

## PATROLL Winning Submission

### U.S. Patent RE43,113

U.S. Patent RE43,113 (“*Videolabs*” or the “patent-at-issue”) was filed on November 19, 2009 and claims the benefit of U.S. Provisional Pat. App. Nos. 60/393,024, 60/392,383, 60/393,041, and 60/392,999, each of which was filed on June 28, 2002. Claim 1 of the patent-at-issue is generally directed to a method of providing access to digital products for use in wireless communication devices. The method comprises operating a server system to store domain data defining a plurality of domains, each corresponding to a different subset including more than one of a plurality of wireless services subscribers. Each of the domains further corresponds to a particular billing relationship between a business entity and the corresponding subset of the plurality of wireless services subscribers and assigned thereto to a particular set of digital products designed for use in wireless communication devices that are accessible to the wireless services subscribers in that domain. The server system is operated to enable a plurality of digital products suppliers to publish on the server system such digital products via a computer network. The server system is further operated to enable wireless services subscribers in each of the plurality of domains to acquire the digital products via at least one wireless network and to use the acquired digital products on associated wireless communication devices.

The primary reference, U.S. Patent ,248,855 (“*Upaid Systems*”), was filed on March 14, 2002 and claims the benefit of U.S. Provisional Pat. App. Nos. 60/100,440 and 60/100,470, both filed September 15, 1998. The patent generally relates to a rule set used to determine at least one rule for authorizing a transaction debiting an account of an authorized user. Subsequently, the account is debited, according to the at least one rule, in real time if the transaction is authorized. The real time debit is settled with transaction providers in accordance with at least one settlement rule. If it is determined that the authorized user does not have sufficient funds in an authorized user account to debit for the transaction, the authorized user account may be recharged by a recharge routine that includes determining a recharge user account to transfer funds from and authorizing the transfer by at least one of referring to a pre-authorized transfer and requesting authorization from the authorized user. The transaction may be requested and the transaction providers may be connected via heterogeneous networks.

A sample claim chart comparing claim 1 of *Videolabs* to *Upaid Systems* is provided below.

USRE43113 (“Videolabs”)	A. US7248855 (“Upaid Systems”)
<p>1.pre. A method of <b>providing access to digital products for use in wireless communication devices</b>, the method comprising:</p>	<p><b>A. US7248855</b></p> <p>“In this exemplary system, a customer wishing to <b>engage in mobile commerce</b> can quickly and efficiently receive <b>the services/goods</b> he desires. For example, if a customer wishes to buy <b>an MP3 file</b> from an electronic music vendor, <b>the transaction can work as follows.</b>” <i>Upaid Systems</i> at col. 14:12-16</p> <p>“<b>The customer, operating the customer input 10, attempts to connect to the music vendor via the vendor's service device 50. The customer input 10 can be connected to any one of the IP device 21, the wireless device 23 or the telephone system access device 25. The IP device 21 can be a network card, a WAP connection device, an SMS messaging device, or any other now known or later devised device for connecting to an internet protocol network.</b>” <i>Upaid Systems</i> at col. 14:17-24</p> <p>“<b>Wireless device 23 can be a mobile phone, a cellular phone, or any other device that uses radio waves or electromagnetic energy to communicate with the wireless network 24. The telephone system access device 25 can be a modem, a router, a cable modem, or any other device that can connect to the publicly switched telephone network 26.</b>” <i>Upaid Systems</i> at col. 14:25-30</p> <p>“<b>If the customer input 10 was a wireless device 23 and connects through the wireless network 24 to the vendor's service device 50, the vendor service device 50 can be a Morse or numeric recognition system such that the customer input 10 can adequately specify a request to purchase the MP3</b> from the vendor service device 50.” <i>Upaid Systems</i> at col. 14:42-47</p> <p>“<b>The vendor service device 50 can be any combination of a web server, a voice server, an SMS messaging server, or Wireless Access Protocol (WAP) server capable of conducting mobile commerce and deliver or confirm delivery of services or goods to customer input 10. The vendor service device 50 receives the customer request for an MP3 file and generates a request for payment 52. The request for payment 52 is sent to the convergent communications platform 100.</b>” <i>Upaid Systems</i> at col. 14:48-</p>

<p>(cont.)          1.pre. A method of <b>providing access to digital products</b> for use in <b>wireless communication devices</b>, the method comprising:</p>	<p>55</p> <p>“The vendor's service device 50 can then <b>generate the services or goods</b>, in this case <b>an MP3 file</b>, and <b>sends the MP3 file</b> by any of the internet 22, wireless network 24, publicly switched telephone network 26, or any other shipping network to the customer network or customer input 10. Other exemplary embodiments can <b>generate a shipping order, a subscription, an authorization to access or a production order.</b>” <i>Upaid Systems</i> at col. 14:65-67 through col. 15:1-5</p> <p>“In a fully automated environment, <b>the customer input 10</b> may be an MP3 player connected with <b>a wireless device 23</b> to a wireless network 24, which automatically sends both authorization and routing data to the vendor service device 50. Thus, all a user has to do is open <b>the device</b> and select that they would like to <b>purchase a new MP3 file</b>. <b>The device</b> then <b>automatically connects</b> to the MP3 vendor, and <b>displays a list of songs</b> for the user to purchase. The user can then simply select <b>the song</b> he wishes to purchase, and then <b>begin downloading the song</b> as all other individual tasks happen in the background.” <i>Upaid Systems</i> at col. 15:8-18</p>
<p>1.a. operating <b>a server system to store domain data</b> defining a <b>plurality of domains</b>,</p>	<p>A. US7248855</p> <p>“Aspects of the invention as described above further can be attained by <b>a convergent communications system employing a rule set</b>, having a determiner that determines, for an authorized user, at least one rule, . . . .” <i>Upaid Systems</i> at col. 10:56-59</p> <p>“<b>The data relating to the recharge account agreement, rules, and procedures</b> preferably will be stored in the account and/or service manager of the convergent communications platform.” <i>Upaid Systems</i> at col. 18:27-30</p> <p>“FIG. 1 is an exemplary embodiment of <b>a convergent communications system and method utilizing a mobile commerce server;</b>” <i>Upaid Systems</i> at col. 11:21-23</p> <p>“As described herein, <b>the exemplary embodiments of the invention are applicable to a system, method and platform for use with heterogeneous networks and for converged (or convergent) communications, converged commerce and converged services.</b>” <i>Upaid Systems</i> at col. 11:66-67 through</p>

(cont.)

1.a. operating a server system to store domain data defining a plurality of domains,

col. 12:1-3

“Examples of heterogeneous networks are networks having dissimilar or diverse technology components or constituents combined. For example, a heterogeneous network can have: . . . different server hardware, like IBM and Compaq; . . .” *Upaid Systems* at col. 12:6-18

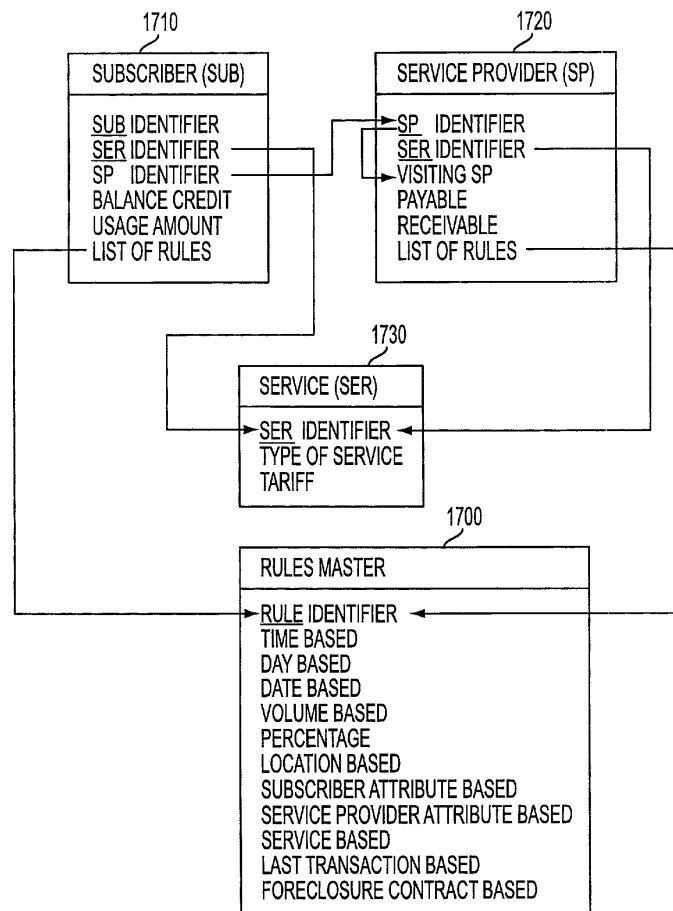


FIG. 17

“FIG. 17 shows an exemplary rules repository for implementing a sophisticated rule set within a convergent communications system. The exemplary rules repository contains several tables. The tables can be named rules master 1700, subscriber 1710, service provider 1720 and service 1730. Each table can contain several fields which hold data related to implementing various rule sets.” *Upaid Systems* at col. 35:25-31

“The rules master 1700 table, for example, can have rule identifier, time based, day based, date based, volume based,

(cont.)

1.a. operating a server system to store domain data defining a plurality of domains,

percentage, location based, subscriber attribute based, service provider attribute based, service based, last transaction based and foreclosure contract based fields.

The rule identifier field may be linked to the subscriber 1710 table, and the service provider 1720 table.” *Upaid Systems* at col. 35:32-38

1.b. each domain corresponding to a different subset of a plurality of wireless services subscribers, each said subset of the plurality of wireless services subscribers including more than one wireless services subscriber,

**A. US7248855**

“In a fully automated environment, the customer input 10 may be an MP3 player connected with a wireless device 23 to a wireless network 24, which automatically sends both authorization and routing data to the vendor service device 50.” *Upaid Systems* at col. 15:8-12

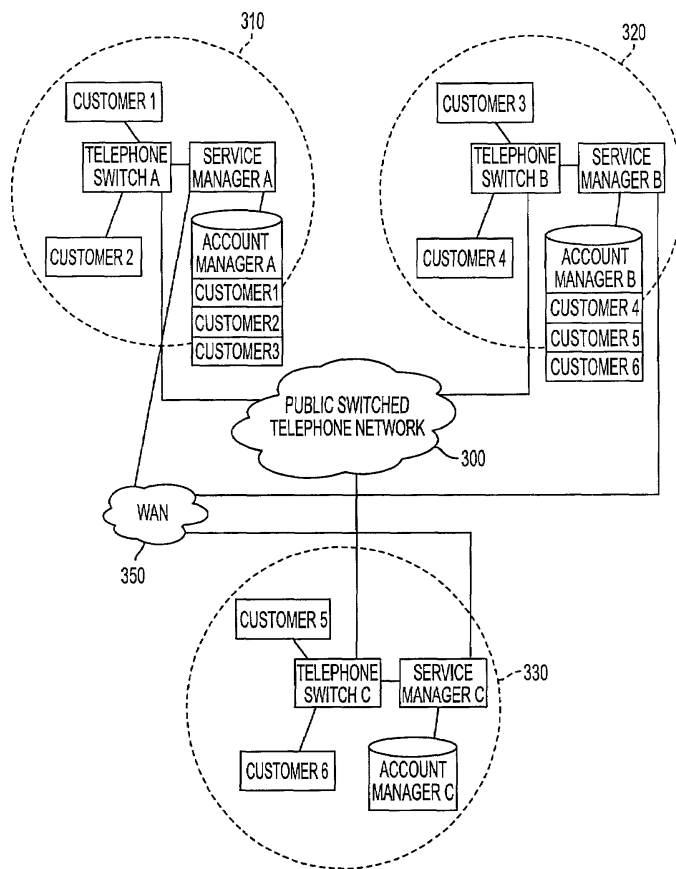


FIG. 3

“In FIG. 3, area 310 has customer 1, customer 2, telephone switch A, service manager A and account manager A in it. Account manager A includes the customer accounts for customer 1, customer 2 and customer 3. Area 320 has

(cont.)

1.b. **each domain** corresponding to a **different subset of a plurality of wireless services subscribers**, each said subset of the plurality of wireless services subscribers including more than one wireless services subscriber,

**customer 3, customer 4, telephone switch B, service manager B and account manager B** in it. Account manager B includes the customer accounts for **customer 4, customer 5 and customer 6. Area 330 has customer 5, customer 6, telephone switch C, service manager C and account manager C** in it. **Area 310, area 320 and area 330** are connected by a publicly switched telephone network 300 and a wide area network (WAN) 350.” *Upaid Systems* at col. 16:20-31

“The use of the wide area network 350 has a secure passage for account information to enable roaming. Thus, if **all customers 1-6** are **customers with accounts in either area 310 or area 320**, the exemplary embodiment enables them to use their accounts regardless of the area they are in.” *Upaid Systems* at col. 16:32-36

“As embodied herein, the system can also have learning capabilities that allow decision making based on various past events of **a set of customers (eg., all teachers, all teenagers, all women above 55 years who live in Dallas, etc.)**.” *Upaid Systems* at col. 23:55-59

“FIG. 17 shows an exemplary rules repository for implementing a sophisticated rule set within a convergent communications system. The exemplary rules repository contains several tables. The tables can be named **rules master 1700, subscriber 1710, service provider 1720 and service 1730**. Each table can contain several fields which hold data related to implementing various rule sets.” *Upaid Systems* at col. 35:25-31

“**The rules master 1700 table, for example, can have rule identifier, time based, day based, date based, volume based, percentage, location based, subscriber attribute based, service provider attribute based, service based, last transaction based and foreclosure contract based fields. The rule identifier field may be linked to the subscriber 1710 table, and the service provider 1720 table.**” *Upaid Systems* at col. 35:32-38

“**The subscriber 1710 table** can have subscriber identifier, service identifier, service provider identifier, balance credit, usage amount and list of rules fields. The service identifier field may be linked to the service 1730 table. The service provider identifier field may be linked to the service

(cont.)

1.b. **each domain** corresponding to a **different subset of a plurality of wireless services subscribers**, each said subset of the plurality of wireless services subscribers including more than one wireless services subscriber,

provider 1720 table. **The list of rules field may be linked to the rules master 1700 table.**” *Upaid Systems* at col. 35:39-45

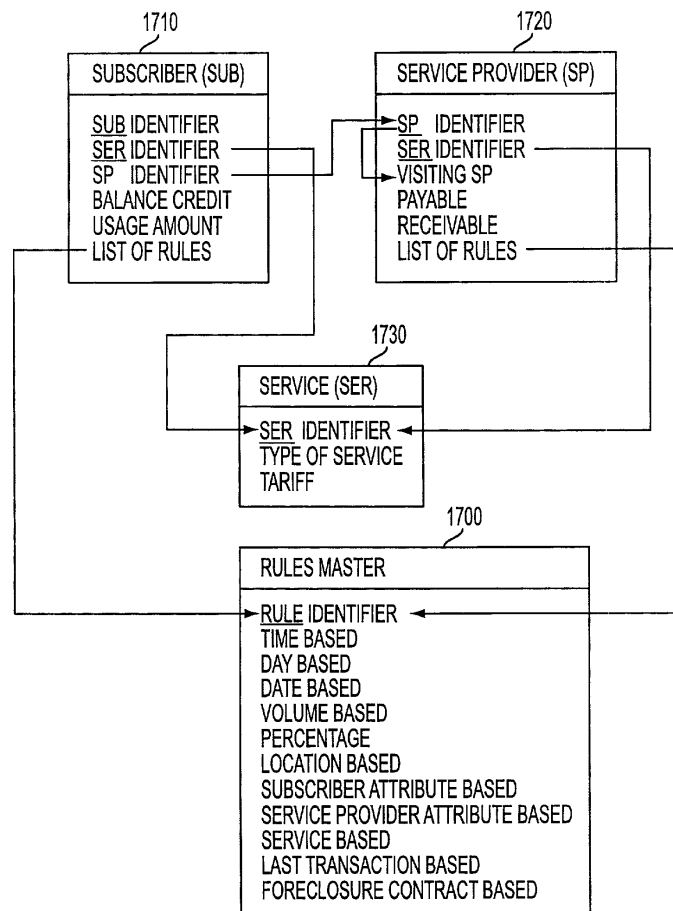


FIG. 17

1.c. **each of the domains** further corresponding to a **particular billing relationship** between a **business entity** and the corresponding subset of the plurality of wireless services subscribers,

**A. US7248855**

“In this exemplary system, a customer wishing to engage in mobile commerce can quickly and efficiently receive the services/goods he desires. For example, if a customer wishes to buy an MP3 file from an electronic music vendor, the transaction can work as follows.” *Upaid Systems* at col. 14:12-16

“The vendor service device 50 can be any combination of a web server, a voice server, an SMS messaging server, or Wireless Access Protocol (WAP) server capable of conducting mobile commerce and deliver or confirm delivery of services or goods to customer input 10. The vendor service device 50 receives the customer request for an MP3 file and generates a request for payment 52. The request for payment 52 is sent to the convergent

(cont.)

1.c. each of the domains further corresponding to a particular billing relationship between a business entity and the corresponding subset of the plurality of wireless services subscribers,

communications platform 100.” *Upaid Systems* at col. 14:48-55

“In a fully automated environment, the customer input 10 may be an MP3 player connected with a wireless device 23 to a wireless network 24, which automatically sends both authorization and routing data to the vendor service device 50.” *Upaid Systems* at col. 15:8-12

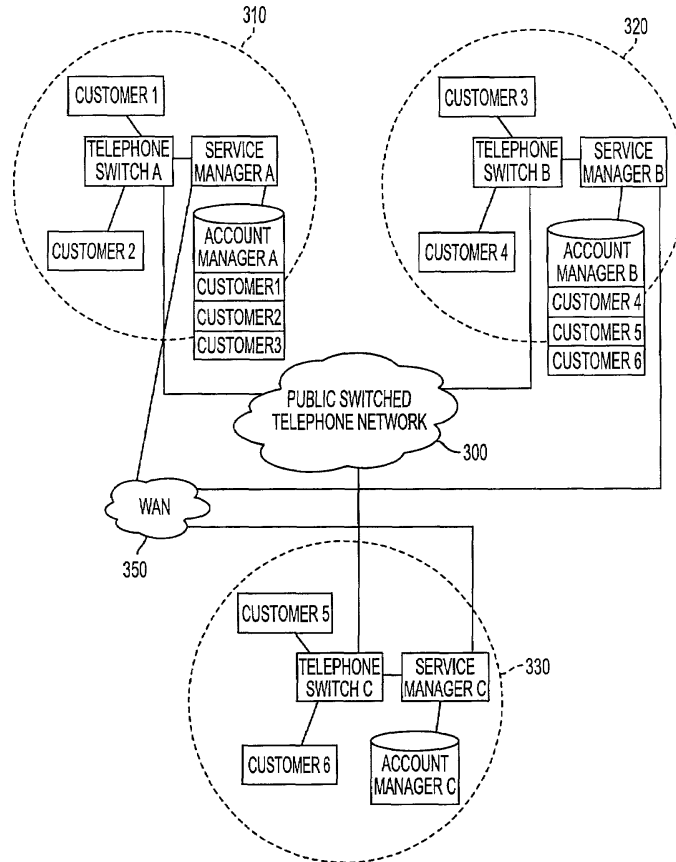


FIG. 3

“In FIG. 3, area 310 has customer 1, customer 2, telephone switch A, service manager A and account manager A in it. Account manager A includes the customer accounts for customer 1, customer 2 and customer 3. Area 320 has customer 3, customer 4, telephone switch B, service manager B and account manager B in it. Account manager B includes the customer accounts for customer 4, customer 5 and customer 6. Area 330 has customer 5, customer 6, telephone switch C, service manager C and account



(cont.)

i.c. **each of the domains** further corresponding to a **particular billing relationship** between a **business entity** and the corresponding subset of the **plurality of wireless services subscribers**,

manager C in it. **Area 310, area 320 and area 330** are connected by a publicly switched telephone network 300 and a wide area network (WAN) 350.” *Upaid Systems* at col. 16:20-31

“The use of the wide area network 350 has a secure passage for account information to enable roaming. Thus, if **all customers 1-6** are **customers with accounts in either area 310 or area 320**, the exemplary embodiment enables them to use their accounts regardless of the area they are in.”

*Upaid Systems* at col. 16:32-36

“As embodied herein, the system can also have learning capabilities that allow decision making based on various past events of a **set of customers (eg., all teachers, all teenagers, all women above 55 years who live in Dallas, etc.)**.” *Upaid Systems* at col. 23:55-59

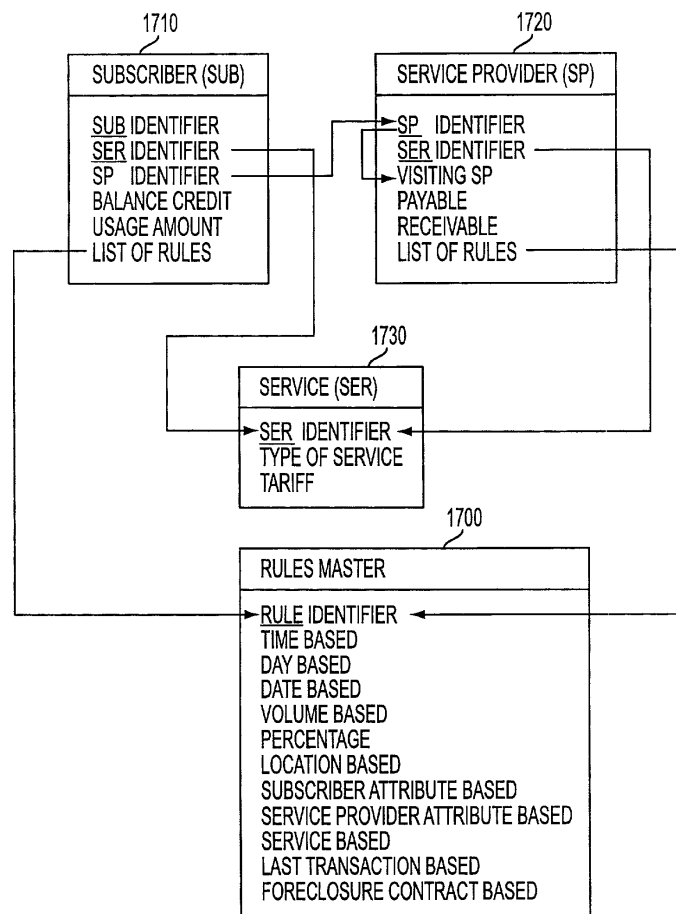


FIG. 17

“FIG. 17 shows an exemplary rules repository for

(cont.)

i.c. **each of the domains** further corresponding to **a particular billing relationship** between **a business entity** and **the corresponding subset of the plurality of wireless services subscribers**,

implementing a sophisticated rule set within a convergent communications system. The exemplary rules repository contains several tables. The tables can be named **rules master** 1700, **subscriber** 1710, **service provider** 1720 and service 1730. Each table can contain several fields which hold data related to implementing various rule sets.” *Upaid Systems* at col. 35:25-31

“**The rules master 1700 table, for example, can have rule identifier, time based, day based, date based, volume based, percentage, location based, subscriber attribute based, service provider attribute based, service based, last transaction based and foreclosure contract based fields. The rule identifier field may be linked to the subscriber 1710 table, and the service provider 1720 table.**” *Upaid Systems* at col. 35:32-38

“**The subscriber 1710 table can have subscriber identifier, service identifier, service provider identifier, balance credit, usage amount and list of rules fields. The service identifier field may be linked to the service 1730 table. The service provider identifier field may be linked to the service provider 1720 table. The list of rules field may be linked to the rules master 1700 table.**” *Upaid Systems* at col. 35:39-45

“**The service provider 1720 table can have service provider identifier, service identifier, visiting service provider, payable, receivable and list of rules fields. The service provider field may be linked to the visiting service provider field and the subscriber 1710 table. The service identifier field may be linked to the service 1730 table. The list of rules field may be linked to the rules master 1700 table.**” *Upaid Systems* at col. 35:46-52

“1. A convergent communications method employing a rule set, comprising:  
**determining, for an authorized user, at least one payment rule** applicable at that time for authorizing a transaction and resultant settling of an account of the authorized user in response to an instruction received via at least one communication network;  
**applying the at least one payment rule** for authorizing the transaction;  
**charging the account, according to the at least one payment rule**, in real time if the transaction is authorized; and  
**settling charges to the account by one of a plurality of**

(cont.)

i.c. **each of the domains** further corresponding to **a particular billing relationship** between **a business entity** and **the corresponding subset of the plurality of wireless services subscribers**,

transaction providers in accordance with **at least one settlement rule**, said charging and settling performed utilizing at least one financial network, separate from the at least one communication network.” *Upaid Systems* at claim 1

“Thus, **the rules** may be based on **rules** according to **the service provider**, **rules** according to **the customer’s** needs (probably seldom used), **rules** according to a mix of **service providers**, **rules** according to the “owner” of **the customer**, **rules** according to the “major” **provider of services**, (i.e., if **a merchant** sold a CD to **the customer** for \$20 and overnight shipping was \$22, then the overnight shipper could dictate **when/how the debiting would occur.**), **rules** that change according to the financial institutions’ conditions, processes, procedures, **rules** according to different legislative regulations, **rules** according to **the customer’s** history, spending limits, monthly average account balance and **rules** according to predefined agreements between any of **the service providers.**” *Upaid Systems* at col. 28:9-22

“Further, not all transactions for value will necessarily include a transfer of money. While value may be exchanged, the various transactions may be: **free, a benefit of a previously purchased item (like frequent flyer miles), a part of a monthly subscription service or the exchange of value, goods or services that does not include currency (like a merchandizing credit).** For example, a free item may be offered for the agreement to purchase additional items within a specified period of time. Other exchanges may include donating an MP3 file for access to another MP3 file. Or a **consumer** may get access to a mapping program as long as they bank with a certain bank. The exemplary system allows for these types of exchanges within the exemplary structures shown in FIG. 17.” *Upaid Systems* at col. 28:32-45

“**The following settlement transactions** take place using embodiments of the system and method of the invention:

(cont.)

1.c. **each of the domains further corresponding to a particular billing relationship between a business entity and the corresponding subset of the plurality of wireless services subscribers,**

Partner	Trans Type	Payee	Timing	Amount
Telco (home network service provider): North Carolina MobileTel	All-you-can-use monthly service	From Jim via bank account	Monthly in advance	\$50 per month
Telco (home network service provider): North Carolina MobileTel	Roaming	From Jim	Real-time	\$1 per call
Telco (visitor network service provider): Orange MusicStreamer	Minutes for roaming on network	From home network	Real-time	\$.02 per minute
Telco (visitor network service provider): Orange MusicStreamer	Music Service Charge	From home network	Real-time	\$.03 per minute
Merchant: Amazoom	Fixed amount	From Jim	\$50 now, \$50 after delivery	\$100
Shipper/courier company: Fed Extra	Fixed amount	From Jim	\$5 upon shipping	\$5
Insurance company: InsurUs	Percent	From Jim	Upon shipping	\$0.50 (.25% of purchase price)
Telco Partner 1 (developer and manager of mobile web site): Aether Systems	Flat rate for ad click-thru	From Orange Voice Stream	Real-time	\$.02 per click thru on an ad
Telco Partner 1 (developer and manager of mobile web site): Aether Systems	Percent of product sales price	From Orange	Batch process, monthly payment	.25 % of purchase price
Telco Partner 2 (music service - Virgin)	Percent	From Orange	Batch process monthly payment	\$.005 per minute
Telco Partner 2 service provider (musician's commission clearing center)	Percent	From Orange thru music service	Batch processing monthly payment	\$.001 per minute
Advertiser on Telco Partner web site: Sonny	Flat rate based on click thru	From Sony to Telco partner	Monthly payment, batch processing	\$.05 per click thru

*Upaid Systems* at col. 30:65-67 through col. 31:1-39

1.d. **each of the domains having assigned thereto to a particular set of digital products designed for use in wireless communication devices that are accessible to the wireless services subscribers in that domain;**

**A. US7248855**

“In this exemplary system, a customer wishing to engage in mobile commerce can quickly and efficiently receive the services/goods he desires. For example, if a customer wishes to buy an MP3 file from an electronic music vendor, the transaction can work as follows.” *Upaid Systems* at col. 14:12-16

“The vendor's service device 50 can then generate the services or goods, in this case an MP3 file, and sends the MP3 file by any of the internet 22, wireless network 24, publicly switched telephone network 26, or any other shipping network to the customer network or customer input 10. Other exemplary embodiments can generate a shipping order, a subscription, an authorization to access

(cont.)

1.d. **each of the domains** having assigned thereto to **a particular set of digital products** designed for use in **wireless communication devices** that are accessible to **the wireless services subscribers in that domain**;

**or a production order.**” *Upaid Systems* at col. 14:65-67 through col. 15:1-5

“In a fully automated environment, **the customer input 10** may be an **MP3 player** connected with **a wireless device 23** to a wireless network 24, which automatically sends both authorization and routing data to the vendor service device 50. Thus, all **a user** has to do is open **the device** and select that they would like to purchase **a new MP3 file**. **The device** then automatically connects to the MP3 vendor, and displays **a list of songs** for **the user** to purchase. **The user** can then simply select **the song** he wishes to purchase, and then begin downloading **the song** as all other individual tasks happen in the background.” *Upaid Systems* at col. 15:8-18

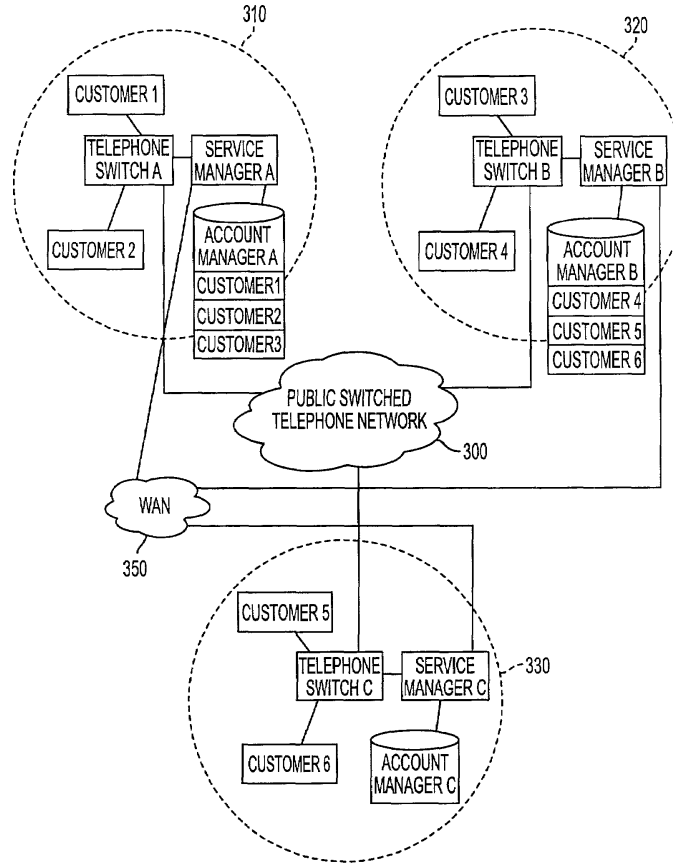


FIG. 3

“In FIG. 3, **area 310** has **customer 1**, **customer 2**, telephone switch A, service manager A and account manager A in it.

(cont.)

1.d. **each of the domains** having assigned thereto to **a particular set of digital products** designed for use in **wireless communication devices** that are accessible to **the wireless services subscribers in that domain**;

Account manager A includes the customer accounts for **customer 1, customer 2 and customer 3**. **Area 320** has **customer 3, customer 4**, telephone switch B, service manager B and account manager B in it. Account manager B includes the customer accounts for **customer 4, customer 5 and customer 6**. **Area 330** has **customer 5, customer 6**, telephone switch C, service manager C and account manager C in it. **Area 310, area 320 and area 330** are connected by a publicly switched telephone network 300 and a wide area network (WAN) 350.” *Upaid Systems* at col. 16:20-31

“The use of the wide area network 350 has a secure passage for account information to enable roaming. Thus, if **all customers 1-6 are customers with accounts in either area 310 or area 320**, the exemplary embodiment enables them to use their accounts regardless of the area they are in.” *Upaid Systems* at col. 16:32-36

“As embodied herein, the system can also have learning capabilities that allow decision making based on various past events of **a set of customers (eg., all teachers, all teenagers, all women above 55 years who live in Dallas, etc)**.” *Upaid Systems* at col. 23:55-59

“FIG. 17 shows an exemplary rules repository for implementing a sophisticated rule set within a convergent communications system. The exemplary rules repository contains several tables. The tables can be named **rules master 1700, subscriber 1710, service provider 1720 and service 1730**. Each table can contain several fields which hold data related to implementing various rule sets.” *Upaid Systems* at col. 35:25-31

“The **rules master 1700 table**, for example, can have **rule identifier, time based, day based, date based, volume based, percentage, location based, subscriber attribute based, service provider attribute based, service based, last transaction based and foreclosure contract based fields**. The rule identifier field may be linked to **the subscriber 1710 table**, and the service provider 1720 table.” *Upaid Systems* at col. 35:32-38

“The **subscriber 1710 table** can have **subscriber identifier, service identifier, service provider identifier, balance credit, usage amount and list of rules fields**. **The service**

(cont.)

1.d. **each of the domains** having assigned thereto to **a particular set of digital products** designed for use in **wireless communication devices** that are accessible to **the wireless services subscribers** in that domain;

**identifier field may be linked to the service 1730 table.** The service provider identifier field may be linked to the service provider 1720 table. **The list of rules field may be linked to the rules master 1700 table.**” *Upaid Systems* at col. 35:39-45

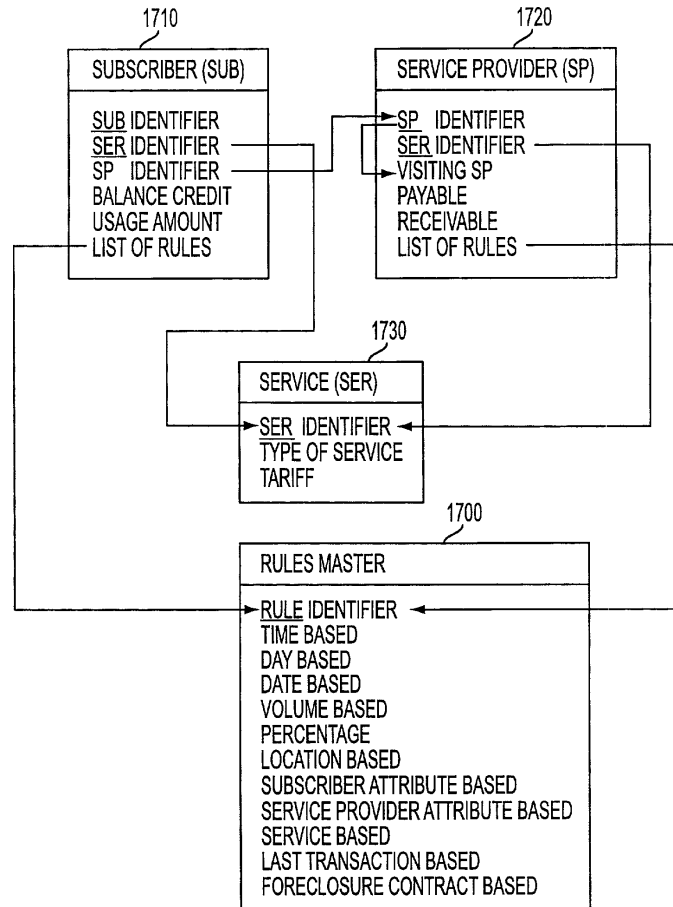


FIG. 17

“**The service 1730 table can have service identifier, type of service and tariff fields.** The service identifier field may be linked to **the subscriber 1710 and service provider 1720 fields.**” *Upaid Systems* at col. 35:53-56

“Thus, **the rules** may be based on **rules** according to the service provider, **rules** according to **the customer’s** needs (probably seldom used), **rules** according to a mix of service providers, **rules** according to the “owner” of **the customer**, **rules** according to the “major” provider of services, (i.e., if a merchant sold **a CD to the customer** for \$20 and overnight shipping was \$22, then the overnight shipper could dictate **when/how the debiting would occur.**), **rules** that change according to the financial institutions’

<p>(cont.)          1.d. <b>each of the domains</b> having assigned thereto to <b>a particular set of digital products</b> designed for use in <b>wireless communication devices</b> that are accessible to <b>the wireless services subscribers in that domain</b>;</p>	<p>conditions, processes, procedures, <b>rules</b> according to different legislative regulations, <b>rules</b> according to <b>the customer’s</b> history, spending limits, monthly average account balance and <b>rules</b> according to predefined agreements between any of the service providers.” <i>Upaid Systems</i> at col. 28:9-22</p> <p>“Further, not all transactions for value will necessarily include a transfer of money. While value may be exchanged, the various transactions may be: free, a benefit of a previously purchased item (like frequent flyer miles), a part of <b>a monthly subscription service or the exchange of value, goods or services</b> that does not include currency (like a merchandizing credit). For example, <b>a free item</b> may be offered for the agreement to purchase <b>additional items</b> within a specified period of time. Other exchanges may include donating <b>an MP3 file</b> for <b>access to another MP3 file</b>. Or <b>a consumer</b> may get <b>access to a mapping program</b> as long as they bank with a certain bank. <u>The exemplary system allows for these types of exchanges within the exemplary structures shown in FIG. 17.</u>” <i>Upaid Systems</i> at col. 28:32-45</p>
<p>1.e. operating <b>the server system</b> to enable <b>a plurality of digital products suppliers</b> to publish on the server system <b>digital products</b> designed for use in <b>wireless communication devices</b> via <b>a computer network</b> such that the digital products are accessible to <b>the plurality of wireless services subscribers</b>; and</p>	<p>A. US7248855          “Aspects of the invention as described above further can be attained by a <b>convergent communications system</b> employing <b>a rule set</b>, having a determiner that determines, for <b>an authorized user</b>, at least one rule, . . . .” <i>Upaid Systems</i> at col. 10:56-59</p> <p>“FIG. 1 is an exemplary embodiment of a <b>convergent communications system and method utilizing a mobile commerce server</b>,” <i>Upaid Systems</i> at col. 11:21-23</p> <p>“As described herein, the exemplary embodiments of the invention are applicable to a system, method and platform for use with <b>heterogeneous networks</b> and for converged (or convergent) communications, converged commerce and converged services.” <i>Upaid Systems</i> at col. 11:66-67 through col. 12:1-3</p> <p>“Examples of <b>heterogeneous networks</b> are networks having dissimilar or diverse technology components or constituents combined. For example, <b>a heterogeneous network</b> can have: . . . <b>different server hardware, like IBM and Compaq</b>; . . . .” <i>Upaid Systems</i> at col. 12:6-18</p>



(cont.)

1.e. operating **the server system** to enable **a plurality of digital products suppliers** to publish on the server system **digital products** designed for use in **wireless communication devices** via **a computer network** such that the digital products are accessible to **the plurality of wireless services subscribers**; and

“In this exemplary system, **a customer** wishing to engage in mobile commerce can quickly and efficiently receive **the services/goods** he desires. For example, if **a customer** wishes to buy **an MP3 file** from **an electronic music vendor**, the transaction can work as follows.” *Upaid Systems* at col. 14:12-16

“**The vendor service device 50** can be any combination of **a web server, a voice server, an SMS messaging server, or Wireless Access Protocol (WAP) server** capable of conducting mobile commerce and deliver or confirm delivery of **services or goods** to customer input 10. **The vendor service device 50** receives the customer request for **an MP3 file** and generates a request for payment 52. The request for payment 52 is sent to the convergent communications platform 100.” *Upaid Systems* at col. 14:48-55

“**The vendor's service device 50** can then generate **the services or goods**, in this case **an MP3 file**, and sends **the MP3 file** by any of **the internet 22, wireless network 24, publicly switched telephone network 26, or any other shipping network to the customer network** or customer input 10. Other exemplary embodiments can generate **a shipping order, a subscription, an authorization to access or a production order.**” *Upaid Systems* at col. 14:65-67 through col. 15:1-5

“In a fully automated environment, **the customer input 10** may be an MP3 player connected with **a wireless device 23** to **a wireless network 24**, which automatically sends both authorization and routing data to **the vendor service device 50**. Thus, all **a user** has to do is open **the device** and select that they would like to purchase **a new MP3 file**. **The device** then automatically connects to **the MP3 vendor**, and displays **a list of songs** for **the user** to purchase. **The user** can then simply select **the song** he wishes to purchase, and then begin downloading **the song** as all other individual tasks happen in the background.” *Upaid Systems* at col. 15:8-18

“The use of **the wide area network 350** has a secure passage for account information to enable roaming. Thus, if **all customers 1-6** are **customers** with accounts in either **area 310** or **area 320**, the exemplary embodiment enables them

(cont.)

i.e. operating the server system to enable a plurality of digital products suppliers to publish on the server system digital products designed for use in wireless communication devices via a computer network such that the digital products are accessible to the plurality of wireless services subscribers; and

to use their accounts regardless of the area they are in.”  
*Upaid Systems* at col. 16:32-36

“As embodied herein, the system can also have learning capabilities that allow decision making based on various past events of a set of customers (eg., all teachers, all teenagers, all women above 55 years who live in Dallas, etc).” *Upaid Systems* at col. 23:55-59

“FIG. 17 shows an exemplary rules repository for implementing a sophisticated rule set within a convergent communications system. The exemplary rules repository contains several tables. The tables can be named rules master 1700, subscriber 1710, service provider 1720 and service 1730. Each table can contain several fields which hold data related to implementing various rule sets.” *Upaid Systems* at col. 35:25-31

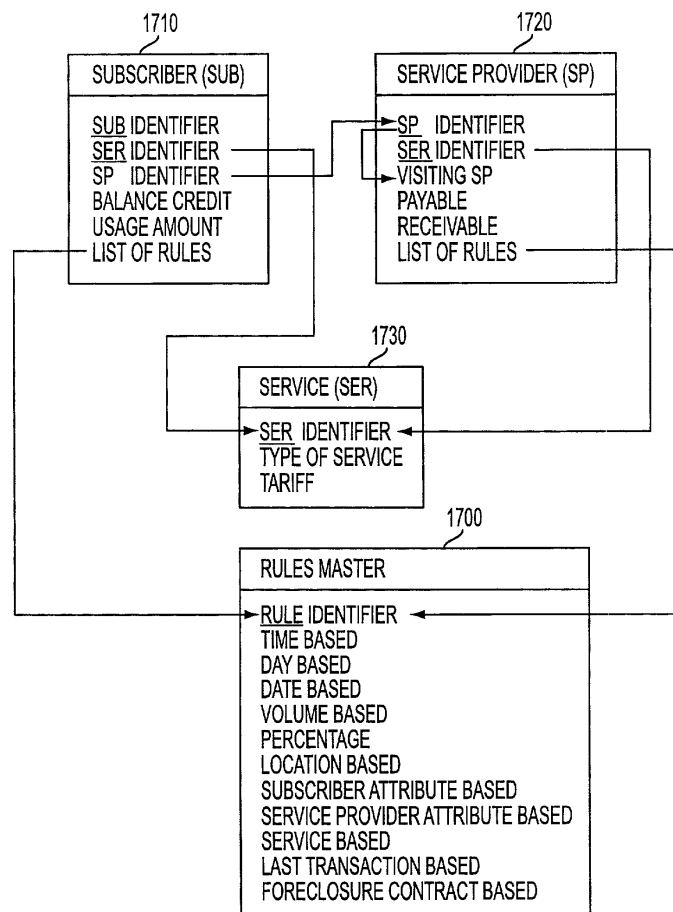


FIG. 17

“The rules master 1700 table, for example, can have rule

<p>(cont.)          1.e. operating <b>the server system</b> to enable <b>a plurality of digital products suppliers</b> to publish on the server system <b>digital products</b> designed for use in <b>wireless communication devices</b> via <b>a computer network</b> such that the digital products are accessible to <b>the plurality of wireless services subscribers</b>; and</p>	<p>identifier, time based, day based, date based, volume based, percentage, location based, subscriber attribute based, service provider attribute based, service based, last transaction based and foreclosure contract based fields. The rule identifier field may be linked to <b>the subscriber 1710 table</b>, and <b>the service provider 1720 table</b>.” <i>Upaid Systems</i> at col. 35:32-38</p> <p>“<b>The subscriber 1710 table</b> can have subscriber identifier, service identifier, service provider identifier, balance credit, usage amount and list of rules fields. The service identifier field may be linked to <b>the service 1730 table</b>. The service provider identifier field may be linked to <b>the service provider 1720 table</b>. The list of rules field may be linked to the rules master 1700 table.” <i>Upaid Systems</i> at col. 35:39-45</p> <p>“<b>The service provider 1720 table</b> can have service provider identifier, service identifier, visiting service provider, payable, receivable and list of rules fields. The service provider field may be linked to the visiting service provider field and <b>the subscriber 1710 table</b>. The service identifier field may be linked to <b>the service 1730 table</b>. The list of rules field may be linked to the rules master 1700 table.” <i>Upaid Systems</i> at col. 35:46-52</p> <p>“<b>The service 1730 table</b> can have service identifier, type of service and tariff fields. The service identifier field may be linked to <b>the subscriber 1710</b> and <b>service provider 1720 fields</b>.” <i>Upaid Systems</i> at col. 35:53-56</p>
<p>1.f. operating <b>the server system</b> to enable <b>wireless services subscribers</b> in <b>each of the plurality of domains</b> to acquire <b>the digital products</b> via <b>at least one wireless network</b> and to use the acquired digital products on <b>associated wireless communication devices</b>.</p>	<p>A. US7248855          “Aspects of the invention as described above further can be attained by a <b>convergent communications system</b> employing a rule set, having a determiner that determines, for <b>an authorized user</b>, at least one rule, . . . .” <i>Upaid Systems</i> at col. 10:56-59</p> <p>“FIG. 1 is an exemplary embodiment of a <b>convergent communications system and method utilizing a mobile commerce server</b>,” <i>Upaid Systems</i> at col. 11:21-23</p> <p>“As described herein, the exemplary embodiments of the invention are applicable to a system, method and platform for use with <b>heterogeneous networks</b> and for converged (or convergent) communications, converged commerce and converged services.” <i>Upaid Systems</i> at col. 11:66-67 through</p>

(cont.)

1.f. operating **the server system** to enable **wireless services subscribers** in **each of the plurality of domains** to acquire **the digital products** via **at least one wireless network** and to use the acquired digital products on **associated wireless communication devices**.

col. 12:1-3

“Examples of **heterogeneous networks** are networks having dissimilar or diverse technology components or constituents combined. For example, **a heterogeneous network** can have: . . . **different server hardware, like IBM and Compaq**; . . .” *Upaid Systems* at col. 12:6-18

“In this exemplary system, **a customer** wishing to engage in mobile commerce can quickly and efficiently receive **the services/goods** he desires. For example, if **a customer** wishes to buy **an MP3 file** from an electronic music vendor, the transaction can work as follows.” *Upaid Systems* at col. 14:12-16

“The vendor service device 50 can be any combination of **a web server, a voice server, an SMS messaging server, or Wireless Access Protocol (WAP) server** capable of conducting mobile commerce and deliver or confirm delivery of **services or goods** to customer input 10. The vendor service device 50 receives the customer request for **an MP3 file** and generates a request for payment 52. The request for payment 52 is sent to the convergent communications platform 100.” *Upaid Systems* at col. 14:48-55

“The vendor's service device 50 can then generate **the services or goods**, in this case **an MP3 file**, and sends **the MP3 file** by any of **the internet 22, wireless network 24, publicly switched telephone network 26, or any other shipping network to the customer network** or customer input 10. Other exemplary embodiments can generate **a shipping order, a subscription, an authorization to access or a production order**.” *Upaid Systems* at col. 14:65-67 through col. 15:1-5

“In a fully automated environment, **the customer input 10** may be an MP3 player connected with **a wireless device 23** to **a wireless network 24**, which automatically sends both authorization and routing data to the vendor service device 50. Thus, all **a user** has to do is open **the device** and select that they would like to purchase **a new MP3 file**. **The device** then automatically connects to the MP3 vendor, and displays **a list of songs** for **the user** to purchase. **The user** can then simply select **the song** he wishes to purchase, and then begin downloading **the song** as all other individual

(cont.)

1.f. operating the server system to enable wireless services subscribers in each of the plurality of domains to acquire the digital products via at least one wireless network and to use the acquired digital products on associated wireless communication devices.

tasks happen in the background.” *Upaid Systems* at col. 15:8-18

“In FIG. 3, area 310 has customer 1, customer 2, telephone switch A, service manager A and account manager A in it. Account manager A includes the customer accounts for customer 1, customer 2 and customer 3. Area 320 has customer 3, customer 4, telephone switch B, service manager B and account manager B in it. Account manager B includes the customer accounts for customer 4, customer 5 and customer 6. Area 330 has customer 5, customer 6, telephone switch C, service manager C and account manager C in it. Area 310, area 320 and area 330 are connected by a publicly switched telephone network 300 and a wide area network (WAN) 350.” *Upaid Systems* at col. 16:20-31

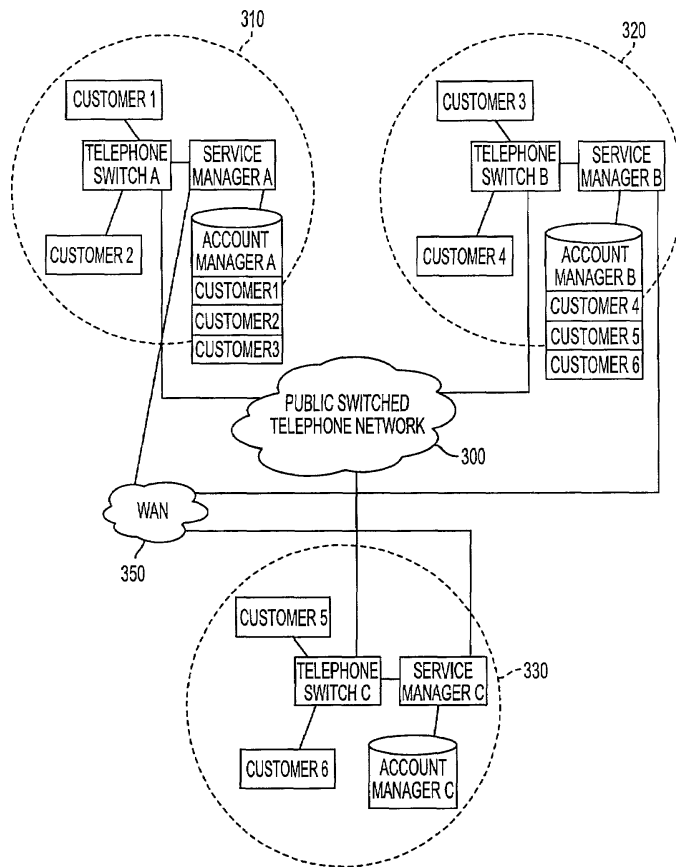


FIG. 3

“The use of the wide area network 350 has a secure passage

(cont.)

1.f. operating the server system to enable wireless services subscribers in each of the plurality of domains to acquire the digital products via at least one wireless network and to use the acquired digital products on associated wireless communication devices.

for account information to enable roaming. Thus, if all customers 1-6 are customers with accounts in either area 310 or area 320, the exemplary embodiment enables them to use their accounts regardless of the area they are in.” *Upaid Systems* at col. 16:32-36

“As embodied herein, the system can also have learning capabilities that allow decision making based on various past events of a set of customers (eg., all teachers, all teenagers, all women above 55 years who live in Dallas, etc).” *Upaid Systems* at col. 23:55-59

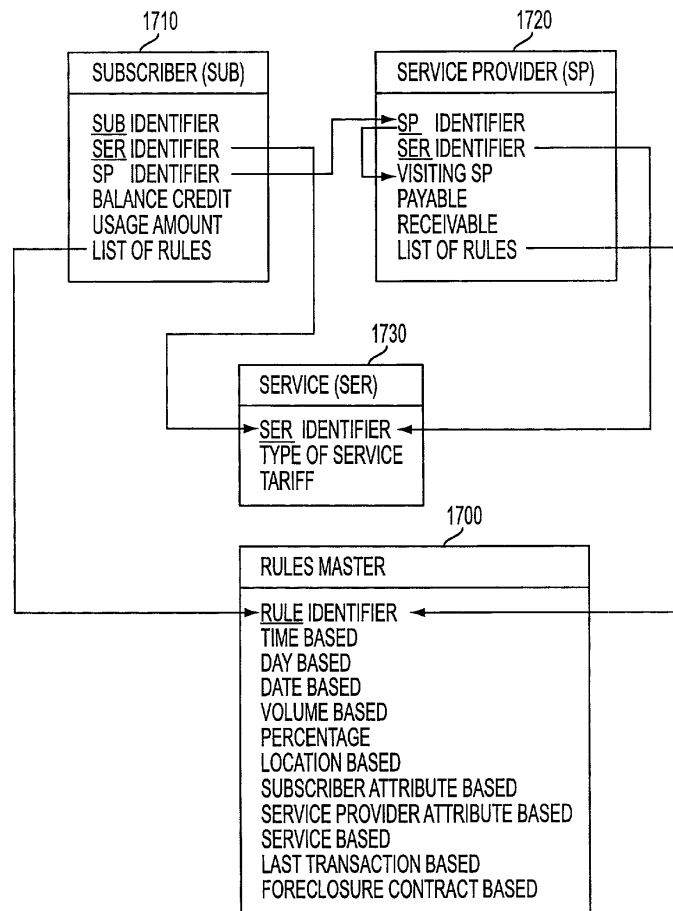


FIG. 17

“FIG. 17 shows an exemplary rules repository for implementing a sophisticated rule set within a convergent communications system. The exemplary rules repository contains several tables. The tables can be named **rules master** 1700, **subscriber** 1710, **service provider** 1720 and **service** 1730. Each table can contain several fields which hold data related to implementing various rule sets.” *Upaid*

(cont.)

1.f. operating **the server system** to enable **wireless services subscribers** in each of the plurality of domains to acquire **the digital products** via **at least one wireless network** and to use the acquired digital products on **associated wireless communication devices**.

*Systems* at col. 35:25-31

“**The rules master 1700 table, for example, can have rule identifier, time based, day based, date based, volume based, percentage, location based, subscriber attribute based, service provider attribute based, service based, last transaction based and foreclosure contract based fields. The rule identifier field may be linked to the subscriber 1710 table, and the service provider 1720 table.**” *Upaid Systems* at col. 35:32-38

“**The subscriber 1710 table can have subscriber identifier, service identifier, service provider identifier, balance credit, usage amount and list of rules fields. The service identifier field may be linked to the service 1730 table.** The service provider identifier field may be linked to the service provider 1720 table. **The list of rules field may be linked to the rules master 1700 table.**” *Upaid Systems* at col. 35:39-45

“**The service 1730 table can have service identifier, type of service and tariff fields. The service identifier field may be linked to the subscriber 1710 and service provider 1720 fields.**” *Upaid Systems* at col. 35:53-56