



APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/19/2019	10482517	095054-0444144	3533

909 7590 10/30/2019

Pillsbury Winthrop Shaw Pittman, LLP
PO Box 10500
McLean, VA 22102

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 381 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

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

Matthew SZYMCZYK, Manhattan Beach, CA;
ZUGARA, INC., Culver City, CA;
Aaron VON HUNGEN, Culver City, CA;
Blake CALLENS, Toluca Lake, CA;
Hans FORSMAN, Venice, CA;
Jack BENOFF, Hermosa Beach, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCHYK	095054-0444144	3533
909	7590	10/16/2019	EXAMINER	
Pillsbury Winthrop Shaw Pittman, LLP			COTHMAN, BERNARD E	
PO Box 10500			ART UNIT	PAPER NUMBER
McLean, VA 22102			2128	
			NOTIFICATION DATE	DELIVERY MODE
			10/16/2019	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):

docket_ip@pillsburylaw.com



UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of :
SZYMCZYK et al. :
Application No. 14/936,444 :
Filed: 9 Nov 2015 : **DECISION ON PETITION**
For: PROVIDING A SIMULATION OF :
WEARING ITEMS SUCH AS :
GARMENTS AND/OR ACCESSORIES :

This is a decision on the petition filed June 3, 2019, to revive the above-identified application under the unintentional provisions of 37 CFR 1.137(a).

There is no indication that the petition is signed by a registered patent attorney or patent agent of record. However, in accordance with 37 CFR 1.34, the signature of Mr. Patrick A. Doody appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts.

The petition is **GRANTED**.

This application became abandoned for a failure to timely file the inventor's oath or declaration on or before payment of the issue fee, as required by the Notice Requiring Inventor's Oath or Declaration mailed February 20, 2019. Accordingly, the date of abandonment is May 14, 2019. A Notice of Abandonment was mailed May 20, 2019.

The petition satisfies the requirements of 37 CFR 1.137(a) in that petitioner has supplied (1) the required reply in the form of a declaration and sub-statements; (2) the petition fee of \$1000; and (3) an adequate statement of unintentional delay.

This application is being referred to the Office of Data Management for processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-1058. Inquiries relating to processing as a patent should be directed to (571) 272-4200.

/Angela Walker/
Angela Walker
Paralegal Specialist
Office of Petitions

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 14/936,444		Filing Date 11/09/2015		<input type="checkbox"/> To be Mailed			
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO											
APPLICATION AS FILED - PART I											
		(Column 1)	(Column 2)								
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)		FEE (\$)				
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A						
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A						
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A						
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =	*		X \$ =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*		X \$ =						
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))											
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL						
APPLICATION AS AMENDED - PART II											
		(Column 1)	(Column 2)		(Column 3)						
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=		X \$ =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=		X \$ =				
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
							TOTAL ADD'L FEE				
		(Column 1)	(Column 2)		(Column 3)						
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=		X \$ =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=		X \$ =				
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
							TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.							LIE				
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".							/EMORY T LANE/				
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".											
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.											

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

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

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)**

Page 1 of 2

Docket Number (Optional)

095054-044414

First named inventor: Matthew SZYMZYKApplication No.: 14/936,444Art Unit: 2128Filed: November 9, 2015Examiner: Bernard E. CothranTitle: **PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS
AND/OR ACCESSORIES**

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

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

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☒ Small entity fee \$ 1000.00 (37 CFR 1.17(m)). Applicant asserts small entity status. See 37 CFR 1.27.

☐ Micro entity fee \$ _____ (37 CFR 1.17(m)). Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ Undiscounted fee \$ _____ (37 CFR 1.17(m)).
2. Reply and/or fee

A The reply and/or fee to the above-noted Office notice or action in the form of

Declaration & Statement in Lieu of an Oath or Declaration & 373(c) Statement & Power of Attorney (identify the type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.
B The issue fee and publication fee (if applicable) of \$ 500.00
☒ has been paid previously on May 14, 2019.

☐ is enclosed herewith.

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)

Page 2 of 2

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(a) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

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

/Patrick A. Doody/

Signature

June 3, 2019

Date

Patrick A. Doody

Typed or Printed Name

35022

Registration Number, if applicable

Pillsbury Winthrop Shaw Pittman, LLP

Address

703-770-7900

Telephone Number

P.O. Box 10500 McLean VA 22102

Address

Enclosures:

- ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheet(s) containing statements establishing unintentional delay
- ☒ Other: Declaration & Statement in Lieu of an Oath or Declaration - 373(c) Statement & Power of Attorney

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

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.

DECLARATION (37 C.F.R. 1.63) FOR UTILITY PATENT APPLICATION USING AN
APPLICATION DATA SHEET (37 C.F.R. 1.76)

Title of Invention: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS
GARMENTS AND/OR ACCESSORIES

As a below named inventor, I hereby declare that:

This declaration is directed to United States application number 14/035,444 filed on November 2, 2015,
which is a continuation of U.S. Patent Application Serial No. 13/592,159 filed August 22, 2012,
which is a continuation of U.S. Patent Application Serial No. 12/822,168 filed June 23, 2010,
which claims the priority benefit of U.S. Provisional Patent Application Serial No. 61/233,364 filed
August 12, 2009 and U.S. Provisional Patent Application Serial No. 61/233,377 filed
August 12, 2009.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the
application.

I have reviewed and understand the contents of the application, including the claims.

I am aware of the duty to disclose to the United States Patent and Trademark Office all information
known to me to be material to patentability as defined in 37 C.F.R. Section 1.56.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18
U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Legal Name of Inventor: Matthew SZYMCHYK

Signature: 

Date: 4/23/19

Legal Name of Inventor: Aaron VON HUNGEN

Signature: _____

Date: _____

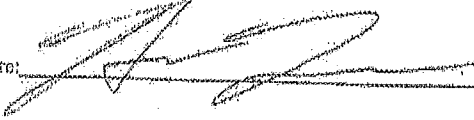
Legal Name of Inventor: Blake CALLENS

Signature: _____

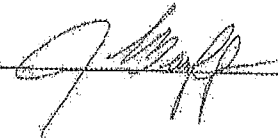
Date: _____

ATTORNEY DOCKET NUMBER: 095054-0444144

Legal Name of Inventor: Hans FORSMAN

Signature:  Date: 4/29/19

Legal Name of Inventor: Jack BENOFF

Signature:  Date: 4/29/19

**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY
OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)**

Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		
This statement is directed to:			
<input type="checkbox"/> The attached application,			
OR			
<input checked="" type="checkbox"/> United States application or PCT international application number <u>14/936,444</u> filed on <u>11/09/2015</u>			
LEGAL NAME of inventor to whom this substitute statement applies:			
(E.g., Given Name (first and middle (if any)) and Family Name or Surname)			
Aaron VON HUNGEN			
Residence (except for a deceased or legally incapacitated inventor):			
City	State	Country	
Culver City	CA	US	
Mailing Address (except for a deceased or legally incapacitated inventor):			
11115 Orville Street			
City	State	Zip	Country
Culver City	CA	90230	US
I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.			
The above-identified application was made or authorized to be made by me.			
I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.			
Relationship to the inventor to whom this substitute statement applies:			
<input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only);			
<input checked="" type="checkbox"/> Assignee;			
<input type="checkbox"/> Person to whom the inventor is under an obligation to assign;			
<input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.46 is required); or			
<input type="checkbox"/> Joint inventor.			

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

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

SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- ☐ Inventor is deceased,
☐ Inventor is under legal incapacity,
☒ Inventor cannot be found or reached after diligent effort, or
☐ Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- ☒ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) naming the entire inventive entity has been or is currently submitted.

OR

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/AIA/11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

WARNING:

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

PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

Name: **Matthew Szymczyk**

May 30, 2019
Date (Optional):

Signature: 

APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

If the applicant is a juristic entity, list the applicant name and the title of the signer:

ZUGARA, INC.

Applicant Name:

Title of Person Executing
This Substitute Statement: **CEO**

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City **Manhattan Beach** State **CA** Country **US**

Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)
3814 Highland Avenue #1

City **Manhattan Beach** State **CA** Zip **90266** Country **US**

Note: Use an additional PTO/AIA/02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

[Page 2 of 2]

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(h)(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) directives. 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.

**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY
OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)**

Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		
This statement is directed to:			
<input type="checkbox"/> The attached application,			
OR			
<input checked="" type="checkbox"/> United States application or PCT International application number <u>14/936,444</u> filed on <u>11/09/2015</u>			
LEGAL NAME of inventor to whom this substitute statement applies:			
(E.g., Given Name (first and middle (if any)) and Family Name or Surname)			
Blake CALLENS			
Residence (except for a deceased or legally incapacitated inventor):			
City	Toluca Lake	State	CA
		Country	US
Mailing Address (except for a deceased or legally incapacitated inventor):			
10645 Valley Springs Lane #10			
City	Toluca Lake	State	CA
		Zip	90230
		Country	91602
I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.			
The above-identified application was made or authorized to be made by me.			
I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.			
Relationship to the inventor to whom this substitute statement applies:			
<input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only),			
<input checked="" type="checkbox"/> Assignee,			
<input type="checkbox"/> Person to whom the inventor is under an obligation to assign,			
<input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.46 is required), or			
<input type="checkbox"/> Joint Inventor.			

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.
If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.

SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- ☐ Inventor is deceased,
☐ Inventor is under legal incapacity,
☒ Inventor cannot be found or reached after diligent effort, or
☐ Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- ☒ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) naming the entire inventive entity has been or is currently submitted.

OR

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/AIA/11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

WARNING:

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

PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

Name: **Matthew Szymczyk** Date (Optional): **May 30, 2019**

Signature: 

APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

If the applicant is a juristic entity, list the applicant name and the title of the signer:

ZUGARA, INC.

Applicant Name:

Title of Person Executing This Substitute Statement: **CEO**

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City **Manhattan Beach** State **CA** Country **US**
Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)
3814 Highland Avenue #1

City **Manhattan Beach** State **CA** Zip **90266** Country **US**

Note: Use an additional PTO/AIA/02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

[Page 2 of 2]

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) directives. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	14936444			
Filing Date:	09-Nov-2015			
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
First Named Inventor/Applicant Name:	Matthew SZYMCZYK			
Filer:	Patrick A. Doody/Barbie Beavers			
Attorney Docket Number:	095054-0444144			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
PET. REVIVE ABANDON APP, DELAY PYMT-RESP	2453	1	1000	1000
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1000

Electronic Acknowledgement Receipt

EFS ID:	36183022
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Patrick A. Doody/Barbie Beavers
Filer Authorized By:	Patrick A. Doody
Attorney Docket Number:	095054-0444144
Receipt Date:	03-JUN-2019
Filing Date:	09-NOV-2015
Time Stamp:	14:47:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	\$ 1000
RAM confirmation Number	060419INTEFSW00001086033975
Deposit Account	033975
Authorized User	Barbie Beavers

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

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

Perfect Corp Ex. 1010

Page 18 of 271

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	PETITIONFORREVIVAL.pdf	216734	no	3
			6c84e78ec3ffa1aa634dedd135e86caf6b912ce9		
Warnings:					
Information:					
2	Assignee showing of ownership per 37 CFR 3.73	373CSTATEMENTANDPOA.pdf	747865	no	5
			c245028420ef6445b32e1900d734ab37e4099c7b		
Warnings:					
Information:					
3	Oath or Declaration filed	DECLARATIONANDSTATEMENT INLIEU.pdf	1126282	no	8
			43e8daa19a881643a3f7ccad21d71a9054b744b0		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30678	no	2
			31b5d2e794d803f92bd01ab3c597021cd48c86e2		
Warnings:					
Information:					
Total Files Size (in bytes):			2121559		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

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

STATEMENT UNDER 37 CFR 3.73(c)Applicant/Patent Owner: Zugara, Inc.Application No./Patent No.: 14/936,444Filed/Issue Date: November 9, 2015Titled: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIESZugara, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose one of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose one of options A or B below):

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 037064, Frame 0139, or for which a copy thereof is attached.
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:
1. From: _____ To: _____
- The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
- The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☒ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Patrick A. Doody/

Signature

Patrick A. Doody

Printed or Typed Name

June 3, 2019

Date

35022

Title or Registration 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).
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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.
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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.

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

- ☒ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 00909
- OR
- ☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

- ☒ The address associated with the above-mentioned Customer Number.
- OR

- ☐ The address associated with Customer Number:

OR

Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the Applicant (If the Applicant is a juristic entity, list the Applicant name in the box):

ZUGARA, INC.

- ☐ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.48(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature

Date (Optional)

May 30, 2015

Name

Mathew Szymczyk

Title

CEO

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

- ☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

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

14/936,444	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES	095054-0444144	05-30-2019::19:13:36
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Patent Assignment Abstract of Title

Total Assignments: 1

Application #: 14936444

Filing Dt: 11/09/2015

Patent #: NONE

Issue Dt:

PCT #: NONE

Intl Reg #:

Publication #: US20160063592

Pub Dt: 03/03/2016

Inventors: Matthew SZYMCZYK, Aaron VON HUNGEN, Blake CALLENS, Hans FORSMAN, Jack BENOFF

Title: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

Assignment: 1

Reel/Frame: 037064 / 0139

Received: 11/17/2015

Recorded: 11/17/2015

Mailed: 11/18/2015

Pages: 5

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: SZYMCZYK, MATTHEW

Exec Dt: 07/25/2010

VON HUNGEN, AARON

Exec Dt: 07/23/2010

CALLENS, BLAKE

Exec Dt: 07/23/2010

FORSMAN, HANS

Exec Dt: 07/23/2010

BENOFF, JACK

Exec Dt: 07/23/2010

Assignee: ZUGARA, INC.

8536 NATIONAL BLVD.

SUITE B

CULVER CITY, CALIFORNIA 90232

Correspondent: PILLSBURY WINTHROP SHAW PITTMAN, LLP

P.O. BOX 10500

MCLEAN, VA 22102

Search Results as of: 05/30/2019 19:13:33 PM

Disclaimer:

Assignment information on the assignment database reflects assignment documents that have been actually recorded.

If the assignment for a patent was not recorded, the name of the assignee on the patent application publication or patent may be different.

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 571-272-3350

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 14/936,444		Filing Date 11/09/2015		<input type="checkbox"/> To be Mailed		
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO										
APPLICATION AS FILED - PART I										
		(Column 1)	(Column 2)							
FOR		NUMBER FILED	NUMBER EXTRA	RATE (\$)		FEE (\$)				
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A	N/A						
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A	N/A						
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A	N/A						
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =	*	x \$40 =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*	x \$210 =						
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL						
APPLICATION AS AMENDED - PART II										
		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT	05/29/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	x \$50 =		0		
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	x \$230 =		0		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		0		
		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=	x \$0 =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x \$0 =				
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.						LIE				
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".						/EMORY T LANE/				
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".										
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144	3533
7590 05/20/2019 Pillsbury Winthrop Shaw Pittman, LLP PO Box 10500 McLean, VA 22102			EXAMINER COTHRAN, BERNARD E	
			ART UNIT	PAPER NUMBER
			2128	
			NOTIFICATION DATE	DELIVERY MODE
			05/20/2019	ELECTRONIC

Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of ____ month(s)) which expired on _____.
 - (b) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____.
The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawing have been received.
4. ☒ Applicant's failure to timely file the inventor's oath or declaration no later than the date on which the issue fee was paid as required by the Notice Requiring Inventor's Oath or Declaration (PTO-2306).
 - (a) ☐ An inventor's oath or declaration was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the date on which the issue fee was paid.
 - (b) ☒ While an oath or declaration (or substitute statement) for one or more inventors was received, an oath or declaration (or substitute statement) for at least one other inventor has not been received.
 - (c) ☐ No inventor's oath or declaration has been received.
5. ☐ Drawings received on _____ were disapproved by examiner. See examiner's response dated _____.
6. ☐ Corrected drawings were received on _____, which is after the expiration of the one-month period for reply set in examiner's response dated _____.
7. ☐ No corrected drawings have been received in reply to one-month period set in examiner's response dated _____.
8. ☒ The reason(s) below: *substitute statement was signed by someone other than the applicant.*

Petitions to revive under 37 CFR 1.137(a) or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Shirley G. G. G.
(571)-272-4200 or 1(888)-786-0101
Patent Publication Branch
Office of Data Management

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

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

909 7590 02/20/2019
Pillsbury Winthrop Shaw Pittman, LLP
PO Box 10500
McLean, VA 22102

Certificate of Mailing or Transmission

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

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144	3533

TITLE OF INVENTION: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	05/20/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
COTHRAN, BERNARD E	2128	703-006000

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

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Pillsbury Winthrop Shaw

2 Pittman, LLP

3

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

ZUGARA, INC.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Culver City, California

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

4a. Fees submitted: ☒ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

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

☒ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. 033975.

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature /Patrick A. Doody/

Date May 14, 2019

Typed or printed name Patrick A. Doody

Registration No. 35022

Electronic Patent Application Fee Transmittal

Application Number:	14936444			
Filing Date:	09-Nov-2015			
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
First Named Inventor/Applicant Name:	Matthew SZYMCZYK			
Filer:	Patrick A. Doody/Barbie Beavers			
Attorney Docket Number:	095054-0444144			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	2501	1	500	500

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				500

Electronic Acknowledgement Receipt

EFS ID:	36008918
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Patrick A. Doody/Barbie Beavers
Filer Authorized By:	Patrick A. Doody
Attorney Docket Number:	095054-0444144
Receipt Date:	14-MAY-2019
Filing Date:	09-NOV-2015
Time Stamp:	15:13:41
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	\$ 500
RAM confirmation Number	051519INTEFSW00001728033975
Deposit Account	033975
Authorized User	Barbie Beavers

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

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

Perfect Corp Ex. 1010

Page 31 of 271

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	ISSUEFEETRANSMITTAL.pdf	178318	no	1
			20276f5c363e423b840f4ca3deb6e2b530818562		

Warnings:**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	30622	no	2
			8bb92bbd4e43e9d311136bc160ffcfeeb812905		

Warnings:**Information:**

Total Files Size (in bytes):	208940
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

Attorney Docket No.: 095054-0444144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Matthew SZYMCZYK et al.

Confirmation No.: 3533

Application No.: 14/936,444

Group No.: 2128

Filed: November 9, 2015

Examiner: Bernard E. Cothran

TITLE: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

TRANSMITTAL LETTER EXECUTED DECLARATION

**Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Commissioner:

In order to meet the filing requirements for the subject application, Applicant submits herewith the following:

- ☒ Executed Declaration of Matthew SZYMCZYK, Hans FORSMAN and Jack BENOFF;
- ☒ Executed Substitute Statement in Lieu of an Oath or Declaration for inventors Aaron VON HUNGEN and Blake CALLENS.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975 (095054-0444144). The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

By: /Patrick A. Doody/
Patrick A. Doody
Registration No. 35,022

Date: May 13, 2019
PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, VA 22102
Customer No.: 00909

DECLARATION (37 C.F.R. 1.63) FOR UTILITY PATENT APPLICATION USING AN
APPLICATION DATA SHEET (37 C.F.R. 1.76)

Title of Invention: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS
GARMENTS AND/OR ACCESSORIES

As a below named inventor, I hereby declare that:

This declaration is directed to United States application number 14/936,444 filed on November 9, 2015,
which is a continuation of U.S. Patent Application Serial No. 13/592,159 filed August 22, 2012,
which is a continuation of U.S. Patent Application Serial No. 12/822,168 filed June 23, 2010,
which claims the priority benefit of U.S. Provisional Patent Application Serial No. 61/233,364 filed
August 12, 2009 and U.S. Provisional Patent Application Serial No. 61/233,377 filed
August 12, 2009.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the
application.

I have reviewed and understand the contents of the application, including the claims.

I am aware of the duty to disclose to the United States Patent and Trademark Office all information
known to me to be material to patentability as defined in 37 CFR Section 1.56.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18
U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Legal Name of Inventor: Matthew SZYM CZYK

Signature: 

Date: 4/25/19

Legal Name of Inventor: Aaron VON HUNGEN

Signature: _____

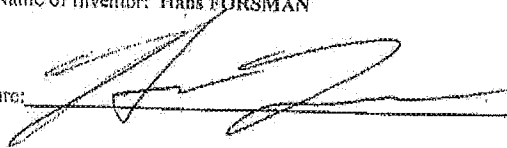
Date: _____

Legal Name of Inventor: Blake CALLENS

Signature: _____


Date: _____

Legal Name of Inventor: Hans FORSMAN

Signature: 

Date: 4/29/19

Legal Name of Inventor: Jack BENOFF

Signature: 

Date: 4/29/19

**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY
OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)**

Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		
This statement is directed to:			
<input type="checkbox"/> The attached application,			
OR			
<input checked="" type="checkbox"/> United States application or PCT International application number <u>14/936,444</u> filed on <u>11/09/2015</u>			
LEGAL NAME of inventor to whom this substitute statement applies:			
(E.g., Given Name (first and middle (if any)) and Family Name or Surname)			
Aaron VON HUNGEN			
Residence (except for a deceased or legally incapacitated inventor):			
City	State	Country	
Culver City	CA	US	
Mailing Address (except for a deceased or legally incapacitated inventor):			
11115 Orville Street			
City	State	Zip	Country
Culver City	CA	90230	US
I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.			
The above-identified application was made or authorized to be made by me.			
I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.			
Relationship to the inventor to whom this substitute statement applies:			
<input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only),			
<input type="checkbox"/> Assignee,			
<input type="checkbox"/> Person to whom the inventor is under an obligation to assign,			
<input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.49 is required), or			
<input checked="" type="checkbox"/> Joint inventor.			

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.64. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

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.

SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- ☐ Inventor is deceased.
- ☐ Inventor is under legal incapacity.
- ☒ Inventor cannot be found or reached after diligent effort, or
- ☐ Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- ☒ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) naming the entire inventive entity has been or is currently submitted.

OR

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/AIA/11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

WARNING:

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

PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

Name: **Matthew Szymczyk** Date (Optional):

Signature: **APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:**

If the applicant is a juristic entity, list the applicant name and the title of the signer:

Applicant Name:

Title of Person Executing
This Substitute Statement:

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City **Manhattan Beach** State **CA** Country **US**

Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)

3814 Highland Avenue #1

City **Manhattan Beach** State **CA** Zip **90266** Country **US**

Note: Use an additional PTO/AIA/02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

[Page 2 of 2]

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. 216(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.

**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY
OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)**

Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		
This statement is directed to:			
<input type="checkbox"/> The attached application,			
OR			
<input checked="" type="checkbox"/> United States application or PCT international application number <u>14/936,444</u> filed on <u>11/09/2015</u>			
LEGAL NAME of inventor to whom this substitute statement applies: (E.g., Given Name (first and middle (if any)) and Family Name or Surname)			
Blake CALLENS			
Residence (except for a deceased or legally incapacitated inventor):			
City	Toluca Lake	State	CA
		Country	US
Mailing Address (except for a deceased or legally incapacitated inventor):			
10645 Valley Springs Lane #10			
City	Toluca Lake	State	CA
		Zip	90230
		Country	91602
I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.			
The above-identified application was made or authorized to be made by me.			
I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.			
Relationship to the inventor to whom this substitute statement applies:			
<input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only),			
<input type="checkbox"/> Assignee,			
<input type="checkbox"/> Person to whom the inventor is under an obligation to assign,			
<input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.40 is required), or			
<input checked="" type="checkbox"/> Joint Inventor.			

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 118 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 4 minutes to complete, including reviewing, 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 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing this form, call 1-800-PTO-8198 and select option 2.

SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- ☐ Inventor is deceased,
☐ Inventor is under legal incapacity,
☒ Inventor cannot be found or reached after diligent effort, or
☐ Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- ☒ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) naming the entire inventive entity has been or is currently submitted.

OR

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/AIA/11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

WARNING:

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

PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

Name: **Matthew Szymczyk**

Date (Optional):

Signature: 

APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

If the applicant is a juristic entity, list the applicant name and the title of the signer:

Applicant Name:

Title of Person Executing
This Substitute Statement:

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City **Manhattan Beach** State **CA** Country **US**

Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)

3814 Highland Avenue #1

City **Manhattan Beach** State **CA** Zip **90266** Country **US**

Note: Use an additional PTO/AIA/02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

[Page 2 of 2]

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

Electronic Acknowledgement Receipt

EFS ID:	35998967
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Patrick A. Doody/Barbie Beavers
Filer Authorized By:	Patrick A. Doody
Attorney Docket Number:	095054-0444144
Receipt Date:	13-MAY-2019
Filing Date:	09-NOV-2015
Time Stamp:	18:17:19
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	TRANSMITTALDECLARATION.pdf	99002	no	1
			40fad61a53a6ea39de1e26abd751b057b2473bbf		

Warnings:

Perfect Corp Ex. 1010

Page 42 of 271

Information:					
2	Oath or Declaration filed	EXECUTEDDECLARATION.pdf	1076207	no	8
			06e7808df5d360be8d6f7946ffb6cacf1990633c		
Warnings:					
Information:					
			Total Files Size (in bytes):		
			1175209		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

909 7590 02/20/2019
Pillsbury Winthrop Shaw Pittman, LLP
PO Box 10500
McLean, VA 22102

EXAMINER

COTHRAN, BERNARD E

ART UNIT

PAPER NUMBER

2128

DATE MAILED: 02/20/2019

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144	3533

TITLE OF INVENTION: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	05/20/2019

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

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

909 7590 02/20/2019
Pillsbury Winthrop Shaw Pittman, LLP
 PO Box 10500
 McLean, VA 22102

Certificate of Mailing or Transmission

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

	(Typed or printed name)
	(Signature)
	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144	3533

TITLE OF INVENTION: PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	05/20/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
COTHRAN, BERNARD E	2128	703-006000

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

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

1 _____

(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2 _____

3 _____

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. Fees submitted: ☐ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

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

☐ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144	3533
909	7590	02/20/2019	EXAMINER	
Pillsbury Winthrop Shaw Pittman, LLP			COTHAN, BERNARD E	
PO Box 10500			ART UNIT	
McLean, VA 22102			PAPER NUMBER	
			2128	
DATE MAILED: 02/20/2019				

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.

<i>Notice Requiring Inventor's Oath or Declaration</i>	Application No. 14/936,444	Applicant(s) Matthew SZYMCZYK	
	Examiner COTHRAN, BERNARD E	Art Unit 2128	

This notice is an attachment to the Notice of Allowability (PTOL-37), or the Notice of Allowability For A Design Application (PTOL-37D).

An inventor's oath or declaration in compliance with 37 CFR 1.63 or 1.64 executed by or with respect to each inventor has not yet been submitted.

An oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each inventor (for any inventor for which a compliant oath, declaration, or substitute statement has not yet been submitted) **MUST** be filed no later than the date on which the issue fee is paid. See 35 U.S.C. 115(f). Failure to timely comply will result in ABANDONMENT of this application.

A properly executed inventor's oath to declaration has not been received for the following inventor(s):

If applicant previously filed one or more oaths, declarations, or substitute statements, applicant may have received an informational notice regarding deficiencies therein.

The following deficiencies are noted:

INFORMAL ACTION PROBLEMS

- A properly executed inventor's oath or declaration has not been received for the following inventor(s): **Matthew SZYMCZYK, Aaron VON HUNGEN, Blake CALLENS, Hans FORSMAN, and Jack BENOFF**. Applicant may submit the inventor's oath or declaration at any time before the Notice of Allowance and Fee(s) Due, PTOL-85, is mailed.

Questions relating to this Notice should be directed to the Application Assistance Unit at 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.

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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. 14/936,444	Applicant(s) SZYMCZYK et al.	
	Examiner BERNARD E COTHRAN	Art Unit 2128	AIA Status No

-- 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 an amendment filed on 1/28/19.
☐ 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 See Continuation Sheet. 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 areply 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) 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____. 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material ____. 4. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.	5. <input type="checkbox"/> Examiner's Amendment/Comment 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____.
---	--

/ANISS CHAD/ Primary Examiner, Art Unit 2129	/BERNARD E COTHRAN/ Examiner, Art Unit 2128
---	--

Continuation of 3. The allowed claim(s) is/are: 21-23,25-26,28-33,35-36 and 38-44

DETAILED ACTION

This office action is in responsive to an amendment filed on 1/28/19. Claims 21-23, 25-26, 28-33, 35-36, 38-44 are now pending. Claims 1-20, 24, 27, 34 and 37 are cancelled. Claims 41-44 are new.

Applicant's arguments, see pages 8-11, filed 1/28/19, with respect to the 35 U.S.C. 101 rejections have been fully considered and are persuasive. The 35 U.S.C. 101 rejections of claims 21-40 has been withdrawn.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: While online reference 3-D Tracking of Shoes for Virtual Mirror Applications, written by Eisert et al. teaches creating a virtual mirror for the real-time visualized of customized sports shoes, online reference "Virtual Dressing Room", Seventeen Magazine, written by JCPenney teaches having a virtual room where the customer has the ability to see what an outfit would look like on them without them physically being in a store, Walker et al. (US. PGPub 2007/0220540) teaches enhancing the in-store shopping experience by providing internet-based features for the shopping experience, Lambertsen (U.S. PGPub 2002/0024528) teaches a virtual makeover system that allows users to apply beauty products to a personal photographic image, online reference An Intelligent Fitting Room Using Multi-Camera Perception, written by Zhang et al. teaches enabling online social fashion comparisons in physical stores based on multi-camera perception, **none of these reference taken either alone or in combination with the prior art of record disclose**, provide a virtual-outfitting interface for presentation to the user via the client computing platform, the virtual-outfitting interface including two or more separate portions simultaneously presented in

the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlaid upon the main display portion; wherein the main display portion includes a composite video feed that incorporates the live video feed of the user and a first virtual-wearable item, and wherein a position, size, and/or orientation of the first virtual-wearable item is determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user within the live video feed so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion:

Claim 21 “provide a virtual-outfitting interface for presentation to the user via the client computing platform, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlaid upon the main display portion;

wherein the main display portion includes a composite video feed that incorporates the live video feed of the user and a first virtual-wearable item, and wherein a position, size, and/or orientation of the first virtual-wearable item is determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user within the live video feed so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion”

Claim 31 “providing a virtual-outfitting interface for presentation to the user via the client computing platform, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlaid upon the main display portion, wherein the main display portion includes a composite video feed that incorporates the

live video feed of the user and a first virtual-wearable item, and wherein a position, size, and/or orientation of the first virtual-wearable item is determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user within the live video feed so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion”, **in combination with the remaining elements and features of the claimed invention.**

It is for these reasons that the applicant’s invention defines over the prior art of record.

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 BERNARD E COTHRAN whose telephone number is (571)270-5594. The examiner can normally be reached on 9AM -6:30PM EST M-F.


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

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Omar F Fernandez Rivas can be reached on (571)272-2589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

**/ANISS CHAD/
Primary Examiner, Art Unit 2129**


**/BERNARD E COTHRAN/
Examiner, Art Unit 2128**

Issue Classification 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

CPC						
Symbol					Type	Version
G06Q	/	30	/	0623	F	2013-01-01
G06Q	/	30	/	0603	I	2013-01-01
G06F	/	3	/	017	I	2013-01-01
G06F	/	3	/	04817	I	2013-01-01
G06F	/	3	/	0482	I	2013-01-01
G06F	/	3	/	04842	I	2013-01-01
G06Q	/	50	/	01	I	2013-01-01
G06T	/	19	/	006	I	2013-01-01
H04N	/	5	/	23229	I	2013-01-01

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version
/				

/BERNARD E COTHRAN/ Examiner, Art Unit 2128 (Assistant Examiner)	11 February 2019 (Date)	Total Claims Allowed: 20	
/ANISS CHAD/ Primary Examiner, Art Unit 2129 (Primary Examiner)	13 February 2019 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1


Issue Classification 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCHYK et al.	
	Examiner BERNARD E COTHRAN	Art Unit 2128	

INTERNATIONAL CLASSIFICATION				
CLAIMED				
G06F3/01	/	3	/	01
G06Q30/06	/	30	/	06
G06Q50/00	/	50	/	00
G06T19/00	/	19	/	00
H04N5/232	/	5	/	232
G06F3/0481	/	3	/	0481
G06F3/0484	/	3	/	0484
G06F3/0482	/	3	/	0482
NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS
703	6


CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

/BERNARD E COTHRAN/ Examiner, Art Unit 2128 (Assistant Examiner)	11 February 2019 (Date)	Total Claims Allowed: 20	
/ANISS CHAD/ Primary Examiner, Art Unit 2129 (Primary Examiner)	13 February 2019 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Issue Classification 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
CLAIMS															
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	7		16	4	25		34	11	43						
	8		17	5	26	16	35	12	44						
	9		18		27	17	36								

/BERNARD E COTHRAN/ Examiner, Art Unit 2128 (Assistant Examiner)	11 February 2019 (Date)	Total Claims Allowed: 20	
/ANISS CHAD/ Primary Examiner, Art Unit 2129 (Primary Examiner)	13 February 2019 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Search Notes 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCHYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

CPC - Searched*		
Symbol	Date	Examiner


CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.


Search Notes		
Search Notes	Date	Examiner
East text search	10/29/2017	BEC
East inventor search	10/29/2017	BEC
PALM inventor search	10/29/2017	BEC
Class G06F17, subclass 5009. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q30, subclass 0623. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q30, subclass 0603. Search limited as shown in attached documents.	10/29/2017	BEC
Class H04N5, subclass 23229. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 04817. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 0482. Search limited as shown in attached documents.	10/29/2017	BEC

/BERNARD E COTHRAN/ Examiner, Art Unit 2128	
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<i>Search Notes</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128


Class G06F3, subclass 04842. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q50, subclass 01. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 017. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06T19, subclass 006. Search limited as shown in attached documents.	10/29/2017	BEC
NPL Search: Google, Google Scholar	10/29/2017	BEC
East text search	07/10/2018	BEC
Class G06F17, subclass 5009. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06Q30, subclass 0623. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06Q30, subclass 0603. Search limited as shown in attached documents.	07/13/2018	BEC
Class H04N5, subclass 23229. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 04817. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 0482. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 04842. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06Q50, subclass 01. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 017. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06T19, subclass 006. Search limited as shown in attached documents.	07/13/2018	BEC
NPL Search: Google, Google Scholar	07/13/2018	BEC
East text search	02/09/2019	BEC
Class G06F17, subclass 5009. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06Q30, subclass 0623. Search limited as shown in attached documents.	02/09/2019	BEC

/BERNARD E COTHRAN/ Examiner, Art Unit 2128	
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<i>Search Notes</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128


Class G06Q30, subclass 0603. Search limited as shown in attached documents.	02/09/2019	BEC
Class H04N5, subclass 23229. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06F3, subclass 04817. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06F3, subclass 0482. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06F3, subclass 04842. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06Q50, subclass 01. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06F3, subclass 017. Search limited as shown in attached documents.	02/09/2019	BEC
Class G06T19, subclass 006. Search limited as shown in attached documents.	02/09/2019	BEC
Consultation with Primary Examiner in AU 2129	02/07/2019	BEC
NPL Search: Google, Google Scholar, IEEE, IP.com, ACM	02/11/2019	BEC

/BERNARD E COTHRAN/ Examiner, Art Unit 2128	
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<i>Search Notes</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128


Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
	Conducted East interference text search of PGPub and UPAD databases, see attachment	02/11/2019	BEC

/BERNARD E COTHRAN/ Examiner, Art Unit 2128	
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<i>Index of Claims</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

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

CLAIMS										
<input type="checkbox"/> Claims renumbered in the same order as presented by applicant					<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
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20	40	✓	✓	=						
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10	42			=						

<i>Index of Claims</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

CLAIM		DATE								
Final	Original	10/30/2017	07/10/2018	02/11/2019						
11	43			=						
12	44			=						

Bibliographic Data

Application No: 14/936,444

Foreign Priority claimed: ☐ Yes ☒ No

35 USC 119 (a-d) conditions met: ☐ Yes ☒ No ☐ Met After Allowance

Verified and Acknowledged:

Examiner's Signature

BEC

Initials

Title:

PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
11/09/2015	703	2128	095054-0444144
RULE			

APPLICANTS

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Hans FORSMAN Venice, CA, UNITED STATES

Jack BENOFF Hermosa Beach, CA, UNITED STATES

CONTINUING DATA

This application is a CON of 13592159 08/22/2012 PAT 9183581

13592159 is a CON of 12822168 06/23/2010 PAT 8275590

12822168 has PRO of 61233364 08/12/2009

12822168 has PRO of 61233377 08/12/2009

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

11/20/2015

**** SMALL ENTITY ****

STATE OR COUNTRY

UNITED STATES

ADDRESS

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PO Box 10500

McLean, VA 22102

UNITED STATES

FILING FEE RECEIVED

\$730

Complete Main Concept Text

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"virtual outfitting interface" "garments"

Collections (93)

=====
US Patents
US Designs
US Applications
Canada Patents
Canada Applications
Mexico Patents
Mexico Applications
EPO Patents
EPO Applications
Austria Patents
Austria Applications
Belgium Patents
Belgium Applications
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Hungary Patents
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Italy Applications
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Netherlands Patents
Netherlands Applications
Norway Patents
Norway Applications
Poland Patents
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Spain Patents
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Hong Kong Patents
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India Applications
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Indonesia Applications
Israel Applications
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Japan Applications
Korea Patents
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Taiwan Patents
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Australia Applications
Brazil Patents
Brazil Applications
EAPO Patents
EAPO Applications
Egypt Patents
New Zealand Patents
OAPI Patents
Russia Patents
Russia Applications
South Africa Patents

Filters (1)

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Publication Date: From 1978-01-01 To 2008-12-31

Other Options

=====

Sort by: Relevance
Relevance Cut-off: None

Any time

Since 2019

Since 2018

Since 2015

Custom range...

1978 — 2008

Sort by relevance

Sort by date

☒ include patents☒ include citations Create alert**A body and garment creation method for an Internet based virtual fitting room.****[PDF]** miralab.ch

D Protopsaltou, C Luithe, M Arevalo... - Advances in Modelling ..., 2002 - Springer

... The whole methodology does not aim to build only a **virtual dressing room**, where customers can view **garments** fitted onto their own virtual bodies but to visualize made-to-measure clothes, animate them, visualize the cloth behavior and to add interactivity ...

Cited by 101 Related articles All 8 versions

Virtual dressing over the internet

E Rom - US Patent 6,307,568, 2001 - Google Patents

... A method and a system for displaying **garments** over the Internet as though th **garments** were being draped over the body of a user ... In addition, many different **garments** can be examined rapidly, thereby potentially increasing sales to the vendor and saving time for the user ...

Cited by 183 Related articles All 2 versions

[HTML] In the virtual dressing room returns are a real problem**[HTML]** hbs.edu

J Hammond, K Kohler - Working Knowledge for Business Leaders, 2002 - hbswk.hbs.edu

<form name="aspnetForm" method="post" action="in-the-virtual-dressing-room-returns-are-a-real-problem?item=in-the-virtual-dressing-room-returns-are-a-real-problem" id="aspnetForm">
<input type="hidden" name="MSOWebPartPage_PostbackSource" id ...

Cited by 6 Related articles

My virtual model: Virtual reality comes into fashion**[PDF]** wiley.com

J Nantel - Journal of Interactive Marketing, 2004 - Wiley Online Library

... The **virtual dressing room** is also ideal for people that dislike trying on clothes in stores.Finally, unlike other "cut and paste" software that lets you "try" **garments**, MVM allows you to try **garments** and see how those would fit on you ...

Cited by 57 Related articles All 4 versions

Full-Text @ USPTO-STIC

Online shopping with virtual modeling and peer review

C Balter, B Finkelstein - US Patent 6,901,379, 2005 - Google Patents

... A user can try on a garment from a single retailer at a time or can try on **garments** from several retailers at once ... US20060015208A1 (en) *, 2002-12-31, 2006-01-19, Reyes Infografica SL, Computer-assisted method for designing **garments** ...

Cited by 178 Related articles All 2 versions

Matching the fit of individual garments to individual consumers**[PDF]** googleapis.com

LJ Wannier, JP Lambert - US Patent 7,398,133, 2008 - Google Patents

... Matching the fit of individual **garments** to individual consumers. Download PDF Info ...Abstract. A method and system for specifying the fit of **garments** and matching the fit of individual **garments** to individual consumers is disclosed ...

Cited by 51 Related articles All 4 versions

Virtual shopper device

J Perotti, S Chapman, D Harel, K Costello... - US Patent App 10 ..., 2005 - Google Patents

... discloses a method and system for generating a three-dimensional reproduction of a model showing the fit of **garments** in various ... No. 5,850,222, by Cone, has attempted a "**virtual dressing room**", in which a person's measurements are used to create a body data structure that ...

Cited by 44 Related articles All 2 versions

[PDF] Parametric human body modeling for virtual dressing**[PDF]** psu.edu

B Ugur - Thesis, Bogazi i University, 2008 - Citeseer

... Multilayer image com- positing is employed using these images and photographic images of **garments**. 1.1 ... interpolation based body modeler. Image synthesis method is explained in Chapter 5. Chapter 6 contains the working structure of **Virtual Dressing Room** application ...

Cited by 3 Related articles

System and method for simulation of virtual wear articles on virtual models

A Feld, N Nevo, E Cegla - US Patent 7,149,665, 2006 - Google Patents

A system and method for designing a wear article for an object comprises providing a virtual three-dimensional model of the object, including first data representing three dimensions of the object. Virtual two-dimensional patterns representing different portions of the wear article are ...

Cited by 269 Related articles All 4 versions

An apparel etailer's success story: Bridging the gap between physical and virtual shopping

Full-Text @ USPTO-STIC

AY Maftouz - Journal of Internet commerce, 2005 - Taylor & Francis

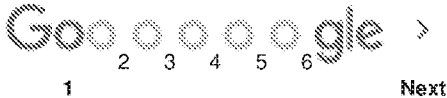
... and virtual shopping. Customers try on clothes (as if they are in a **virtual dressing room** through a 3D virtual model), customize **garments**, and receive personalized customer service and features. Lands' End also implements ...

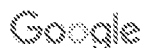
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A body and Garment Creation Method for an Internet Based Virtual ...

https://link.springer.com/chapter/10.1007/978-1-4471-0103-1_7

by D Protogerou - 2002 - Cited by 99 - Related articles

Jul 15, 2001 - The whole methodology does not aim to build only a virtual dressing room, where customers can view garments fitted onto their own virtual bodies but to visualize made-to-measure clothes, animate them, visualize the cloth behavior and to add interactivity.

US6307568B1 - Virtual dressing over the internet - Google Patents

<https://patents.google.com/patent/US6307568B1/en> ▾

Jul 29, 2006 - A method and a system for displaying garments over the internet as though the garments were being draped over the body of a user. The method and system of ...

Virtual Dressing Room Swimwear | Virtual 'model' takes terror out of ...

articles.baltimoresun.com/.../0006050260_1_virtual-dressing-dressing-room-virtual-b... ▾

Jun 5, 2006 - Until recently at Eddie Bauer's online site, there was a virtual dressing room that allowed you to put garments together to see how they look. You visualized an ...

[PDF] Towards an Inclusive Virtual Dressing Room for Wheelchair ... - VBN

vbn.aau.dk/files/198510069/CTS2014_VDR.pdf ▾

by AL Brooks - Cited by 6 - Related articles

Oct 5, 1985 - The Virtual Dressing Room is a commercial product to ... They then select garments as an overlay for virtual dressing room solutions, it constitutes a highly.

In the Virtual Dressing Room Returns Are A Real Problem - HBS ...

<https://hbswk.hbs.edu/item/in-the-virtual-dressing-room-returns-are-a-real-problem> ▾

by J Hammond - Cited by 6 - Related articles

Apr 15, 2002 - In the Virtual Dressing Room Returns Are A Real Problem ... The touch and feel of basic garments are quite familiar and are fairly similar across brands, which ...

[PDF]

Customer-Centric Strategy for E-Manufacturing in Apparel ... - CiteSeerX

citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.430.9658rep=rep1...pdf ▾

by SF Qin - 2008 - Cited by 4 - Related articles

Dec 6, 2007 - garments would adjust to the human body, but also possible to see how they ... 'Ma cabine d'essayage', a 3D virtual dressing room [5] entering the market of ...

Retailer and consumer perceptions of online fashion retailers: Web ...

<https://www.emeraldinsight.com/doi/full/10.1108/13612020310496949?mobileUi=0>

Oct 18, 2004 - ... co-ordinate garments improves the online experience (Maitland, 2000; Elkin, 2001).
..... Elkin, N. (2001), "The virtual dressing room", eMarketer, available at: ...

Web Site Offers Virtual Lingerie Fashion Show | Fox News

<https://www.foxnews.com/story/web-site-offers-virtual-lingerie-fashion-show>

Feb 7, 2008 - The first step in the virtual dressing room is to select one of the three models --- a ...
You can then pick from a list of sexy garments and get your model to don ...

Sizing in Clothing: Developing Effective Sizing Systems for Ready-To ...

<https://epdf.tips/sizing-in-clothing-developing-effective-sizing-systems-for-ready-to-w...> ▾

by SP Ashdown - Cited by 66 - Related articles

Jul 28, 2005 - 1 History of sizing systems and ready-to-wear garments W. A L DR IC H
Hammond, J., and Kohler, K. (2002), 'In the virtual dressing room returns are a real ...

A virtual model. | Download Scientific Diagram - ResearchGate

https://www.researchgate.net/figure/A-virtual-model_fig1_221158185

Jan 15, 2005 - Inc. developed a virtual dressing room that allows a user to create her own personalized virtual model and al- lows one to try on garments from a retailer over ...

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Attorney Docket No.: 095054-0444144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT
APPLICATION OF : Matthew SZYMCZYK, *et al.*

SERIAL NO. : 14/936,444

FILING DATE : November 9, 2015

ART UNIT : 2128

EXAMINER : Bernard E. Cothran

FOR : PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS
GARMENTS AND/OR ACCESSORIES

AMENDMENT AND RESPONSE TO FINAL ACTION

Via AF

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

Dear Commissioner:

In response to the Office Action dated July 27, 2018, the period for response being extended three (3) additional months, please amend and reconsider the application in light of the following:

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

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

It is believed that no extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 095054-0444144).

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S183	194	(virtual near dressing near room)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 20:59
S184	0	(virtual near dressing near room) near4 icon	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 20:59
S185	4	(virtual near dressing near room) same icon	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 20:59
S186	0	(virtual near dressing near room) near menu	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:00
S187	0	(virtual near dressing near room) near4 menu	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:00
S188	0	(virtual near dressing near room) same menu	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:00
S189	0	(virtual near dressing near room) near4 (gesture near command)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:00
S190	9	(virtual near dressing near room) same (gesture near command)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:00
S191	12	(virtual near dressing near room) and (gesture near command)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:01
S192	0	(virtual near garment) near4 (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:01
S193	0	(virtual near garment) same (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:01
S194	0	(virtual near dressing near room) near (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:01

S195	4	(virtual near dressing near room) same (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:01
S196	9	(virtual near dressing near room) near (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:03
S197	9	(virtual near dressing near room) near4 (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:03
S198	11	(virtual near dressing near room) same (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:03
S199	0	(virtual near wearable near item) near video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:06
S200	8	(virtual near wearable near item) near4 video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:06
S201	10	(virtual near wearable near item) same video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:07
S202	0	(virtual near (garment or clothing)) near (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:07
S203	0	(virtual near (garment or clothing)) near4 (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:07
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S205	3	(virtual near (garment or clothing)) and (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:08
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S207	0	S198 and S206	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:50
S208	0	S201 and S206	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:50
S209	0	S191 and S206	US-PGPUB; USPAT; EPO; JPO; DERWENT;	OR	ON	2019/02/09 21:50

			IBM_TDB			
S210	69	(virtual near dressing near room) and' (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:50
S211	69	(virtual near dressing near room) and (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:50
S212	1	S206 and S211	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:50
S213	9	S206 and S183	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:51
S214	3	"20070220540"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:51
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S216	5	S211 and S215	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:52
S217	6	S201 and S215	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:52
S218	0	S198 and S215	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:52
S219	15	S183 and S215	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:52
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S223	0	S191 and S221	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:55
S224	14	S183 and S221	US-PGPUB; USPAT;	OR	ON	2019/02/09

			EPO; JPO; DERWENT; IBM_TDB			21:58
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S228	0	S211 and S227	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 21:59
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S230	2	S183 and S227	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:00
S231	0	S198 and S227	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:00
S232	0	S191 and S227	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:00
S233	8	(virtual near wearable near item) near4 (video or camera)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:10
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S237	6	S234 and S236	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:11
S238	22	S183 and S236	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:12

S239	6	S201 and S236	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:12
S240	0	S198 and S236	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:12
S241	20	S211 and S236	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:13
S242	0	S191 and S236	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:13
S243	48815	(G06F3/0482).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:13
S244	0	S191 and S243	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:13
S245	6	S201 and S243	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:14
S246	43	S183 and S243	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:14
S247	6	S234 and S243	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:15
S248	0	S198 and S243	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:15
S249	40	S211 and S243	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:16
S250	31230	(G06Q50/01).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:24
S251	46	S183 and S250	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:24
S252	6	S201 and S250	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:25
S253	10	(virtual near wearable near item) same (video or camera)	US-PGPUB; USPAT; EPO; JPO; DERWENT;	OR	ON	2019/02/09 22:28

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S254	31230	(G06Q50/01).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:28
S255	6	S253 and S254	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:28
S256	12	(virtual near dressing near room) and (gesture near command)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:28
S257	0	S256 and S254	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:28
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S259	43	S258 and S254	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:29
S260	28812	(G06F3/017).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:30
S261	7	S256 and S260	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:30
S262	6	S253 and S260	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:30
S263	25	S258 and S260	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:30
S264	194	(virtual near dressing near room)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:30
S265	31	S264 and S260	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:30
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S267	52	S264 and S266	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:46
S268	6	S253 and S266	US-PGPUB; USPAT;	OR	ON	2019/02/09

			EPO; JPO; DERWENT; IBM_TDB			22:46
S269	35	S258 and S266	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:46
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S271	69	(virtual near dressing near room) and (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:47
S272	35	S271 and S266	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/02/09 22:47

EAST Search History

EAST Search History (I nterference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	((virtual near dressing near room) near menu).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:32
L2	0	((virtual near dressing near room) near4 menu).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:32
L3	0	((virtual near dressing near room) same menu).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:32
L4	0	((virtual near dressing near room) and menu).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:33
L5	0	((virtual near dressing near room) near (social near network)).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:33
L6	0	((virtual near dressing near room) near4 (social near network)).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:33
L7	0	((virtual near dressing near room) same (social near network)).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:33
L8	2	((virtual near dressing near room) and (social near network)).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:33
L9	0	((virtual near dressing near room) near (gesture near command)).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:34
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L12	0	((virtual near dressing near room) and (gesture near command)).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:35
L13	0	((virtual near wearable near item) near video).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:36
L14	4	((virtual near wearable near item) near4 video).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:36
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			USPAT			
L17	0	((virtual near (garment or clothing)) near (user near (gesture near command))).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:51
L18	0	((virtual near (garment or clothing)) near4 (user near (gesture near command))).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 15:51
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L25	13	(virtual near dressing near room).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 16:03
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L29	5	((virtual near outfitting near interface) and video).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 16:11
L30	5	((virtual near wearable near item) near4 display).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 16:11
L31	5	((virtual near wearable near item) and display).clm.	US-PGPUB; USPAT	OR	ON	2019/02/11 16:11

Complete Main Concept Text

=====
"virtual outfitting interface" "Video" "garments"

Collections (93)

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US Patents
US Designs
US Applications
Canada Patents
Canada Applications
Mexico Patents
Mexico Applications
EPO Patents
EPO Applications
Austria Patents
Austria Applications
Belgium Patents
Belgium Applications
Bulgaria Patents
Bulgaria Applications
Czechoslovakia Patents
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Greece Patents
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Hungary Patents
Hungary Applications
Ireland Patents
Ireland Applications
Italy Patents
Italy Applications
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Netherlands Patents
Netherlands Applications
Norway Patents
Norway Applications
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Poland Applications
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Slovakia Patents
Slovakia Applications
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Spain Applications
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Sweden Applications
Switzerland Patents
Switzerland Applications
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Korea Applications
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Philippines Patents
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ARIPO Applications
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Argentina Applications
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Brazil Patents
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EAPO Applications
Egypt Patents
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Russia Patents
Russia Applications
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Filters (1)

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Publication Date: From 1978-01-01 To 2008-12-31

Other Options

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Sort by: Relevance
Relevance Cut-off: None

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 14/936,444		Filing Date 11/09/2015		<input type="checkbox"/> To be Mailed	
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO									
APPLICATION AS FILED - PART I									
		(Column 1)	(Column 2)						
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)		FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A				
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A				
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A				
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 = *		x \$40 =					
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 = *		x \$210 =					
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))									
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL				
APPLICATION AS AMENDED - PART II									
		(Column 1)		(Column 2)	(Column 3)				
AMENDMENT	01/28/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	x \$50 =		0	
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	x \$230 =		0	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))								
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
						TOTAL ADD'L FEE		0	
		(Column 1)		(Column 2)	(Column 3)				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	x \$0 =			
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x \$0 =			
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))								
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
						TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.						LIE			
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".						/EMORY T LANE/			
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".									
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.									

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

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 14/936,444		Filing Date 11/09/2015		<input type="checkbox"/> To be Mailed		
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO										
APPLICATION AS FILED - PART I										
		(Column 1)	(Column 2)							
FOR		NUMBER FILED	NUMBER EXTRA	RATE (\$)		FEE (\$)				
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A	N/A						
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A	N/A	N/A						
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A	N/A						
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =	*	x \$40 =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*	x \$210 =						
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL						
APPLICATION AS AMENDED - PART II										
		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT	01/28/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	x \$50 =		0		
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	x \$230 =		0		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		0		
		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=	x \$0 =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x \$0 =				
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.						HSLIE				
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".						/TIFFANY Y VINES/				
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".										
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT
APPLICATION OF : Matthew SZYMCZYK, *et al.*
SERIAL NO. : 14/936,444
FILING DATE : November 9, 2015
ART UNIT : 2128
EXAMINER : Bernard E. Cothran
FOR : PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS
GARMENTS AND/OR ACCESSORIES

AMENDMENT AND RESPONSE TO FINAL ACTION

Via AF

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

Dear Commissioner:

In response to the Office Action dated July 27, 2018, the period for response being extended three (3) additional months, please amend and reconsider the application in light of the following:

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

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

It is believed that no extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 095054-0444144).

CLAIM AMENDMENTS

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

1-20. (**Cancelled**).

21. (**Currently Amended**) A system configured for allowing a user to simulate wearing real-wearable items, the system comprising:

one or more hardware processors configured by machine-readable instructions to:

obtain, from a client computing platform, a live video feed;

recognize a position and/or orientation of one or more body parts of a user within the live video feed, the one or more body parts including a first body part;

provide a virtual-outfitting interface for presentation to [[a]] the user via the client computing platform, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is ~~overlain~~ overlaid upon the main display portion,

wherein the main display portion includes a composite video feed that incorporates [[a]] the live video feed of the user and a first virtual-wearable item, and wherein a position, size, and/or orientation of the first virtual-wearable item [[being]] is determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user within the live video feed so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion; and

provide a social-networking tool graphically presented in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

22. **(Previously Presented)** The system of claim 21, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.

23. **(Currently Amended)** The system of claim 21, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service, wherein the comment on the profile page includes one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.

24. **(Cancelled)**

25. **(Currently Amended)** The system of claim 21, wherein the social-networking tool in the virtual-outfitting interface is configured to allow the user to interact with the one or more social-networking services using one or more gestural commands including a first gestural command, the first gestural command being ~~received~~ detected responsive to a determination that the user moving moved the first body part during the live video stream such that within the social-networking tool a live video depiction of the first body part lies at the same position as the icon.

26. **(Currently Amended)** The system of claim 25, wherein the first body part is a hand of the user, one or more fingers of the user, or the hand and the one or more fingers of the user.

27. **(Cancelled)**

28. **(Previously Presented)** The system of claim 21, wherein:
the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory; or
the first virtual-wearable item visually represents a corresponding real-wearable item.

29. **(Currently Amended)** The system of claim 21, wherein the two or more separate portions of the virtual-outfitting interface further include a conferencing portion configured to display video of one or more other users, the conferencing portion being configured to facilitate video communications between the user and at least one of the one or more other users via the one or more social-networking services with which the user is associated.

30. **(Currently Amended)** The system of claim 21, wherein the one or more processors are further configured by machine-readable instructions to:
provide a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface via ~~the first gestural~~ a command, the social-networking tool being further configured to allow the user to share the snapshot via the one or more social-networking services with which the user is associated, wherein the command comprises a gesture or a voice command.

31. **(Currently Amended)** A method for allowing a user to simulate wearing real-wearable items, the method being performed by one or more hardware processors configured by machine-readable instructions, the method comprising:
obtaining, from a client computing platform, a live video feed;
recognizing a position and/or orientation of one or more body parts of a user within the live video feed, the one or more body parts including a first body part;
providing a virtual-outfitting interface for presentation to ~~[[a]]~~ the user via the client computing platform, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is ~~overlain~~ overlaid upon the main display portion, wherein the main display portion includes a composite video feed that incorporates ~~[[a]]~~ the live video feed of the user and a first virtual-wearable item, and wherein a position, size, and/or orientation of the first virtual-wearable item ~~[[being]]~~ is determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user

within the live video feed so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion; and

providing a social-networking tool graphically presented in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

32. **(Previously Presented)** The method of claim 31, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.

33. **(Currently Amended)** The method of claim 31, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service, wherein the comment on the profile page includes one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.

34. **(Cancelled)**

35. **(Currently Amended)** The method of claim 31, ~~wherein the social-networking tool in the virtual-outfitting interface is configured to allow the user to interact with one or more social-networking services using one or more gestural commands including further~~ comprising:

determining, based on a detected a first gestural command, ~~the first gestural command being received responsive to~~ that the user ~~moving~~ moved the first body part during the live video stream such that within the social-networking tool a live video depiction of the first body part lies at the same position as the icon, wherein the social network tool is configured to allow the user to interact with the one or more social-networking services using one or more gestural commands including the first gestural command.

36. **(Currently Amended)** The method of claim 35, wherein the first body part is a hand of the user, one or more fingers of the user, or the hand and the one or more fingers of the user.

37. **(Cancelled)**

38. **(Previously Presented)** The method of claim 31, wherein:
the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory; or
the first virtual-wearable item visually represents a corresponding real-wearable item.

39. **(Currently Amended)** The method of claim 31, wherein the two or more separate portions of the virtual-outfitting interface further include a conferencing portion, wherein providing the virtual-outfitting interface for presentation further comprises:
configured to display providing video of one or more other users for display within the conferencing portion, wherein the conferencing portion [[being]] is configured to facilitate video communications between the user and at least one of the one or more other users via the one or more social-networking services with which the user is associated.

40. **(Currently Amended)** The method of claim 31, further comprising:
providing a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface via ~~the first gesture~~ a command, the social-networking tool being further configured to allow the user to share the snapshot via the one or more social-networking services with which the user is associated, wherein the command comprises a gesture or a voice command.

41. **(New)** The system of claim 21, wherein a size and/or position attributed to the two or more separate portions of the virtual-outfitting interface is dynamic.

42. **(New)** The system of claim 21, wherein the one or more hardware processors are further configured by the machine-readable instructions to:

determine the position, size, and/or orientation of the first virtual-wearable item based on the position and/or orientation of the one or more body parts of the user recognized within the live video feed, wherein the first virtual-wearable item is positioned at a predetermined offset and/or orientation relative to the one or more body parts of the user.

43. **(New)** The system of claim 21, wherein the position, size, and/or orientation of the first virtual-wearable item is determined based on a position of an augmented-reality marker in the main display portion.

44. **(New)** The system of claim 21, wherein one or more characteristics of the first virtual-wearable item are utilized to render the first virtual-wearable item in the main display portion to enhance a realness of the first virtual-wearable item as it appears within the main display portion.

REMARKS

Currently, claims 21-40 are pending in the present application. Claims 1-20 were previously cancelled. Claims 24, 27, 34, and 37 have been cancelled herein without prejudice. Applicant expressly reserves the right to pursue the subject matter of one or more of the cancelled claims in one or more continuing applications. By this response, claims 21, 23, 25, 26, 29-31, 33, 35, 36, 39, and 40 have been amended. New claims 41-44 have been added. No new matter has been added by any of the amendments to the claims or by any of the new claims as all of the amendments and the new claims are fully supported by applicant's originally filed application. Reconsideration and allowance of the pending claims in view of the above-referenced claim amendments and new claims, and the foregoing remarks are hereby respectfully solicited.

Allowable Subject Matter

Applicant wishes to thank the Examiner for the indication that claims 21-40 include allowable subject matter, and would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 101.

Rejections Under 35 U.S.C. § 101

Claims 21-40 were rejected under 35 U.S.C. § 101 as allegedly being directed to a judicial exception without significantly more. (See Office Action at 7 and 8.) In particular, the Examiner contends that the claims are directed to "an abstract idea of gathering and analyzing information to simulate wearing real-wearable item ... which corresponds to concepts identified as abstract ideas by the courts such as in *Electric Power Group, LLC v. Alstom S.A.*" (*Id* at 8.) Here, the Examiner is referencing *Electric*

Power Group, LLC v. Alstom S.A., No. 2015-1778 (Fed. Cir. Aug. 1, 2016)¹ (“*EPG*”) for support. Applicant respectfully disagrees with the contentions described in the Office Action, and applicant respectfully traverses the rejections because the rejections are contrary to the applicable law and guidance, as well as because the claims are directed to a patent-eligible, technical solution. In particular, the rejections under 35 U.S.C. § 101 are contrary to the 2019 Revised Patent Subject Matter Eligibility Guidance² (“*Guidance*”). In light of the *Guidance*, as well as for the additional arguments presented below, applicant respectfully submits that the claims are directed to patent-eligible subject matter, and respectfully requests that the rejections under 35 U.S.C. § 101 be withdrawn.

The *Guidance* states that “judicial exceptions are for subject matter that has been identified as the ‘basic tools of scientific and technological work,’ which includes ‘abstract ideas’ such as mathematical concepts, certain methods of organizing human activity, and mental processes; as well as laws of nature and natural phenomena.” (*Guidance* at 4 and 5.) The *Guidance* specifies the following groupings of subject matter that explain the abstract idea exception: (i) mathematical concepts; (ii) certain methods of organizing human activity; and (iii) mental processes. The present claims do not refer to a mathematical concept, do not refer to organizing human activity, and do not refer to a mental process. In fact, the Examiner has not identified the claims as being directed to any of these abstract concepts, instead contending that the claims are directed to “gathering and analyzing information to simulate [a] wearing real-wearable item,” which allegedly relates to the abstract concept of “collecting information, analyzing it, and displaying certain results of the collection and analysis,” as described in *EPG*. While applicant does not concede to the propriety of the Examiner’s assertions, it is clear from the Examiner’s assertions that the claims are not directed to

¹ Available at <http://www.cafc.uscourts.gov/sites/default/files/opinions-orders/15-1778.Opinion.7-28-2016.1.PDF>

² Available at <https://s3.amazonaws.com/public-inspection.federalregister.gov/2018-28282.pdf>

any of the abstract idea exceptions specified by the *Guidance*. Therefore, for at least the reason that the claims do not fall into one of the abstract idea exceptions, applicant respectfully submits that the claims satisfy the first prong of the Step 2A analysis from the *Guidance* and therefore are patent-eligible under the *Alice* test.

Nevertheless, the *Guidance* further indicates that even “if a claim recites a judicial exception (a law of nature, a natural phenomenon, or an abstract idea ...), [the claim] must then be analyzed to determine whether the recited judicial exception is integrated into a practical application of that exception. A claim is not ‘directed to’ a judicial exception, and thus is patent eligible, if the claim as a whole integrates the recited judicial exception into a practical application of that exception. 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.” (*Id* at 13 and 14.)

As explained above, applicant’s claims are not directed to a judicial exception. However, even assuming – for the sake of argument – that the claims do recite an abstract idea, applicant respectfully submits that the claims are patent eligible under the second prong of the step 2A analysis from the *Guidance*. For example, it is known in e-commerce environments that because “potential customers must speculate as to whether they will like a given wearable good once they try it on,” and “[i]n order to try on a wearable good ... a customer must first purchase the good and wait for its delivery,” such potential customers may be prevented from “actually making purchase[s].” (Applicant’s published specification, paragraph [0003].) To overcome this known problem, the present claims allow for a user to be presented “in real time or near-real time ... a live video feed of the user and one or more selected virtual-wearable items such that the user appears to be wearing real-wearable items corresponding to the selected virtual-wearable items.” (*Id*, paragraph [0042].) This simulation of wearing the real-wearable items allows a user to see what the real-wearable items would look like had the user either gone to a physical store and tried the items on, or purchased the items from an e-commerce platform, awaited their delivery, and then tried them on, thus

saving the user time and money. Further still, the claimed concept allows for motion of the user to be tracked “to overlay a virtual-wearable item on the user ... such that the virtual-wearable item appears to be worn by the user while the user moves about and/or rotates.” (*Id.*, paragraph [0063].) Therefore, the user may obtain all of the benefits of the physical shopping experience (e.g., trying on an item), and all of the benefits of the e-commerce shopping experience (e.g., not traveling to a store), without any of the detractions associated therewith.

Therefore, in the instant case, any claim limitation that the Examiner may deem to be an abstract idea is integrated into a practical application as the claimed concept provides a technical solution to one or more problems associated with e-commerce environments for purchasing items or goods to mitigate the above-referenced known problems with existing e-commerce environments (e.g., selecting an item to be “tried on,” purchasing that item, awaiting the delivery of the item). Thus, applicant respectfully submits that, under prong two of the Step 2A analysis from the *Guidance*, the claimed concept is integrated into a practical application and therefore is patent eligible.

In light of the reasons articulated above, applicant respectfully submits that claims 21-23, 25, 26, 28-33, 35, 36, and 38-40 are patent eligible. Accordingly, applicant respectfully requests that the rejections of claims 21-23, 25, 26, 28-33, 35, 36, and 38-40 under 35 U.S.C. § 101 be withdrawn.

New Claims

New claims 41-44 have been added herein. Claims 41-44 depend from independent claim 21, which is allowable for the above-noted reasons. Applicant respectfully submits that claims 41-44 also are allowable for at least the reason that they depend from an allowable base claim, as well as for the additional features recited therein.

CONCLUSION

Applicant respectfully submits that the application is in condition for allowance. Notice to that effect is anticipated.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: January 28, 2019

Respectfully submitted,

By: /Patrick A. Doody /
Patrick A. Doody
Reg. No. 35,022

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, Virginia 22102
703-770-7755

Electronic Patent Application Fee Transmittal

Application Number:	14936444			
Filing Date:	09-Nov-2015			
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
First Named Inventor/Applicant Name:	Matthew SZYMCZYK			
Filer:	Patrick A. Doody			
Attorney Docket Number:	095054-0444144			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
NOTICE OF APPEAL	2401	1	400	400
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Extension - 3 months with \$0 paid	2253	1	700	700
Miscellaneous:				
Total in USD (\$)				1100

Electronic Acknowledgement Receipt

EFS ID:	34975564
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Patrick A. Doody
Filer Authorized By:	
Attorney Docket Number:	095054-0444144
Receipt Date:	28-JAN-2019
Filing Date:	09-NOV-2015
Time Stamp:	13:23:19
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	\$ 1100
RAM confirmation Number	012819INTEFSW00020350033975
Deposit Account	
Authorized User	

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

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Extension of Time	EOT.pdf	105603	no	1
			a87b4e73cbe4f0a51be79e5f826458920b87bc64		
Warnings:					
Information:					
2	Notice of Appeal Filed	NOAppeal.pdf	111370	no	1
			76696a16a2a0a3667b27875cd7c1ea20e5f32e13		
Warnings:					
Information:					
3		AFAmendment.pdf	134970	yes	12
			3a1aa02e9045fd59fc3b998299fe3ebf97ef7c6e		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Response After Final Action		1	1	
	Claims		2	7	
	Applicant Arguments/Remarks Made in an Amendment		8	12	
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	32325	no	2
			fe09e756520fd70f49b81dcd6e3ea646bb87d76a		
Warnings:					
Information:					
Total Files Size (in bytes):			384268		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 095054-0444144
Application Number <div style="font-size: 1.2em; font-weight: bold;">14/936,444</div>	Filed <div style="font-size: 1.2em; font-weight: bold;">November 9, 2015</div>	
For <div style="font-weight: bold;">PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES</div>		
Art Unit <div style="font-size: 1.2em; font-weight: bold;">2128</div>	Examiner <div style="font-weight: bold;">Bernard E. Cothran</div>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):		
	Fee	Small Entity Fee
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500
		Micro Entity Fee
		\$50
		\$150
		\$350
		\$550
		\$750
<input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>033975</u> <input checked="" type="checkbox"/> Payment made via EFS-Web.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the		
<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>35,022</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number _____		
<u>/Patrick A. Doody/</u> Signature <div style="font-weight: bold;">Patrick A. Doody</div> Typed or printed name	<u>January 28, 2019</u> Date <u>(703) 770-7755</u> Telephone Number	
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.		
<input checked="" type="checkbox"/> * Total of <u>1</u> forms are submitted.		

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

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.

NOTICE OF APPEAL FROM THE EXAMINER TO THE PATENT TRIAL AND APPEAL BOARD		Docket Number (Optional) 095054-0444144								
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, on Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____. Signature _____ Typed or printed name _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of Matthew SZYMCHYK, et al.</td> </tr> <tr> <td style="width: 50%; padding: 2px;">Application Number 14/936,444</td> <td style="width: 50%; padding: 2px;">Filed November 9, 2015</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES</td> </tr> <tr> <td style="padding: 2px;">Art Unit 2128</td> <td style="padding: 2px;">Examiner Bernard E. Cothran</td> </tr> </table>		In re Application of Matthew SZYMCHYK, et al.		Application Number 14/936,444	Filed November 9, 2015	For PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		Art Unit 2128	Examiner Bernard E. Cothran
In re Application of Matthew SZYMCHYK, et al.										
Application Number 14/936,444	Filed November 9, 2015									
For PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES										
Art Unit 2128	Examiner Bernard E. Cothran									
Applicant hereby appeals to the Patent Trial and Appeal Board from the last decision of the examiner.										
The fee for this Notice of Appeal is {37 CFR 41.20(b)(1)} \$ <u>800.00</u>										
<input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: \$ <u>400.00</u>										
<input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: \$ _____ Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.										
<input type="checkbox"/> A check in the amount of the fee is enclosed.										
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.										
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>033975</u> .										
<input checked="" type="checkbox"/> Payment made via EFS-Web.										
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/AIA/22 or equivalent) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.										
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
I am the										
<input type="checkbox"/> applicant										
<input checked="" type="checkbox"/> attorney or agent of record Registration number <u>35, 022</u>										
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34 Registration number _____										
Signature <u>/Patrick A. Doody/</u>										
Typed or printed name <u>Patrick A. Doody</u>										
Telephone Number <u>(703) 770-7755</u>										
Date <u>January 28, 2019</u>										
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.										
<input checked="" type="checkbox"/> * Total of <u>1</u> forms are submitted.										

This collection of information is required by 37 CFR 41.20(b)(1) and 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCHYK	095054-0444144	3533
909 7590 07/27/2018 Pillsbury Winthrop Shaw Pittman, LLP PO Box 10500 McLean, VIRGINIA 22102 UNITED STATES OF AMERICA			EXAMINER COTHMAN, BERNARD E	
			ART UNIT 2128	PAPER NUMBER
			NOTIFICATION DATE 07/27/2018	DELIVERY MODE 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):

docket_ip@pillsburylaw.com

Office Action Summary

Application No.

14/936,444

Applicant(s)

SZYMCZYK et al.

Examiner

BERNARD E COTHRAN

Art Unit

2128

AIA Status

No

-- 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 5/29/18.
☐ 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) 21-40 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) 21-40 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 11/9/15 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 4) ☐ Other: ____.

DETAILED ACTION

1. This office action is in responsive to an amendment filed on 5/29/18.
2. The present application is being examined under the pre-AIA first to invent provisions
3. Claims 21-40 are currently pending.

Response to Arguments

Response: 35 U.S.C. § 101

4. Applicants argue:

“The Action contends that the claims recite steps that “describe the concept of allowing a user to simulate wearing real-wearable items based on gathering and analyzing information, which corresponds to concepts identified as abstract ideas by the courts such as Electric Power Group, LLC v. Alstom S.A.” Action at 3.1 The Examiner has misapplied the Electric Power Group decision, and has failed to consider more recent decisions that have distinguished Electric Power on the same grounds that they are distinguishable here.

On November 2, 2016, the U.S. PTO Deputy Commissioner for Patent Examination Policy, Mr. Robert W. Bahr, issued a memorandum to the patent examining corps (the “memo”) explaining the recent subject matter eligibility decisions handed down by the Federal Circuit. Importantly, the memo notes that when claims recite an improvement in computer-related technology, then the claims are patent eligible under 35 U.S.C. §101. One such improvement exists when the claims recite features that permit a computer to perform a function not previously performable by a computer. The present claims recite such an improvement by permitting a system or method to perform a function of allowing a user to virtually simulate

wearing a real wearable item - something previously done by hand or by an artist by superimposing images.

In distinguishing McRo's decision from the case cited by the Examiner (Electric Power), the memo provides the following;

a particular solution to a problem or a particular way to achieve a desired outcome defined by the claimed invention, as opposed to merely claiming the idea of a solution or outcome (e.g., McRO's claims defined a specific way, namely use of particular rules to set morph weights and transitions through phonemes, to solve the problem of producing accurate and realistic lip synchronization and facial expressions in animated characters, and thus were not directed to an abstract idea). In contrast, Electric Power Group's claimed method was directed to an abstract idea because it merely presented the results of collecting and analyzing information, without even identifying a particular tool for the presentation.

Memo at pg. 3. The present claims do far more than simply present the results of collecting and analyzing information, without identifying a tool for the presentation. Rather, the claims recite a specific tool for the presentation, and the claims recite structure and function for generating a first virtual-wearable item that moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion. Applicants respectfully submit that, consistent with the McRo decision and the distinctions provided to the Examiners in the memo, the present claims are patent eligible and do not merely claim an abstract idea.” **(Remarks: pages 9-11)**

5. Examiner Response:

The applicant argues that the claim language shows an improvement that permits a system or method to perform a function of allowing a user to virtually simulate wearing a real wearable item. The Examiner notes that an improvement to a system or method to perform a function to simulate wearing a real wearable item is not an improvement to a computer-related

technology. The improvement would be to an algorithm, that is used to simulate the wearing of a real wearable item. Also, it is unclear as to what field of technology is actually being improved. On page 2 of the Enfish Memo in the 2nd paragraph, it states *“The claims of the patents at issue in this case describe the steps of configuring a computer memory in accordance with a self-referential table, in both method claims and system claims that invoke 35 U.S.C. § 112(t). The court asked whether the focus of the claims is on the specific asserted improvement in computer capabilities (i. e., the self-referential table for a computer database), or instead on a process that qualifies as an “abstract idea” for which computers are invoked merely as a tool. To make the determination of whether these claims are directed to an improvement in existing computer technology, the court looked to the teachings of the specification. Specifically, the court identified the specification's teachings that the claimed invention achieves other benefits over conventional databases, such as increased flexibility, faster search times, and smaller memory requirements. It was noted that the improvement does not need to be defined by reference to “physical” components. Instead, the improvement here is defined by logical structures and processes, rather than particular physical features. The Federal Circuit stated that the Enfish claims were not ones in which general-purpose computer components are added after the fact to a fundamental economic practice or mathematical equation, but were directed to a specific implementation of a solution to a problem in the software arts, and concluded that the Enfish claims were thus not directed to an abstract idea (under Step 2A).”*. The claim language of claims 21 and 31 recite in part, , a system and method for performing the steps of recognizing a position and/or orientation of one or more body parts of a user, providing a virtual-outfitting interface for presentation to a user and providing a social networking tool graphically presented in the virtual outfitting interface. These steps describe the concept of allowing a user to simulate

wearing real-wearable items based on gathering and analyzing information, which corresponds to concepts identified as abstract ideas by the courts such as *Electric Power Group, LLC v. Alstom S.A.*

The claim does not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements when considered both individually and as an ordered combination do not amount to significantly more than the abstract idea. The claim recites an additional limitation of a “processor” performing the recognizing, providing and sharing steps. The processor is recited at a high level of generality and is recited as performing functions that are well-understood, routine and conventional activities amount to no more than implementing the abstract idea with a computerized system. This can be seen in the MPEP “*i. Adding the words "apply it" (or an equivalent) with the judicial exception, or mere instructions to implement an abstract idea on a computer, e.g., a limitation indicating that a particular function such as creating and maintaining electronic records is performed by a computer, as discussed in Alice Corp., 134 S. Ct. at 2360, 110 USPQ2d at 1984 (see MPEP § 2106.05(f)).* Thus, taken alone, the additional elements do not amount to significantly more than the above-identified judicial exception (the abstract idea). Looking at the limitations as an ordered combination adds nothing that is not already present when looking at the elements taken individually. There is no indication that the combination of elements improves the functioning of a computer or improves any other technology. Their collective functions merely provide conventional computer implementation.

Dependent claims 22 and 32 are drawn to sharing a snapshot with one or more contacts of the user within the social-networking service, which is used in gathering and analyzing

information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 23 and 33 are drawn to providing a comment on a profile page of the user, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 24 and 34 are drawn to the comment on the profile page including one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 25 and 35 are drawn to the user interacting with one or more social-networking services using one or more gestural commands, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 26 and 36 are drawn to the first body part being a hand of the user, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 27 and 37 are drawn to the first body part being a finger of the user, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 28 and 38 are drawn to the first virtual-wearable item including one or both of a virtual garment or a virtual accessory and the first virtual-wearable item visually representing a corresponding real-wearable item, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 29 and 39 are drawn to two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Dependent claims 30 and 40 are drawn to providing a screen capture tool in the virtual-outfitting interface, which is used in gathering and analyzing information as shown in the limitations of the independent claims. These limitations are considered to be drawn to the abstract idea without adding significantly more.

Claims 21-40 are therefore not drawn to eligible subject matter as they are directed to an abstract idea without significantly more.

Claim Rejections - 35 USC § 101

6. 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.

Claims 21-40 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. Claim(s) 21-40 is/are directed to an abstract idea of gathering and analyzing information to simulate wearing real-wearable items. The claim(s) does/do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements, which are recited at a high level of generality, provide conventional computer functions that do not add meaningful limits to practicing the abstract idea.

Claims 21-40 recite, in part, a system and method for performing the steps of recognizing a position and/or orientation of one or more body parts of a user, providing a virtual-outfitting interface for presentation to a user, providing a social networking tool graphically presented in the virtual outfitting interface, sharing a snapshot with one or more contacts of the user within the social networking service and providing a comment on a profile page of the user within the given social-networking service. These steps describe the concept of allowing a user to simulate wearing real-wearable items based on gathering and analyzing information, which corresponds to concepts identified as abstract ideas by the courts such as *Electric Power Group, LLC v. Alstom S.A.*

The claim does not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements when considered both individually and as an ordered combination do not amount to significantly more than the abstract idea. The claim recites an additional limitation of a “processor” performing the recognizing, providing and sharing steps. The processor is recited at a high level of generality and is recited as performing functions that are well-understood, routine and conventional activities amount to no more than implementing the abstract idea with a computerized system. Thus, taken alone, the additional elements do not amount to significantly more than the above-identified judicial exception (the abstract idea). Looking at the limitations as an ordered

combination adds nothing that is not already present when looking at the elements taken individually. There is no indication that the combination of elements improves the functioning of a computer or improves any other technology. Their collective functions merely provide conventional computer implementation.

Allowable Subject Matter

7. Claims 21-40 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101, set forth in this Office action.

Conclusion

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

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

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BERNARD E COTHRAN** whose telephone number is (571)270-5594. The examiner can normally be reached on 9AM -6:30PM EST M-F.


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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Omar F Fernandez Rivas can be reached on (571)272-2589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/B.E.C/
Examiner, Art Unit 2128

/OMAR F FERNANDEZ RIVAS/
Supervisory Patent Examiner, Art Unit
2128

<i>Search Notes</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCHYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

CPC - Searched*		
Symbol	Date	Examiner


CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.


Search Notes		
Search Notes	Date	Examiner
East text search	10/29/2017	BEC
East inventor search	10/29/2017	BEC
PALM inventor search	10/29/2017	BEC
Class G06F17, subclass 5009. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q30, subclass 0623. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q30, subclass 0603. Search limited as shown in attached documents.	10/29/2017	BEC
Class H04N5, subclass 23229. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 04817. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 0482. Search limited as shown in attached documents.	10/29/2017	BEC

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<i>Search Notes</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128


Class G06F3, subclass 04842. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q50, subclass 01. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 017. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06T19, subclass 006. Search limited as shown in attached documents.	10/29/2017	BEC
NPL Search: Google, Google Scholar	10/29/2017	BEC
East text search	07/10/2018	BEC
Class G06F17, subclass 5009. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06Q30, subclass 0623. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06Q30, subclass 0603. Search limited as shown in attached documents.	07/13/2018	BEC
Class H04N5, subclass 23229. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 04817. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 0482. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 04842. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06Q50, subclass 01. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06F3, subclass 017. Search limited as shown in attached documents.	07/13/2018	BEC
Class G06T19, subclass 006. Search limited as shown in attached documents.	07/13/2018	BEC
NPL Search: Google, Google Scholar	07/13/2018	BEC

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<i>Search Notes</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

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

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<i>Index of Claims</i> 	Application/Control No. 14/936,444	Applicant(s)/Patent Under Reexamination SZYMCZYK et al.
	Examiner BERNARD E COTHRAN	Art Unit 2128

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

CLAIMS										
<input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47										
CLAIM		DATE								
Final	Original	10/30/2017	07/10/2018							
	1	-	-							
	2	-	-							
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	38	✓	✓							
	39	✓	✓							
	40	✓	✓							

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Hand gesture recognition system and method

AVW Smith, [Al Sutherland](#), A Lemoine... - US Patent ..., 2000 - Google Patents

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Dynamic and static **hand gesture** recognition through low-level image analysis

[WJ Freeman](#) - US Patent 5,454,043, 1995 - Google Patents

... Dynamic and static **hand gesture** recognition through low-level image analysis. Download PDF Info ... Abstract. A low-level model-free dynamic and static **hand gesture** recognition system utilizes either a 1-D histogram of frequency of occurrence vs ...

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System and method for permitting three-dimensional navigation through a virtual reality environment using camera-based gesture inputs

DM Lyons - US Patent 6,191,843, 2001 - Google Patents

A system and method for permitting three-dimensional navigation through a virtual reality environment using camera-based gesture inputs of a system user. The system comprises a computer-readable memory, a video camera for generating video signals indicative of the gestures ...

Cited by 554 Related articles All 2 versions

System and method for permitting three-dimensional navigation through a virtual reality environment using camera-based gesture inputs

DM Lyons - US Patent 6,195,104, 2001 - Google Patents

A system and method for constructing three-dimensional images using camera-based gesture inputs of a system user. The system comprises a computer-readable memory, a video camera for generating video signals indicative of the gestures of the system user and an interaction ...

Cited by 266 Related articles All 2 versions

Hand gesture recognizing device

H Matsuo, Y Takata, T Teshima, S Igi, S Lu... - US Patent ..., 2001 - Google Patents

... **Hand gesture** recognizing device ... Info. Publication number US6215890B1. Authority US Grant status Grant. Patent type. Prior art keywords device **hand gesture** point image Prior art date 1997-09-26 Legal status (The legal status is an assumption and is not a legal conclusion ...

Cited by 534 Related articles All 2 versions

Gesture activated home appliance

LA Roberts, HT Nguyen, EM Silver - US Patent 6,997,742, 2005 - Google Patents

Apparatus for operating home appliances using gesture recognition are disclosed. An image receiver receives a continuous stream of images of a gesture made within the image receiver's field of view. An image processor is connected to the image receiver for sampling the received ...

Cited by 365 Related articles All 4 versions

Tracking and gesture recognition system particularly suited to vehicular control applications [PDF] [googleapis.com](#)

GV Paul, GJ Beach, CJ Cohen, CJ Jacobus - US Patent 7,050,606, 2006 - Google Patents

A system and method tracks the movements of a driver or passenger in a vehicle (ground, water, air, or other) and controls devices in accordance with position, motion, and/or body or hand gestures or movements. According to one embodiment, an operator or passenger uses the ...

Cited by 475 Related articles All 4 versions

Method, system, and program for gesture based option selection

DM Lyons, TG Murphy - US Patent 6,283,860, 2001 - Google Patents
The system displays on a screen a set of options that are selectable by a user. The user standing in front of the screen points at a desired option and a camera of the system takes an image of the user while pointing. The system calculates from the pose of the user in the image whether ...
Cited by 376 Related articles All 2 versions

Method and apparatus for real-time gesture recognition

KH Nguyen - US Patent 6,256,033, 2001 - Google Patents
A system and method are disclosed for providing a gesture recognition system for recognizing gestures made by a moving subject within an image and performing an operation based on the semantic meaning of the gesture. A subject, such as a human being, enters the viewing ...
Cited by 569 Related articles All 2 versions

System and method for gesture recognition in three dimensions using stereo imaging and color vision

B.Grzeszczuk, GR.Bradoski, MH Chu... - US Patent ..., 2004 - Google Patents
... Image unwarping based on model orientation has been used in the field of face recognition and has, up to now not been applied in the field of **hand gesture** recognition using stereo images ...
Perspective unwarping produces an easily recognizable **hand gesture** template ...
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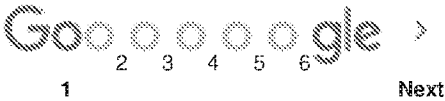
Related searches

hand gesture **recognition system**

hand gesture **recognition image analysis**

method and device hand gestures

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"virtual dressing room" "hand gesture"

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US7702130B2 - User interface apparatus using hand gesture ...
https://www.google.com/patents/US7702130
Jul 27, 2006 - The interface apparatus using a hand gesture recognition, includes: an input ...
corresponding to a command transformed in the hand gesture recognizing block. . Microsoft
Technology Licensing, Lic Avatar-based virtual dressing room.

US5594469A - Hand gesture machine control system - Google Patents
https://patents.google.com/patent/US5594469A/en
Mar 8, 2005 - The utilization of hand gesture recognition through a single gesture and the Microsoft
Technology Licensing, Lic Avatar-based virtual dressing room.

US6128003A - Hand gesture recognition system and method - Google ...
https://patents.google.com/patent/US6128003A/en
Jul 30, 2004 - Single-view based hand gesture systems have been taught by U.S. Pat. 2017-05-09
Microsoft Technology Licensing, Lic Avatar-based virtual dressing room.

US7308112B2 - Sign based human-machine interaction - Google ...
https://patents.google.com/patent/US7308112B2/en
Feb 16, 2006 - 8 shows a depth image of a user giving a hand gesture according to one Microsoft
Technology Licensing, Lic Avatar-based virtual dressing room.

(PDF) DeJaVu: Integrated Support for Developing Interactive ... - Microsoft
https://www.microsoft.com/en-us/research/wp-content/.../02/uist2012_dejavu.pdf
by J Kato - 2012 - Cited by 33 - Related articles
Nov 15, 2000 - KinectDress (Figure 2a) is a simple virtual dressing room application built with ... make
a swiping hand gesture to cycle through a list of available suits to wear ...

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S122	0	(virtual near (garment or clothing)) near4 (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:25
S123	0	(virtual near (garment or clothing)) same (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:26
S124	3	(virtual near (garment or clothing)) and (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:26
S125	0	(virtual near dressing near room) near (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:30
S126	0	(virtual near dressing near room) near4 (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:30
S127	6	(virtual near dressing near room) same (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:30
S128	6	(virtual near dressing near room) and (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:33
S129	9	(virtual near dressing near room) near (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:34
S130	9	(virtual near dressing near room) near4 (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:34
S131	11	(virtual near dressing near room) same (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:35
S132	48	(virtual near dressing near room) and (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:35
S133	3	(virtual near dressing near room) near4 (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:36

S134	4	(virtual near dressing near room) same (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:37
S135	60	(virtual near dressing near room) and (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/10 18:37
S136	13461	(G06F17/5009).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:22
S137	11	(virtual near dressing near room) same (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:22
S138	0	S137 and S136	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:22
S139	48	(virtual near dressing near room) and (virtual near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:32
S140	0	S139 and S136	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:32
S141	60	(virtual near dressing near room) and (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:32
S142	1	S141 and S136	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 13:32
S143	14	(virtual near wear near article)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:06
S144	0	S143 and S136	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:06
S145	4790	(G06Q30/0623).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:06
S146	3	S139 and S145	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:06
S147	0	S143 and S145	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:07
S148	0	S137 and S145	US-PGPUB; USPAT; EPO; JPO; DERWENT;	OR	ON	2018/07/13 14:07

			IBM_TDB			
S149	4	S141 and S145	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:07
S150	5234	(G06Q30/0603).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:07
S151	1	S141 and S150	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:09
S152	0	S137 and S150	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:09
S153	3	S139 and S150	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:10
S154	3	S143 and S150	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:10
S155	6829	(H04N5/23229).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:10
S156	2	S139 and S155	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:10
S157	0	S141 and S155	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:14
S158	0	S143 and S155	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:14
S159	0	S137 and S155	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:14
S160	19706	(G06F3/04817).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:14
S161	10	(virtual near wearable near item) same video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:15
S162	6	S161 and S160	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:15
S163	16	S141 and S160	US-PGPUB; USPAT;	OR	ON	2018/07/13

			EPO; JPO; DERWENT; IBM_TDB			14:17
S164	2	S139 and S160	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:26
S165	44207	(G06F3/0482).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:27
S166	0	S143 and S165	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:27
S167	0	S137 and S165	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:27
S168	17	S139 and S165	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:27
S169	27608	(G06Q50/01).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:31
S170	6	S161 and S169	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:31
S171	25	S141 and S169	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:31
S172	6	S139 and S169	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:41
S173	25394	(G06F3/017).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:43
S174	6	S161 and S173	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:43
S175	0	S137 and S173	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:43
S176	23	S141 and S173	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:43
S177	17	S139 and S173	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:51

S178	12505	(G06T19/006).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:52
S179	22	S139 and S178	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:52
S180	30	S141 and S178	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:52
S181	0	S137 and S178	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:52
S182	6	S161 and S178	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2018/07/13 14:52

Attorney Docket No.: 095054-0444144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT : Matthew SZYMCZYK, *et al.*
APPLICATION OF

SERIAL NO. : 14/936,444

FILING DATE : November 9, 2015

ART UNIT : 3625

EXAMINER : Bernard E. Cothran

FOR : PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS
GARMENTS AND/OR ACCESSORIES

AMENDMENT AND RESPONSE TO NON-FINAL ACTION

Via Amendment

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

Dear Commissioner:

In response to the Office Action dated November 28, 2017, (the "Action"), the period for response being extended three (3) additional months, please amend the application as follows:

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

Amendments to the Claims are reflected in the listing of claims beginning on page 3 of this paper.

Remarks/Arguments begin on page 9 of this paper.

It is believed that no extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 095054-0444144).

AMENDMENTS TO THE SPECIFICATION

Please replace paragraph [01] with the following paragraph:

(01) The present application is a continuation of U.S. Patent Application Serial No. 13/592,159 filed August 22, 2012, now U.S. Patent No. 9,183,581, which is a continuation of U.S. Patent Application Serial No. 12/822,168 filed June 23, 2010, now U.S. Patent No. 8,275,590, which claims the priority benefit of U.S. Provisional Patent Application Serial No. 61/233,364 filed August 12, 2009 and U.S. Provisional Patent Application Serial No. 61/233,377 filed August 12, 2009, the disclosures of which are incorporated by reference herein their entireties.

CLAIM AMENDMENTS

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

1-20. (**Cancelled**)

21. (**Previously Presented**) A system configured for allowing a user to simulate wearing real-wearable items, the system comprising:

one or more hardware processors configured by machine-readable instructions to:

recognize a position and/or orientation of one or more body parts of a user including a first body part;

provide a virtual-outfitting interface for presentation to a user, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlain upon the main display portion,

wherein the main display portion includes a composite video feed that incorporates a live video feed of the user and a first virtual-wearable item, a position, size, and/or orientation of the first virtual-wearable item being determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion; and

provide a social-networking tool graphically presented in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

22. ***(Previously Presented)*** The system of claim 21, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.

23. ***(Previously Presented)*** The system of claim 21, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service.

24. ***(Previously Presented)*** The system of claim 23, wherein the comment on the profile page includes one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.

25. ***(Previously Presented)*** The system of claim 21, wherein the social-networking tool in the virtual-outfitting interface is configured to allow the user to interact with one or more social-networking services using one or more gestural commands including a first gestural command, the first gestural command being received responsive to the user moving the first body part such that within the social-networking tool a live video depiction of the first body part lies at the same position as the icon.

26. **(Previously Presented)** The system of claim 25, wherein the first body part is a hand of the user.

27. **(Previously Presented)** The system of claim 25, wherein the first body part is a finger of the user.

28. **(Previously Presented)** The system of claim 21, wherein:
the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory; or
the first virtual-wearable item visually represents a corresponding real-wearable item.

29. **(Previously Presented)** The system of claim 21, wherein the two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users, the conferencing portion being configured to facilitate video communications between the user and one or more other users via the one or more social-networking services with which the user is associated.

30. **(Previously Presented)** The system of claim 21, wherein the one or more processors are further configured by machine-readable instructions to provide a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface via the first

gestural command, the social-networking tool being further configured to allow the user to share the snapshot via the one or more social-networking services with which the user is associated.

31. ***(Previously Presented)*** A method for allowing a user to simulate wearing real-wearable items, the method being performed by one or more hardware processors configured by machine-readable instructions, the method comprising:

recognizing a position and/or orientation of one or more body parts of a user including a first body part;

providing a virtual-outfitting interface for presentation to a user, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlain upon the main display portion, wherein the main display portion includes a composite video feed that incorporates a live video feed of the user and a first virtual-wearable item, a position, size, and/or orientation of the first virtual-wearable item being determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion; and

providing a social-networking tool graphically presented in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

32. ***(Previously Presented)*** The method of claim 31, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.

33. ***(Previously Presented)*** The method of claim 31, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service.

34. ***(Previously Presented)*** The method of claim 31, wherein the comment on the profile page includes one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.

35. ***(Previously Presented)*** The method of claim 31, wherein the social-networking tool in the virtual-outfitting interface is configured to allow the user to interact with one or more social-networking services using one or more gestural commands including a first gestural command, the first gestural command being received responsive to the user moving the first body part such that within the social-networking tool a live video depiction of the first body part lies at the same position as the icon.

36. ***(Previously Presented)*** The method of claim 35, wherein the first body part is a hand of the user.

37. **(Previously Presented)** The method of claim 35, wherein the first body part is a finger of the user.

38. **(Previously Presented)** The method of claim 31, wherein:

the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory; or

the first virtual-wearable item visually represents a corresponding real-wearable item.

39. **(Previously Presented)** The method of claim 31, wherein the two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users, the conferencing portion being configured to facilitate video communications between the user and one or more other users via the one or more social-networking services with which the user is associated.

40. **(Previously Presented)** The method of claim 31, further comprising providing a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface via the first gestural command, the social-networking tool being further configured to allow the user to share the snapshot via the one or more social-networking services with which the user is associated.

REMARKS

Claims 21-40 are currently pending in the application. The specification has been revised as suggested in the Action to update the status of the parent application. No amendments have been made to the claims. Applicants respectfully request reconsideration of the rejections advanced in the Action.

The specification was objected to because of an informality. Applicants have revised the specification as suggested by the Action, thereby rendering moot this objection.

Only one rejection has been advanced in the Action. Specifically, claims 21-40 are rejected under 35 U.S.C. §101 because the Action contends the claimed invention is directed to a judicial exception without significantly more. Applicants respectfully traverse this rejection.

The Action contends that the claims recite steps that "describe the concept of allowing a user to simulate wearing real-wearable items based on gathering and analyzing information, which corresponds to concepts identified as abstract ideas by the courts such as *Electric Power Group, LLC v. Alstom S.A.*" Action at 3.¹ The Examiner has misapplied the *Electric Power Group* decision, and has failed to consider more recent decisions that have distinguished *Electric Power* on the same grounds that they are distinguishable here.

On November 2, 2016, the U.S. PTO Deputy Commissioner for Patent Examination Policy, Mr. Robert W. Bahr, issued a memorandum to the patent examining corps (the "memo") explaining the recent subject matter eligibility decisions handed down by the Federal Circuit. Importantly, the memo notes that when claims recite an improvement in computer-related technology, then the claims are patent

¹ *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016).

eligible under 35 U.S.C. §101. One such improvement exists when the claims recite features that permit a computer to perform a function not previously performable by a computer. The present claims recite such an improvement by permitting a system or method to perform a function of allowing a user to virtually simulate wearing a real wearable item – something previously done by hand or by an artist by superimposing images.

In *McRo, Inc. dba Planet Blue v. Bandai Namco Games America Inc.*, 837 F.3d 1299 (Fed. Cir. 2016), the Federal Circuit held the claimed methods of automatic lip synchronization and facial expression animation using computer-implemented rules patent eligible under 35 U.S.C. § 101, because they were not directed to an abstract idea. The Federal Circuit found the claims patent eligible because they allowed computers to produce "accurate and realistic lip synchronization and facial expressions in animated characters" that previously could only be produced by human animators. The present claims are similar to those before the Federal Circuit in *McRo*.

In distinguishing *McRo*'s decision from the case cited by the Examiner (*Electric Power*), the memo provides the following:

a particular solution to a problem or a particular way to achieve a desired outcome defined by the claimed invention, as opposed to merely claiming the idea of a solution or outcome (e.g., *McRO*'s claims defined a specific way, namely use of particular rules to set morph weights and transitions through phonemes, to solve the problem of producing accurate and realistic lip synchronization and facial expressions in animated characters, and thus were not directed to an abstract idea). In contrast, *Electric Power Group*'s claimed method was directed to an abstract idea because it merely presented the results of collecting and analyzing information, without even identifying a particular tool for the presentation.

Memo at pg. 3. The present claims do far more than simply present the results of collecting and analyzing information, without identifying a tool for the presentation. Rather, the claims recite a specific tool for the presentation, and the claims recite structure and function for generating a first virtual-wearable item that moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display

portion. Applicants respectfully submit that, consistent with the McRo decision and the distinctions provided to the Examiners in the memo, the present claims are patent eligible and do not merely claim an abstract idea.

CONCLUSION

Applicants respectfully submit that the application is in condition for allowance. Notice to that effect is anticipated. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: May 29, 2018 Respectfully submitted,

By: /Patrick A. Doody/
Patrick A. Doody
Reg. No. 35,022

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, Virginia 22102
703-770-7755

Electronic Patent Application Fee Transmittal

Application Number:	14936444			
Filing Date:	09-Nov-2015			
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
First Named Inventor/Applicant Name:	Matthew SZYMCZYK			
Filer:	Patrick A. Doody/Bridgette Breeze			
Attorney Docket Number:	095054-0444144			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	2253	1	700	700
Miscellaneous:				
Total in USD (\$)				700

Electronic Acknowledgement Receipt

EFS ID:	32741396
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Patrick A. Doody/Bridgette Breeze
Filer Authorized By:	Patrick A. Doody
Attorney Docket Number:	095054-0444144
Receipt Date:	29-MAY-2018
Filing Date:	09-NOV-2015
Time Stamp:	13:25:56
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	\$ 700
RAM confirmation Number	052918INTEFSW00015050033975
Deposit Account	
Authorized User	

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

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		EOT_Amendment.pdf	1153601	yes	12
			3ab4bbbc30ce88ac0259a32f91862ddad6d603ae		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Extension of Time		1	1	
	Amendment/Req. Reconsideration-After Non-Final Reject		2	2	
	Specification		3	3	
	Claims		4	9	
	Applicant Arguments/Remarks Made in an Amendment		10	12	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31158	no	2
			5acf0a53f9a8c9f44d5dc08cb6e5a75123d7269d		
Warnings:					
Information:					
Total Files Size (in bytes):			1184759		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 095054-0444144																														
Application Number 14/936,444	Filed November 9, 2015																															
For PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES																																
Art Unit 3625	Examiner Bernard E. Cothran																															
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">Fee</th> <th style="text-align: center;">Small Entity Fee</th> <th style="text-align: center;">Micro Entity Fee</th> <th style="text-align: center;"></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$200</td> <td style="text-align: center;">\$100</td> <td style="text-align: center;">\$50</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$600</td> <td style="text-align: center;">\$300</td> <td style="text-align: center;">\$150</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1,400</td> <td style="text-align: center;">\$700</td> <td style="text-align: center;">\$350</td> <td style="text-align: center;">\$ <u>700.00</u></td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$2,200</td> <td style="text-align: center;">\$1,100</td> <td style="text-align: center;">\$550</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$3,000</td> <td style="text-align: center;">\$1,500</td> <td style="text-align: center;">\$750</td> <td style="text-align: center;">\$ _____</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>033975</u></p> <p><input checked="" type="checkbox"/> Payment made via EFS-Web.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>35,022</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number _____</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p style="text-align: center;"><u>/Patrick A. Doody/</u></p> <p style="text-align: center;">Signature</p> <p style="text-align: center;"><u>Patrick A. Doody</u></p> <p style="text-align: center;">Typed or printed name</p> </div> <div style="width: 45%;"> <p style="text-align: center;"><u>May 29, 2018</u></p> <p style="text-align: center;">Date</p> <p style="text-align: center;"><u>(703) 770-7755</u></p> <p style="text-align: center;">Telephone Number</p> </div> </div> <p>NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.</p> <p><input checked="" type="checkbox"/> * Total of <u>1</u> forms are submitted.</p>				Fee	Small Entity Fee	Micro Entity Fee		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ <u>700.00</u>	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____
	Fee	Small Entity Fee	Micro Entity Fee																													
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____																												
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<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																												

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/936,444	Filing Date 11/09/2015	<input type="checkbox"/> To be Mailed
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ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO**APPLICATION AS FILED – PART I**

(Column 1)

(Column 2)

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

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

	05/29/2018	CLAIMS REMAINING AFTER AMENDMENT	Minus	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		X \$50 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0		X \$230 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))							
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
TOTAL ADD'L FEE								0

(Column 1)

(Column 2)

(Column 3)

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

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

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

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

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

LIE
VANESSA HODGES

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/936,444	11/09/2015	Matthew SZYMCHYK	095054-0444144	3533

909 7590 11/28/2017
Pillsbury Winthrop Shaw Pittman, LLP
PO Box 10500
McLean, VA 22102

EXAMINER

COTHRAN, BERNARD E

ART UNIT	PAPER NUMBER
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2128

NOTIFICATION DATE	DELIVERY MODE
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11/28/2017

ELECTRONIC

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

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

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

docket_ip@pillsburylaw.com

Office Action Summary	Application No. 14/936,444	Applicant(s) SZYMCZYK ET AL.	
	Examiner BERNARD E. COTHRAN	Art Unit 2128	AIA (First Inventor to File) Status No

-- 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 4/25/17.
☐ 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) 21-40 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) 21-40 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 11/9/15 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 11/9/15; 4/25/17
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

DETAILED ACTION

The office action is responsive to a continuation filed on 11/9/15 and is being examined under the pre-AIA first to invent provisions. Claims 21-40 are pending.

Specification

1. The disclosure is objected to because of the following informalities: The current application is a continuation of application 13/592,159 which is now U.S. Patent No. 9,183,581. The specification should include the patent number for application 13/592,159.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

2. 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.

Claims 21-40 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. Claim(s) 21-40 is/are directed to an abstract idea of gathering and analyzing information to simulate wearing real-wearable items. The claim(s) does/do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements, which are recited at a high level of generality, provide conventional computer functions that do not add meaningful limits to practicing the abstract idea.

Claims 21-40 recite, in part, a system and method for performing the steps of recognizing a position and/or orientation of one or more body parts of a user, providing a virtual-outfitting interface for presentation to a user, providing a social networking tool graphically presented in the virtual outfitting interface, sharing a snapshot with one or more contacts of the user within the social networking service and providing a comment on a profile page of the user within the given social-networking service. These steps describe the concept of allowing a user to simulate wearing real-wearable items based on gathering and analyzing information, which corresponds to concepts identified as abstract ideas by the courts such as *Electric Power Group, LLC v. Alstom S.A.*

The claim does not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements when considered both individually and as an ordered combination do not amount to significantly more than the abstract idea. The claim recites an additional limitation of a “processor” performing the recognizing, providing and sharing steps. The processor is recited at a high level of generality and is recited as performing functions that are well-understood, routine and conventional activities amount to no more than implementing the abstract idea with a computerized system. Thus, taken alone, the additional elements do not amount to significantly more than the above-identified judicial exception (the abstract idea). Looking at the limitations as an ordered combination adds nothing that is not already present when looking at the elements taken individually. There is no indication that the combination of elements improves the functioning of a computer or improves any other technology. Their collective functions merely provide conventional computer implementation.

Allowable Subject Matter

3. Claims 21-40 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101, set forth in this Office action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The relevance of Feld et al. (U.S. PGPub 2001/0026272) is a system and method for designing a wear article for an object comprises providing a virtual three-dimensional model of the object, including first data representing three dimensions of the object.

The relevance of Onyshkevych et al. (U.S. PGPub 2002/0138170) is an automated system, method and article of manufacture for determining the most appropriate fit and size of a garment.

The relevance of Vock (U.S. PGPub 2003/0101105) is a system for generating a virtual clothing experience.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BERNARD E. COTHRAN whose telephone number is (571)270-5594. The examiner can normally be reached on Monday-Friday 7:30-4:00pm EST.

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

Art Unit: 2128

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Omar F. Fernandez can be reached on (571) 272-2589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/B. E. C. /
Examiner, Art Unit 2128
10/30/17

/SEAN SHECHTMAN/
Primary Examiner, Art Unit 2121

Notice of References Cited	Application/Control No. 14/936,444		Applicant(s)/Patent Under Reexamination SZYMCZYK ET AL.	
	Examiner BERNARD E. COTHRAN		Art Unit 2128	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2001/0026272 A1	10-2001	Feld, Avihay	A41H3/007	345/419
*	B	US-2002/0138170 A1	09-2002	Onyshkevych, Vsevolod A.	G06Q30/06	700/130
*	C	US-2003/0101105 A1	05-2003	Vock, Curtis A.	G06Q10/043	705/27.2
	D	US-				
	E	US-				
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	0	(virtual near dressing near room)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:38
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S3	0	(virtual near dressing near room) near icon	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:45
S4	0	(virtual near dressing near room) near4 icon	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:45
S5	3	(virtual near dressing near room) same icon	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:45
S6	0	(virtual near dressing near room) near menu	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:51
S7	0	(virtual near dressing near room) near4 menu	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:51
S8	0	(virtual near dressing near room) same menu	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:51
S9	6	(virtual near dressing near room) same (gesture near command)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:52
S10	14	(virtual near dressing near room) same (gesture)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:53

S11	122	("20010026272" "20020004753" "20020024517" "20020024528" "20020138170" "20020158916" "20020169687" "20030101105" "20030110099" "20040004633" "20050131776" "20050234782" "20060080182" "20060271448" "20070220540" "20070268312" "20070276721" "20080163344" "20080255920" "20090115777" "20090271705" "20100030578" "20110040539" "20110106662" "20110187743" "4539585" "5680528" "5724522" "5850222" "5930769" "5950173" "6307568" "6310627" "6546309" "6665577" "6701207" "6882897" "6901379" "6903756" "6965873" "7013290" "7039486" "7062454" "7113918" "7133839" "7149665" "7418407" "7433753" "7548794" "7712035" "7714912" "7905028" "8078498" "8078499").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 17:59
S12	189	(virtual near dressing neararticle)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:16
S13	0	(virtual near dressing near article)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:16
S14	12	(virtual near wear near article)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:16
S15	11	(virtual near wearable near item)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:22
S16	0	(virtual near wearable near item) near video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:31
S17	8	(virtual near wearable near item) near4 video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:31
S18	10	(virtual near wearable near item) same video	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:32
S19	208	(virtual near garment)	US-PGPUB; USPAT; EPO; JPO;	OR	ON	2017/10/29 18:52

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S20	0	(virtual near garment) near (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:52
S21	0	(virtual near garment) near4 (user near (gesture near command))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:52
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S30	11518	(G06F17/5009).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:57
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S33	7	S19 and S30	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 18:58
S34	2	(virtual near dressing near room) same (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:03
S35	35	(virtual near dressing near room) and (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:03
S36	1	(virtual near dressing near room) with (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:03
S37	4252	(G06Q30/0623).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:04
S38	9	S2 and S37	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:04
S39	454346	(G06F17/00).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:04
S40	14	S35 and S39	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:04
S41	6	S19 and S37	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:05
S42	9	S2 and S37	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:05
S43	0	S29 and S37	US-PGPUB; USPAT; EPO; JPO;	OR	ON	2017/10/29 19:05

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S44	1	S35 and S37	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:05
S45	4950	(G06Q30/0603).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:06
S46	0	S35 and S45	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:06
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S49	3	S14 and S45	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:07
S50	223569	(G06Q30/\$).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:10
S51	100	S2 and S50	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:11
S52	28	S51 and (social near network)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:11
S53	28	S35 and S50	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:14
S54	88	S19 and S50	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:15
S55	16	S54 and (social near (media or netowrk))	US-PGPUB; USPAT; EPO; JPO;	OR	ON	2017/10/29 19:15

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S56	5898	(H04N5/23229).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:28
S57	6	S19 and S56	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:28
S58	0	S14 and S56	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:28
S59	2	S2 and S56	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:28
S60	0	S35 and S56	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:29
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S62	8	S18 and S61	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:30
S63	22	S19 and S61	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:30
S64	18	S2 and S61	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:31
S65	0	S16 and S61	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:35
S66	0	S14 and S61	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:35
S67	16726	(G06F3/04817).CPC.	US-PGPUB; USPAT; EPO; JPO;	OR	ON	2017/10/29 19:35

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S68	13	S55 and S67	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:36
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S70	15	S2 and S67	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:36
S71	13	S35 and S67	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:36
S72	21	S19 and S67	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:36
S73	6	S18 and S67	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:37
S74	37374	(G06F3/0482).OPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:37
S75	15	S2 and S74	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:37
S76	6	S15 and S74	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:37
S77	6	S18 and S74	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:38
S78	21	S19 and S74	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:38
S79	13	S35 and S74	US-PGPUB; USPAT; EPO; JPO;	OR	ON	2017/10/29 19:38


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S80	29211	(G06F3/04842).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:45
S81	15	S35 and S80	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:46
S82	2	S29 and S80	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:46
S83	24	S19 and S80	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:46
S84	18	S2 and S80	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:48
S85	10	(virtual near wearable near item) same (video or camera)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:51
S86	0	S10 and S80	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:52
S87	417002	(G06F3/\$).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:52
S88	6	S10 and S87	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:52
S89	31	S2 and S87	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:52
S90	23	S89 and (social near (network or media))	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:53
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S92	23522	(G06Q50/01).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:58
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S96	1	S29 and S92	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:59
S97	22	S19 and S92	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 19:59
S98	6	S85 and S92	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:04
S99	19	S35 and S92	US-PGPUB; USPAT; EPO; JPO; DERWENT;	OR	ON	2017/10/29 20:04

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S100	21700	(G06F3/017).CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:06
S101	6	S85 and S100	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:06
S102	14	S2 and S100	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:06
S103	52	("20010026272" "20020004753" "20020024517" "20020024528" "20020158916" "20020169687" "20030101105" "20030110099" "20040004633" "20050131776" "20050234782" "20060080182" "20060271448" "20070220540" "20070268312" "20070276721" "20080163344" "20080255920" "20090115777" "20090271705" "20100030578" "20110106662" "20110187743" "4539585" "5680528" "5724522" "5850222" "5930769" "5950173" "6307568" "6310627" "6546309" "6665577" "6701207" "6882897" "6901379" "6903756" "6965873" "7013290" "7039486" "7062454" "7113918" "7133839" "7149665" "7418407" "7433753" "7548794" "7712035" "7714912" "7905028" "8078498" "8078499").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2017/10/29 20:06
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S107	0	S14 and S100	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:10
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			DERWENT; IBM_TDB			
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S117	6	(aaron near hungun).in.	US-PGPUB;	OR	ON	2017/10/29

			USPAT; EPO; JPO; DERWENT; IBM_TDB			20:16
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S119	8	(hans near forsman).in.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:17
S120	7	(jack near benoff).in.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:22
S121	10	("9595137" "8982110" "20140085330" "20140104316" "20140225978" "20150206349").pn.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/10/29 20:25

Search Notes 	Application/Control No. 14936444	Applicant(s)/Patent Under Reexamination SZYMCZYK ET AL.
	Examiner BERNARD E COTHRAN	Art Unit 2128

CPC- SEARCHED		
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US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

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SEARCH NOTES		
Search Notes	Date	Examiner
East text search	10/29/2017	BEC
East inventor search	10/29/2017	BEC
PALM inventor search	10/29/2017	BEC
Class G06F17, subclass 5009. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q30, subclass 0623. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06Q30, subclass 0603. Search limited as shown in attached documents.	10/29/2017	BEC
Class H04N5, subclass 23229. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 04817. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 0482. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 04842. Search limited as shown in attached documents.	10/29/2017	BEC

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SEARCH NOTES

Search Notes	Date	Examiner
Class G06Q50, subclass 01. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06F3, subclass 017. Search limited as shown in attached documents.	10/29/2017	BEC
Class G06T19, subclass 006. Search limited as shown in attached documents.	10/29/2017	BEC
NPL Search: Google, Google Scholar	10/29/2017	BEC

INTERFERENCE SEARCH

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

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Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Filed

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	Filing Date		2015-11-09
	First Named Inventor	Matthew SZYMZYK	
	Art Unit	2128	
	Examiner Name	FERNANDEZ RIVAS, OMAR F. / BERNARD E COTHRAN /	
	Attorney Docket Number	095054-0444144	

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
/B.E.C./	1	9595137		2017-03-14	SHARMA et al.	
/B.E.C./	2	8982110		2015-03-17	SABAN et al.	

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/B.E.C./	1	20140085330		2014-03-27	SUGITA et al.	
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/B.E.C./	3	20140225978		2014-08-14	SABAN et al.	
/B.E.C./	4	20150206349		2015-07-23	ROSENTHAL et al.	

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Application Number	14936444
Filing Date	2015-11-09
First Named Inventor	Matthew SZYMCHYK
Art Unit	2128
Examiner Name	FERNANDEZ RIVAS, OMAR F. /BERNARD E COTHRAN/
Attorney Docket Number	095054-0444144

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/B.E.C/	1	Non-Final Office Action mailed on January 25, 2017 in corresponding U.S. Patent Application No. 14/727,863 (17 pages).	<input type="checkbox"/>

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CONFIRMATION NO. 3533

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.	
14/936,444	11/09/2015	703	2128	095054-0444144	
APPLICANTS ZUGARA, INC., Culver City, CA; INVENTORS Matthew SZYMCZYK, Manhattan Beach, CA; Aaron VON HUNGEN, Culver City, CA; Blake CALLENS, Toluca Lake, CA; Hans FORSMAN, Venice, CA; Jack BENOFF, Hermosa Beach, CA;					
** CONTINUING DATA ***** This application is a CON of 13/592,159 08/22/2012 PAT 9183581 which is a CON of 12/822,168 06/23/2010 PAT 8275590 which claims benefit of 61/233,377 08/12/2009 and claims benefit of 61/233,364 08/12/2009					
** FOREIGN APPLICATIONS *****					
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 11/20/2015					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /BERNARD E COTHAN/ Acknowledged Examiner's Signature	<input type="checkbox"/> Met after Allowance BEC Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 3	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 2
ADDRESS Pillsbury Winthrop Shaw Pittman, LLP PO Box 10500 McLean, VA 22102 UNITED STATES					
TITLE PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES					
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A body and garment creation method for an internet based virtual fitting room

[PDF] semanticscholar.org

D Protosapieu, C Luthile, M Arevalo... - Advances in Modelling ..., 2002 - Springer

... The whole methodology does not aim to build only a **virtual dressing room**, where customers can view garments fitted onto their own virtual bodies but to visualize made-to-measure clothes, animate them, visualize the cloth behavior and to add interactivity. ...

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Online shopping with virtual modeling and peer review

C Balter, B Finkelstein - US Patent 6,901,379, 2005 - Google Patents

When a user browses an online retailer's Web site or a mirror site, the user can select an item and model the item online by having a server generate a digital image of the user wearing the item. If the user is still unsure as to whether to buy the item, the user can enter an online chat ...

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[HTML] In the **virtual dressing room** returns are a real problem

[HTML] hbs.edu

J Hammond, K Kohler - Working Knowledge for Business Leaders, 2002 - hbswk.hbs.edu

<form name="aspnetForm" method="post" action="in-the-**virtual-dressing-room**-returns-are-a-real-problem?item=in-the-**virtual-dressing-room**-returns-are-a-real-problem" id="aspnetForm">
<input type="hidden" name="MSOWebPartPage_PostbackSource" id="MSOWebPartPage_

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[CITATION] My virtual model: Virtual reality comes into fashion

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J Nantel - Journal of Interactive Marketing, 2004 - Elsevier

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[CITATION] In the **Virtual Dressing room** Returns Are a Real Problem, qHBS Working Knowledge

J Hammond, K Kohler - 2002

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[CITATION] Key strategic issues in online apparel retailing

B Beck - Retrieved December, 2004

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Method and system for a computer-rendered three-dimensional mannequin

CS Weaver - US Patent 6,404,426, 2002 - Google Patents

... US Pat. No. 5,850,222, Cone, has attempted a "**virtual dressing room**", in which a

person's measurements are used to create a body data structure that represents the person's figure, by adjusting a standard body data structure. ...

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Visualization strategies and tools for enhancing customer relationship management

S Ganapathy, C Ranganathan... - Communications of the ..., 2004 - dl.acm.org

... A similar application used by apparel retailers is the concept of the **virtual dressing room** or virtual model that users can customize by choosing from a menu of hairstyles, hair color, skin tones, face shape, eye color, eye shapes, and so on. ...

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Virtual shopper device

J Perotti, S Chapman, D Harel, K Costello... - US Patent App. 10 ..., 2003 - Google Patents

... [0006]. US Pat. No. 5,850,222, by Cone, has attempted a "**virtual dressing room**", in which a person's measurements are used to create a body data structure that represents the person's figure, by adjusting a standard body data structure. ...

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[PDF] boun.edu.tr

B Ugur - Thesis, Bogazi University, 2008 - medialab.cmpe.boun.edu.tr

... 37 6. APPLICATION: **VIRTUAL DRESSING ROOM** during propagation, to obtain smooth shapes at boundary regions. Interpolation based body modeler is presented in a **virtual dressing room** appli- cation with an easy to use graphical interface. ...

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Social network stuff | ThinkingShift

<https://thinkingshift.wordpress.com/2008/07/01/social-network-stuff/> ▼

Jul 1, 2008 - Social network stuff ... Tags: Social Network Analysis, ... that has many features like a virtual dressing room, 4 way video chat, blogs, videos, radio station ... so ...

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	Examiner BERNARD E COTHRAN	Art Unit 2128

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

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	10/30/2017							
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	36	✓							

<i>Index of Claims</i> 	Application/Control No. 14936444	Applicant(s)/Patent Under Reexamination SZYMCZYK ET AL.
	Examiner BERNARD E COTHRAN	Art Unit 2128

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	39	✓							
	40	✓							

INFORMATION DISCLOSURE CITATION IN AN APPLICATION Form PTO-1449	Docket Number	Application Number
	095054-0444144	To be Determined
	Applicant(s)	14/936,444
	Matthew SZYM CZYK <i>et al.</i>	
	Filing Date	Group Art Unit
	Herewith (November 9, 2015)	To be Determined 2128

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*EXAMINER INITIAL	REF	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE, IF APPROPRIATE
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	1B	5,680,528	10/21/1997	Korszun	395	135	
	1C	5,724,522	03/03/1998	Kagami <i>et al.</i>	395	226	
	1D	5,850,222	12/15/1998	Cone	345	418	
	1E	5,930,769	07/27/1999	Rose	705	27	
	1F	5,950,173	09/07/1999	Perkowski	705	26	
	1G	6,307,568	10/23/2001	Rom	345	629	
	1H	6,310,627	10/30/2001	Sakaguchi	345	630	
	1I	6,546,309	04/08/2003	Gazzuolo	700	132	
	1J	6,665,577	12/16/2003	Onyshkevych <i>et al.</i>	700	130	
	1K	6,701,207	03/02/2004	Gazzuolo	700	132	
	1L	6,882,897	04/19/2005	Fernandez	700	132	
	1M	6,901,379	05/31/2005	Balter <i>et al.</i>	705	27	
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	1R	7,062,454	06/13/2006	Giannini <i>et al.</i>	705	27	
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	REF	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translations	
							YES	NO
	1X	WO 2011/019965	02/17/2011	International				

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	1Z	CPENNEY, "Virtual Dressing Room", <u>Seventeen Magazine</u> , January 1, 2005, 3 pages.						
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				095054-0444144		To be Determined		
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				Matthew SZYMCZYK <i>et al.</i>				
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U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	2A	7,548,794	06/16/2009	Vandergriff <i>et al.</i>	700	132		
	2B	7,712,035	05/04/2010	Giannini	715	747		
	2C	7,714,912	05/11/2010	Faisman <i>et al.</i>	348	239		
	2D	7,905,028	03/15/2011	Sieber	33	512		
	2E	8,078,498	12/13/2011	Edmark <i>et al.</i>	705	26.1		
	2F	8,078,499	12/13/2011	Giannini <i>et al.</i>	705	26.1		
	2G	2001/0026272	10/04/2001	Feld <i>et al.</i>	345	419		
	2H	2002/0004753	01/10/2002	Perkowski	705	26		
	2I	2002/0024517	02/28/2002	Yamaguchi <i>et al.</i>	345	424		
	2J	2002/0024528	02/28/2002	Lambertsen	345	646		
	2K	2002/0158916	10/31/2002	Gusler <i>et al.</i>	345	850		
	2L	2002/0138170	09/26/2002	Onyshkevych <i>et al.</i>	700	130		
	2M	2002/0169687	11/14/2002	Perkowski	705	26		
	2N	2003/0101105	05/29/2003	Vock	705	27		
	2O	2003/0110099	06/12/2003	Trajkovic <i>et al.</i>	705	27		
	2P	2004/0004633	01/08/2004	Perry <i>et al.</i>	345	728		
	2Q	2005/0131776	06/16/2005	Perotti <i>et al.</i>	705	27		
	2R	2005/0234782	10/20/2005	Schackne <i>et al.</i>	705	27		
	2S	2006/0080182	04/13/2006	Thompson <i>et al.</i>	705	26		
	2T	2006/0271448	11/30/2006	Inoue <i>et al.</i>	705	26		
	2U	2007/0220540	09/20/2007	Walker <i>et al.</i>	725	14		
	2V	2007/0268312	11/22/2007	Marks <i>et al.</i>	345	633		
	2W	2007/0276721	11/29/2007	Jackson	705	10		
	2X	2008/0163344	07/03/2008	Yang	726	4		
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translations	
							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
	2Y	WACKER, Markus, <i>et al.</i> , "Simulation and Visualisation of Virtual Textiles for <i>Virtual Try-On</i> ", WSI/GRIS, RJTA, Volume 9, No. 1, 2005, pages 37-47.						
	2Z	CHITTARO, Luca, <i>et al.</i> , "3D Virtual Clothing: from Garment Design to Web3D Visualization and Simulation", Web 3D '03 Proceedings of the 8 th International Conference on 3D Web Technology, 2003, 12 pages.						

EXAMINER	DATE CONSIDERED
/BERNARD E COTHRAN/	10/30/2017
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

INFORMATION DISCLOSURE CITATION IN AN APPLICATION Form PTO-1449	Docket Number	Application Number
	095054-0444144	To be Determined
	Applicant(s)	14/936,444
	Matthew SZYMCHYK <i>et al.</i>	
	Filing Date	Group Art Unit
	Herewith (November 9, 2015)	To be Determined 2128

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3A	2008/0255920	10/16/2008	Vandergriff <i>et al.</i>	705	10	
	3B	2009/0115777	05/07/2009	Reyers Moreno	345	419	
	3C	2009/0271705	10/29/2009	Sheng <i>et al.</i>	715	733	
	3D	2010/0030578	02/04/2010	Siddique <i>et al.</i>	705	3	
	3E	2011/0040539	02/17/2011	Szymczyk <i>et al.</i>	703	6	
	3F	2011/0106662	05/05/2011	Stinchcomb	705	26.43	
	3G	2011/0187743	08/04/2011	Hwang <i>et al.</i>	345	633	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translations	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	3H	KJAERSIDE <i>et al.</i> , "ARDressCode: Augmented Dressing Room with Tag-based Motion Tracking and Real-Time Clothes Simulation", <u>Central European Multimedia and Virtual Reality Conference</u> , 2005, 6 pages.
	3I	EISERT <i>et al.</i> , "3-D Tracking of Shoes for Virtual Mirror Applications", 2008, 6 pages.
	3J	BEGOLE <i>et al.</i> , "Designed to Fit: Challenges of Interaction Design for Clothes Fitting Room Technologies", <u>Human-Computer Interaction, Part IV</u> , HCII 2009, LNCS 5613, 2009, pages 448-457.
	3K	KAWAHARA <i>et al.</i> , "Virtual Fitting Room with Spoken Dialogue Interaction", ISCA Archive, 2004, 4 pages.
	3L	ZHANG <i>et al.</i> , "Real-Time Clothes Comparison Based on Multi-View Vision", September 2008.
	3M	DIVIVIER <i>et al.</i> , "Virtual Try-On: Topics in Realistic, Individualized Dressing in Virtual Reality", February 2004, 17 pages.
	3N	THALMANN <i>et al.</i> , "An Overview of Virtual Humans", July 2004, 25 pages.
	3O	LYONS <i>et al.</i> , "Multimodal Interactive Advertising", 1998.

EXAMINER	DATE CONSIDERED
/BERNARD E COTHRAN/	10/30/2017
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.E.C/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14936444
	Filing Date		2015-11-09
	First Named Inventor	Matthew SZYMCZYK	
	Art Unit	2128	
	Examiner Name	FERNANDEZ RIVAS, OMAR F.	
	Attorney Docket Number	095054-0444144	

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	9595137		2017-03-14	SHARMA et al.	
	2	8982110		2015-03-17	SABAN et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20140085330		2014-03-27	SUGITA et al.	
	2	20140104316		2014-04-17	SHARMA et al.	
	3	20140225978		2014-08-14	SABAN et al.	
	4	20150206349		2015-07-23	ROSENTHAL et al.	

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FOREIGN PATENT DOCUMENTS

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		14936444
Filing Date		2015-11-09
First Named Inventor	Matthew SZYMCZYK	
Art Unit	2128	
Examiner Name	FERNANDEZ RIVAS, OMAR F.	
Attorney Docket Number	095054-0444144	

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1							<input type="checkbox"/>

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NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	Non-Final Office Action mailed on January 25, 2017 in corresponding U.S. Patent Application No. 14/727,863 (17 pages).	<input type="checkbox"/>

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	
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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	14936444
Filing Date	2015-11-09
First Named Inventor	Matthew SZYMCZYK
Art Unit	2128
Examiner Name	FERNANDEZ RIVAS, OMAR F.
Attorney Docket Number	095054-0444144

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Sean M. Weinman/	Date (YYYY-MM-DD)	2017-04-25
Name/Print	Sean M. Weinman	Registration Number	69515

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Electronic Acknowledgement Receipt

EFS ID:	29027962
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Sean Michael Weinman/Monet Noel
Filer Authorized By:	Sean Michael Weinman
Attorney Docket Number:	095054-0444144
Receipt Date:	25-APR-2017
Filing Date:	09-NOV-2015
Time Stamp:	22:06:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	0444144_SB08.pdf	447027	no	4
			6fecc57b7d427bbb83c80d14b97cb1ac4a831d32		

Warnings:

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Page 185 of 271

Information:					
This is not an USPTO supplied IDS fillable form					
2	Other Reference-Patent/App/Search documents	14727863.pdf	723558	no	17
			60459ce408fb5ebcd9435f21e17b62452df90569		
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			Total Files Size (in bytes):		
			1170585		
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144

CONFIRMATION NO. 3533

PUBLICATION NOTICE



OC00000081131051

909

Pillsbury Winthrop Shaw Pittman, LLP (NV)
PO Box 10500
McLean, VA 22102

Title:PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

Publication No.US-2016-0063592-A1

Publication Date:03/03/2016

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

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

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

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
14/936,444	11/09/2015	3625	800	095054-0444144	20	2

CONFIRMATION NO. 3533

FILING RECEIPT



Date Mailed: 11/25/2015

909
Pillsbury Winthrop Shaw Pittman, LLP (NV)
PO Box 10500
McLean, VA 22102

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Matthew SZYMCZYK, Manhattan Beach, CA;
Aaron VON HUNGEN, Culver City, CA;
Blake CALLENS, Toluca Lake, CA;
Hans FORSMAN, Venice, CA;
Jack BENOFF, Hermosa Beach, CA;

Applicant(s)

ZUGARA, INC., Culver City, CA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 13/592,159 08/22/2012 PAT 9183581
which is a CON of 12/822,168 06/23/2010 PAT 8275590
which claims benefit of 61/233,377 08/12/2009
and claims benefit of 61/233,364 08/12/2009

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

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Permission to Access Search Results: No

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/936,444**

Projected Publication Date: 03/03/2016

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

Preliminary Class

705

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/936,444

APPLICATION AS FILED - PART I

(Column 1)		(Column 2)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	300		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A	
TOTAL CLAIMS (37 CFR 1.16(j))	20	minus 20 = *	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2	minus 3 = *	x 210 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
			TOTAL	730		TOTAL	

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

APPLICATION AS AMENDED - PART II

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

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

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

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

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

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



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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/936,444	11/09/2015	Matthew SZYMCZYK	095054-0444144

CONFIRMATION NO. 3533

INFORMAL NOTICE



909
Pillsbury Winthrop Shaw Pittman, LLP (NV)
PO Box 10500
McLean, VA 22102

Date Mailed: 11/25/2015

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):

Matthew SZYMCZYK
Aaron VON HUNGEN
Blake CALLENS
Hans FORSMAN
Jack BENOFF

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/kxaysana/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT
APPLICATION OF : Matthew SZYMCZYK, *et al.*
SERIAL NO. : 14/936,444
FILING DATE : November 9, 2015
ART UNIT : 3625
EXAMINER : Unknown
FOR : PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS
GARMENTS AND/OR ACCESSORIES

PRELIMINARY AMENDMENT

Via EFS

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

Dear Commissioner:

Please consider the following preliminary amendments and remarks in the above-identified application:

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

Remarks/Arguments begin on page 8 of this paper.

It is believed that no extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 095054-0444144).

CLAIM AMENDMENTS

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

1-20. (***Cancelled***)

21. (***New***) A system configured for allowing a user to simulate wearing real-wearable items, the system comprising:

one or more hardware processors configured by machine-readable instructions to:

recognize a position and/or orientation of one or more body parts of a user including a first body part;

provide a virtual-outfitting interface for presentation to a user, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlain upon the main display portion, wherein the main display portion includes a composite video feed that incorporates a live video feed of the user and a first virtual-wearable item, a position, size, and/or orientation of the first virtual-wearable item being determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion; and

provide a social-networking tool graphically presented in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

22. **(New)** The system of claim 21, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.

23. **(New)** The system of claim 21, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service.

24. **(New)** The system of claim 23, wherein the comment on the profile page includes one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.

25. **(New)** The system of claim 21, wherein the social-networking tool in the virtual-outfitting interface is configured to allow the user to interact with one or more social-networking services using one or more gestural commands including a first gestural command, the first gestural command being received responsive to the user moving the first body part such that within the social-networking tool a live video depiction of the first body part lies at the same position as the icon.

26. **(New)** The system of claim 25, wherein the first body part is a hand of the user.

27. **(New)** The system of claim 25, wherein the first body part is a finger of the user.

28. **(New)** The system of claim 21, wherein:

the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory; or

the first virtual-wearable item visually represents a corresponding real-wearable item.

29. **(New)** The system of claim 21, wherein the two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users, the conferencing portion being configured to facilitate video communications between the user and one or more other users via the one or more social-networking services with which the user is associated.

30. **(New)** The system of claim 21, wherein the one or more processors are further configured by machine-readable instructions to provide a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface via the first gestural command, the social-networking tool being further configured to allow the user to share the snapshot via the one or more social-networking services with which the user is associated.

31. **(New)** A method for allowing a user to simulate wearing real-wearable items, the method being performed by one or more hardware processors configured by machine-readable instructions, the method comprising:

recognizing a position and/or orientation of one or more body parts of a user including a first body part;

providing a virtual-outfitting interface for presentation to a user, the virtual-outfitting interface including two or more separate portions simultaneously presented in the virtual-outfitting interface, the two or more separate portions including a main display portion and an icon that is overlain upon the main display portion, wherein the main display portion includes a composite video feed that incorporates a live video feed of the user and a first virtual-wearable item, a position, size, and/or orientation of the first virtual-wearable item being determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion; and

providing a social-networking tool graphically presented in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

32. **(New)** The method of claim 31, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.

33. **(New)** The method of claim 31, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service.

34. **(New)** The method of claim 31, wherein the comment on the profile page includes one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.

35. **(New)** The method of claim 31, wherein the social-networking tool in the virtual-outfitting interface is configured to allow the user to interact with one or more social-networking services using one or more gestural commands including a first gestural command, the first gestural command being received responsive to the user moving the first body part such that within the social-networking tool a live video depiction of the first body part lies at the same position as the icon.

36. **(New)** The method of claim 35, wherein the first body part is a hand of the user.

37. **(New)** The method of claim 35, wherein the first body part is a finger of the user.

38. **(New)** The method of claim 31, wherein:

the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory; or

the first virtual-wearable item visually represents a corresponding real-wearable item.

39. **(New)** The method of claim 31, wherein the two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users, the conferencing portion being configured to facilitate video communications between the user and one or more other users via the one or more social-networking services with which the user is associated.

40. **(New)** The method of claim 31, further comprising providing a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface via the first gestural command, the social-networking tool being further configured to allow the user to share the snapshot via the one or more social-networking services with which the user is associated.

REMARKS

By this paper, claims 21-40 are newly added, and claims 1-20 are cancelled without prejudice and without disclaimer. Accordingly, claims 21-40 are all of the pending claims. Support for the amendments presented above is provided throughout the specification and claims as originally filed. Applicants expressly reserve the right to prosecute the subject matter of the unamended and/or cancelled claims, or any other subject matter supported by the specification, in one or more continuation applications.

CONCLUSION

Applicants respectfully submit that the application is in condition for allowance. Notice to that effect is anticipated.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: November 24, 2015

Respectfully submitted,

By: /Ian C. Schick, Ph.D./
Ian C. Schick, Ph.D.
Reg. No. 63,293

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, Virginia 22102
619-234-5000

Electronic Acknowledgement Receipt

EFS ID:	24173848
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Ian Carl Schick/angelica zepeda
Filer Authorized By:	Ian Carl Schick
Attorney Docket Number:	095054-0444144
Receipt Date:	24-NOV-2015
Filing Date:	09-NOV-2015
Time Stamp:	16:18:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		095054-0444144_prelem_ame ndment.pdf	44304 26bf1d11cad384f561a2636f61768cbaa303 8a7c	yes	8

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Preliminary Amendment	1	1
	Claims	2	7
	Applicant Arguments/Remarks Made in an Amendment	8	8
Warnings:			
Information:			
		Total Files Size (in bytes):	44304
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>			

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/936,444	Filing Date 11/09/2015	<input type="checkbox"/> To be Mailed
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 ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

(Column 1)

(Column 2)

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

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	11/24/2015	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X \$40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	X \$210 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						0	

(Column 1)

(Column 2)

(Column 3)

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

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

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

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

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

 LIE
 /EFREM WARREN/

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

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. 095054-0444144	
		First Named Inventor MATTHEW SZYMCZYK, et al.	
		Title See Addendum 1	
		Express Mail Label No. Via EFS Web	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input type="checkbox"/> Fee Transmittal Form (PTO/SB/17 or equivalent) 2. <input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27 3. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent. 4. <input checked="" type="checkbox"/> Specification [Total Pages <u>39</u>] Both the claims and abstract must start on a new page. (See MPEP § 608.01(a) for information on the preferred arrangement) 5. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>3</u>] 6. Inventor's Oath or Declaration [Total Pages _____] (including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e)) a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> A copy from a prior application (37 CFR 1.63(d)) 7. <input checked="" type="checkbox"/> Application Data Sheet * See note below. See 37 CFR 1.76 (PTO/AIA/14 or equivalent) 8. CD-ROM or CD-R in duplicate, large table, or Computer Program (Appendix) <input type="checkbox"/> Landscape Table on CD 9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a. – c. are required) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies	ACCOMPANYING APPLICATION PAPERS 10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) Name of Assignee _____ 11. <input type="checkbox"/> 37 CFR 3.73(c) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 12. <input type="checkbox"/> English Translation Document (if applicable) 13. <input checked="" type="checkbox"/> Information Disclosure Statement (PTO/SB/08 or PTO-1449) <input type="checkbox"/> Copies of citations attached 14. <input type="checkbox"/> Preliminary Amendment 15. <input type="checkbox"/> Return Receipt Postcard (MPEP § 503) (Should be specifically itemized) 16. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 17. <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 18. <input type="checkbox"/> Other: _____ _____ _____ _____
--	---

***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
 (2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

19. CORRESPONDENCE ADDRESS				
<input checked="" type="checkbox"/> The address associated with Customer Number: <u>00909</u> OR <input type="checkbox"/> Correspondence address below				
Name _____				
Address _____				
City _____		State _____		Zip Code _____
Country _____		Telephone _____		Email _____

Signature	/Ian C. Schick, Ph.D./	Date	November 9, 2015
Name (Print/Type)	Ian C. Schick, Ph.D.	Registration No. (Attorney/Agent)	63,293

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ADDENDUM 1

PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144
		Application Number	
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

Secrecy Order 37 CFR 5.2

<input type="checkbox"/>	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--------------------------	---

Inventor Information:

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Matthew		SZYMCZYK			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						
City	Manhattan Beach	State/Province	CA	Country of Residence i	US	
Mailing Address of Inventor:						
Address 1		3814 Highland Avenue #1				
Address 2						
City	Manhattan Beach	State/Province	CA			
Postal Code	90266	Country i	US			
Inventor 2					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Aaron		VON HUNGEN			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						
City	Culver City	State/Province	CA	Country of Residence i	US	
Mailing Address of Inventor:						
Address 1		11115 Orville Street				
Address 2						
City	Culver City	State/Province	CA			
Postal Code	90230	Country i	US			
Inventor 3					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Blake		CALLENS			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						

Perfect Corp Ex. 1010

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144
		Application Number	
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		

City	Toluca Lake	State/Province	CA	Country of Residence i	US
------	-------------	----------------	----	------------------------	----

Mailing Address of Inventor:

Address 1	10645 Valley Springs Lane #10				
Address 2					
City	Toluca Lake	State/Province	CA		
Postal Code	91602	Country i	US		

Inventor 4

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Hans		FORSMAN	

Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service

City	Venice	State/Province	CA	Country of Residence i	US
------	--------	----------------	----	------------------------	----

Mailing Address of Inventor:

Address 1	681 San Juan Avenue				
Address 2					
City	Venice	State/Province	CA		
Postal Code	90291	Country i	US		

Inventor 5

Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Jack		BENOFF	

Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service

City	Hermosa Beach	State/Province	CA	Country of Residence i	US
------	---------------	----------------	----	------------------------	----

Mailing Address of Inventor:

Address 1	610 Hermosa Avenue				
Address 2					
City	Hermosa Beach	State/Province	CA		
Postal Code	90254	Country i	US		

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button.

Add

Correspondence Information:Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).☐ An Address is being provided for the correspondence information of this application.

Protect Corp Ex. 1010

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144	
		Application Number		
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
Customer Number	00909			
Email Address	Docket_IP@Pillsburylaw.com		<input type="button" value="Add Email"/>	<input type="button" value="Remove Email"/>

Application Information:

Title of the Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
Attorney Docket Number	095054-0444144	Small Entity Status Claimed <input checked="" type="checkbox"/>		
Application Type	Nonprovisional			
Subject Matter	Utility			
Total Number of Drawing Sheets (if any)	3	Suggested Figure for Publication (if any)		

Filing By Reference :

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.			
Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)
Customer Number	909		

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144
		Application Number	
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the application number blank.

Prior Application Status	Pending	Remove			
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)		
	Continuation of	13/592159	2012-08-22		
Prior Application Status	Patented	Remove			
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
13/592159	Continuation of	12/822168	2010-06-23	8275590	2012-09-25
Prior Application Status	Expired	Remove			
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)		
12/822168	Claims benefit of provisional	61/233377	2009-08-12		
Prior Application Status	Expired	Remove			
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)		
12/822168	Claims benefit of provisional	61/233364	2009-08-12		
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.					Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX) the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Remove			
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ^j (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			Add

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144
		Application Number	
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

<p>This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.</p> <p><input type="checkbox"/> NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.</p>
--

Authorization to Permit Access:

<input checked="" type="checkbox"/> Authorization to Permit Access to the Instant Application by the Participating Offices
<p>If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.</p> <p>In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.</p> <p>In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.</p>

Applicant Information:

<p>Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.</p>
--

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144
		Application Number	
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		

Applicant 1				Remove	
<p>If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.</p>					
Clear					
<input checked="" type="radio"/> Assignee		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Joint Inventor	
<input type="radio"/> Person to whom the inventor is obligated to assign.			<input type="radio"/> Person who shows sufficient proprietary interest		
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:					
Name of the Deceased or Legally Incapacitated Inventor : <input type="text"/>					
If the Applicant is an Organization check here. <input checked="" type="checkbox"/>					
Organization Name		ZUGARA, INC.			
Mailing Address Information:					
Address 1		8536 NATIONAL BLVD.			
Address 2		SUITE B			
City		CULVER CITY	State/Province		CA
Country ⁱ	US	Postal Code		90232	
Phone Number			Fax Number		
Email Address					
Additional Applicant Data may be generated within this form by selecting the Add button. Add					

Assignee Information including Non-Applicant Assignee Information:

<p>Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.</p>	
Assignee 1	
<p>Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.</p>	
Remove	
<p>If the Assignee or Non-Applicant Assignee is an Organization check here. <input type="checkbox"/></p>	

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	095054-0444144
		Application Number	
Title of Invention	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES		

Prefix	Given Name	Middle Name	Family Name	Suffix

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		State/Province	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.

Signature:

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

Signature	/Ian C. Schick, Ph.D./		Date (YYYY-MM-DD)	2015-11-09
First Name	Ian	Last Name	Schick, Ph.D.	Registration Number
				63293

Additional Signature may be generated within this form by selecting the Add button.

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ASSIGNMENT

WHEREAS, we, **Matthew Szymczyk**, a citizen of the United States of America, residing at 3814 Highland Ave. #1 Manhattan Beach, CA 90266; **Aaron von Hungen**, a citizen of the United States of America, residing at 11115 Orville St. Culver City CA 90230; **Blake Callens**, a citizen of the United States of America, residing at 10645 Valley Springs Lane #10, Toluca Lake, CA 91602; **Hans Forsman**, a citizen of the United States of America, residing at 681 San Juan Avenue, Venice, CA 90291; and **Jack Benoff**, a citizen of the United States of America, residing at 610 Hermosa Avenue, Hermosa Beach, CA 90254; (hereinafter "Assignors"), have made an invention entitled:

**"PROVIDING A SIMULATION OF WEARING ITEMS
SUCH AS GARMENTS AND/OR ACCESSORIES"**

described in United States Patent Application Serial No. 12/822,168, filed June 23, 2010, and

WHEREAS, **Zugara, Inc.** (hereinafter "Assignee"), a corporation of California, having a place of business at 8536 National Blvd. Suite B, Culver City, CA 90232, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention, application and all Letters Patent of the United States or any foreign country, including continuations, continuations-in-part, reissues, reexaminations, extensions, substitutes, and divisions which may be granted therefor;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said Assignors, by these presents do sell, assign and transfer unto Assignee, its successors, legal representatives and assigns, the full and exclusive right in and to the said invention as described in the said application, and in and to any Letters Patent of the United States or any foreign country, including continuations, continuations-in-part, reissues, reexaminations, extensions, substitutes, and divisions which may be granted therefor and all rights to claim priority on the basis of said application; and we further grant to Assignee the sole right to sue and collect damages for past infringement;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks or any other proper officer or agency of any country to issue all said Letters Patent to said Assignee;

AND WE HEREBY warrant and covenant that we have the full right to convey the entire interest herein assigned and that we have not executed and will not execute any instrument or assignment in conflict herewith;

AND WE HEREBY agree to communicate to said Assignee or its representatives any facts known to us respecting said invention, to execute all divisional, continuation, reissue, reexamination, extension, substitute, and foreign applications, sign all lawful documents and make all rightful oaths and declarations relating to said invention, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors, legal representatives or assigns, and to testify in any judicial or administrative proceeding and generally do everything possible to aid the said Assignee to obtain and enforce said Letters Patent in the United States or any foreign country when requested so to do by said Assignee.

Signature of Inventor:
Inventor's Name:


Matthew Szymczyk

Date of Execution:

7/25/10

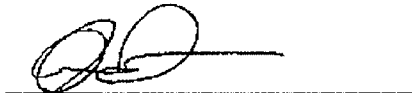
Signature of Inventor:
Inventor's Name:


Aaron von Hungen

Date of Execution:

7/23/10

Signature of Inventor:
Inventor's Name:


Blake Callens


Date of Execution:

7/23/10

Signature of Inventor:

Inventor's Name:

Date of Execution:

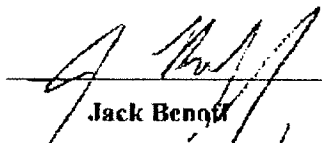


Hans Forsman
7/23/2010

Signature of Inventor:

Inventor's Name:

Date of Execution:



Jack Benoit
7/23/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Matthew SZYMCZYK *et al.* CONFIRMATION No.: To be Determined
No.:
SERIAL NUMBER : To be Determined EXAMINER: To be Determined
FILING DATE : Herewith (November 9, 2015) ART UNIT: To be Determined
FOR : PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

INFORMATION DISCLOSURE STATEMENT (IDS)

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

Dear Commissioner:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants hereby make of record in the above-identified application the documents listed on the attached Form PTO-1449.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, or before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No certification or fee is required. 37 C.F.R. § 1.97(b).

The foreign patent document and the "Other Documents" (non-patent literature) were cited by or submitted to the Office in Application No. 13/592159, filed August 22, 2012, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By /Ian C. Schick, Ph.D./
Ian C. Schick, Ph.D.
Registration No.: 63,293

Customer No.
00909

P. O. Box 10500
McLean, Virginia 22102
Telephone: (703) 770-7900
Telefax: (703) 770-7901

Dated: November 9, 2015

INFORMATION DISCLOSURE CITATION IN AN APPLICATION Form PTO-1449	Docket Number	Application Number
	095054-0444144	To be Determined
	Applicant(s)	
	Matthew SZYMCHYK <i>et al.</i>	
	Filing Date	Group Art Unit
	Herewith (November 9, 2015)	To be Determined

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE, IF APPROPRIATE
	1A	4,539,585	09/03/1985	Spackova <i>et al.</i>	358	93	
	1B	5,680,528	10/21/1997	Korszun	395	135	
	1C	5,724,522	03/03/1998	Kagami <i>et al.</i>	395	226	
	1D	5,850,222	12/15/1998	Cone	345	418	
	1E	5,930,769	07/27/1999	Rose	705	27	
	1F	5,950,173	09/07/1999	Perkowski	705	26	
	1G	6,307,568	10/23/2001	Rom	345	629	
	1H	6,310,627	10/30/2001	Sakaguchi	345	630	
	1I	6,546,309	04/08/2003	Gazzuolo	700	132	
	1J	6,665,577	12/16/2003	Onyshkevych <i>et al.</i>	700	130	
	1K	6,701,207	03/02/2004	Gazzuolo	700	132	
	1L	6,882,897	04/19/2005	Fernandez	700	132	
	1M	6,901,379	05/31/2005	Balter <i>et al.</i>	705	27	
	1N	6,903,756	06/07/2005	Giannini	345	747	
	1O	6,965,873	11/15/2005	Rhoads	705	26	
	1P	7,013,290	03/14/2006	Ananian	705	27	
	1Q	7,039,486	05/02/2006	Wang	700	117	
	1R	7,062,454	06/13/2006	Giannini <i>et al.</i>	705	27	
	1S	7,113,918	09/26/2006	Ahmad <i>et al.</i>	705	26	
	1T	7,133,839	11/07/2006	Inoue <i>et al.</i>	705	27	
	1U	7,149,665	12/12/2006	Feld <i>et al.</i>	703	2	
	1V	7,418,407	08/26/2008	Giannini	705	26	
	1W	7,433,753	10/07/2008	Okada <i>et al.</i>	700	130	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translations	
							YES	NO
	1X	WO 2011/019965	02/17/2011	International				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	1Y	ZHANG <i>et al.</i> , "An Intelligent Fitting Room Using Multi-Camera Perception", <u>ACM</u> , January 2008, pages 60-69.						
	1Z	CPENNEY, "Virtual Dressing Room", <u>Seventeen Magazine</u> , January 1, 2005, 3 pages.						
	1AA	BBC News, "Virtual Dummy to Try on Clothes", January 27, 2004, 2 pages.						
	1BB	"New Interactive Video/Augmented Reality Apps Unveiled for Clothes Shopping, Wimbledon", submitted by tracyswedlow, June 24, 2009, 3 pages.						

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

INFORMATION DISCLOSURE CITATION IN AN APPLICATION				Docket Number		Application Number	
				095054-0444144		To be Determined	
				Applicant(s)			
				Matthew SZYMCZYK <i>et al.</i>			
				Filing Date		Group Art Unit	
Form PTO-1449				Herewith (November 9, 2015)		To be Determined	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2A	7,548,794	06/16/2009	Vandergriff <i>et al.</i>	700	132	
	2B	7,712,035	05/04/2010	Giannini	715	747	
	2C	7,714,912	05/11/2010	Faisman <i>et al.</i>	348	239	
	2D	7,905,028	03/15/2011	Sieber	33	512	
	2E	8,078,498	12/13/2011	Edmark <i>et al.</i>	705	26.1	
	2F	8,078,499	12/13/2011	Giannini <i>et al.</i>	705	26.1	
	2G	2001/0026272	10/04/2001	Feld <i>et al.</i>	345	419	
	2H	2002/0004753	01/10/2002	Perkowski	705	26	
	2I	2002/0024517	02/28/2002	Yamaguchi <i>et al.</i>	345	424	
	2J	2002/0024528	02/28/2002	Lambertsen	345	646	
	2K	2002/0158916	10/31/2002	Gusler <i>et al.</i>	345	850	
	2L	2002/0138170	09/26/2002	Onyshkevych <i>et al.</i>	700	130	
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INFORMATION DISCLOSURE CITATION IN AN APPLICATION					Docket Number		Application Number	
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					Applicant(s)			
					Matthew SZYMCZYK <i>et al.</i>			
					Filing Date		Group Art Unit	
Form PTO-1449					Herewith (November 9, 2015)		To be Determined	

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PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES

CROSS REFERENCE TO RELATED APPLICATIONS

(01) The present application is a continuation of U.S. Patent Application Serial No. 13/592,159 filed August 22, 2012, which is a continuation of U.S. Patent Application Serial No. 12/822,168 filed June 23, 2010, now U.S. Patent No. 8,275,590, which claims the priority benefit of U.S. Provisional Patent Application Serial No. 61/233,364 filed August 12, 2009 and U.S. Provisional Patent Application Serial No. 61/233,377 filed August 12, 2009, the disclosures of which are incorporated by reference herein their entireties.

FIELD OF THE INVENTION

(02) The invention relates to allowing a user to simulate wearing wearable items by providing a composite video feed that incorporates a live video feed of the user and at least one virtual-wearable item, which represents at least one real-wearable item, such that the user appears to be wearing the at least one real-wearable item in the composite video feed.

BACKGROUND OF THE INVENTION

(03) Typically, in e-commerce environments (e.g., an online storefront), potential customers are presented images of goods offered for sale. In the case of wearable goods, such as clothing and accessories, a potential customer must speculate as to whether they will like a given wearable good once they try it on. In order to try on a

wearable good offered for sale in a conventional e-commerce environment, however, a customer must first purchase the good and wait for its delivery. This barrier to affirming a desire to purchase a good may prevent the majority of potential customers who visit a given e-commerce environment from actually making purchase.

SUMMARY

(04) One aspect of the invention relates to a system configured to provide a simulation of wearing real-wearable items, according to one or more implementations of the invention. According to exemplary implementations, the user may be presented one or more virtual-wearable items, such as via a user interface. The virtual-wearable items may include virtual garments (e.g., a virtual shirt, a virtual hat, virtual pants, and/or other virtual garments), virtual accessories (e.g., virtual jewelry, virtual hats, and/or other virtual accessories), and/or other virtual-wearable items. The virtual-wearable items may represent real-wearable items. The user may select at least one of the virtual-wearable item to virtually “try on” at least one corresponding real-wearable item. A composite image may be presented to the user in real time or near-real time, which may incorporate a live video feed of the user and one or more selected virtual-wearable items such that the user appears to be wearing real-wearable items corresponding to the selected virtual-wearable item(s) in the composite video feed.

(05) In some implementations, the user may be presented a virtual-outfitting interface. The virtual-outfitting interface may include several portions, one of which may include the composite video feed. Various inputs such as motions of the user may be tracked such that the user may interact with one or more of the portions of the virtual-outfitting interface. For example, the user may change the virtual-wearable item displayed,

purchase a real-wearable item associated with a displayed virtual-wearable item, obtain a snapshot or video clip of the user virtually wearing a real-wearable item, share snapshots or video clips such as via social-networking services, view and interact with friends that are also virtually trying on real-wearable items, and/or perform other actions in conjunction with the system.

(06) In some implementations, the system may include one or more virtual-commerce-environment servers and/or other components. The system may operate in communication and/or coordination with one or more external resources. Users may interface with the system and/or the external resources via client computing platforms. Components of the system, the virtual-commerce-environment servers, the external resources, and/or the client computing platforms may be operatively linked via one or more electronic communication links. For example, such electronic communication links may be established, at least in part, via a network, which may include the Internet and/or other networks.

(07) A given client computing platform may include one or more processors configured to execute computer program modules. The computer program modules may be configured to enable one or more users associated with the given client computing platform to interface with the system and/or the external resources, and/or provide other functionality attributed herein to client computing platforms. A given client computing platform may also be communicatively coupled with an imaging device, or have such an imaging device integrated therewith. Examples of imaging devices an analog camera, a digital camera, a 2D camera, a stereo camera, a 3D camera, and/or other imaging devices. An imaging device may be configured to capture still images

and/or a live video feed of a user of a given client computing platform. Imaging devices associated with individual ones of the client computing platforms may be configured to provide information (e.g., a video feed, one or more images, and/or other information) to one or more modules associated with the virtual-commerce-environment servers.

(08) Individual ones of the client computing platforms may include user interfaces. A user interface included in a given client computing platform may be configured to provide an interface between the virtual-commerce-environment servers and a user of the given client computing platform through which the user may provide information to and/or receive information from the virtual-commerce-environment servers. This enables data, results, and/or instructions and any other communicable items, collectively referred to as "information," to be communicated between the user and virtual-commerce-environment servers.

(09) The external resources may include sources of information, hosts and/or providers of virtual commerce environments outside of the system, external entities participating with the system, and/or other resources. In some implementations, some or all of the functionality attributed herein to the external resources may be provided by resources included in the system.

(10) The virtual-commerce-environment servers may comprise electronic storage, one or more processors, and/or other components. The electronic storage may comprise electronic storage media that electronically stores information. The processor(s) may be configured to provide information processing capabilities in the virtual environments servers.

(11) The processor may be configured to execute a virtual outfitting program. The virtual outfitting program may include one or more computer program modules and/or instructions that may be executed to provide a simulation of wearing real-wearable items. The one or more computer program modules may include one or more of a virtual-outfitting-interface module, a motion-capture module, an item-search/selection module, a composite-imaging module, a conferencing module, a purchase module, a screen-capture module, a social-networking module, an interface-control module, and/or other modules.

(12) The virtual-outfitting-interface module may be configured to provide, for presentation to one or more users, a virtual-outfitting interface. The virtual-outfitting interface may be presented to a user via a user interface of a given client computing platform. The virtual-outfitting interface may include an item-search/selection portion, a main display portion, a current item details portion, a conferencing portion, a tools portion, a snapshot portion, and/or other portions.

(13) A user may interact with one or more portions of the virtual-outfitting interface. In some implementations, the user may interact with one or more portions via a user interface associated with a given client computing platform. The user may interact with one or more portions by voice command, according to some implementations. The user may interact with one or more portions, in accordance with some implementations, using motions and/or gestural commands.

(14) The motion-capture module may be configured to track motion of the user. Motion of the user tracked by the motion-capture module may allow the user to interact with one or more portions of the virtual-outfitting interface. Such interactions may

include gestural commands and/or other commands associated with motions of the user. The motion-capture module may utilize images and/or video of the user obtained by an imaging device associated with one of the client computing platforms in order to track motion of the user. Exemplary implementations of motion tracking and utilization thereof are described further in connection with one or more portions of the virtual-outfitting interface.

(15) The item-search/selection module may be configured to provide the item-search/selection portion of the virtual-outfitting interface. The item-search/selection portion may present one or more virtual-wearable items to a user. As mentioned above, virtual-wearable items may include one or more of a virtual garment, a virtual accessory, and/or other virtual-wearable items. In some implementations, a given virtual-wearable item may represent a real-wearable item. In some implementations, the item-search/selection portion may display an image or other representation (e.g., a textual representation) of a virtual-wearable item. The user may manipulate the item-search/selection portion using an interface included in a given client computing platform and/or other techniques described herein, such as gestures and/or voice commands.

(16) According to some implementations, the item-search/selection module may be configured to allow a user to search available virtual-wearable items. Available items may be presented in the item-search/selection portion, and may be searched according to type, size, style, brand, vendor, price, availability, and/or other attributes associated with real-wearable items. In some implementations, some or all searching capabilities may be provided by a third-party service (e.g., Amazon.comTM, GoogleTM, and/or other third parties). The item-search/selection module may be configured to provide

suggestions of one or more real-wearable items based on one or more search criterions inputted by the user.

(17) In some implementations, the item-search/selection module may be configured to allow a user to select one or more virtual-wearable items presented in the item-search/selection portion. Selected virtual-wearable items may be “tried-on” virtually by the user, as described further herein. In some implementations, one or more virtual-wearable items presented in the item-search/selection portion may be pre-selected by one or more users, such as via an online storefront.

(18) The item-search/selection module may be configured to manage a queue of selected virtual-wearable items, in some implementations. Some or all of the queue of selected virtual-wearable items may be presented in the item-search/selection portion. The user may add, subtract, reorder, scroll through, browse, and/or otherwise manage selected virtual-wearable items included in such a queue. Some implementations may include a default queue that includes a predetermined set of virtual-wearable items. The user may select one or more virtual-wearable items from the queue in order to virtually “try on” real-wearable items corresponding to selected virtual-wearable items.

(19) The composite-imaging module may be configured to provide the main display portion of the virtual-outfitting interface. The main display portion may include one or more images and/or video of the user virtually trying on one or more real-wearable items that correspond to one or more selected virtual-wearable items. In such images and/or video, the one or more selected virtual-wearable items may be visually overlaid on the user in a position in which the user would normally wear corresponding real-wearable items. The position of the virtual-wearable item in the main display portion

may be determined manually by the user (e.g., drag and drop) using a user interface of a given client computing platforms, and/or may be determined wholly or partially by the motion-capture module, as described further herein. In some implementations, the main display portion may include a composite video feed that incorporates a video feed of the user and one or more virtual-wearable items selected by the user via the item-search/selection module. The video feed of the user may be obtained by an imaging device associated with one of the client computing platforms. Presentation of the composite video feed may be in real time or near-real time.

(20) The motion-capture module may be configured to position and/or size a virtual-wearable item relative to the user's body in an image and/or video in the main display portion. Some implementations may utilize augmented reality technology to position a virtual-wearable item relative to the user's body. The motion-capture module may utilize an augmented-reality marker in order position a virtual-wearable item. An augmented-reality marker may include a predefined pattern printed on a sheet of paper, an arbitrary image or pattern (e.g., a magazine advertisement), and/or other image or pattern. An augmented-reality marker may allow the user to position and/or size a selected virtual-wearable item within the main display portion. For example, in one implementation, the position of an augmented-reality-marker in the main display portion may correspond to the position of a virtual-wearable item in the main display portion. As such, the user may hold an augmented-reality marker in front of themselves while viewing the main display portion to position a virtual-wearable item so that it appears that the user is wearing the virtual-wearable item.

(21) Some implementations may not require an augmented-reality marker to position and/or size a virtual-wearable item in the main display portion. For example, the motion-capture module may be configured to recognize position and/or orientation of one or more body parts of the user in the main display portion in order to determine a position, size, and/or orientation for a given virtual-wearable item in the main display portion. Once the one or more body parts are recognized, the composite-imaging module may position a virtual-wearable item at a predetermined offset and/or orientation relative to the recognized one or more body parts.

(22) The motion-capture module may track motion, position, and/or orientation of the user to overlay a virtual-wearable item on the user in the main display portion such that the virtual-wearable item appears to be worn by the user while the user moves about and/or rotates in the main display portion. Based on tracked motion, position and/or orientation of the user in the main display portion, a virtual-wearable item may move within the main display portion in order to track movements of the user. Characteristics associated with a virtual-wearable item (e.g., type of fabric, texture of fabric, and/or other characteristics) may be utilized in rendering the virtual-wearable item in the main display portion in order to enhance the realness of the appearance of the virtual-wearable item.

(23) In some implementations, the motion-capture module may be configured to allow the user may interact with one or more portions of the virtual-outfitting interface by moving a body part (e.g., a finger, hand, and/or other body part) such that the body part, as depicted in the main display portion, lies within one or more portions. By way of non-limiting example, the user may move a hand such that it lies within the item-

search/selection portion in order to select a virtual-wearable item, to effectuate a displayed virtual-wearable item included in the main display portion being replaced by a different selected virtual-wearable item such that the user appears to be wearing the different selected virtual-wearable item in the main display portion, to cycle through virtual-wearable items included in a queue of several virtual-wearable items, and/or to perform other functions associated with the item-search/selection portion.

(24) The item-search/selection module may be configured to provide the current item details portion of the virtual-outfitting interface. The current item details portion may include one or more details of the real-wearable item that a user is currently trying on virtually using the system. Exemplary details that may be presented by the current item details portion include type, size, style, brand, vendor, price, availability, and/or other details associated with real-wearable items.

(25) The conferencing module may be configured to provide the conferencing portion of the virtual-outfitting interface. The conferencing portion may display one or more other users of the system or similar system. The one or more other users displayed by the conferencing portion may be virtually trying on real-wearable items. A user of the virtual-outfitting interface may interact, such as by voice or text, with other users via the conferencing portion. This may give an enhanced sense of shopping with other users in disparate locations.

(26) The tools portion of the virtual-outfitting interface may display one or more icons or other links to access tools provided by one or more of modules of the processor. Such tools may allow a user to perform one or more functions or manipulations within virtual-outfitting interface. The one or more tools may include a purchase tool, a screen-

capture tool, a social-networking tool, a virtual-outfitting-interface-control tool, and/or other tools.

(27) The purchase module may be configured provide the purchase tool included in the tools portion. The purchase tool may allow the user to indicate one or more virtual-wearable items to effectuate a purchase of one or more real-wearable items corresponding to the indicated one or more virtual-wearable items. The user may indicate one or more virtual-wearable items for purchase in conjunction with the motion-tracking module and/or a user interface associated with one of the client computing platforms. In some implementations, effectuating a purchase of a real-wearable item may include adding that item in a shopping cart associated with a virtual-commerce environment for future purchase.

(28) The screen-capture module may be configured to provide the screen-capture tool included in the tools portion of the virtual-outfitting interface. The screen-capture tool may allow a user to obtain a snapshot of at least a region of the virtual-outfitting interface. Such a region may include some or all of the main display portion and/or some or all of other portions of the virtual-outfitting interface. A snapshot may include a still image and/or video clip of the user appearing to wear a real-wearable item that corresponds to a selected virtual-wearable items. The snapshot may be stored in the electronic storage, in one or more of the client computing platforms, and/or at another location. The motion-capture module may be configured to allow the user to interact with the screen-capture tool to effectuate a snapshot being obtained.

(29) The snapshot portion may be provided by the screen-capture module in the tools portion of the virtual-outfitting interface. The snapshot portion may be used to view

and/or otherwise manage one or more snapshots of the user virtually trying on a real-wearable item. The snapshot portion may display a representation of some or all of the snapshots. A snapshot may be represented, within the snapshot portion, by a thumbnail of the snapshot, a cropped version of the snapshot, and/or other representation of the snapshot. The motion-capture module may be configured to allow the user to interact with the snapshot portion in order to view and/or otherwise manage one or more snapshots represented in the snapshot portion.

(30) The social-networking module may be configured to provide the social-networking tool in the tools portion of the virtual-outfitting interface. The social-networking tool may allow the user to interface with one or more social-networking services (e.g., Facebook™, MySpace™, Twitter™, Twitpic™, Flickr™, and/or other social-networking services) with which the user is associated. The social-networking tool may interface with a social-networking service in order to share a snapshot with one or more contacts of the user. The motion-capture module may be configured to allow the user to interact with the social-networking tool to effectuate functionalities attributed thereto.

(31) The interface-control module may be configured to provide the virtual-outfitting-interface-control tool in the tools portion of the virtual-outfitting interface. The virtual-outfitting-interface-control tool may allow the user to control one or more aspects associated with the virtual-outfitting interface. For example, the virtual-outfitting-interface-control tool may allow the user to control which portions are included in the virtual-outfitting interface, positions and/or sizes of one or more portions in the virtual-

outfitting interface, toggling the virtual-outfitting interface on or off, and/or other aspects associated with the virtual-outfitting interface.

(32) Another aspect of the invention relates to a method for allowing a user to simulate wearing real-wearable items, according to one or more implementations of the invention. In some implementations, the method may be implemented in one or more processing devices (e.g., a digital processor, an analog processor, a digital circuit designed to process information, an analog circuit designed to process information, a state machine, and/or other mechanisms for electronically processing information).

(33) At one operation, a virtual-outfitting interface is provided for presentation to a user. The virtual-outfitting-interface module may be executed to perform this operation in some implementations.

(34) At another operation, an item-search/selection portion is provided within the virtual-outfitting interface. The item-search/selection portion may depict one or more virtual-wearable items corresponding to one or more real-wearable items. The item-search/selection module may be executed to perform this operation in some implementations.

(35) At yet another operation, the user is allowed to select at least one virtual-wearable item from the item-search/selection portion. The item-search/selection module may be executed to perform this operation in some implementations.

(36) At still another operation, a main display portion within the virtual-outfitting interface is provided. The main display portion may include a composite video feed that incorporates a video feed of the user and the selected at least one virtual-wearable item

such that the user appears to be wearing the selected at least one virtual-wearable item in the main display portion. The composite-imaging module may be executed to perform this operation in some implementations.

(37) These and other objects, features, and characteristics of the present invention, as well as the methods of operation and functions of the related elements of structure and the combination of parts and economies of manufacture, will become more apparent upon consideration of the following description and the appended claims with reference to the accompanying drawings, all of which form a part of this specification, wherein like reference numerals designate corresponding parts in the various figures. It is to be expressly understood, however, that the drawings are for the purpose of illustration and description only and are not intended as a definition of the limits of the invention. As used in the specification and in the claims, the singular form of “a”, “an”, and “the” include plural referents unless the context clearly dictates otherwise.

BRIEF DESCRIPTION OF THE DRAWINGS

(38) FIG. 1 illustrates a system configured provide a simulation of wearing real-wearable items, according to one or more implementations of the invention.

(39) FIG. 2 illustrates a virtual-outfitting interface, according to one or more implementations of the invention.

(40) FIG. 3 illustrates an exemplary virtual-outfitting interface, according to one or more implementations of the invention.

(41) FIG. 4 illustrates a method for allowing a user to simulate wearing real-wearable items, according to one or more implementations of the invention.

DETAILED DESCRIPTION

(42) FIG. 1 illustrates a system 100 configured to provide a simulation of wearing real-wearable items, according to one or more implementations of the invention. According to exemplary implementations, the user may be presented one or more virtual-wearable items, such as via a user interface. The virtual-wearable items may include virtual garments (e.g., a virtual shirt, a virtual hat, virtual pants, and/or other virtual garments), virtual accessories (e.g., virtual jewelry, virtual hats, and/or other virtual accessories), and/or other virtual-wearable items. The virtual-wearable items may represent real-wearable items. The user may select at least one of the virtual-wearable item to virtually “try on” at least one corresponding real-wearable item. A composite image may be presented to the user in real time or near-real time, which may incorporate a live video feed of the user and one or more selected virtual-wearable items such that the user appears to be wearing real-wearable items corresponding to the selected virtual-wearable item(s) in the composite video feed.

(43) In some implementations, the user may be presented a virtual-outfitting interface. The virtual-outfitting interface may include several portions, one of which may include the composite video feed. Various inputs such as motions of the user may be tracked such that the user may interact with one or more of the portions of the virtual-outfitting interface. For example, the user may change the virtual-wearable item displayed, purchase a real-wearable item associated with a displayed virtual-wearable item, obtain a snapshot or video clip of the user virtually wearing a real-wearable item, share snapshots or video clips such as via social-networking services, view and interact with

friends that are also virtually trying on real-wearable items, and/or perform other actions in conjunction with the system 100.

(44) In some implementations, the system 100 may include one or more virtual-commerce-environment servers 102 and/or other components. The system 100 may operate in communication and/or coordination with one or more external resources 104. Users may interface with the system 100 and/or the external resources 104 via client computing platforms 106. Components of the system 100, the virtual-commerce-environment servers 102, the external resources 104, and/or the client computing platforms 106 may be operatively linked via one or more electronic communication links. For example, such electronic communication links may be established, at least in part, via a network 108, which may include the Internet and/or other networks. It will be appreciated that this is not intended to be limiting, and that the scope of this disclosure includes implementations in which the virtual-commerce-environment servers 102, the external resources 104, and/or the client computing platforms 106 are operatively linked via some other communication media.

(45) A given client computing platform 106 may include one or more processors configured to execute computer program modules. The computer program modules may be configured to enable one or more users associated with the given client computing platform 106 to interface with the system 100 and/or the external resources 104, and/or provide other functionality attributed herein to client computing platforms 106. A given client computing platform 106 may also be communicatively coupled with an imaging device (e.g., camera 107) or have such an imaging device integrated therewith. Examples of imaging devices that may be included as the camera 107 may

include an analog camera, a digital camera, a 2D camera, a stereo camera, a 3D camera, and/or other imaging devices. An imaging device may be configured to capture still images and/or a live video feed of a user of a given client computing platform 106. Imaging devices associated with individual ones of the client computing platforms 106 may be configured to provide information (e.g., a video feed, one or more images, and/or other information) to one or more modules associated with the virtual-commerce-environment servers 102. By way of non-limiting example, the given client computing platform 106 may include one or more of a desktop computer, a laptop computer, a handheld computer, a NetBook, a Smartphone, and/or other computing platforms.

(46) Individual ones of the client computing platforms 106 may include user interfaces. A user interface included in a given client computing platform 106 may be configured to provide an interface between the virtual-commerce-environment servers 102 and a user of the given client computing platform 106 through which the user may provide information to and/or receive information from the virtual-commerce-environment servers 102. This enables data, results, and/or instructions and any other communicable items, collectively referred to as "information," to be communicated between the user and virtual-commerce-environment servers 102. Exemplary information provided to and/or received from the virtual-commerce-environment servers 102 via a user interface of one of the client computing platforms 106 may include one or more of selection of one or more virtual-wearable items, interactions with media provided by the virtual-commerce-environment servers 102, and/or other information. Examples of interface devices suitable for inclusion in a user interface of one of the client computing platforms 106 include one or more of a keypad, buttons, switches, a

keyboard, knobs, levers, a display screen, a touch screen, speakers, a microphone, an indicator light, an audible alarm, and/or a printer. It is to be understood that other communication techniques, either hard-wired or wireless, are also contemplated by the present invention as a user interface of individual ones of the client computing platforms 106. As such, any technique for communicating information with the virtual-commerce-environment servers 102 is contemplated by the present invention as a user interface a given client computing platform 106.

(47) The external resources 104 may include sources of information, hosts and/or providers of virtual commerce environments outside of the system 100, external entities participating with the system 100, and/or other resources. In some implementations, some or all of the functionality attributed herein to the external resources 104 may be provided by resources included in the system 100.

(48) The virtual-commerce-environment servers 102 may comprise electronic storage 110, one or more processors 112, and/or other components. The virtual-commerce-environment servers 102 may include communication lines, or ports to enable the exchange of information with a network and/or other computing platforms. Although system 100 may be described in certain sections herein as including virtual-commerce-environment servers 102, this is not intended to be limiting. The virtual-commerce-environment servers 102 may be separate and distinct from the system 100, and may be provided by an entity that is separate from, for example, one or more components of the system 100.

(49) The electronic storage 110 may comprise electronic storage media that electronically stores information. The electronic storage media of the electronic storage

110 may include one or both of system storage that is provided integrally (i.e., substantially non-removable) with the virtual-commerce-environment servers 102 and/or removable storage that is removably connectable to the virtual-commerce-environment servers 102 via, for example, a port (e.g., a USB port, a firewire port, etc.) or a drive (e.g., a disk drive, etc.). The electronic storage 110 may include one or more of optically readable storage media (e.g., optical disks, etc.), magnetically readable storage media (e.g., magnetic tape, magnetic hard drive, floppy drive, etc.), electrical charge-based storage media (e.g., EEPROM, RAM, etc.), solid-state storage media (e.g., flash drive, etc.), and/or other electronically readable storage media. The electronic storage 110 may store software algorithms, information determined by processors 112, information received from client computing platforms 106, information received from the external resources 104, and/or other information that enables the virtual-commerce-environment servers 102 to function as described herein.

(50) The processor(s) 112 may be configured to provide information processing capabilities in the virtual environments servers 102. As such, the processor 112 may include one or more of a digital processor, an analog processor, a digital circuit designed to process information, an analog circuit designed to process information, a state machine, and/or other mechanisms for electronically processing information. Although the processor 112 is shown in FIG. 1 as a single entity, this is for illustrative purposes only. In some implementations, processor 112 may include a plurality of processing units. These processing units may be physically located within the same device, or the processor 112 may represent processing functionality of a plurality of devices operating in coordination.

(51) As is shown in FIG. 1, the processor 112 may be configured to execute a virtual outfitting program 113. The virtual outfitting program 113 may include one or more computer program modules and/or instructions that may be executed to provide a simulation of wearing real-wearable items. The one or more computer program modules may include one or more of a virtual-outfitting-interface module 114, a motion-capture module 116, an item-search/selection module 118, a composite-imaging module 120, a conferencing module 122, a purchase module 124, a screen-capture module 126, a social-networking module 128, an interface-control module 130, and/or other modules. The processor 112 may be configured to execute modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130 by software; hardware; firmware; some combination of software, hardware, and/or firmware; and/or other mechanisms for configuring processing capabilities on the processor 112.

(52) It should be appreciated that although modules 114, 116, 118, 120, 122, 124, 126, 128, and 130 are illustrated in FIG. 1 as being co-located within a single processing unit, in implementations in which the processor 112 includes multiple processing units, one or more of modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130 may be located remotely from the other modules. The description of the functionality provided by the different modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130 described below is for illustrative purposes, and is not intended to be limiting, as any of modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130 may provide more or less functionality than is described. For example, one or more of modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130 may be eliminated, and some or all of its functionality may be provided by other ones of modules 114, 116, 118,

120, 122, 124, 126, 128, and/or 130. As another example, processor 112 may be configured to execute one or more additional modules that may perform some or all of the functionality attributed below to one of modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130.

(53) The virtual-outfitting-interface module 114 may be configured to provide, for presentation to one or more users, a virtual-outfitting interface. The virtual-outfitting interface may be presented to a user via a user interface of a given client computing platform 106. An exemplary virtual-outfitting interface 200, in accordance with one or more implementations, is illustrated in FIG. 2. As depicted in FIG. 2, the virtual-outfitting interface 200 includes an item-search/selection portion 202, a main display portion 204, a current item details portion 206, a conferencing portion 208, a tools portion 210, a snapshot portion 212, and/or other portions. Although the virtual-outfitting interface 200 is depicted as including portions 202-212, this is not intended to be limiting as one or more portions may be omitted, one or more portions may be added, and/or one or more portions may be combined into a single portion. Furthermore, functionalities attributed to a single portion may be implemented at more than one position within the virtual-outfitting interface 200. It is also appreciated that one or more of the portions may overlap one or more other portions. In some embodiments, the size and/or position attributed to a given portion within the virtual-outfitting interface 200 may be dynamic.

(54) A user may interact with one or more portions 202-212 of the virtual-outfitting interface 200. In some implementations, the user may interact with one or more portions 202-212 via a user interface associated with a given client computing platform

106. For example, a user may use a mouse to click within a given portion to perform one or more functions described herein. The user may interact with one or more portions 202-212 by voice command, according to some implementations. The user may interact with one or more portions 202-212, in accordance with some implementations, using motions and/or gestural commands.

(55) The motion-capture module 116 may be configured to track motion of the user. Motion of the user tracked by the motion-capture module 116 may allow the user to interact with one or more portions 202-212 of the virtual-outfitting interface 200. Such interactions may include gestural commands and/or other commands associated with motions of the user. The motion-capture module 116 may utilize images and/or video of the user obtained by an imaging device associated with one of the client computing platforms 106 in order to track motion of the user. Exemplary implementations of motion tracking and utilization thereof are described further in connection with one or more portions 202-212.

(56) The item-search/selection module 118 may be configured to provide the item-search/selection portion 202 of the virtual-outfitting interface 200. The item-search/selection portion 202 may present one or more virtual-wearable items to a user. As mentioned above, virtual-wearable items may include one or more of a virtual garment, a virtual accessory, and/or other virtual-wearable items. In some implementations, a given virtual-wearable item may represent a real-wearable item. By way of non-limiting example, a virtual-wearable item may pictorially depict, and thus represent, a Nike[®] tee shirt or other tangible items that may be worn by the user. In some implementations, the item-search/selection portion 202 may display an image or

other representation (e.g., a textual representation) of a virtual-wearable item. The user may manipulate the item-search/selection portion 202 using an interface included in a given client computing platform 106 and/or other techniques described herein, such as gestures and/or voice commands.

(57) According to some implementations, the item-search/selection module 118 may be configured to allow a user to search available virtual-wearable items. Available items may be presented in the item-search/selection portion 202, and may be searched according to type, size, style, brand, vendor, price, availability, and/or other attributes associated with real-wearable items. In some implementations, some or all searching capabilities may be provided by a third-party service (e.g., Amazon.comTM, GoogleTM, and/or other third parties). The item-search/selection module 118 may be configured to provide suggestions of one or more real-wearable items based on one or more search criteria inputted by the user.

(58) In some implementations, the item-search/selection module 118 may be configured to allow a user to select one or more virtual-wearable items presented in the item-search/selection portion 202. Selected virtual-wearable items may be “tried-on” virtually by the user, as described further herein. In some implementations, one or more virtual-wearable items presented in the item-search/selection portion 202 may be pre-selected by one or more users, such as via an online storefront.

(59) The item-search/selection module 118 may be configured to manage a queue of selected virtual-wearable items, in some implementations. Some or all of the queue of selected virtual-wearable items may be presented in the item-search/selection portion 202. The user may add, subtract, reorder, scroll through, browse, and/or otherwise

manage selected virtual-wearable items included in such a queue. Some implementations may include a default queue that includes a predetermined set of virtual-wearable items. The user may select one or more virtual-wearable items from to queue in order to virtually “try on” real-wearable items corresponding to selected virtual-wearable items.

(60) The composite-imaging module 120 may be configured to provide the main display portion 204 of the virtual-outfitting interface 200. The main display portion 204 may include one or more images and/or video of the user virtually trying on one or more real-wearable items that correspond to one or more selected virtual-wearable items. In such images and/or video, the one or more selected virtual-wearable items may be visually overlaid on the user in a position in which the user would normally wear corresponding real-wearable items. The position of the virtual-wearable item in the main display portion 204 may be determined manually by the user (e.g., drag and drop) using a user interface of a given client computing platforms 106, and/or may be determined wholly or partially by the motion-capture module 116, as described further herein. In some implementations, the main display portion 204 may include a composite video feed that incorporates a video feed of the user and one or more virtual-wearable items selected by the user via the item-search/selection module 118. The video feed of the user may be obtained by an imaging device associated with one of the client computing platforms 106. Presentation of the composite video feed may be in real time or near-real time.

(61) The motion-capture module 116 may be configured to position and/or size a virtual-wearable item relative to the user’s body in an image and/or video in the main

display portion 204. Some implementations may utilize augmented reality technology to position a virtual-wearable item relative to the user's body. The motion-capture module 116 may utilize an augmented-reality marker in order position a virtual-wearable item. An augmented-reality marker may include a predefined pattern printed on a sheet of paper, an arbitrary image or pattern (e.g., a magazine advertisement), and/or other image or pattern. An augmented-reality marker may allow the user to position and/or size a selected virtual-wearable item within the main display portion 204. For example, in one implementation, the position of an augmented-reality-marker in the main display portion 204 may correspond to the position of a virtual-wearable item in the main display portion 204. As such, the user may hold an augmented-reality marker in front of themselves while viewing the main display portion 204 to position a virtual-wearable item so that it appears that the user is wearing the virtual-wearable item.

(62) Some implementations may not require an augmented-reality marker to position and/or size a virtual-wearable item in the main display portion 204. For example, the motion-capture module 116 may be configured to recognize position and/or orientation of one more body parts of the user in the main display portion 204 in order to determine a position, size, and/or orientation for a given virtual-wearable item in the main display portion 204. Once the one or more body parts are recognized, the composite-imaging module 120 may position a virtual-wearable item at a predetermined offset and/or orientation relative to the recognized one or more body parts.

(63) The motion-capture module 116 may track motion, position, and/or orientation of the user to overlay a virtual-wearable item on the user in the main display portion 204 such that the virtual-wearable item appears to be worn by the user while the user moves

about and/or rotates in the main display portion 204. Based on tracked motion, position and/or orientation of the user in the main display portion 204, a virtual-wearable item may move within the main display portion 204 in order to track movements of the user. Characteristics associated with a virtual-wearable item (e.g., type of fabric, texture of fabric, and/or other characteristics) may be utilized in rendering the virtual-wearable item in the main display portion 204 in order to enhance the realness of the appearance of the virtual-wearable item.

(64) In some implementations, the motion-capture module 116 may be configured to allow the user may interact with one or more portions 202-212 of the virtual-outfitting interface 200 by moving a body part (e.g., a finger, hand, and/or other body part) such that the body part, as depicted in the main display portion 204, lies within one or more portions 202-212. By way of non-limiting example, the user may move a hand such that it lies within the item-search/selection portion 202 in order to select a virtual-wearable item, to effectuate a displayed virtual-wearable item included in the main display portion 204 being replaced by a different selected virtual-wearable item such that the user appears to be wearing the different selected virtual-wearable item in the main display portion 204, to cycle through virtual-wearable items included in a queue of several virtual-wearable items, and/or to perform other functions associated with the item-search/selection portion 202.

(65) The item-search/selection module 118 may be configured to provide the current item details portion 206 of the virtual-outfitting interface 200. The current item details portion 206 may include one or more details of the real-wearable item that a user is currently trying on virtually using the system 100. Exemplary details that may be

presented by the current item details portion 206 include type, size, style, brand, vendor, price, availability, and/or other details associated with real-wearable items.

(66) The conferencing module 122 may be configured to provide the conferencing portion 208 of the virtual-outfitting interface 200. The conferencing portion 208 may display one or more other users of the system 100 or similar system. The one or more other users displayed by the conferencing portion 208 may be virtually trying on real-wearable items. A user of the virtual-outfitting interface 200 may interact, such as by voice or text, with other users via the conferencing portion 208. This may give an enhanced sense of shopping with other users in disparate locations.

(67) The tools portion 210 of the virtual-outfitting interface 200 may display one or more icons or other links to access tools provided by one or more of modules of the processor 112. Such tools may allow a user to perform one or more functions or manipulations within virtual-outfitting interface 200. The one or more tools may include a purchase tool, a screen-capture tool, a social-networking tool, a virtual-outfitting-interface-control tool, and/or other tools.

(68) The purchase module 124 may be configured provide the purchase tool included in the tools portion 210. The purchase tool may allow the user to indicate one or more virtual-wearable items to effectuate a purchase of one or more real-wearable items corresponding to the indicated one or more virtual-wearable items. The user may indicate one or more virtual-wearable items for purchase in conjunction with the motion-tracking module 122 and/or a user interface associated with one of the client computing platforms 106. In some implementations, effectuating a purchase of a real-wearable

item may include adding that item in a shopping cart associated with a virtual-commerce environment for future purchase.

(69) The screen-capture module 126 may be configured to provide the screen-capture tool included in the tools portion 210 of the virtual-outfitting interface 200. The screen-capture tool may allow a user to obtain a snapshot of at least a region of the virtual-outfitting interface 200. Such a region may include some or all of the main display portion 204 and/or some or all of other portions of the virtual-outfitting interface 200. A snapshot may include a still image and/or video clip of the user appearing to wear a real-wearable item that corresponds to a selected virtual-wearable items. The snapshot may be stored in the electronic storage 110, in one or more of the client computing platforms 106, and/or at another location. The motion-capture module 116 may be configured to allow the user to interact with the screen-capture tool to effectuate a snapshot being obtained.

(70) The snapshot portion 212 may be provided by the screen-capture module 126 in the tools portion 210 of the virtual-outfitting interface 200. The snapshot portion 212 may be used to view and/or otherwise manage one or more snapshots of the user virtually trying on a real-wearable item. The snapshot portion 212 may display a representation of some or all of the snapshots. A snapshot may be represented, within the snapshot portion 212, by a thumbnail of the snapshot, a cropped version of the snapshot, and/or other representation of the snapshot. The motion-capture module 116 may be configured to allow the user to interact with the snapshot portion 212 in order to view and/or otherwise manage one or more snapshots represented in the snapshot portion 212.

(71) The social-networking module 128 may be configured to provide the social-networking tool in the tools portion 210 of the virtual-outfitting interface 200. The social-networking tool may allow the user to interface with one or more social-networking services (e.g., Facebook™, MySpace™, Twitter™, Twitpic™, Flickr™, and/or other social-networking services) with which the user is associated. The social-networking tool may interface with a social-networking service in order to share a snapshot with one or more contacts of the user. By way of non-limiting example, the social-networking tool may interface with Facebook™ by entering the snapshot with an associated comment on the profile page of the user. The comment may include a link (e.g., a uniform resource locator (URL)) to content (e.g., a website) and/or information associated with a real-wearable item depicted in a snapshot. The motion-capture module 116 may be configured to allow the user to interact with the social-networking tool to effectuate functionalities attributed thereto.

(72) The interface-control module 130 may be configured to provide the virtual-outfitting-interface-control tool in the tools portion 210 of the virtual-outfitting interface 200. The virtual-outfitting-interface-control tool may allow the user to control one or more aspects associated with the virtual-outfitting interface 200. For example, the virtual-outfitting-interface-control tool may allow the user to control which portions 202-212 are included in the virtual-outfitting interface 200, positions and/or sizes of one or more portions 202-212 in the virtual-outfitting interface 200, toggling the virtual-outfitting interface 200 on or off, and/or other aspects associated with the virtual-outfitting interface 200.

(73) FIG. 3 illustrates an exemplary virtual-outfitting interface 300, according to one or more implementations of the invention. The virtual-outfitting interface 300 may include a depiction of a user 302 with a virtual-wearable item 304 overlaid on the user 302 such that the user appears to be trying on real-wearable item that corresponds to the virtual-wearable item 304. The user 302 and the virtual-wearable item 304 may be included in a main display portion of the virtual-outfitting interface 300 similar to the main display portion 204 described in connection with FIG. 2. Various functionalities described in connection with portions 202-212 of the virtual-outfitting interface 200 of FIG. 2 may be represented or linked to by icons. The user 302 may interact with one or more icons by using a user interface associated with one of the client computing platforms 106, by voice command, by performing certain motions as described in connection with the motion-capture module 116, and/or by other interactions.

(74) In the virtual-outfitting interface 300, icons 306, 308, 310, and 312 may provide functionalities attributed to the item-search/selection portion 202 of FIG. 2. More specifically, the icons 306 and 308 may allow the user 302 to select a virtual-wearable item to try on in the virtual-outfitting interface 300. The icons 310 and 312 may allow the user 302 to choose a style of a virtual-wearable item. The icon 314 may correspond to the purchasing tool described in connection with the purchase module 124. The icon 316 may correspond to the screen-capture tool described in connection with the screen-capture module 126. The icon 318 may correspond to the virtual-outfitting-interface-control tool described in connection with the interface-control module 130. The frame 318 may correspond to the snapshot portion 212 of FIG. 2. The frame 322 may correspond to the conferencing portion 208 of FIG. 2.

(75) FIG. 4 illustrates a method 400 for allowing a user to simulate wearing real-wearable items, according to one or more implementations of the invention. The operations of the method 400 presented below are intended to be illustrative. In some implementations, the method 400 may be accomplished with one or more additional operations not described, and/or without one or more of the operations discussed. Additionally, the order in which the operations of the method 400 are illustrated in FIG. 4 and described below is not intended to be limiting.

(76) In some implementations, the method 400 may be implemented in one or more processing devices (e.g., a digital processor, an analog processor, a digital circuit designed to process information, an analog circuit designed to process information, a state machine, and/or other mechanisms for electronically processing information). The one or more processing devices may include one or more devices executing some or all of the operations of the method 400 in response to instructions stored electronically on an electronic storage medium. The one or more processing devices may include one or more devices configured through hardware, firmware, and/or software to be specifically designed for execution of one or more of the operations of the method 400.

(77) At an operation 402, a virtual-outfitting interface is provided for presentation to a user. The virtual-outfitting-interface module 114 may be executed to perform the operation 402 in some implementations.

(78) At an operation 404, an item-search/selection portion is provided within the virtual-outfitting interface. The item-search/selection portion may depict one or more virtual-wearable items corresponding to one or more real-wearable items. The item-

search/selection module 118 may be executed to perform the operation 404 in some implementations.

(79) At an operation 406, the user is allowed to select at least one virtual-wearable item from the item-search/selection portion. The item-search/selection module 118 may be executed to perform the operation 406 in some implementations.

(80) At an operation 408, a main display portion within the virtual-outfitting interface is provided. The main display portion may include a composite video feed that incorporates a video feed of the user and the selected at least one virtual-wearable item such that the user appears to be wearing the selected at least one virtual-wearable item in the main display portion. The composite-imaging module 120 may be executed to perform the operation 408 in some implementations. Although not depicted in FIG. 4, the method 400 may include operations consistent with the functions described herein of one or more of the modules 114, 116, 118, 120, 122, 124, 126, 128, and/or 130.

(81) Although the invention has been described in detail for the purpose of illustration based on what is currently considered to be the most practical and preferred embodiments, it is to be understood that such detail is solely for that purpose and that the invention is not limited to the disclosed embodiments, but, on the contrary, is intended to cover modifications and equivalent arrangements that are within the spirit and scope of the appended claims. For example, it is to be understood that the present invention contemplates that, to the extent possible, one or more features of any embodiment can be combined with one or more features of any other embodiment.

What is claimed is:

1. A system configured for allowing a user to simulate wearing real-wearable items, the system comprising:
 - one or more processors configured to execute computer program modules, the computer program modules comprising:
 - a motion-capture module configured to recognize a position and/or orientation of one or more body parts of a user; and
 - a virtual-outfitting-interface module configured to provide a virtual-outfitting interface for presentation to a user, the virtual-outfitting interface including two or more separate portions simultaneously presented in different regions of the virtual-outfitting interface, the two or more separate portions including a main display portion, the main display portion including a composite video feed that incorporates a live video feed of the user and a first virtual-wearable item;
 - wherein a position, size, and/or orientation of the first virtual-wearable item is determined such that the first virtual-wearable item moves within the main display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion.
2. The system of claim 1, wherein the first virtual-wearable item includes one or both of a virtual garment or a virtual accessory.

3. The system of claim 1, wherein the first virtual-wearable item visually represents a corresponding real-wearable item.
4. The system of claim 1, wherein the virtual-outfitting interface is configured to allow the user to interact with individual ones of the two or more separate portions of the virtual-outfitting interface using gestural commands including a first gestural command.
5. The system of claim 4, wherein the first gestural command is received by observing the user moving a hand such that the hand is depicted as lying within one of the two or more separate portions of the virtual-outfitting interface.
6. The system of claim 4, wherein the user appears to be wearing a second virtual-wearable item in the composite video feed of the main display portion responsive to the second virtual-wearable item being selected via the first gestural command.
7. The system of claim 1, wherein the two or more separate portions of the virtual-outfitting interface include an item search/selection portion conveying information associated with one or more virtual-wearable items corresponding to one or more real-wearable items.

8. The system of claim 1, wherein the two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users.
9. The system of claim 8, wherein the conferencing portion is configured to facilitate interactions between the user and individual ones of the one or more other users via one or both of voice or text.
10. The system of claim 1, wherein the computer program modules further comprise a purchase module configured to allow the user to indicate one or more virtual-wearable items to effectuate a purchase of one or more real-wearable items corresponding to the indicated one or more virtual-wearable items.
11. The system of claim 1, wherein the computer program modules further comprise a screen-capture module configured to provide a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface.
12. The system of claim 1, wherein the computer program modules further comprise a social-networking module configured to provide a social-networking tool in the virtual-outfitting interface, the social-networking tool allowing the user to interface with one or more social-networking services with which the user is associated.

13. The system of claim 12, wherein interfacing with a given social-networking service includes sharing a snapshot with one or more contacts of the user within the given social-networking service.
14. The system of claim 12, wherein interfacing with a given social-networking service includes providing a comment on a profile page of the user within the given social-networking service, the comment including one or both of a link or information associated with a real-wearable item corresponding to the first virtual-wearable item.
15. A computer-implemented method for allowing a user to simulate wearing real-wearable items, the method being performed by one or more processors configured to execute computer program modules, the method comprising:
 - recognizing a position and/or orientation of one or more body parts of a user; and
 - providing a virtual-outfitting interface for presentation to a user, the virtual-outfitting interface including two or more separate portions simultaneously presented in different regions of the virtual-outfitting interface, the two or more separate portions including a main display portion, the main display portion including a composite video feed that incorporates a live video feed of the user and a first virtual-wearable item;
 - wherein a position, size, and/or orientation of the first virtual-wearable item is determined such that the first virtual-wearable item moves within the main

display portion according to the position and/or orientation of the user so that the user appears to be wearing the first virtual-wearable item in real time in the main display portion.

16. The method of claim 15, further comprising facilitating interactions between the user and individual ones of the two or more separate portions of the virtual-outfitting interface via gestural commands.
17. The method of claim 15, wherein the two or more separate portions of the virtual-outfitting interface include a conferencing portion configured to display one or more other users.
18. The method of claim 15, further comprising receiving an indication of one or more virtual-wearable items to effectuate a purchase of one or more real-wearable items corresponding to the indicated one or more virtual-wearable items.
19. The method of claim 15, further comprising providing a screen-capture tool in the virtual-outfitting interface, the screen-capture tool allowing the user to obtain a snapshot of at least one region of the virtual-outfitting interface.
20. The method of claim 15, further comprising providing a social-networking tool in the virtual-outfitting interface, the social-networking tool allowing the user to

interface with one or more social-networking services with which the user is associated.

ABSTRACT

A user may simulate wearing real-wearable items, such as virtual garments and accessories. A virtual-outfitting interface may be provided for presentation to the user. An item-search/selection portion within the virtual-outfitting interface may be provided. The item-search/selection portion may depict one or more virtual-wearable items corresponding to one or more real-wearable items. The user may be allowed to select at least one virtual-wearable item from the item-search/selection portion. A main display portion within the virtual-outfitting interface may be provided. The main display portion may include a composite video feed that incorporates a video feed of the user and the selected at least one virtual-wearable item such that the user appears to be wearing the selected at least one virtual-wearable item in the main display portion.

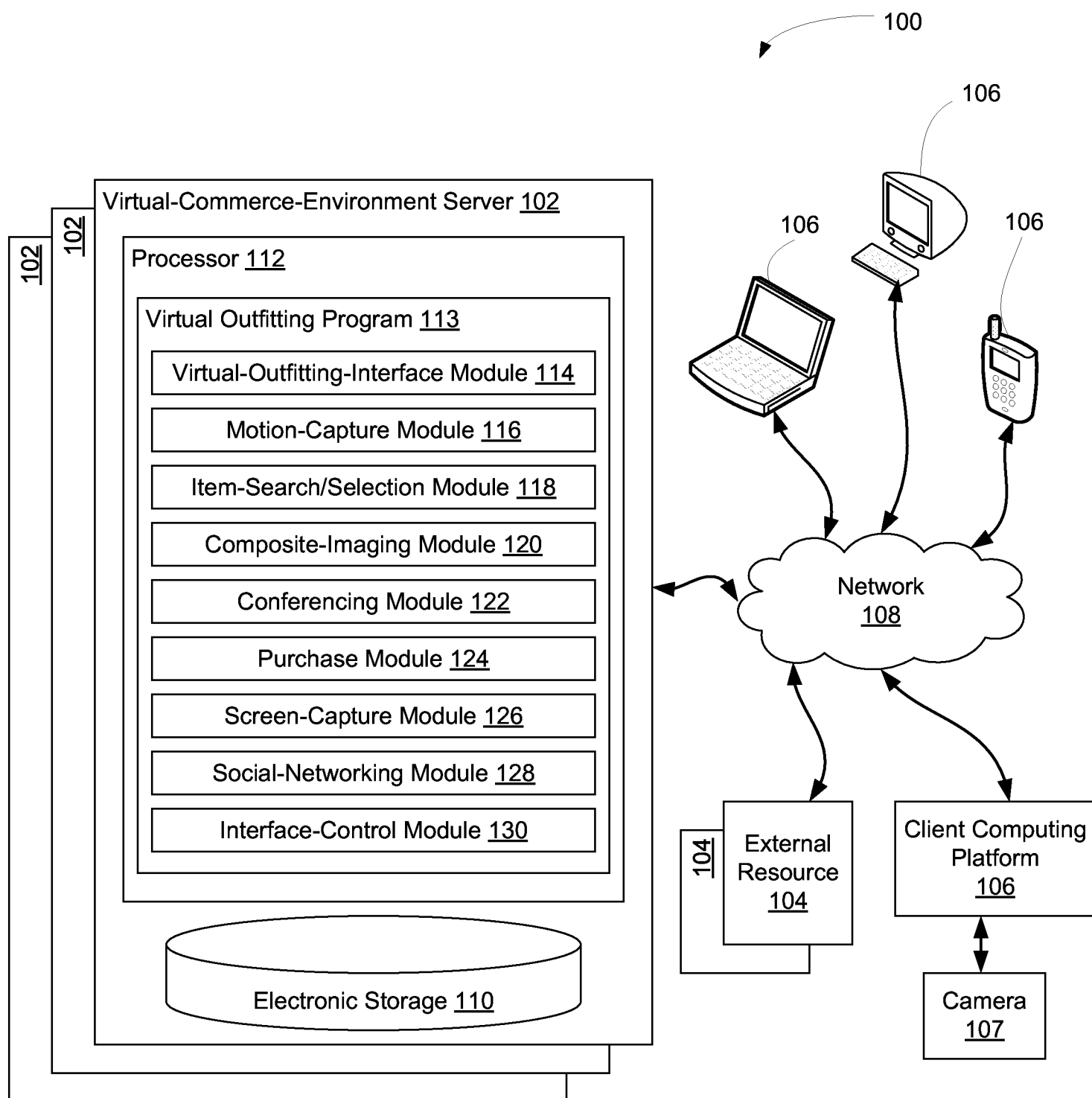


FIG. 1

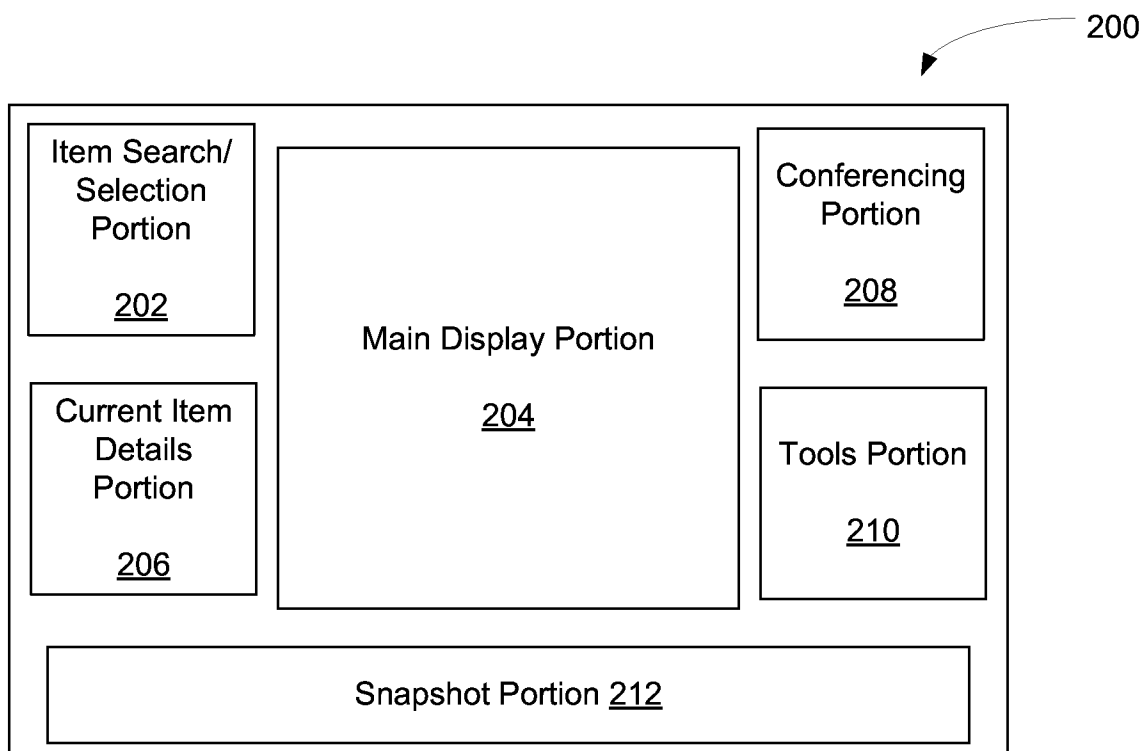


FIG. 2

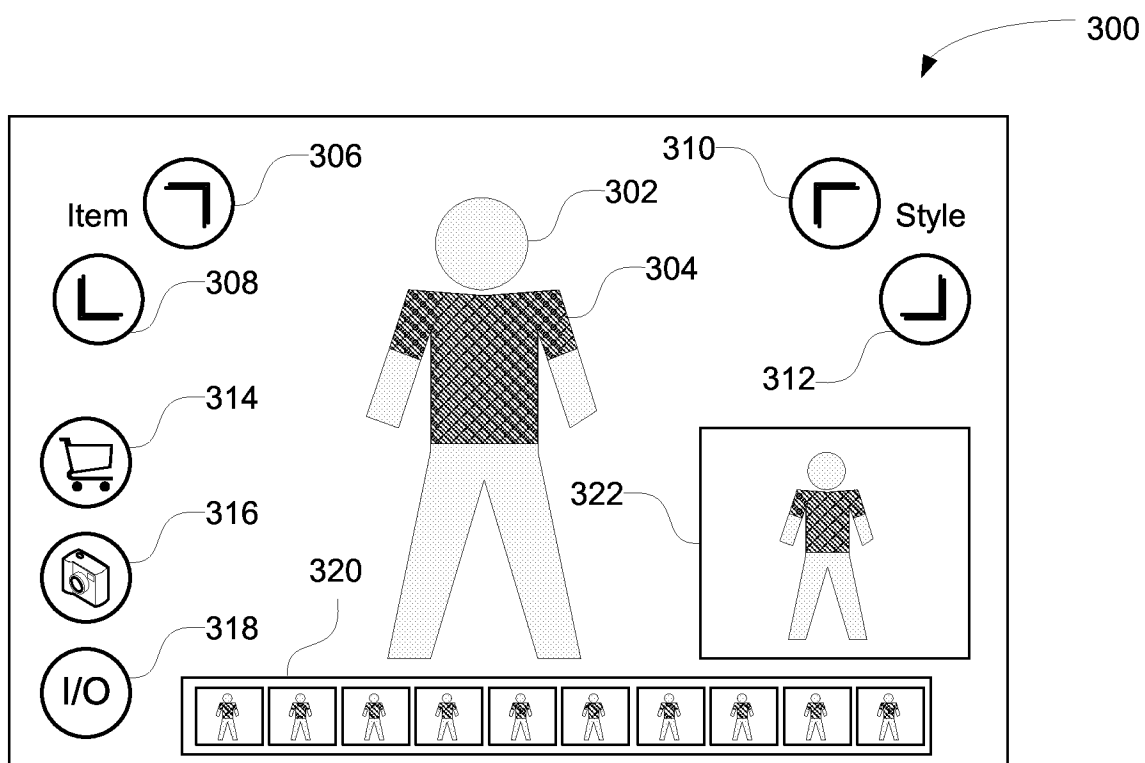


FIG. 3

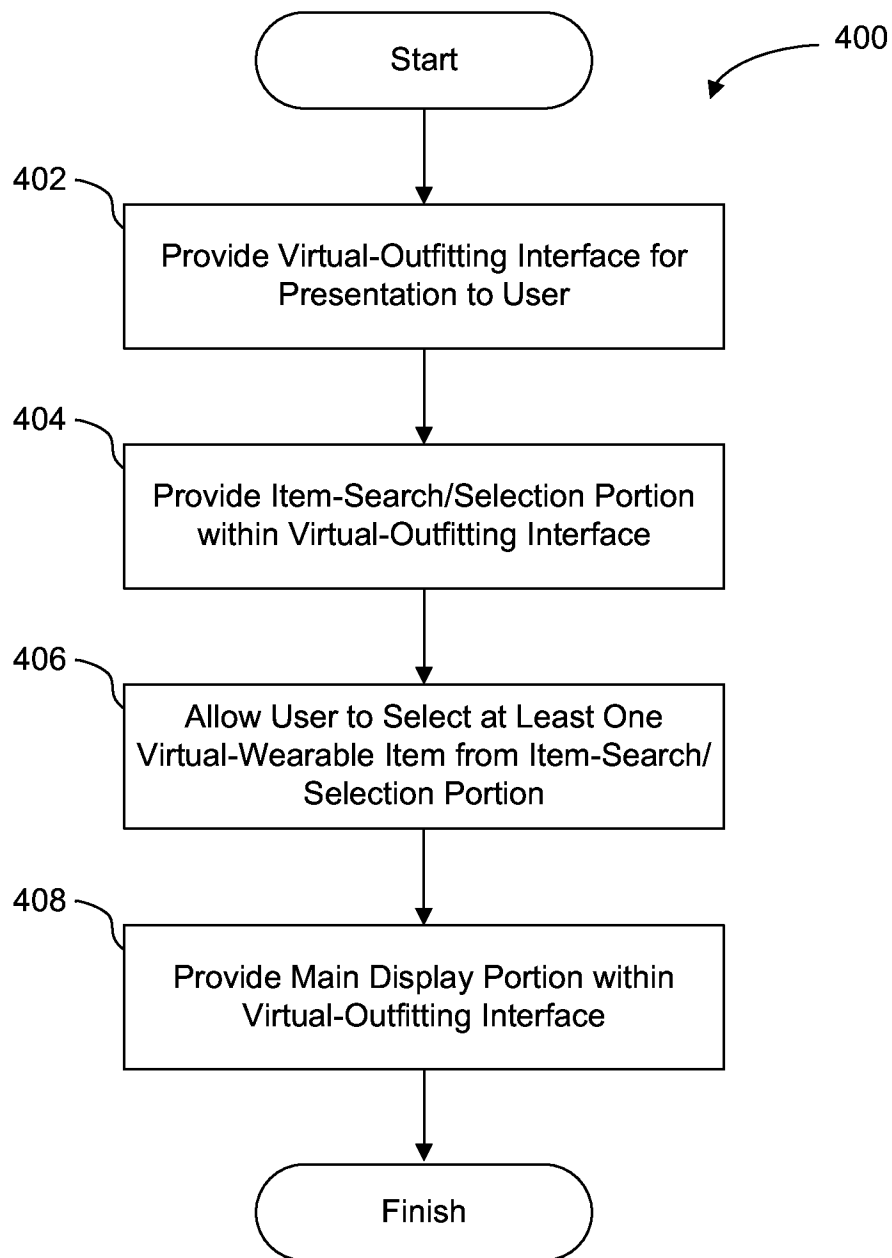


FIG. 4

Electronic Patent Application Fee Transmittal

Application Number:				
Filing Date:				
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES			
First Named Inventor/Applicant Name:	Matthew SZYMCZYK			
Filer:	Ian Carl Schick/Monet Noel			
Attorney Docket Number:	095054-0444144			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				730

Electronic Acknowledgement Receipt

EFS ID:	24030631
Application Number:	14936444
International Application Number:	
Confirmation Number:	3533
Title of Invention:	PROVIDING A SIMULATION OF WEARING ITEMS SUCH AS GARMENTS AND/OR ACCESSORIES
First Named Inventor/Applicant Name:	Matthew SZYMCZYK
Customer Number:	909
Filer:	Ian Carl Schick/Monet Noel
Filer Authorized By:	Ian Carl Schick
Attorney Docket Number:	095054-0444144
Receipt Date:	09-NOV-2015
Filing Date:	
Time Stamp:	18:43:26
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$730
RAM confirmation Number	5730
Deposit Account	033975
Authorized User	SCHICK, IAN C.

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1	Transmittal of New Application	0444144_TRANS.pdf	1198390	no	2
			ae2f9bf71690a2ed3cfae8ee5dd905d13606f4a1		

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2	Application Data Sheet	0444144_ADS-F.pdf	1566647	no	8
			868d61269f9c27c4eeb4c80d4621850d3b0206f3		

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3	Assignee showing of ownership per 37 CFR 3.73	0444144_ParentAssignment.pdf	80560	no	3
			f9c3c241a1cbefabd625091e2575e1d8795195a9		

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4	Information Disclosure Statement (IDS) Form (SB08)	0444144_IDS.pdf	600975	no	5
			f88cc25ea868ec15891ec10946465dd93ef417b8		

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5		0444144_SPEC39.pdf	567532	yes	39
			65b7b42cd2ad5aa975aa829b27c16226ebcb32b		

Multipart Description/PDF files in .zip description

	Document Description	Start	End
	Specification	1	32
	Claims	33	38
	Abstract	39	39

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6	Drawings-only black and white line drawings	Figures4_0444144.pdf	196446 05a79b1ae722ed09d348fc9473b7c574545614c0	no	3
Warnings:					
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7	Fee Worksheet (SB06)	fee-info.pdf	35315 2eb6f5c2cab47d54ead7485132de5dc9631ea716	no	2
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