledged /WILLIAM H TRAN/ Examiner's Signature	Initials		CANADA	9	20	3

ADDRESS

BORDEN LADNER GERVAIS (Vancouver)
1200 WATERFRONT CENTRE
200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

TITLE

METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

FILING FEE RECEIVED 800	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees
		☐ 1.16 Fees (Filing)
		☐ 1.17 Fees (Processing Ext. of time)
		☐ 1.18 Fees (Issue)
		☐ Other _____
		☐ Credit

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

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

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

CLAIM		DATE								
Final	Original	11/02/2015								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
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	14	✓								
	15	✓								
	16	✓								
	17	✓								
	18	✓								
	19	✓								
	20	✓								

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	39	instantiat$3 with instance with (virtual adj2 (world reality))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/28 18:24
S2	39	S1 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/28 18:25
S3	481	(instantiat$3 generat$3 creat$3) with instance with (virtual adj2 (world reality environment))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/10/31 02:26
S4	138	(play$3 instantiat$3) with instance with (information data state) with (previous past recorded) with (instance experience) and (virtual near6 (environment world reality))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 09:57
S5	138	S4 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 09:58
S6	42	(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553).cpc. and ((play$3 instantiat$3 initiat$3) with instance with (information data state) with (previous$2 past recorded) with (instance experience input$1 gameplay) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 18:15
S7	42	S6 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2015/11/01 18:16

			IBM_TDB			
S8	12	(345/419.ccls. or 715/757.ccls. or 386/230.ccls) and ((play$3 instantiat$3 initiat$3) with instance with (information data state) with (previous$2 past recorded) with (instance experience input$1 gameplay) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT	OR	ON	2015/11/01 18:22
S9	12	S8 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 18:22
S10	200	((play$3 replay$3 playback instantiat$3 initiat$3) with instance with (information data state) with (previous$2 past recorded) with (instance experience input$1 gameplay) and (virtual near6 (environment world reality universe)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 18:28
S11	200	S10 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 18:28
S12	51	(chang$3 modify$3 alter$3) near6 (shape dimension form structure appearance) near6 object$1 with instance and (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 22:27
S13	51	S12 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 22:27
S14	316	(chang$3 modify$3 alter$3) near6 (shape dimension form structure appearance) near6 object$1 same (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 22:31
S15	315	S14 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/01 22:32
S16	7	avatar with navigat$3 with object$1 with instance$1	US-PGPUB; USPAT; USOCR; FPRS;	OR	ON	2015/11/02 00:04

			EPO; JPO; DERWENT; IBM_TDB			
S17	7	S16 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/02 00:04
S18	472	instance with (3D "3"$1D) same (virtual near6 (environment world reality universe))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/02 00:59
S19	470	S18 and (@ad < "20140812" @rlad < "20140812")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/11/02 01:00

11/2/2015 2:21:21 AM
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14457828	SHUSTER ET AL.
	Examiner	**Art Unit**
	WILLIAM TRAN	2484

CPC- SEARCHED

Symbol	Date	Examiner
(H04N5/775 G11B27/34 H04N5/85 H04N9/8042 G11B27/105 A63F13/12 A63F9/24 A63F13/12 G06F3/04815 G06F3/011 H04L29/06034 A63F2300/5553)	11/1/2015	LT

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
386	230	11/1/2015	LT
345	419	11/1/2015	LT
715	757	11/1/2015	LT

SEARCH NOTES

Search Notes	Date	Examiner
Name search	11/1/2015	LT
CPC search	11/1/2015	LT
Classified search	11/1/2015	LT
EAST search	11/1/2015	LT

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

	/WILLIAM TRAN/ Primary Examiner.Art Unit 2484

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

28278
BORDEN LADNER GERVAIS (Vancouver)
1200 WATERFRONT CENTRE
200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

CONFIRMATION NO. 1033
POA ACCEPTANCE LETTER

OC000000077017064

Date Mailed: 08/24/2015

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/13/2015.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the
requirements it sets forth should be directed to the Office
of Data Management, Application Assistance Unit, at
(571) 272-4000 or **(571) 272-4200** or **1-888-786-0101**.

/vvan/

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
Approved for use through 11/30/2014. OMB 0651-0051
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TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	14/457,828
Filing Date	August 12, 2014
First Named Inventor	Brian SHUSTER
Title	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
Art Unit	2688
Examiner Name	
Attorney Docket Number	PAT 102879-2

SIGNATURE of Applicant or Patent Practitioner

Signature	/Geoffrey deKleine/	Date (Optional)	August 13, 2015
Name	Geoffrey deKleine	Registration Number	50216

Title (if Applicant is a juristic entity)	

Applicant Name (if Applicant is a juristic entity)	

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

✔ *Total of 1 _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 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.**

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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
14/457,828	August 12, 2014

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

[✓] I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

OR

28278

[ ] I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

[✓] The address associated with the above-mentioned Customer Number
OR
[ ] The address associated with Customer Number:
OR

Firm or Individual Name	
Address	
City	State	Zip
Country	
Telephone	Email

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

UTHERVERSE DIGITAL INC.

[ ] Inventor or Joint Inventor (title not required below)

[ ] Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

[✓] Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

[ ] Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature		Date (Optional)	4-14-2015
Name	Brian Shuster		
Title	CEO		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

[✓] Total of 1 forms are submitted.

PTO/AIA/01 (06-12)
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number __14/457,828__

filed on __August 12, 2014__.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.
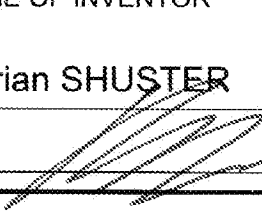
WARNING:

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.

LEGAL NAME OF INVENTOR

Inventor: __Brian SHUSTER__   Date (Optional): __4·14·2015__

Signature: _____

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

PTO/AIA/01 (06-12)
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☒ United States application or PCT international application number __14/457,828__

filed on __August 12, 2014__.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.
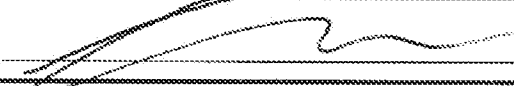
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LEGAL NAME OF INVENTOR

Inventor: __Aaron BURCH__   Date (Optional): __2015-04-16__

Signature: __[signature]__

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 minute 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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Electronic Acknowledgement Receipt

EFS ID:	23206382
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	28278
Filer:	Geoffrey Bernard Charles deKleine/Anett Fabian
Filer Authorized By:	Geoffrey Bernard Charles deKleine
Attorney Docket Number:	PAT 102879-2
Receipt Date:	13-AUG-2015
Filing Date:	12-AUG-2014
Time Stamp:	18:21:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	PAT_102879-2_POA_as_filed. pdf	334167 17dfd2eaf2606e2cff55a69f828476084e23b 406	no	2

Warnings:	
Information:	

2	Oath or Declaration filed	PAT_102879-2_Executed_Declaration_Shuster.pdf	1616828 0da7fc43538364944e4e0570181e715a365a35a7	no	1

Warnings:

Information:

3	Oath or Declaration filed	PAT_102879-2_Executed_Declaration_Burch.pdf	1364777 a94edca4708e2fce1e147a32e607820126d9847f	no	1

Warnings:

Information:

Total Files Size (in bytes):	3315772

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.

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
14/457,828	08/12/2014	2688	800	PAT 102879-2	20	3

CONFIRMATION NO. 1033

28278
BORDEN LADNER GERVAIS LLP
1200 WATERFRONT CENTRE
200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

FILING RECEIPT

OC000000070306340

Date Mailed: 08/21/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Brian SHUSTER, Vancouver, CANADA;
Aaron BURCH, Vancouver, CANADA;

Applicant(s)

UTHERVERSE DIGITAL INC., Vancouver, CANADA

Power of Attorney: None

Domestic Applications for which benefit is claimed - None.
A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 08/20/2014
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/457,828**
Projected Publication Date: 02/18/2016
Non-Publication Request: No
Early Publication Request: No

** SMALL ENTITY **
Title

METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE
IN A VIRTUAL WORLDS SYSTEM

Preliminary Class

360

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number
14/457,828

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	300		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	*	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*	x 210 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	730		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	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 found in the appropriate box in column 1.

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/457,828	08/12/2014	Brian SHUSTER	PAT 102879-2

CONFIRMATION NO. 1033

28278
BORDEN LADNER GERVAIS LLP
1200 WATERFRONT CENTRE
200 BURRARD ST., P.O. BOX 48600
VANCOUVER, BC V7X 1T2
CANADA

NOTICE

OC000000070306341

Date Mailed: 08/21/2014

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

• A properly executed inventor's oath or declaration has not been received for the following inventor(s):
  Brian SHUSTER
  Aaron BURCH

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PAT 102879-2
	Application Number	

Title of Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor   1 [Remove]

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Brian		SHUSTER	

Residence Information (Select One) ◯ US Residency ⦿ Non US Residency ◯ Active US Military Service

City	Vancouver	Country of Residence i	CA

Mailing Address of Inventor:

Address 1	1000-1100 Melville Street		
Address 2			
City	Vancouver	State/Province	BC
Postal Code	V6E 4A6	Country i	CA

Inventor   2 [Remove]

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Aaron		BURCH	

Residence Information (Select One) ◯ US Residency ⦿ Non US Residency ◯ Active US Military Service

City	Vancouver	Country of Residence i	CA

Mailing Address of Inventor:

Address 1	1000-1100 Melville Street		
Address 2			
City	Vancouver	State/Province	BC
Postal Code	V6E 4A6	Country i	CA

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button.   [Add]

Correspondence Information:

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PAT 102879-2
	Application Number	

Title of Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ An Address is being provided for the correspondence Information of this application.			
Customer Number	28278		
Email Address	ipmailvancouver@blg.com	Add Email	Remove Email

Application Information:

Title of the Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM		
Attorney Docket Number	PAT 102879-2	**Small Entity Status Claimed**	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	9	**Suggested Figure for Publication (if any)**	

Filing By Reference :

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country i

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐	**Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	28278		

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PAT 102879-2
	Application Number	
Title of Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM	

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the application number blank.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button. | Add |

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX) [i]the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			Remove
Application Number	Country [i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button. | Add |

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐	This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PAT 102879-2
	Application Number	
Title of Invention	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM	

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices
If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.   In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.   In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1	Remove
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section. Clear	

◯ Assignee	◯ Legal Representative under 35 U.S.C. 117	◯ Joint Inventor
◉ Person to whom the inventor is obligated to assign.	◯ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :	

If the Applicant is an Organization check here.   ☒

Organization Name	UTHERVERSE DIGITAL INC.

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| **Application Data Sheet 37 CFR 1.76** | Attorney Docket Number | PAT 102879-2 |
| | Application Number | |

| Title of Invention | METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM |

Mailing Address Information:

Address 1	1000-1100 Melville Street		
Address 2			
City	Vancouver	**State/Province**	BC
Country i CA		Postal Code	V6E 4A6
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. | Add |

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not subsitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Assignee   1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication . An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

| | | Remove |

| If the Assignee or Non-Applicant Assignee is an Organization check here. | | ☐ |

| Prefix | **Given Name** | Middle Name | **Family Name** | Suffix |
| | | | | |

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button. | Add |

| **Application Data Sheet 37 CFR 1.76** | Attorney Docket Number | PAT 102879-2 |
| | Application Number | |

| Title of Invention | METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM |

Signature:

Remove

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

| **Signature** | /Lesley M. Morrison/ | | | Date (YYYY-MM-DD) | 2014-08-12 |
| **First Name** | Lesley | **Last Name** | Morrison | Registration Number | 50217 |

Additional Signature may be generated within this form by selecting the Add button. Add

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM

FIELD

[0001]   The present disclosure relates to virtual computer-generated environments through which users are able to navigate.

BACKGROUND

[0002]   Computer generated virtual environments are increasingly popular methods for people, both real and automated, to interact within a networked system. Various on-line environments are known in which a three-dimensional, 2.5-dimensional or two-dimensional physical world (actual or fantasy) is simulated. Environments of this type are sometimes referred to as "virtual reality" or "virtual reality universe" (VRU) environments. In known VRU environments, an actual or fantasy universe is simulated within a computer memory. Multiple players may participate in the environment through a computer network, such as a local area network or a wide area network. Each player is typically represented by an "avatar," which may comprise a figure of a man, woman, or other being, to represent them in the VRU environment. Players send inputs to a VRU engine to move their avatars around the VRU environment, and are able to cause interaction between their avatars and objects in the VRU. For example, a player's avatar may interact with an automated entity or person, simulated static objects, or avatars operated by other players.

[0003]   It is possible to record a state of a VRU environment so that users may log out of the VRU and, upon their return, resume an activity at the point where they left off. For example, when playing chess, users may take a break and return to the same chess board at a later time.

[0004]   It may be desirable to replay a scene that occurred in a VRU environment, such as a concert, a wedding or a lecture, for example.

- 1 -

SUMMARY

[0005] In an aspect of the present disclosure, there is provided, a method of playing back a recorded experience in a virtual worlds system, comprising: instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance; retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; and playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period.

[0006] In another aspect of the present disclosure, there is provided a virtual worlds system for playing back a recorded experience, comprising: one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, one or more recorded experience files comprising the recorded initial scene state and the subsequent recorded changes being stored in memory of the one or more servers; and one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance.

[0007] In another aspect of the present disclosure, there is provided an apparatus for playing back a recorded experience in a virtual worlds system, comprising: one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance; memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been

generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period.

[0008] Other aspects and features of the present disclosure will become apparent to those ordinarily skilled in the art upon review of the following description of specific embodiments in conjunction with the accompanying figures.

BRIEF DESCRIPTION OF THE DRAWINGS

[0009] Embodiments of the present application will now be described, by way of example only, with reference to the attached Figures, wherein:

[0010] FIG. 1 is a block diagram of an example computer network system connecting virtual worlds service providers and users;

[0011] FIG. 2 is a diagram showing an example arrangement of virtual worlds data on a service provider, as used in an embodiment;

[0012] FIG. 3 is an example screen shot of a user interface in which a recorded experience is being played back;

[0013] FIG. 4 is a schematic diagram showing example screen shots of a user interface in which a recorded experience is being played back over a time period;

[0014] FIG. 5 is a method of recording a scene according to an embodiment;

[0015] FIG. 6 is a method of playing a recorded experience, according to an embodiment;

[0016] FIG. 7 is another example screen shot of a user interface in which a recorded experience is being played back;

[0017] FIG. 8 is another method of playing a recorded experience, according to an embodiment; and

[0018] FIG. 9 is another example screen shot of a user interface in which a recorded experience is being played back.

DETAILED DESCRIPTION

[0019] It will be appreciated that for simplicity and clarity of illustration, where considered appropriate, reference numerals may be repeated among the figures to indicate corresponding or analogous elements. In addition, numerous specific details are set forth in order to provide a thorough understanding of the embodiments described herein. However, it will be understood by those of ordinary skill in the art that the embodiments described herein may be practiced without these specific details. In other instances, well-known methods, procedures and components have not been described in detail so as not to obscure the embodiments described herein. Also, the description is not to be considered as limiting the scope of the embodiments described herein.

[0020] Referring to FIG. 1, a computer network system 100 connects virtual world service providers 102 with users 104 via a network 106. The computer network system 100 is capable of rendering a VRU environment and managing changes to the VRU environment resulting from user participation in the VRU environment. Examples of virtual worlds software usable to render and participate in virtual worlds include Curio™ by The Virtual World Web Inc. and Second Life™.

[0021] Service providers 102 include computing devices and systems offering virtual worlds services. Service providers 102 may include computing hardware and/or software configured to perform one or more of the processes described herein. In an embodiment, multiple service providers 102 may be housed on a single computing device. Service providers 102 may also be distributed across multiple devices, as in cloud computing or distributed systems. In an embodiment, which is depicted in FIG. 1, each service provider 102 is

hosted on a server 106 that includes a processor 108 and a memory 110. According to another embodiment, in order to use the computational ability of the computer network system 100 as a whole, some functions of the server(s) may be provided by the users. This distributed computing structure may allow for more powerful computational abilities, as the full computer power of all users may be utilized to provide some or all server functions to the network. In this embodiment, some or all of the users may function as both clients and servers.

[0022] Service providers 102 communicate via one or more networks 106 with users 104. The networks 106 may include, for example, Internet networks, cellular networks, local area networks, wide area networks, wireless networks, Ethernet networks, and so on, as well as combinations thereof. Users 104 may include user computing devices, such as desktop computers, laptop computers, mobile computing devices, mobile phones and tablets, for example. The term "user" throughout this specification may be used to refer to a user device such as the aforementioned and/or an entity, such as an individual, operating such a device, as appropriate to the context of the term. In an embodiment, users 104 operate.

[0023] Additional devices and systems may be included in the system of FIG. 1. For example, service providers 102 may communicate with common data stores, such as account databases, registration or authentication servers and management servers, for example. Such use of centralized systems may allow service providers 102 to easily synchronize and coordinate among each other, for example, to coordinate avatar location transitions, to synchronize user accounts, and so on.

[0024] FIG. 2 shows an example arrangement of virtual worlds data, as used in an embodiment. The blocks represent types of data objects, and interconnections may represent relationships among the data elements, such as pointers, references, subclass relationships, or the like. Data structures may be stored on computer-readable media of the server system 102, for example, such as a hard drive, SSD, tape backup, distributed storage, cloud storage, and so on, and may be structured as relational database tables, flat files, C structures,

programming language objects, database objects, and the like. In various embodiments, additional elements may be included, some elements may be removed, and/or elements may be arranged differently from what is shown.

[0025]　　　Service provider 102 may be represented as a data object with general data relating to the service provider. The service provider 102 may maintain accounts 200 for users of the service provider. The account objects 200 may include relevant data relating to users, such as usernames, authentication information, attribute information, personal information, and so on. Each account may further be associated with one or more avatars 202, which the user may select for appearing in a virtual world. The service provider 102 may allow users to maintain multiple avatars, may restrict users to a single avatar or may allow users to navigate through a VRU as observers with no avatar, in various embodiments. When allowing users 104 to maintain multiple avatars, a service provider 102 may allow users to take on different appearances and personas in different situations, as selected by the users 104 and/or the service provider 102.

[0026]　　　The service provider 102 may further maintain worlds 204. Each world 204 may represent a virtual space in which avatars may interact. The service provider 102 may maintain multiple virtual worlds 204, and each virtual world 204 may be operated by different users 104 or administrators of service provider 102.

[0027]　　　Virtual worlds 204 may in turn include scenes 206. Scenes 206 represent virtual locations where users may visit and enter. A scene 206 may be defined by various attributes such as appearance, size, furniture, included items, architecture and so on. Scripts may also be included as part of the scene 206. Scripts are generally software based instructions that, when executed, result in changes to the scene 206. Scripts may be executed in response to user actions, may be executed at specified times, or may be executed in response to trigger events. For example, curtains covering a stage may be opened in response to an avatar pulling a cord, may be opened when a concert start time is reached or

may be opened when the capacity of the concert venue reaches a predetermined size.

[0028] In some situations, it may be desirable to have a single scene 200 available but have avatars enter different copies of that scene. Such copies are implemented by instances 208. An instance 208 represents a running version of a scene, and users 104 interact within instances 208 of scenes 206. In an embodiment, the computer network system 100 includes one or more servers in communication with the service providers 102 to operate as instance hosts that run the instances 208. The service provider 102 may use rules specified for a particular scene 206 in order to determine when to create a new instance. For example, one may create a scene arranged to appear like a virtual tennis court, and it may be desirable for pairs of tennis players to be provided distinct copies of the scene rather than making all players use the same virtual space. So, a new instance would be initiated each time a pair of tennis players enters the virtual tennis court and instances that are currently running have reached capacity.

[0029] New instances may also be created based on time intervals, avatar user requests, availability of objects within each instance, and so on. In one embodiment, an environment may automatically change, or the avatars may be automatically transported, when a threshold event takes place. For example, avatars waiting to play poker may be automatically transported to the poker room when eight avatars have signed up for the table. In another example, a prospective tennis player may wait in a waiting room until another tennis player arrives and the waiting room is transformed into a tennis court.

[0030] Instances may originally be configured based on the specification of the underlying scene. For example, a newly created instance may be arranged to have the same contained items, the same appearance, the same size, the same scripts and so on, with respect to the scene. In alternate embodiments, the scene may include instructions that randomize or otherwise alter the nature of each new instance. As users interact with an instance of a scene, those avatars may cause changes to the contained items, appearance, and so on.

Such changes may or may not be reflected back to the original scene, to other copies of the scene or other instances of the scene, possibly depending on the configuration of the scene. Additionally, in an embodiment, new instances may be based on existing instances, rather than being based on the original scenes.

[0031] Within a service provider, worlds 204, scenes 206, and instances 208 may be represented as data structure objects, such as document objects, for example. The document objects are encoded in a descriptive language and define respective 3-D, 2.5-D or 2-D modeled objects or spaces. Service providers may include software modules to convert these objects to graphical or other representations. The software may be operated on the service provider to generate those representations. Additionally or alternately, client software operating on user devices may perform the translation of data structure objects to graphical representations.

[0032] In order for one or more users to interact in a virtual world, the system 100 instantiates, in memory, an instance of a scene defined by a collection of document objects. The service provider 102, or another system component, controls contents of the collection of document objects in response to signals received at one or more processors from one or more client devices of the users 104. The service provider 102, or another system component, receives, at one or more processors, data requesting changes to an instance of a scene including at least position and orientation of objects modeled in the scene. Data representing the changes is then provided to the one or more users so that an event playing out in an instance of a scene may be experienced in substantially real time by users 104.

[0033] Referring to FIG. 3, an example of a scene 300 that has been instantiated by the service provider 102 is shown. In this example, the scene 300 is a performance venue including a floor 306 and walls 308 and a piano 302 located on a stage 304 that is rendered for display at a user 104. Also rendered for display are: a performer avatar 310 is located on the stage 304 and an audience that includes avatars 312 that surround the stage to view the performance. FIG. 4 schematically shows the scene 300 as it changes over time

from an initial state 400 at the beginning of a time period, to an intermediate state 402 and to a final state 404 at the end of the time period. As shown, an elapsed time at which each scene state occurs, measured from the initial state, is indicated on timeline 406. In another embodiment, the changes from the initial state 400 are stored as a series of frames, which are recorded at regular intervals, such as approximately every 0.01667 seconds, for example, which results in 60 frames per second being recorded. In one example of this embodiment, the frames are recorded regardless of whether changes to the scene have occurred.

[0034]   Any VRU experience, such as the performance depicted in FIGS. 3 and 4, for example, may be experienced by users 104 in substantially real time and may be recorded to be experienced at a later time. A method of generating a recording of a VRU experience is shown in FIG. 5. The method may be carried out by software executed by one or more processors of the computer network system 100 and stored as computer-readable code in a computer-readable medium. Coding of software for carrying out such a method is within the scope of a person of ordinary skill in the art given the present description.

[0035]   According to the method, a new scene is first instantiated at 500. Then, the service provider 102, or another component of the system 100, saves, to an initial scene file stored at the one or more memories, an initial scene state, at 502. The initial scene state includes at least a position and orientation of objects, including avatars, rendered in the scene at a beginning of a time period of a new recording. Changed scene states result after a change to the initial scene state or to a previous changed scene state has occurred. Changes to the initial scene state and subsequent changed scene states, are saved to a recorded experience file, at 504. The initial scene state and the changes may be saved as data structure objects, such as document objects, for example, that are encoded in a descriptive language to define the objects of the scene. In an embodiment, the initial scene file and the recorded experience file are the same file.

[0036]   Every change may be saved along with a time at which the change occurred or only some changes may be saved. In an embodiment, changes may

be saved at selected intervals over the time period so that a complete recording may be generated by interpolating between the changes at the selected intervals.

[0037] Changes may be saved in response to avatar movements and interactions between objects, for example. Changes may also be saved in response to initiation of electronic messaging or webcam interactions between users, for example. In this example, a chat interaction or a video interaction may be captured and stored as a separate file accessible when the saved changes are played back. In addition, alterations to object appearance and behavior resulting from plug-in applications, or images or video inserted into the scene may also be saved as changes or in a separate file accessible when the saved changes are played back.

[0038] The VRU experience may be recorded in its entirety or, alternatively, only selected portions may be recorded. For example, walls of a scene may not be recorded in order to allow for expansion of a room, for example, when the recorded experience is played back. Further, avatars that are friends of a user may be recorded and avatars that are not known to a user may not be recorded or a lecturer may be recorded for future playback but the audience may not be recorded. Selecting only a portion of an instance of a scene to record has several advantages including: conserving memory, avoiding potential copyright issues and preserving privacy, for example.

[0039] When a recorded experience, which may also be referred to as a video experience or vidience™ is played back, a user is able to navigate around recorded objects, as an observer or as an avatar, as if navigating through the original scene. Depending on the contents of the recorded experience file, the user may also see alterations to object appearance and behavior available from plug-in applications, listen to audio and view chats, video and images, for example. A method for playing back the recorded experience is shown in FIG. 6. The method may be carried out by software executed by one or more processors of the computer network system 100 and stored as computer-readable code in a computer-readable medium. Coding of software for carrying out such a method

is within the scope of a person of ordinary skill in the art given the present description.

[0040] According to the method, an instance of a new scene is first instantiated, at 600, using one or more processors of the computer network system 100. The new instance is defined by data stored in memory. The new scene may include nothing at all with all objects being drawn into the blank space from the recorded experience. Alternatively, the new scene may be include at least some boundaries but be empty of objects when instantiated or, optionally, objects of the new scene may be hidden. The recorded experience file(s) is then retrieved from memory and played back within the new scene, at 602, by rendering, at the service provider 102 for display at a client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period. The objects of the recorded experience are displayed in the new scene such that, similar to when the recorded experience was experienced the first time, objects and boundaries of the recorded experience are present. A user, by controlling an avatar via a user interface at a client device, may navigate through the recorded experience and interact with other avatars also participating in the playback of the recorded experience. As indicated at 602, more than one recorded experience may be played back at the same time.

[0041] In an embodiment, a collection of document objects represents the new scene and the recorded experience file. The service provider 102, or another system component, controls contents of the collection of document objects in response to communications received at one or more processors from one or more client devices of the users 104. The service provider 102, or another system component, receives data requesting changes to the instance of the new scene including at least position and orientation of objects in the new scene. Data representing the changes is then provided to the one or more users so that an event playing out in the instance of the new scene may be experienced in substantially real time by users 104. The recorded experience is not modifiable by events occurring during playback.

[0042] In another embodiment, a first collection of document objects represents the new scene and a second collection of document objects represents the recorded experience. In this embodiment, the new scene and the recorded experience are layered upon one another by the service provider 102 or at the client device. Any conflicts between the first and second collections, such as objects occupying the same location, for example, are resolved at by the service provider 102 or at the client device. Data requesting changes to the instance of the new scene is received by the service provider 102 and data representing the changes is then provided to the one or more users so that an event playing out in the instance of the new scene may be experienced in substantially real time by users 104. Similar to the previous embodiment, the recorded experience is not modifiable by events occurring during playback.

[0043] A recorded experience may be replayed in response to a user request to a service provider 102, may be replayed periodically at selected time intervals or may be replayed in response to a number of users waiting to participate in the recorded experience reaching a threshold. Users may join a new scene at any point during playback of the recorded experience. In this way, users may join other users at their point in the playback of the recorded experience. Alternatively users may be able to instantiate their own new scene and playback the recorded experience.

[0044] In an embodiment, in order for users navigating through a recorded experience to feel as though they are experiencing the original scene, collisions are set to occur when objects such as avatars, for example, of the new scene attempt to occupy the same location as objects, such as avatars, for example, of the recorded experience. In an alternative embodiment, collisions between objects of the new scene and objects of the recorded experience may be turned off. In this way, objects of the new scene may pass through objects of the recorded experience. This may be useful when the recorded experience is crowded and the avatars of the new scene are attempting to move across a room, for example.

[0045] In an embodiment, objects including avatars may be marked for non-recording. The objects may be marked for non-recording in response to user opt-out instructions or copyright issues, for example. Objects that are not recorded may be substituted with another object during playback of the recorded experience. In a further embodiment, replacement objects, such as anonymous bot avatars, for example, may be substituted for non-recorded avatars during playback of the recorded experience. According to the example, bots may be included to fill empty seats of avatars that are not recorded, due to opt-out, for example, at a concert or other event. Replacement of the objects that have opted out may be based on selection or may be automated.

[0046] In another embodiment, private messages may be saved. Private messages may enhance playback of a recorded experience. For example, private message between a student and an assistant professor during a lecture, may remind the student of additional information obtained during the lecture. Alternatively, the sender and/or the recipient may unmark the messages as private. Private messages may be viewable by all users when a recorded experience is played back or by the sender and recipient of the private messages only. In an alternative embodiment, private messages may not be saved and instead, metadata may be substituted for private messages so that users viewing the recorded experience may be made aware that private messages were sent but are not able to view the contents of the private messages.

[0047] Also referring to FIG. 7, a single recorded experience is played back in a new scene 700 and visiting users, represented by avatars 702, are able enter the new scene 700 when the recorded experience is playing and navigate around the recorded experience. As shown, all of the recorded objects are present as the visitor avatars 702 move through the new scene 700. As such, the visitor avatars 702 are able to experience the scene as it was experienced by the users who were present during the original scene.

[0048] When a new scene is instantiated, the new scene may include nothing at all, may include some boundaries but be empty of objects or may include some objects. In the example of FIG. 7, the new scene 700 includes a

plant object 704 that was not present in the recorded event. The visitor avatars 702 may move through the scene 700, interact with one another, interact with other objects belonging to the new scene 700 and communicate via electronic messages or webcam, for example. Further, when a new scene is instantiated, the new scene may include scripts that are layered at locations where scripts from the recorded experience were available. This allows the recorded experience to maintain functionality that was available in the original scene that was recorded.

[0049]   Referring to FIG. 8, according to another embodiment, the new scene, in which the recorded experience is being played, may be recorded, as indicated at 800. After the new scene has been recorded and a new recorded experience file saved, the new recorded experience may be played back, as described with respect to FIG. 6. The new recorded experience will only include elements from the new scene. Recorded experiences may be "layered" on top of one another each time an original scene is re-played. For example, as shown in FIG. 9, the original performance event of scene 300 and the performance event of scene 700 are layered and a new scene 900 is instantiated according to the method of FIG. 7. Avatars 902 are visitors to the new scene 800 and may interact with one another. According to another embodiment, a single new recorded scene file may be generated that merges the original recorded experience with one or more subsequent recorded experiences. The method of FIG. 8 may be carried out by software executed by one or more processors of the computer network system 100 and stored as computer-readable code in a computer-readable medium. Coding of software for carrying out such a method is within the scope of a person of ordinary skill in the art given the present description.

[0050]   In one example, the system and method described herein is used for film production. An environment of a film, such as waves crashing on a beach, may be recorded in a first recorded experience. Extra actors may be recorded in a second recorded experience while the environment scene is played back. Finally, main actors may be recorded in a third recorded experience that is

layered on the first recorded experience and second recorded experience to provide an animated storyboard or even a final film.

[0051]   In the figures of the present description, the avatars of recorded experiences are differentiated from one another in order to aid in the understanding of the subject matter described herein. The avatars may instead appear similar to one another so that it is not readily apparent which avatars are from a recorded experience and which avatars are participating in the current scene. It may, however, be advantageous to visually or otherwise distinguish avatars participating in a current scene from avatars in a recorded experience. According to one embodiment, the avatars of a current scene may be rendered with a different degree of shading, different color, different type of clothing or a different theme, for example, than the avatars of a recorded experience. Alternately, the avatars of a current scene may appear in outline, or semi-transparent so that they appear as ghosts. Avatars of a recorded experience may be shown as transparent and may become more and more transparent to indicate how long ago they visited the scene. By visually distinguishing between current users and recorded objects, current users are able to locate one another more easily so that they may interact with one another. Other methods for distinguishing objects that may be interacted with in a currently scene may be provided. For example, recorded objects may be ghosted, semi-transparent or haloed. Alternatively, objects of a recorded experience may be in black and white while avatars visiting a current scene may be in colour. Avatars participating in a current scene from avatars in a recorded experience may be distinguished from one another using audio, may appear the same and only be distinguished from one another in response to a mouse-over action by the user. In addition, the audio or visual distinguishing feature(s) may be toggled on and off in response to a user input.

[0052]   In another embodiment, a recorded experience may display a timeline selectable to allow a user to jump to a selected time in the recorded experience, fast forward and rewind. When multiple users are viewing the recorded experience simultaneously, a new instance may be instantiated when

playback of the recorded experience is modified by skipping a portion of the recorded experience, for example.

[0053] A recorded experience may be modified after it has been recorded. Objects may be deleted, an appearance of objects may be modified or a theme may be added to objects of the recorded experience, for example. The recorded experience may also be shortened or particular time sequences of the recorded experience may be removed.

[0054] As the number and type of events that are occurring in virtual worlds systems continues to increase, the desire to record and playback experiences will become more significant. The applications for such a method, system and apparatus are numerous. For example, a prospective buyer participating in a virtual house tour may wish to recall suggestions from a contractor who was present during the tour, participants of a wedding may wish to re-experience the event on their anniversary or students at a lecture may wish to attend the lecture a further time in order to refresh their knowledge.

[0055] There are several advantages to the method, system and apparatus described herein, some of which may have already been described. Unlike a video recording, which displays a successive series of images, the method of playing back a recorded experience described herein allows a user to navigate through the recorded experience rather than simply watch a video playback. In addition, the method of playing back a recorded experience allows for users to interact with other users who are also participating in the playback of the recorded experience. Another advantage of the method of playing back a recorded experience described herein is that, unlike video playback, the recorded experience is not limited by a point of view from which the recording was captured. Because a user is able to navigate through the recorded experience by changing their position and orientation within the recorded experience, they may view objects from any angle that they choose. As such playback of the same recorded experience may be different for all users.

[0056] The above-described embodiments are intended to be examples only. Alterations, modifications and variations can be effected to the particular

embodiments by those of skill in the art without departing from the scope of the present application, which is defined solely by the claims appended hereto.

What is claimed is:

1.   A method of playing back a recorded experience in a virtual worlds system, comprising:

        instantiating, using one or more processors of a server, a new instance of a scene, the new instance being defined by data stored in memory, at least one client device displaying and participating in the new instance;

        retrieving a recorded experience file from the memory, the recorded experience file having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience; and

        playing back the recorded experience file by rendering, for display by the at least one client device, objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period.

2.   The method of claim 1, wherein movement by avatars associated with the at least one client device within the new instance is limited by objects of the recorded experience.

3.   The method of claim 1, wherein the at least one client device is associated with one of: an observer navigating through the new instance and an avatar navigating through the new instance.

4.   The method of claim 1, wherein the subsequent changes are stored one or more of: a series of frames and changes associated with times at which the changes occurred over the time period.

5.   The method of claim 1, comprising, in response to receiving data from the at least one client device requesting changes to the new instance, providing data

representing the changes to the at least one client device including at least position and orientation of objects rendered in the new instance.

6.   The method of claim 1, wherein the recorded experience is edited prior to playback.

7.   The method of claim 1, wherein the recorded experience is played back in response to one or more of: a user request, a threshold number of users waiting to view the recorded experience being reached and a time interval expiring.

8.   The method of claim 1, wherein other client devices may join the new instance after the recorded experience has begun playing back.

9.   The method of claim 1, wherein the new instance the scene is three-dimensional.

10.   The method of claim 1, wherein the new instance comprises at least one object when initiated.

11.   The method of claim 1, wherein objects of the new instance are distinguishable from the objects of the recorded experience.

12.   The method of claim 11, wherein the objects are distinguishable based on appearance or audio.

13.   The method of claim 1, wherein the recorded experience file does not include objects that have opted out.

14.   The method of claim 13, wherein the recorded experience is editable to replace objects that have opted out of the recorded experience with replacement objects.

15.   The method of claim 14, wherein the replacement objects are one or more of: selectable and automated.

16.   The method of claim 5, comprising generating a new recorded experience file comprising an initial scene state of the new instance and subsequent changes and respective times during a time period of the new instance.

17.   The method of claim 1, comprising instantiating, using the one or more processors of the server, a second new instance of a scene, the second new instance being defined by data stored in the memory, at least one client device displaying and participating in the new instance; retrieving from the memory and rendering for playback the recorded experience file and the new recorded experience file.

18.   A non-transitory computer-readable medium comprising instructions executable on the one or more processors for implementing the method of claim 1.

19.   A virtual worlds system for playing back a recorded experience, comprising:
        one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers and playing back a recorded experience in the new instance by rendering objects of a recorded initial scene state of the recorded experience in the new instance and rendering updates to the recorded initial scene state based on subsequent recorded changes over a time period, one or more recorded experience files comprising the recorded initial scene state and the subsequent recorded changes being stored in memory of the one or more servers; and
        one or more client devices in communication with the one or more servers, the one or more client devices participating in the new instance.

20.   An apparatus for playing back a recorded experience in a virtual worlds system, comprising:

one or more processors of a server system for instantiating a new instance of a scene and for communicating with one or more client devices participating in the new instance;

memory of the server for storing one or more recorded experience files, the one or more recorded experience files having been generated by saving an initial scene state and saving subsequent changes and respective times during a time period of the recorded experience;

wherein the processor plays back the recorded experience file in the new instance by rendering objects of the initial scene state in the new instance and rendering updates to the initial scene state based on the subsequent changes over the time period.

ABSTRACT

A recorded experience in a virtual worlds system may be played back by one or more servers instantiating a new instance of a scene using one or more processors of the one or more servers and playing back the recorded experience in the new instance by modeling objects of a recorded initial scene state of the recorded experience in the new instance and updating the recorded initial scene state based on subsequent recorded changes over a time period, a recorded experience file includes the recorded initial scene state and the subsequent recorded changes and is stored in one or more memories of the one or more servers. One or more client devices are in communication with the one or more servers to participate in the new instance.
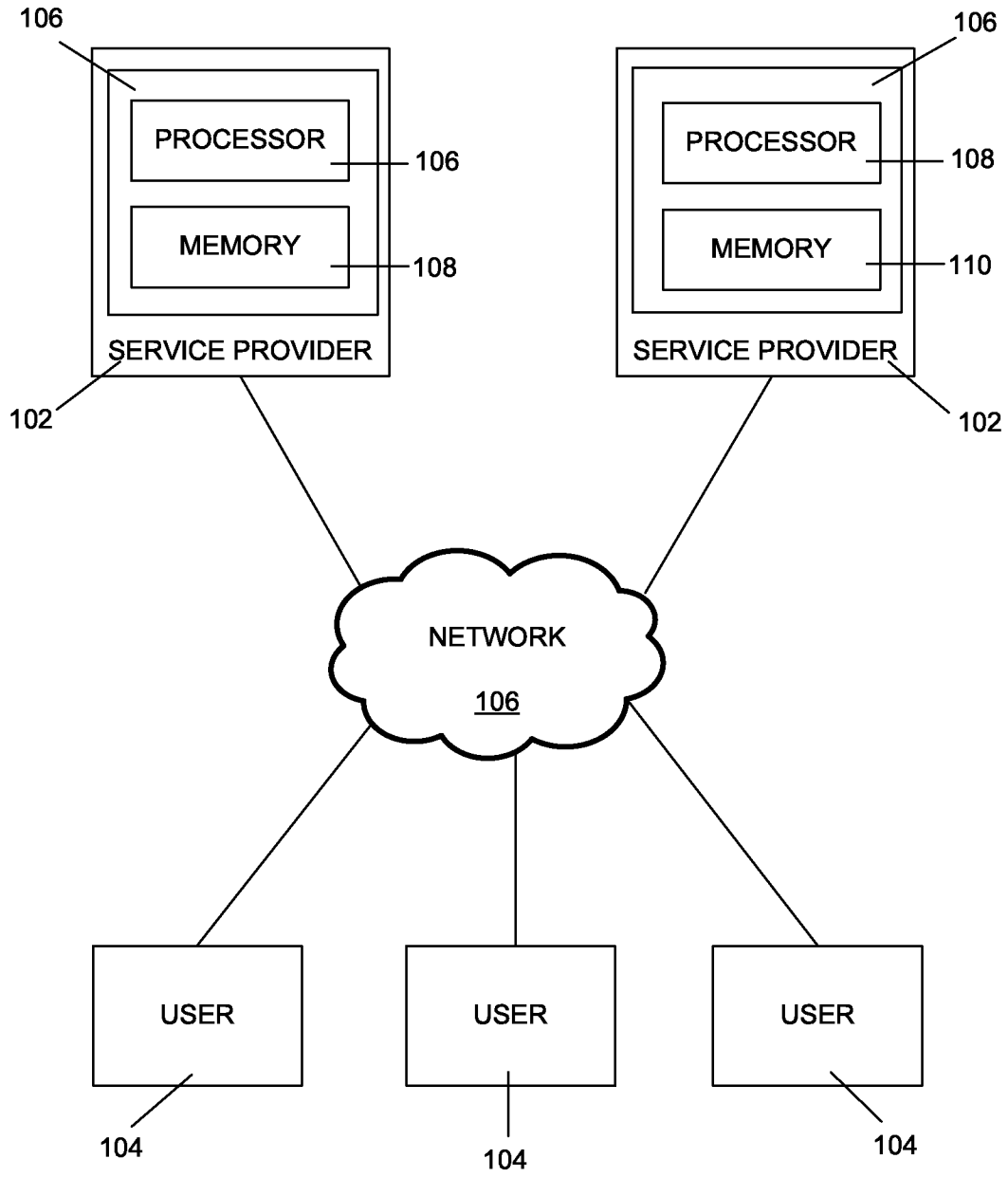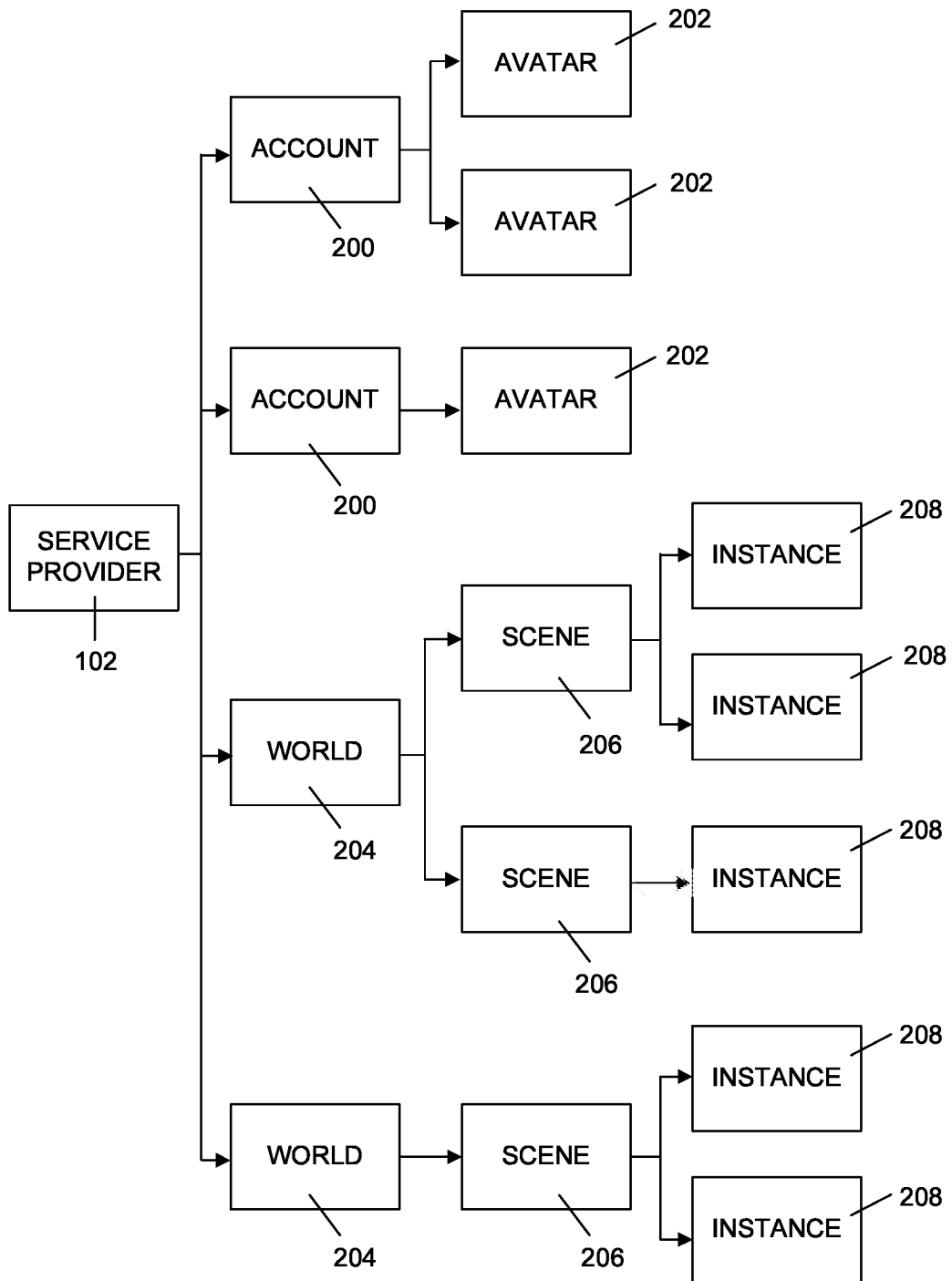
FIG. 1

FIG. 2

FIG. 3

FIG. 4

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┌─────────────────────────────┐
│                             │
│    INSTANTIATE NEW SCENE    │──── 500
│                             │
└─────────────────────────────┘
              │
              ▼
┌─────────────────────────────┐
│                             │
│   SAVE INITIAL SCENE STATE  │──── 502
│         TO A FILE           │
│                             │
└─────────────────────────────┘
              │
              ▼
┌─────────────────────────────┐
│                             │
│   SAVE CHANGES AND TIME     │──── 504
│    OF CHANGES TO FILE       │
│                             │
└─────────────────────────────┘
```

FIG. 5

INSTANTIATE NEW SCENE — 600

PLAY RECORDED
EXPERIENCE FILE(S) — 602

FIG. 6

FIG. 7

INSTANTIATE NEW SCENE —— 600

PLAY RECORDED
EXPERIENCE FILE(S) —— 602

RECORD NEW SCENE —— 800
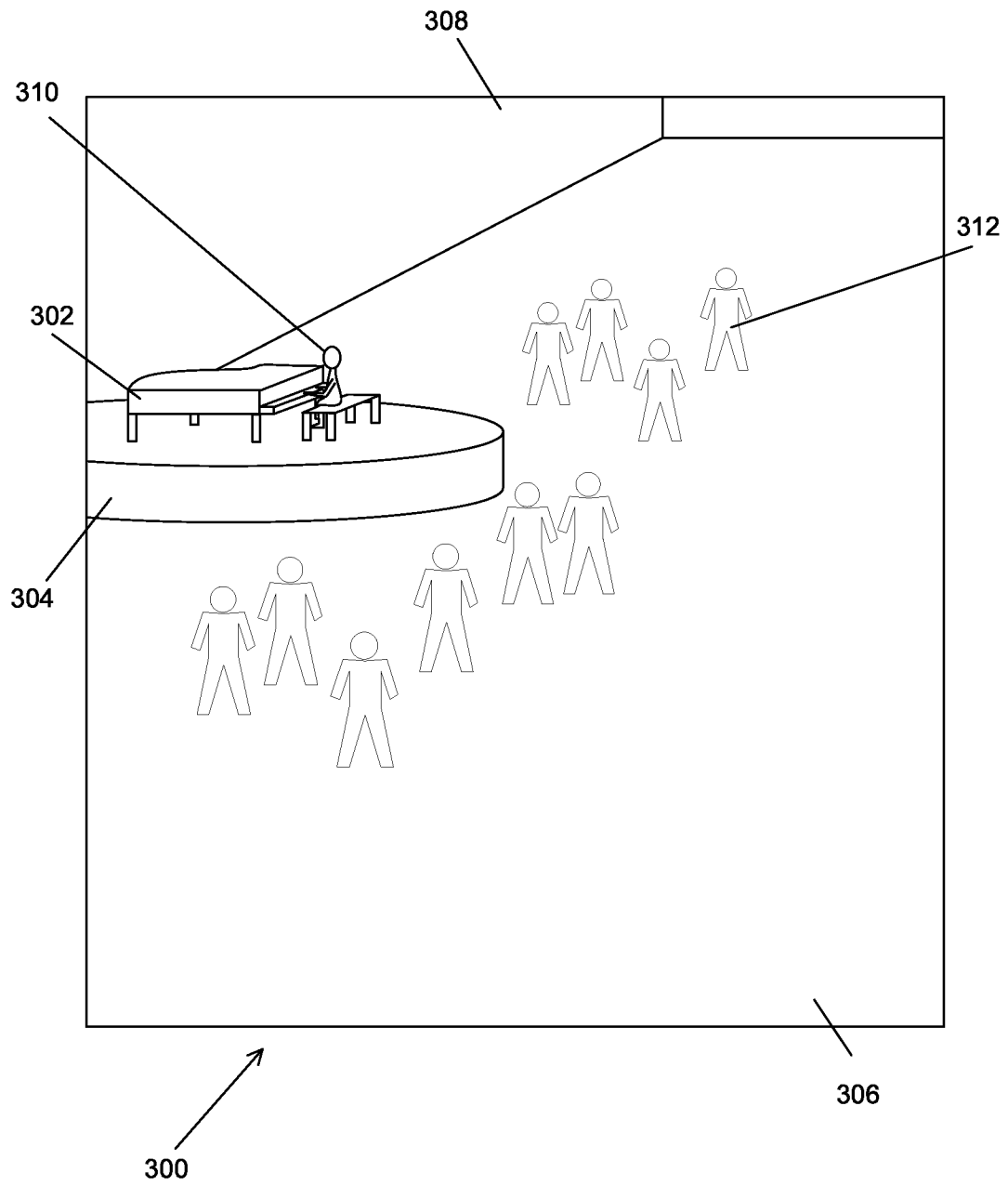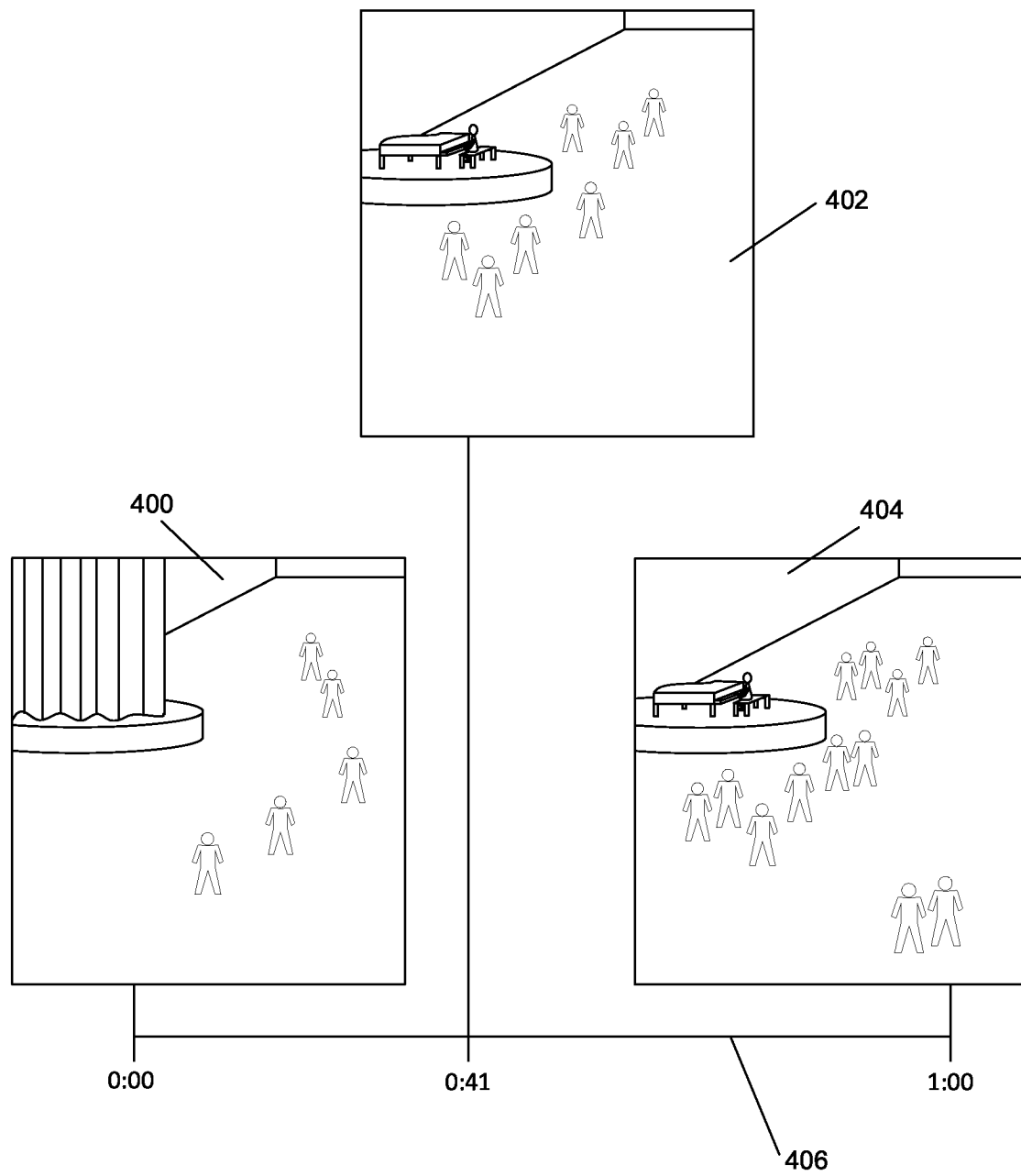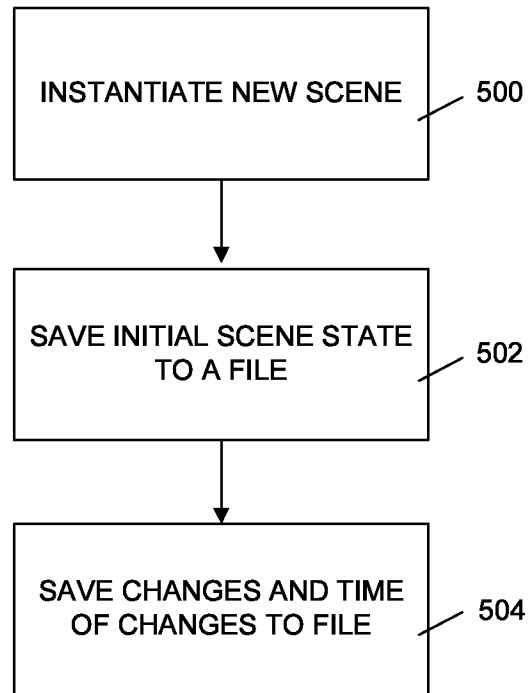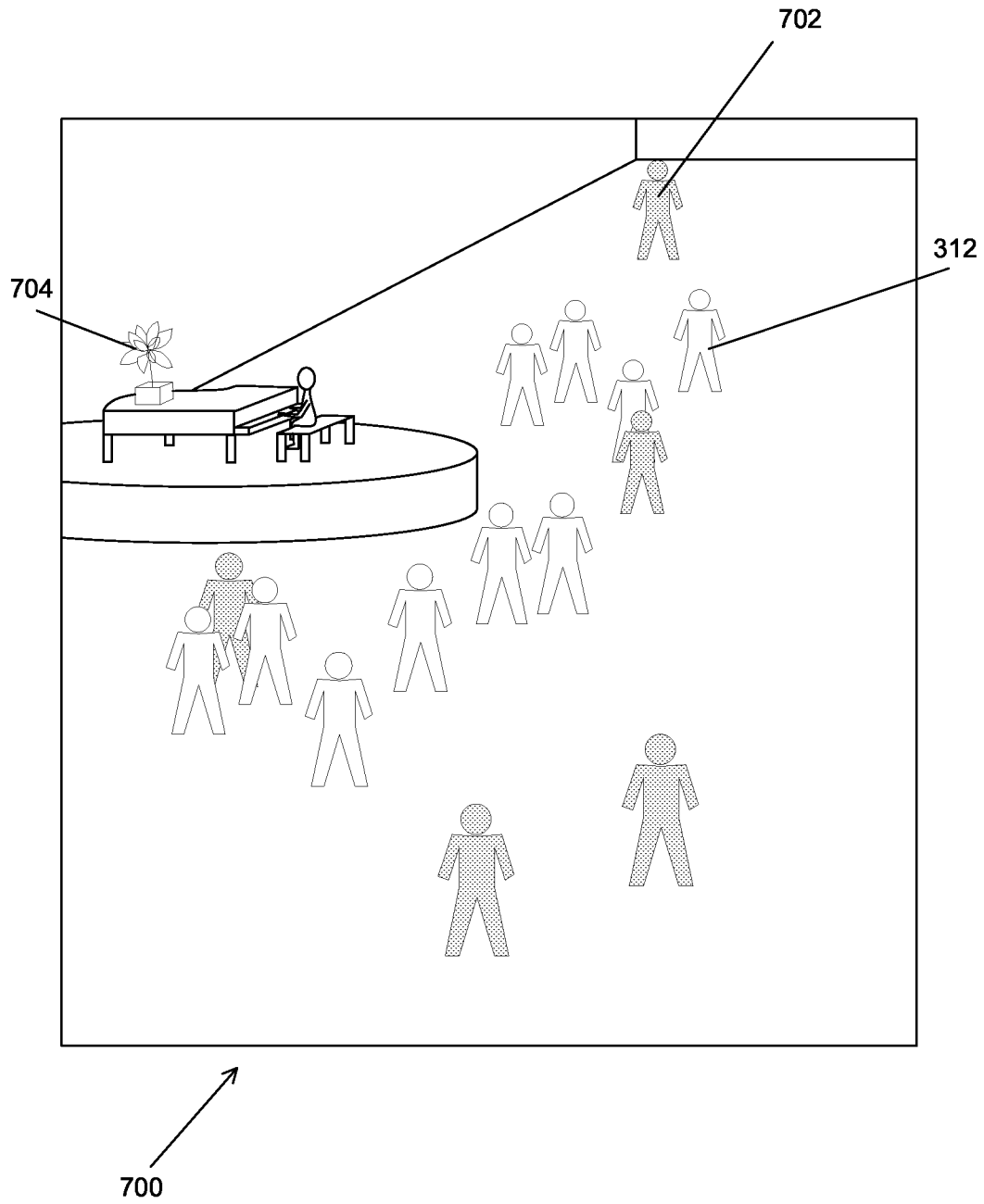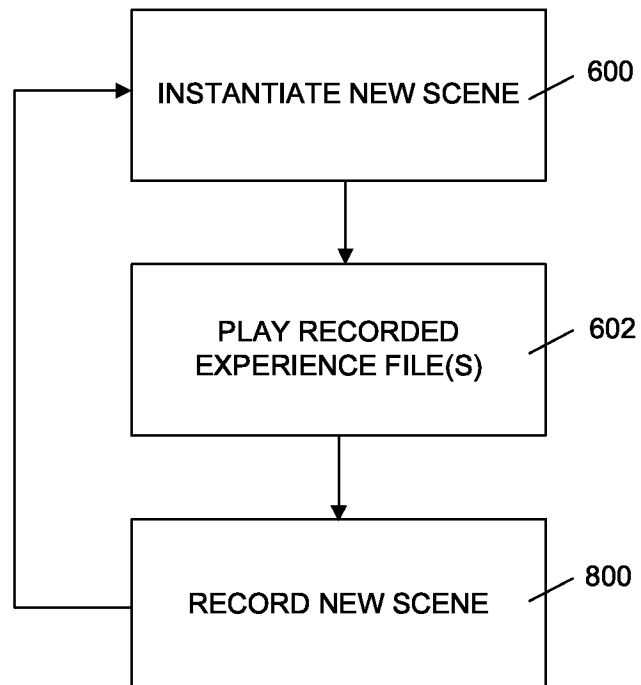
FIG. 8
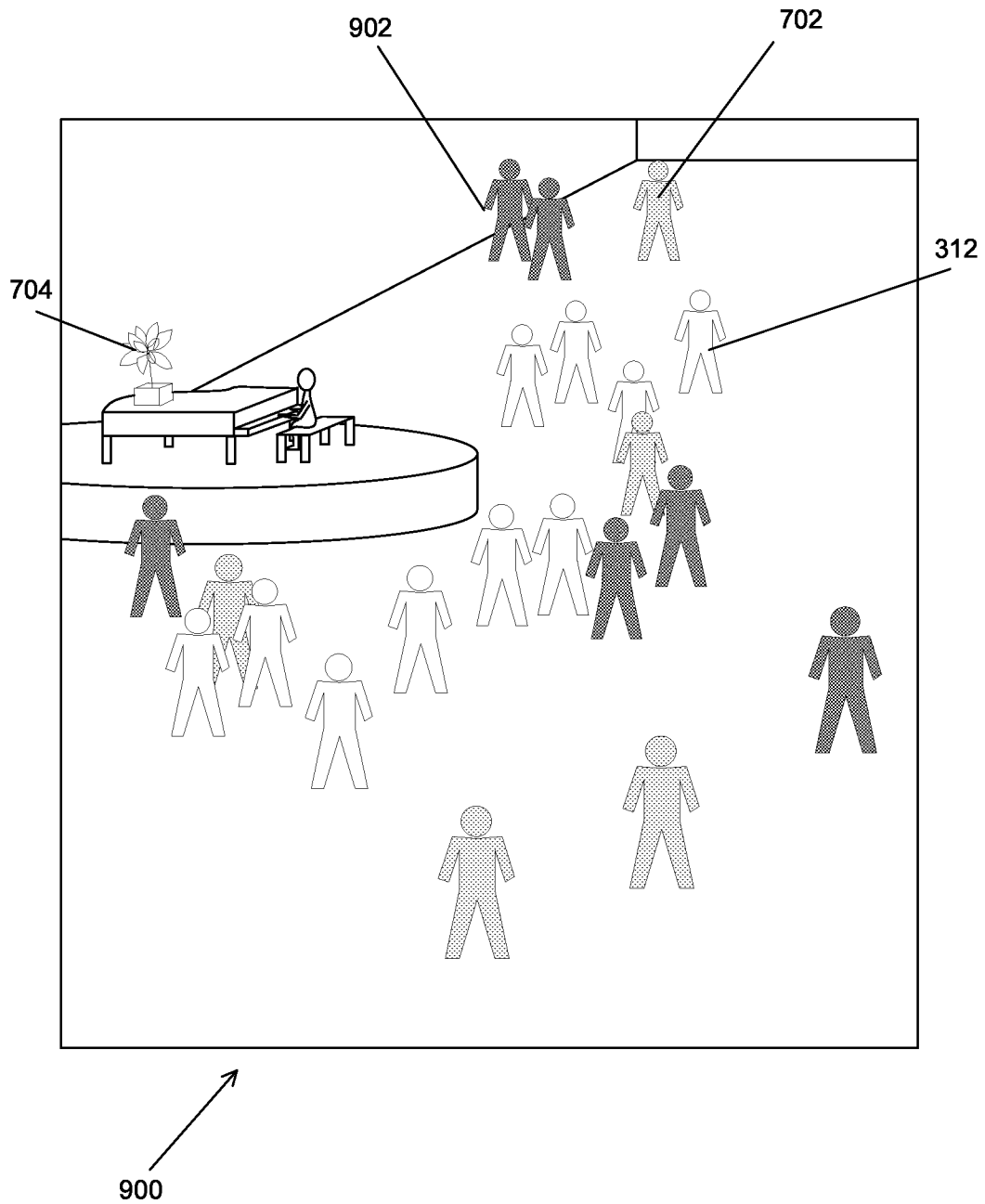
FIG. 9

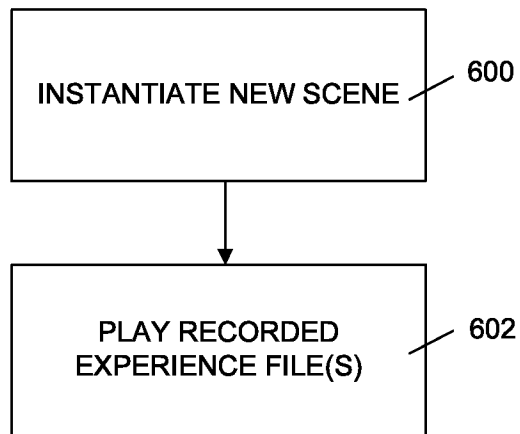# Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Filer:	Lesley Meredith Morrison/Anett Fabian
Attorney Docket Number:	PAT 102879-2

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	730

Electronic Acknowledgement Receipt

EFS ID:	19846137
Application Number:	14457828
International Application Number:	
Confirmation Number:	1033
Title of Invention:	METHOD, SYSTEM AND APPARATUS OF RECORDING AND PLAYING BACK AN EXPERIENCE IN A VIRTUAL WORLDS SYSTEM
First Named Inventor/Applicant Name:	Brian SHUSTER
Customer Number:	28278
Filer:	Lesley Meredith Morrison/Anett Fabian
Filer Authorized By:	Lesley Meredith Morrison
Attorney Docket Number:	PAT 102879-2
Receipt Date:	12-AUG-2014
Filing Date:	
Time Stamp:	16:52:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$730
RAM confirmation Number	3359
Deposit Account	501593
Authorized User	
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 1.16 (National application filing, search, and examination fees)	
Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

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

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	PAT_102879_2_ADS.pdf	1561410 8a9d664f6484c32309cde1b80f23db7cbbe879ef	no	7

Warnings:

Information:

2		PAT_102879_2_SPEC_as_filed.pdf	112763 869ec42789bab09dee1f96a46f3eaa20c89c4ba9	yes	22

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Specification	1	17
Claims	18	21
Abstract	22	22

Warnings:

Information:

3	Drawings-only black and white line drawings	PAT_102879_2_FIGS_as_filed.pdf	785227 e290753d03f418b1cdb249eb097a4f9b7be5baa8	no	9

Warnings:

Information:

4	Fee Worksheet (SB06)	fee-info.pdf	33427 494848eba8386182fd5153753d158cda5a3ab6b8	no	2

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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.

Electronic Acknowledgement Receipt

EFS ID:	19846137
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Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$730
RAM confirmation Number	3359
Deposit Account	501593
Authorized User	
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Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

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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	Application Data Sheet	PAT_102879_2_ADS.pdf	1561410 8a9d664f6484c32309cde1b80f23db7cbbe879ef	no	7

Warnings:

Information:

2		PAT_102879_2_SPEC_as_filed.pdf	112763 869ec42789bab09dee1f96a46f3eaa20c89c4ba9	yes	22

	Multipart Description/PDF files in .zip description				
	Document Description		Start		End
	Specification		1		17
	Claims		18		21
	Abstract		22		22

Warnings:

Information:

3	Drawings-only black and white line drawings	PAT_102879_2_FIGS_as_filed.pdf	785227 e290753d03f418b1cdb249eb097a4f9b7be5baa8	no	9

Warnings:

Information:

4	Fee Worksheet (SB06)	fee-info.pdf	33427 494848eba8386182fd5153753d158cda5a3ab6b8	no	2

Warnings:

Information:

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Application Number: 14457828   Document Date: 08/12/2014

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Document code: WFEE

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