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KILPATRICK TOWNSEND & STOCKTON LLP/VISA Mailstop: IP Docketing - 22 1100 Peachtree Street Suite 2800 Atlanta, GA 30309			PATEL, AMIT HEMANTKUMAR	
			ART UNIT	PAPER NUMBER
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			NOTIFICATION DATE	DELIVERY MODE
			05/14/2020	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):

KTSDocketing2@kilpatrick.foundationip.com
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Office Action Summary

Application No.

15/185,949

Applicant(s)

Howard, Kelvan

Examiner

AMIT PATEL

Art Unit

3696

AIA (FITF) Status

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 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 04/03/2020.

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) 1-4 and 6-21 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) 1-4 and 6-21 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 allowable, 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 05/28/2019 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)

3) Interview Summary (PTO-413)

Paper No(s)/Mail Date _____.

2) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)

4) Other: _____.

Paper No(s)/Mail Date _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Response to Amendment

2. The Amendment filed on April 03, 2020 has been entered. Claims 1, 7, and 14 have been amended. Thus, claims 1–4 and 6–21 are pending and rejected for the reasons set forth below.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1–4 and 6–21 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more.

In sum, claims 1–4 and 6–21 are rejected under 35 U.S.C. §101 because the claimed invention is directed to a judicial exception to patentability (i.e., a law of nature, a natural phenomenon, or an abstract idea) and do not include an inventive concept that is something “significantly more” than the judicial exception under the January 2019 patentable subject matter eligibility guidance (2019 PEG) analysis which follows.

Under the 2019 PEG step 1 analysis, it must first be determined whether the claims are directed to one of the four statutory categories of invention (i.e., process, machine, manufacture, or composition of matter). Applying step 1 of the analysis for patentable subject matter to the claims, it is determined that the claims are directed to the statutory category of a process (claims 1–4, 6, and 21) and a machine (claims 7–13 and 14–20); where the machine is substantially directed to the subject matter of the process. (See, e.g., MPEP §2106.03) Therefore, we proceed to step 2A, Prong 1.

Under the 2019 PEG step 2A, Prong 1 analysis, it must be determined whether the claims recite an abstract idea that falls within one or more designated categories of patent ineligible subject matter (i.e., organizing human activity, mathematical concepts, and mental processes) that amount to a judicial exception to patentability. Here, the claims recite the abstract idea of carrying out a transaction using various tokens associated with multiple users and their payment accounts by:

receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein, each initial token of the set of initial tokens is associated with a different account maintained by one or more authorization computers, wherein at least one initial token of the set of initial tokens received by the communication device from the at least one

second communication device is not associated with the primary authorization computer;

generating, by the primary authorization computer, a master token to be associated with the set of initial tokens;

providing, by the primary authorization computer, the master token to the first communication device;

receiving, by the primary authorization computer, a request to authorize a transaction from a resource provider, the request including the master token;

determining, by the primary authorization computer, for each initial token in the set of tokens, a portion of the requested transaction to be assigned to the respective initial token;

generating, by the primary authorization computer, for each initial token in the set of tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction;

transmitting, by the primary authorization computer, the generated secondary authorization requests to secondary authorization computers of the one more authorization computers associated with each initial token in the set of initial tokens;

receiving, by the primary authorization computer, an authorization response from each of the secondary authorization computers;

upon determining that pre-approval has been received for each of the initial tokens of the set of initial tokens, generating a subsequent authorization

response and transmitting the subsequent authorization response to the resource provider.

Here, the recited abstract idea falls within one or more of the three enumerated 2019 PEG categories of patent ineligible subject matter, to wit: certain methods of organizing human activity, which includes fundamental economic practices or principles (e.g., carrying out transactions amongst a group of users—here, using various tokens associated with multiple users and their payment accounts to carry out the transaction).

Under the 2019 PEG step 2A, Prong 2 analysis, the identified abstract idea to which the claim is directed does not include limitations that integrate the abstract idea into a practical application, since the recited features of the abstract idea are being applied on a computer or computing device or via software programming that is simply being used as a tool (“apply it”) to implement the abstract idea. (*See, e.g.*, MPEP §2106.05(f)). Therefore, the claim is directed to an abstract idea.

Under the 2019 PEG step 2B analysis, the additional elements are evaluated to determine whether they amount to something “significantly more” than the recited abstract idea. (i.e., an innovative concept). Here, the additional elements, such as: a “computer” and a “communication device” do not amount to an innovative concept since, as stated above in the step 2A, Prong 2 analysis, the claims are simply using the additional elements as a tool to carry out the abstract idea (i.e., “apply it”) on a computer or computing device and/or via software programming. (*See, e.g.*, MPEP §2106.05(f)). The additional elements are specified at a high level of generality to simply implement the abstract idea and are not themselves being technologically improved. (*See, e.g.*, MPEP §2106.05 I.A.); (*see also*, paragraph [0035] of the specification).

The additional elements of the dependent claims merely refine and further limit the abstract idea of the independent claims and do not add any feature that is an “inventive concept” which cures the deficiencies of their respective parent claim under the 2019 PEG analysis. None of the dependent claims considered individually, including their respective limitations, include an “inventive concept” of some additional element or combination of elements sufficient to ensure that the claims in practice amount to something “significantly more” than patent-ineligible subject matter to which the claims are directed.

The elements of the instant process steps when taken in combination do not offer substantially more than the sum of the functions of the elements when each is taken alone. The claims as a whole, do not amount to significantly more than the abstract idea itself because the claims do not effect an improvement to another technology or technical field (e.g., the field of computer coding technology is not being improved); the claims do not amount to an improvement to the functioning of an electronic device itself which implements the abstract idea (e.g., the general purpose computer and/or the computer system which implements the process are not made more efficient or technologically improved); the claims do not perform a transformation or reduction of a particular article to a different state or thing (i.e., the claims do not use the abstract idea in the claimed process to bring about a physical change. *See, e.g., Diamond v. Diehr*, 450 U.S. 175 (1981), where a physical change, and thus patentability, was imparted by the claimed process; contrast, *Parker v. Flook*, 437 U.S. 584 (1978), where a physical change, and thus patentability, was not imparted by the claimed process); and the claims do not move beyond a general link of the use of the abstract idea to a particular

technological environment (e.g., simply claiming the use of a computer and/or computer system to implement the abstract idea).

Response to Arguments

Applicant's arguments filed on April 03, 2020 have been fully considered.

Applicant's arguments concerning the 35 USC §101 rejection of the claims, including supposed deficiencies in the rejection, are not persuasive. Applicant is directed to the above full *Alice/Mayo* analysis in view of the amended claims, including consideration of the USPTO Guidance as applied to those claims. The abstract idea has been restated herein in the 35 U.S.C. §101 rejection analysis above in view of Applicants' numerous amendments to the limitations of the claims. Therefore, Applicant's arguments regarding the prior 35 U.S.C. §101 rejection analysis are moot. The rejection of these claims under 35 U.S.C. §101 is maintained.

Conclusion

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). 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

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action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amit Patel whose telephone number is (313) 446-4902. The examiner can normally be reached Mon - Thu 8 AM - 6 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Namrata Boveja, can be reached at (571) 272-8105. The examiner's fax phone number is (571) 270-6776. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Examiner interviews are available via telephone, or via video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview applicant may call the Examiner or use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

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>. If you have questions about accessing 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 (USA or CANADA) or (571) 272-1000.

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/Amit Patel/

Examiner

Art Unit 3696

/JOSEPH W. KING/

Primary Examiner, Art Unit 3696

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1. (Previously presented) A method comprising:

receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein each initial token of the set of initial tokens is associated with a different account maintained by one or more authorization computers, wherein at least one initial token of the set of initial tokens received by the communication device from the at least one second communication device is not associated with the primary authorization computer;

generating, by the primary authorization computer, a master token to be associated with the set of initial tokens;

providing, by the primary authorization computer, the master token to the first communication device;

receiving, by the primary authorization computer, a request to authorize a transaction from a resource provider, the request including the master token;

determining, by the primary authorization computer, for each initial token in the set of tokens, a portion of the requested transaction to be assigned to the respective initial token;

generating, by the primary authorization computer, for each initial token in the set of tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction;

transmitting, by the primary authorization computer, the generated secondary authorization requests to secondary authorization computers of the one or more authorization computers associated with each initial token in the set of initial tokens;

receiving, by the primary authorization computer, an authorization response from each of the secondary authorization computers;

upon determining that pre-approval has been received for each of the initial tokens of the set of initial tokens, generating a subsequent authorization response and transmitting the subsequent authorization response to the resource provider.

2. (Original) The method of claim 1, wherein the portion of the requested transaction is determined based at least in part on configuration settings associated with the master token.

3. (Original) The method of claim 2, wherein the configuration settings associated with the master token are maintained by the primary authorization computer in association with an account associated with the communication device.

4. (Original) The method of claim 3, wherein the configuration settings are updateable by a user associated with the account.

5. (Canceled)

6. (Original) The method of claim 1, wherein each token of the set of initial tokens represents a different payment account.

7. – 13. (Canceled)

14. (Previously presented) A server device comprising:
one or more processors; and
a memory including instructions that, when executed by the one or more processors, cause the server device to:
maintain account information associated with a user;
receive, from a first mobile application installed on a first mobile device associated with a first user, one or more initial tokens, wherein the first mobile device is configured to collect the one or more initial tokens from at least one second communication device different from the first user device via a short range

communication channel established between the first communication device and the at least one second communication device, wherein each of the one or more tokens associated with a different account, at least one initial token of the set of initial tokens received by the first mobile application from at least one second mobile application installed on a second mobile device;

identify an initial token associated with the user;

add the identified initial token to the one or more initial tokens;

generate a master token to be associated with the one or more initial tokens;

provide the generated master token to the first mobile application installed on the mobile device;

upon receiving a request to complete a transaction that includes the master token, determine, for each initial token in the one or more initial tokens, a portion of the requested transaction to be assigned to the respective initial token;

generate for each initial token in the one or more initial tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction; and

transmit each secondary authorization request for pre-approval to one of the one or more authorization computers associated with each initial token in the set of initial tokens.

15. (Original) The server device of claim 14, wherein the instructions further cause the server device to:

upon receiving an authorization request message that includes the master token, generate secondary authorization request messages to be provided to authorization computers associated with each of the one or more initial tokens for a portion of the authorization request message.

16. (Original) The server device of claim 15, wherein the instructions further cause the server device to:

upon receiving secondary authorization response from each of the authorization computers associated with each of the one or more initial tokens, generate an authorization response message to the received authorization request message.

17. (Original) The server device of claim 16, wherein upon determining that at least one of the received secondary authorization response messages includes a declination of the portion of the transaction, the authorization response message to the received authorization request message is generated to include instructions to decline the transaction.

18. (Currently Amended) The server device of claim 14, wherein upon determining that each of the received secondary authorization response messages includes an approval of the portion of the transaction, the authorization response message to the received authorization request message is generated to include instructions to approve the transaction.

19. (Original) The server device of claim 14, wherein the identified initial token is identified based on input provided by the user.

20. (Original) The server device of claim 14, wherein each of the one or more initial tokens is associated with a ticket to a ticketed venue and the master token may be used to gain access to the ticketed venue for secondary users associated with each of the one or more initial tokens.

21. (Previously presented) The method of claim 1, wherein information identifying the resource provider is removed from each secondary authorization request.

I hereby certify that this correspondence is being filed via
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on October 14, 2020

PATENT
Attorney Docket No.: 079900-1005932-1714US01
Client Ref. No.: 1714US01

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Narissa M. Besada/
Narissa M. Besada

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kelvan Howard

Application No.: 15/185,949

Filed: June 17, 2016

For: TOKEN AGGREGATION SYSTEM
FOR MULTI-PARTY TRANSACTIONS

Customer No.: 66945

Confirmation No.: 8132

Examiner: Amit Hemantkumar Patel

Technology Center/Art Unit: 3696

APPEAL BRIEF

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

Commissioner:

In response to the Final Office Action mailed May 14, 2020, and further to the Notice of Appeal filed August 14, 2020, for the above-referenced application, Appellant submits the this Appeal Brief.

REAL PARTY IN INTEREST

The real party in interest in this patent application is Visa International Service Association, hereinafter “Appellant”.

RELATED APPEALS AND INTERFERENCES

None.

SUMMARY OF CLAIMED SUBJECT MATER

In the following summary, Appellant has provided exemplary references to sections of the specification and drawings supporting the subject matter defined in the claims as required by 37 C.F.R. §41.37. Other portions of the specification and drawings also include additional support for the claimed subject matter. Thus, these references are only intended to be illustrative and not restrictive or all inclusive.

Embodiments enable a group of users to split a transaction amongst the group, and allows a user to specify exact proportions to be allocated to each token. The claimed invention provides systems and a method for obtaining a set of initial tokens to be used in completing a transaction, associating a master token with the set of initial tokens, and assigning portions of a transaction for which the master token has been provided to each initial token in the set of initial tokens. Upon receiving an authorization request that includes the master token, the primary authorization computer may determine a portion of the transaction to be assigned to each of the initial tokens in the set of initial tokens. The primary authorization computer may then generate secondary authorization requests to be sent to a number of secondary authorization computers associated with each initial token in the set of initial tokens. Upon receiving authorization responses from each of the secondary authorization computers, the primary authorization computer may generate an authorization response for the transaction.

In the claimed transaction-splitting system, the master token is presented to the merchant as any other token would be (e.g., via any other type of e-wallet application), which appears to the merchant as a single token. The merchant is able to treat the master token as it would any other token, and need not adopt any special software or hardware. Accordingly, the described

transaction-splitting system may be used at any merchant that already accepts tokens. Furthermore, the described transaction-splitting system may be made token agnostic. For example, the described transaction-splitting system may accept a wide range of tokens, which enables users to utilize accounts at a merchant that may or may not be typically accepted by that merchant, because the merchant need only accept the master token.

By way of illustrative example, consider a scenario in which multiple parties attend a gathering at a restaurant. In this example, the multiple parties may wish to split a bill for the food that was ordered at the restaurant. In this scenario, one of the parties may collect tokens from each of the other multiple parties using an application installed on his or her mobile phone. The tokens may represent information for a number of different account types. The application may transmit each of the received tokens to a mobile application server (in this example, the primary authorization computer). Upon receiving the tokens, the mobile application server may generate a master token and push it to the application on the mobile device.

In this example, the owner of the mobile device may use the master token to pay the bill. The restaurant, upon receiving the master token to complete a transaction for the purchased food, would treat the master token as it would any other information (e.g., by generating an authorization request to an authorization entity of the master token), by providing it to an acquirer. In this illustrative example, the acquirer would seek authorization from the mobile application server (which is acting as the authorization entity) and the mobile application server would then seek authorization from authorization entities associated with each of the tokens in the set of tokens (i.e., the secondary authorization computers). In this example, once authorization is received from each of the authorization entities associated with the set of tokens, the mobile application server may generate an authorization response for the transaction to be provided to the acquirer. In this illustrative example, the user with the mobile application on his or her mobile device may collect the tokens from the other parties immediately prior to paying the bill, or far in advance. For example, the user may receive the master token before going to the restaurant. In some embodiments, the master token may be used in multiple transactions. For example, the user may utilize the same master token each time that the multiple parties meet up. If one or more of those parties are absent, the user may simply elect to assign no portion of the transaction to the absent parties.

The following independent claims encompass embodiments of the invention.

1. A method comprising:

receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein each initial token of the set of initial tokens is associated with a different account maintained by one or more authorization computers, wherein at least one initial token of the set of initial tokens received by the communication device from the at least one second communication device is not associated with the primary authorization computer ¶[0105] and 702 on FIG. 7, also at [0066], [0068], [0084], S602 on FIG. 6];

generating, by the primary authorization computer, a master token to be associated with the set of initial tokens ¶[0106] and 704 on FIG. 7, also at ¶[0084], S602 on FIG. 6];

providing, by the primary authorization computer, the master token to the first communication device ¶[0106] and 706 on FIG. 7, also at ¶[0085], S604 on FIG. 6];

receiving, by the primary authorization computer, a request to authorize a transaction from a resource provider, the request including the master token ¶[0107] and 708 on FIG. 7, also at ¶[0076], [0088], S610 on FIG. 6];

determining, by the primary authorization computer, for each initial token in the set of tokens, a portion of the requested transaction to be assigned to the respective initial token ¶[0108] and 712 on FIG. 7, also at ¶[0077], [0078], [0089], 612 on FIG. 6];

generating, by the primary authorization computer, for each initial token in the set of tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction ¶[0108] and 714 on FIG. 7, also at ¶[0080], [0089], S612 on FIG. 6];

transmitting, by the primary authorization computer, the generated secondary authorization requests to secondary authorization computers of the one or more authorization computers associated with each initial token in the set of initial tokens ¶[0108], also at ¶[0080], [0082], [0090], S614 on FIG. 6];

receiving, by the primary authorization computer, an authorization response from each of the secondary authorization computers ¶[0109], also at ¶[0082], [0093], [0094], S620 and S624 on FIG. 6];

upon determining that pre-approval has been received for each of the initial tokens of the set of initial tokens, generating a subsequent authorization response and transmitting the subsequent authorization response to the resource provider ¶[0109], 716 at FIG. 7, also at ¶[0082], [0095], S626 on FIG. 6].

14. A server device comprising:
one or more processors; and
a memory including instructions that, when executed by the one or more processors, cause the server device to:

- maintain account information associated with a user [¶[0074]];
- receive, from a first mobile application installed on a first mobile device associated with a first user, one or more initial tokens, wherein the first mobile device is configured to collect the one or more initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein each of the one or more tokens associated with a different account, at least one initial token of the set of initial tokens received by the first mobile application from at least one second mobile application installed on a second mobile device [¶[0105] and 702 on FIG. 7, also at [0066], [0068], [0084], S602 on FIG. 6];
- identify an initial token associated with the user;
- add the identified initial token to the one or more initial tokens [¶[0059]];
- generate a master token to be associated with the one or more initial tokens [¶[0106] and 704 on FIG. 7, also at ¶[0084], S602 on FIG. 6];
- provide the generated master token to the first mobile application installed on the mobile device [¶[0106] and 706 on FIG. 7, also at ¶[0085], S604 on FIG. 6];
- upon receiving a request to complete a transaction that includes the master token, determine, for each initial token in the one or more initial tokens, a portion of the requested transaction to be assigned to the respective initial token [¶[0108] and 712 on FIG. 7, also at ¶[0077], [0078], [0089], 612 on FIG. 6];
- generate for each initial token in the one or more initial tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction [¶[0108] and 714 on FIG. 7, also at ¶[0080], [0089], S612 on FIG. 6]; and
- transmit each secondary authorization request for pre-approval to one of the one or more authorization computers associated with each initial token in the set of initial tokens [¶[0108], also at ¶[0080], [0082], [0090], S614 on FIG. 6].

20. The server device of claim 14, wherein each of the one or more initial tokens is associated with a ticket to a ticketed venue and the master token may be used to gain access to the ticketed venue for secondary users associated with each of the one or more initial tokens [¶[0103]].

ARGUMENT

This Appeal Brief is responsive to the final Office Action mailed on May 14, 2020. Appellant submits that claims 7-13 are canceled in the Response after Final submitted herewith. For purposes of this appeal only, all remaining claims may stand or fall with respect to independent claim 1.

Appellant reserves the right to argue that any of the claims not specifically discussed in this application are patentable in a subsequently filed continuing application, or in an Amendment that may be filed in this application.

CLAIM REJECTION UNDER 35 U.S.C. §101

In the Office Action, Claims 1-4 and 6-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to an abstract idea without significantly more.

Claims 7-13 are canceled herein. The rejection of these claims is now moot.

Appellant submits that the remaining claims recite patent eligible subject matter as explained below. Independent claim 1 can be a representative claim for discussing this rejection.

The USPTO issued Revised Patent Subject Matter Eligibility Guidance on January 7, 2019 (“the 2019 Guidance”). The 2019 Guidance describes a patent eligibility analysis labeled with Step 1, Step 2A – Prong 1, Step 2A – Prong 2, and Step 2B.

A. Step 1 – All claims are directed to a process, machine, manufacture, or composition of matter

Step 1 asks if the claim(s) are directed to a process, machine, manufacture, or composition of matter. Here, the claims are directed to methods (i.e., process) and machines.

B. Step 2A, Prong 1 – The claims are not directed to an abstract idea

Next, Step 2A - Prong 1, asks if the claims are directed to a judicial exception such as an abstract idea. In order to satisfy Step 2A, Prong 1, the 2019 Guidance states that the Examiner must identify claim limitations that fall under an abstract idea, and then determine if the limitations fall within the subject matter groupings enumerated in Section I. They include a “mathematical concept,” a “mental process,” or a “method of organizing human activity”.

In the current case, the Examiner has essentially improperly characterized the claims as being **directed to** “carrying out a transaction using various tokens associated with multiple users and their payment accounts” in general in order to assert that the claims are overly broad. The Federal Circuit has held that “describing the claims at such a high level of abstraction and untethered from the language of the claims all but ensures that the exceptions to § 101 swallow the rule.” *Enfish*, page 14 (also quoting *Alice*, 134 S. Ct. at 2354, noting that “we tread carefully in construing this exclusionary principle [of laws of nature, natural phenomena, and abstract ideas] lest it swallow all of patent law”).

Appellant further notes that the Examiner states “this invention through its claims is using financial information of various users and their devices to conduct payment transactions, which is a fundamental economic activity/principle.” See Office Action dated 08/14/2019, page 32. Hence, the Examiner appears to be under the mistaken impression that claims which involve the use of financial information (or economic activity) are inherently abstract, which demonstrates a fundamental misunderstanding of jurisprudence under 35 U.S.C. § 101. However, as pointed out by the Court in *Alice*, “an invention is not considered to be ineligible for patenting simply because it involves a judicial exception.” *Alice Corp.*, 134 S. Ct. at 2354. The USPTO has cautioned that “Examiners should accordingly be careful to distinguish claims that **recite** an exception (which require further eligibility analysis) and claims that merely **involve** an exception (which are eligible and do not require further eligibility analysis).” *MPEP* 2106.04(a)(1)II (emphasis in original).

In the final Office Action dated 05/14/2020, the Examiner asserts that “the claims recite the abstract idea of carrying out a transaction using various tokens associated with multiple users and their accounts by”, and the Examiner proceeds to quote the entire claim 1. The Examiner then asserts that the recited abstract idea falls within one or more of the three enumerated 2019 PEG categories of patent ineligible subject matter, to wit: certain methods of organizing human activity, which includes fundamental economic practices or principles (e.g., carrying out transactions amongst a group of users—here, using various tokens associated with multiple users and their accounts to carry out the transaction). See Office Action, pages 3-5. Appellant respectfully disagrees.

Appellant submits that the claims do not recite a mere “method or organizing human activity”. Appellant’s claim 1 recites, among other features, (1) receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, (2) generating, by the primary authorization computer, a master token to be associated with the set of initial tokens, (3) providing, by the primary authorization computer, the master token to the first communication device. As shown by these limitations, in claim 1, the primary authorization computer performs a token aggregation method by combining tokens, along with data associated with each token, in a master token. At least these steps are not directed to fundamental economic practices or principles. In fact, while it may be argued that a token is a fundamental economic practice, the foregoing features of Appellant’s claim 1 do not recite, and are not limited to, economic tokens.

In addition, the conventional tokens are associated with an account and are used for performing a transaction using the represented account. In contrast, the master token recited in Appellant’s claims incorporates a plurality of individual tokens and information associated with each one. Accordingly, the master token recited in Appellant’s claim 1 is not part of fundamental economic practice, and claim 1 does not recite a “method for organizing human activity.” Since the limitations in the claims do not fall within the abstract ideas enumerated in Section I of the Guidelines, Step 2A – Prong 1 has not been satisfied.

C. Step 2A, Prong 2 – Any alleged abstract idea is integrated into a “practical application”

Even, assuming *arguendo*, that an abstract idea exists in the claims, it would be clearly integrated into a “practical application.” Under Step 2A – Prong 2, the 2019 Guidelines state, at page 54:

A claim that integrates a judicial exception into a practical application will apply, rely on, or use the judicial exception in a manner that imposes a meaningful limit on the judicial exception When the exception is so integrated, then the claim is not directed to a judicial exception (Step 2A: NO) and is eligible. This concludes the eligibility analysis.

Here, the claims clearly provide for a “practical application.” As explained above, embodiments enable a group of users to split a transaction amongst the group, and allows a user to specify exact proportions to be allocated to each token. For example, in the exemplary scenario in which multiple parties attend a gathering at a restaurant, the claimed invention allows one of the parties to collect tokens from each of the other multiple parties using an application installed on his or her mobile phone, and transmit each of the received tokens to a mobile application server (in this example, the primary authorization computer). Upon receiving the tokens, the mobile application server may generate a master token and push it to the application on the mobile device. The owner of the mobile device then uses the master token to pay the bill. The restaurant, upon receiving the master token to complete a transaction for the purchased food, would treat the master token as it would any other information (e.g., by generating an authorization request to an authorization entity of the master token), by providing it to an acquirer who would seek authorization from the mobile application server (which is acting as the authorization entity) and the mobile application server would then seek authorization from authorization entities associated with each of the tokens in the set of tokens (i.e., the secondary authorization computers). In this example, once authorization is received from each of the authorization entities associated with the set of tokens, the mobile application server may generate an authorization response for the transaction to be provided to the acquirer.

The claimed invention may be used for handling shared expenses such as rent, utilities, groceries among people sharing a living space.

In the claimed transaction-splitting system, the master token is presented to the merchant as any other token would be (e.g., via any other type of e-wallet application), which appears to the merchant as a single token. The merchant is able to treat the master token as it would any other token, and need not adopt any special software or hardware. Accordingly, the described transaction-splitting system may be used at any merchant that already accepts tokens.

Furthermore, the described transaction-splitting system would be token agnostic. For example, the described transaction-splitting system may accept a wide range of tokens, which enables users to utilize accounts at a merchant that may or may not be typically accepted by that merchant, because the merchant need only accept the master token.

In the Office Action, the Examiner asserts that the identified abstract idea to which the claim is directed does not include limitations that integrate the abstract idea into a practical application, since the recited features of the abstract idea are being applied on a computer or computing device or via software programming that is simply being used as a tool ("apply it") to implement the abstract idea. (See, e.g., MPEP §2106.05(f)). Therefore, the claim is directed to an abstract idea. See Office Action, page 5.

Appellant submits that the Office Action fails to provide a proper analysis under Step 2A – Prong 2. As explained in the 2019 PEG, the evaluation of Prong Two requires the use of the considerations (e.g. improving technology, effecting a particular treatment or prophylaxis, implementing with a particular machine, etc.) identified by the Supreme Court and the Federal Circuit, to ensure that **the claim as a whole** “integrates [the] judicial exception into a practical application [that] will apply, rely on, or use the judicial exception in a manner that imposes a meaningful limit on the judicial exception, such that the claim is more than a drafting effort designed to monopolize the judicial exception.” This feature is further explained at page 12 of the Office’s *October 2019 Update: Subject Matter Eligibility*. The *October 2019 Update* provides:

As also explained in the 2019 PEG, the Prong Two analysis **considers the claim as a whole. That is, the limitations containing the judicial exception as well as the additional elements in the claim besides the judicial exception need to be evaluated together to determine whether the claim integrates the judicial exception into a practical application. The additional limitations should not be evaluated in a vacuum, completely separate from the recited judicial exception. Instead, the analysis should take into consideration all the claim limitations and how those limitations interact and impact each other when evaluating whether the exception is integrated into a practical application.** For example in *Bascom Global Internet Servs., Inc. v. AT&T Mobility LLC*, the court determined the claim recited the abstract idea of “filtering.” However, it concluded the claimed invention improved technology because the filtering tool was installed at a specific location, remote from the end-users, with customizable filtering features specific to each end user which provided both the benefits of a filter at a local computer and on an ISP server. In determining whether the claimed invention improves technology, the court considered the filtering limitations in combination with the remaining limitations. [emphasis added].

In view of the foregoing, Appellant submits that the Examiner did not follow the Office’s *October 2019 Update* that requires the Examiner to consider the alleged “additional limitation” not in a vacuum and completely separate from the alleged abstract idea, but instead

taking into consideration all the claim limitations. When such guidance is implemented here, it will be apparent that Appellant's claims clearly provide for a "practical application."

With respect to the above, Appellant further points out that the Examiner's interpretation of "practical application" is not consistent with that of the USPTO or current law. Here, although it isn't quite clear what the Examiner believes a "practical application" would include, the Examiner appears to be under the impression that claims must involve some novel system component to be integrated into a practical application. Appellant notes that this understanding is not correct. As stated in the 2019 Guidance, a claim that integrates a judicial exception into a practical application will "apply, rely on, or use the judicial exception in a manner that imposes a meaningful limit on the judicial exception, such that the claim is more than a drafting effort designed to monopolize the judicial exception" and that "when the exception is so integrated, then the claim is not directed to a judicial exception. Here, any abstract concepts involved in the claims are involved in a specific way which does not monopolize the abstract concept.

Claim 20

In addition, Appellant submits that claim 20 recites additional features that are incorporated into a "practical application." Specifically, claim 20 recites that *each of the one or more initial tokens is associated with a ticket to a ticketed venue and the master token may be used to gain access to the ticketed venue for secondary users associated with each of the one or more initial tokens*. As explained above in connection with arguments presented in Step 2A – Prong 1, the claimed token is not recited to be, or limited to, a payment token. For example, in claim, the token is associated with a ticket. According to an exemplary scenario, multiple persons may wish to board a train or attend a concert. Each person may have a token that represents a ticket. The multiple parties may each present their separate tickets to a single user's mobile device. Information associated with the tickets may then be aggregated at a remote server, which may in turn provide a master token. In this scenario, the master token may be presented by one user in order to gain entry for all persons to the ticketed venue. Thus, this embodiment reduces the amount of ticket transactions at the entry gate providing for a more efficient ticket check process.

Thus, the claims are patent eligible under Step 2A – Prong 2 if they are not patent eligible under Step 2A – Prong 1.

D. Step 2B – Even if the claims are directed to an abstract idea, the claims recite “significantly more”

Step 2B determines whether any element, or combination of elements, in the claim constitutes “significantly more” than the abstract idea.

The claims provide for “significantly more,” at least because claim 1 “add[s] a specific limitation other than what is well-understood, routine and conventional in the field” or “add[s] unconventional steps that confine the claim to a particular useful application.” Pursuant to *Berkheimer v. HP Inc.* (Appeal No. 2017-1437) (Fed. Cir. 2018), the Examiner has the burden of supplying evidence that the following limitations were well-understood, routine, and conventional activities previously known to the industry, but has not done so.

Appellant respectfully submits that each of the limitations *“receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein each initial token of the set of initial tokens is associated with a different account maintained by one or more authorization computers, wherein at least one initial token of the set of initial tokens received by the communication device from the at least one second communication device is not associated with the primary authorization computer,” “generating [] a master token to be associated with the set of initial tokens,” “generating [] for each initial token in the set of tokens, a secondary authorization request for a portion of the requested transaction,” and “upon receiving, by the primary authorization computer, an authorization response from each of the secondary authorization computers, generating a subsequent authorization response and transmitting the subsequent authorization response to the resource provider,”* are additional to any alleged abstract idea and are each unconventional limitations for online transaction systems. Hence, Appellant submits that these features are not ‘well understood, routine, conventional activities,’ the addition of which indicate significantly more.

Appellant further submits that the burden is on the Examiner to provide evidence that at least the foregoing limitations of Appellant's claim 1 are "well-understood, routine, and conventional," and the Examiner has provided no such evidence. As such, the claims provide "significantly more" for this reason alone.

Furthermore, the claims also provide "significantly more" since the claims provide for improvements to conventional transaction processing systems. Appellant submits that, when the claim is considered as a whole, the recited judicial exception is integrated into a practical application as determined under either MPEP § 2106.05(a) "Improvements to the Functioning of a Computer or To Any Other Technology or Technical Field," or § 2106.05(e) "Other Meaningful Limitations," such that the claim is patent-eligible.

There are a number of problems that are present when multiple users attempt to conduct a single transaction using conventional systems. For example, when multiple persons at a restaurant wish to contribute different amounts to a bill, the restaurant may receive different payment devices (e.g. different credit cards) from the different persons. If, for example, the different persons wish to pay for different amounts on the invoice, this can be unduly burdensome for the restaurant and the restaurant may consequently not want to perform the transaction in the manner that the users want. In contrast, the claimed invention enables a group of users to split a transaction amongst the group, and allows a user to specify exact proportions to be allocated to each token. This is achieved by using a master token that incorporates individual tokens associated with accounts of different persons, and a sharing scheme.

In the claimed transaction-splitting system, the master token is presented to the merchant as any other token would be (e.g., via any other type of e-wallet application), which appears to the merchant as a single token. The merchant is able to treat the master token as it would any other token, and need not adopt any special software or hardware. Accordingly, the described transaction-splitting system may be used at any merchant that already accepts tokens.

In addition, the claimed invention improves the current state of the technology by providing a token-agnostic transaction-splitting system. The claimed transaction-splitting system is not restricted in a type of tokens, which enables users to utilize accounts at a merchant that

may or may not be typically accepted by that merchant, because the merchant need only accept the master token.

In most other conventional transaction-splitting systems, a single user often settles the transaction with the merchant, and other users reimburse that single user for their portion. However, in these systems, the single user may end up being responsible for a larger portion of the transaction if one or more of the reimbursements are declined. In contrast, in the described transaction-splitting system, preapproval is obtained for each of the additional parties prior to authorizing the transaction. This significantly reduces the risk that any single user will be responsible for a larger portion of the transaction.

In view of the foregoing, Appellant respectfully submits that claim 1 “add[s] a specific limitation other than what is well-understood, routine and conventional in the field” or “add[s] unconventional steps that confine the claim to a particular useful application. In addition, claim 1 clearly includes “Other Meaningful Limitations,” pursuant to MPEP § 2106.05(e). As such, claim 1 is patent-eligible.

Appellant further submits that in his analysis of Step 2B, the Examiner resorts back the miscategorization of “additional elements”. Specifically, the Examiner asserts that the additional elements, such as: a "computer" and a "communication device" do not amount to an innovative concept since, as stated above in the step 2A, Prong 2 analysis, the claims are simply using the additional elements as a tool to carry out the abstract idea (i.e., "apply it") on a computer or computing device and/or via software programming. (See, e.g., MPEP §2106.05(f)). See Office Action, page 5.

As explained in greater detail above, the additional elements should not be considered in a vacuum and completely separate from the remaining features of Appellant’s claims.

For at least the reasons provided above, the claims are patent eligible.

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please contact the undersigned at (415) 273-4845 or NDoran-Civan@kilpatricktownsend.com.

Respectfully submitted,

/ Neslihan I. Doran-Civan /

Neslihan I. Doran-Civan
Registration No. 64883

KILPATRICK TOWNSEND & STOCKTON, LLP

Attachments

BN

CLAIMS APPENDIX

1. (Previously presented) A method comprising:

receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein each initial token of the set of initial tokens is associated with a different account maintained by one or more authorization computers, wherein at least one initial token of the set of initial tokens received by the communication device from the at least one second communication device is not associated with the primary authorization computer;

generating, by the primary authorization computer, a master token to be associated with the set of initial tokens;

providing, by the primary authorization computer, the master token to the first communication device;

receiving, by the primary authorization computer, a request to authorize a transaction from a resource provider, the request including the master token;

determining, by the primary authorization computer, for each initial token in the set of tokens, a portion of the requested transaction to be assigned to the respective initial token;

generating, by the primary authorization computer, for each initial token in the set of tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction;

transmitting, by the primary authorization computer, the generated secondary authorization requests to secondary authorization computers of the one or more authorization computers associated with each initial token in the set of initial tokens;

receiving, by the primary authorization computer, an authorization response from each of the secondary authorization computers;

upon determining that pre-approval has been received for each of the initial tokens of the set of initial tokens, generating a subsequent authorization response and transmitting the subsequent authorization response to the resource provider.

2. (Original) The method of claim 1, wherein the portion of the requested transaction is determined based at least in part on configuration settings associated with the master token.

3. (Original) The method of claim 2, wherein the configuration settings associated with the master token are maintained by the primary authorization computer in association with an account associated with the communication device.

4. (Original) The method of claim 3, wherein the configuration settings are updateable by a user associated with the account.

5. (Canceled)

6. (Original) The method of claim 1, wherein each token of the set of initial tokens represents a different payment account.

7. – 13. (Canceled)

14. (Previously presented) A server device comprising:
one or more processors; and
a memory including instructions that, when executed by the one or more processors, cause the server device to:

maintain account information associated with a user;

receive, from a first mobile application installed on a first mobile device associated with a first user, one or more initial tokens, wherein the first mobile device is configured to collect the one or more initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device, wherein each of the one or more tokens associated with a different account, at least one initial token of the set of initial tokens received by the first mobile application from at least one second mobile application installed on a second mobile device;

identify an initial token associated with the user;

add the identified initial token to the one or more initial tokens;
generate a master token to be associated with the one or more initial tokens;
provide the generated master token to the first mobile application installed on the mobile device;
upon receiving a request to complete a transaction that includes the master token, determine, for each initial token in the one or more initial tokens, a portion of the requested transaction to be assigned to the respective initial token;
generate for each initial token in the one or more initial tokens, a secondary authorization request for pre-approval of an amount which is greater than the respective portion of the requested transaction; and
transmit each secondary authorization request for pre-approval to one of the one or more authorization computers associated with each initial token in the set of initial tokens.

15. (Original) The server device of claim 14, wherein the instructions further cause the server device to:

upon receiving an authorization request message that includes the master token, generate secondary authorization request messages to be provided to authorization computers associated with each of the one or more initial tokens for a portion of the authorization request message.

16. (Original) The server device of claim 15, wherein the instructions further cause the server device to:

upon receiving secondary authorization response from each of the authorization computers associated with each of the one or more initial tokens, generate an authorization response message to the received authorization request message.

17. (Original) The server device of claim 16, wherein upon determining that at least one of the received secondary authorization response messages includes a declination of the

portion of the transaction, the authorization response message to the received authorization request message is generated to include instructions to decline the transaction.

18. (Previously Presented) The server device of claim 14, wherein upon determining that each of the received secondary authorization response messages includes an approval of the portion of the transaction, the authorization response message to the received authorization request message is generated to include instructions to approve the transaction.

19. (Original) The server device of claim 14, wherein the identified initial token is identified based on input provided by the user.

20. (Original) The server device of claim 14, wherein each of the one or more initial tokens is associated with a ticket to a ticketed venue and the master token may be used to gain access to the ticketed venue for secondary users associated with each of the one or more initial tokens.

21. (Previously Presented) The method of claim 1, wherein information identifying the resource provider is removed from each secondary authorization request.



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66945 7590 03/18/2021
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1100 Peachtree Street
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Atlanta, GA 30309

Table with 2 columns: EXAMINER (PATEL, AMIT HEMANTKUMAR), ART UNIT (3696), PAPER NUMBER

DATE MAILED: 03/18/2021

Table with 5 columns: APPLICATION NO. (15/185,949), FILING DATE (06/17/2016), FIRST NAMED INVENTOR (Kelvan Howard), ATTORNEY DOCKET NO. (079900-1005932(1714US01)), CONFIRMATION NO. (8132)

TITLE OF INVENTION: TOKEN AGGREGATION SYSTEM FOR MULTI-PARTY TRANSACTIONS

Table with 7 columns: APPLN. TYPE (nonprovisional), ENTITY STATUS (UNDISCOUNTED), ISSUE FEE DUE (\$1200), PUBLICATION FEE DUE (\$0.00), PREV. PAID ISSUE FEE (\$0.00), TOTAL FEE(S) DUE (\$1200), DATE DUE (06/18/2021)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/185.949	06/17/2016	Kelvan Howard	079900-1005932(1714US01)	8132

TITLE OF INVENTION: **TOKEN AGGREGATION SYSTEM FOR MULTI-PARTY TRANSACTIONS**

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1200	\$0.00	\$0.00	\$1200	06/18/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
PATEL, AMIT HEMANTKUMAR	3696	705-044000

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes application details for Kelvan Howard and examiner information for Patel, Amit Hemantkumar.

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.

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 30 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.

Notice of Allowability	Application No. 15/185,949	Applicant(s) Howard, Kelvan	
	Examiner AMIT PATEL	Art Unit 3696	AIA (FITF) Status 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 Appeal Brief filed on 10/14/2020.
 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 1-4,6 and 14-21 . 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. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____. | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material _____. | 7. <input type="checkbox"/> Other _____. |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date. _____. | |

/AMIT PATEL/ Examiner, Art Unit 3696	/NAMRATA BOVEJA/ Supervisory Patent Examiner, Art Unit 3696
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DETAILED ACTION

ALLOWABILITY NOTICE / REASONS FOR ALLOWANCE

Notice of Pre-AIA or AIA Status

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

Status of Claims

2. This action is in reply to Applicant's Appeal Brief which was filed on October 14, 2020.

3. Applicant has cancelled claims 7–13. Thus, claims 1–4, 6, and 14–21 are pending and are allowed over the prior art of record. The previous rejection under 35 USC §101 is withdrawn.

Allowable Subject Matter

4. The following is an Examiner's statement of reasons for allowance over the prior art:

The following limitations were not taught by the previously cited prior art:

“receiving, by a primary authorization computer, a set of initial tokens from a first communication device associated with a first user, **wherein the first communication device is configured to collect the set of initial tokens from at least one second communication device different from the first user device via a short range communication channel established between the first communication device and the at least one second communication device**, wherein each initial token of the set

of initial tokens is associated with a different account maintained by one or more authorization computers, wherein at least one initial token of the set of initial tokens received by the communication device from the at least one second communication device is not associated with the primary authorization computer.”

The following relevant prior art is the closest that has been found to the present invention, but it does disclose the limitations found above relating to collecting tokens by a single user (via a “master token”) which is then used to pay for the entire transaction by apportioning the total transaction amount based on the obligations of each member of the group:

1. *Hosny et al.* (U.S. Pub. No. 2015/0073988) discloses the use of a set of tokens for payment in a group transaction. However, the users in *Hosny* must first be registered to a third-party application in order to initiate payment, which is distinct from the present invention where no registration is required.

2. *Faith et al.* (U.S. Pub. No. 2011/0191237) discloses a third-party remote server computer determines whether two devices in physical contact intended to and, if so, provides data to one of the devices. However, this is distinct from the present invention where only the devices connect with one another to make a data transfer (the first communication device collecting the tokens of other devices via short range communication) without the presence of a third-party remote server computer.

For these reasons, independent claims 1 and 14 are deemed to be allowable over the most relevant prior art, and claims 2–4, 6, and 15–21 are allowed by dependency on allowed claims 1 and 14, respectively.

Regarding the prior 101 rejection, in view of the pending claims and the January and October 2019 Patent Eligibility Guidance (PEG) concerning rejections under §35 U.S.C. §101, the prior 101 rejection is withdrawn and the pending claims are allowed since the instant claims recite additional features and/or elements that integrate the abstract idea that is recited by the claims into a practical application of the abstract idea.

Specifically, the claims fall in to the group of abstract ideas described as certain methods of organizing human activities as the claims recite a commercial interaction. The general details include carrying out a payment transaction using a single token associated with multiple users and their payment accounts.

Claim 1 recites the followings limitations, “generating, by the primary authorization computer, a master token to be associated with the set of initial tokens; providing, by the primary authorization computer, the master token to the first communication device; and receiving, by the primary authorization computer, a request to authorize a transaction from a resource provider, the request including the master token.”

These limitations provide an improvement over prior systems in that a single master token to carry out a transaction amongst a group of people, ensuring that only one payment method is required at the point of sale. Thus the claim is eligible because the

claim as a whole integrates an abstract idea into a practical application. Accordingly, the prior rejection under 35 U.S.C. §101 is hereby withdrawn.

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

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to AMIT PATEL whose telephone number is (313) 446-4902. The Examiner can normally be reached Mon - Fri 8 AM - 4 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Namrata Boveja, can be reached at (571) 272-8105. The Examiner's fax phone number is (571) 273-6087. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Examiner interviews are available via telephone, or via video conference using a USPTO supplied web-based collaboration tool. To schedule an interview applicant may call the Examiner or use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

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

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. If you have questions about accessing 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 (USA or CANADA) or (571) 272-1000.

/Amit Patel/
Examiner
Art Unit 3696

/NAMRATA BOVEJA/
Supervisory Patent Examiner, Art Unit 3696