

08-02-2000

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101421082

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Assignment



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Conveying Party(ies)



Mark if additional names of conveying parties attached

Name (line 1) Dougherty, Brian P.

Name (line 2)

Execution Date
Month Day Year

03282000

Second Party

Name (line 1) C. Leo Meier

Name (line 2)

Execution Date
Month Day Year

03282000

Receiving Party



Mark if additional names of receiving parties attached

Name (line 1) Wink Communications

Name (line 2)

Address (line 1) 1001 Marina Village Parkway

Address (line 2)

Address (line 3) Alameda

CA

94501

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone (415) 875-2468

Name Michael R. Blum

Address (line 1) Fenwick & West LLP

Address (line 2) 2 Palo Alto Square

Address (line 3) Palo Alto, CA 94306

Pages

Enter the total number of pages of the conveyance document including attachments

2

Application Number(s) or Patent Number(s)☐

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

09/538,602		

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)Enter PCT application number
only if a U.S. Application Number
has not been assigned

PCT

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41)

\$ \$40.00

Method of Payment

Enclosed



Deposit Account

**Deposit Account**

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

19-2555

Authorization to charge additional fees:

Yes



N

Statement and Signature*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

Michael R. Blum

Name of Person Signing

Signature

Date

6/20/00

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to Wink Communications, a Delaware corporation, having a place of business at 1001 Marina Village Parkway, Alameda, CA 94501 ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the application for United States Letters Patent entitled: USING THE ELECTRONIC PROGRAM GUIDE TO SYNCHRONIZE INTERACTIVITY WITH BROADCAST PROGRAMS ("APPLICATION"), which:

☐ is to be filed herewith

☒ was filed on March 29, 2000, now bearing U.S. serial number 09/538,602 and for which a Declaration was executed by INVENTOR on the date(s) below; and

2. The entire worldwide right, title, and interest in and to:

(a) the APPLICATION, including any right of priority; (b) any divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world; and (c) any patents which may be granted on the applications set forth in (a) and (b) above.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has made or will make hereafter no assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

INVENTOR grants the attorney of record the power to insert on this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Title of Document: ASSIGNMENT

Title: Using the Electronic Program Guide to Synchronize Interactivity with Broadcast Programs

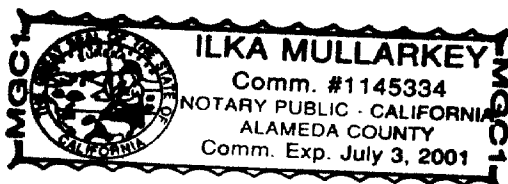
This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

Name and Signature	Date of Signature	Date Declaration Executed By This Person
<u>Brian P. Dougherty</u> Brian P. Dougherty	<u>3/28/2000</u>	<u>3/28/2000</u>
State of <u>CALIFORNIA</u>		
County of <u>ALAMEDA</u>		

On 3/28/2000 before me, ILKA MULLARKEY personally

appeared BRIAN P. DOUGHERTY personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal



Ilka Mullarkey
Notary

Name and Signature	Date of Signature	Date Declaration Executed By This Person
<u>C. Leo Meier</u> C. Leo Meier	<u>3/28/2000</u>	<u>3/28/2000</u>

State of CALIFORNIA
County of ALAMEDA

On 3/28/2000 before me, ILKA MULLARKEY personally

appeared C. LEO MEIER personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal



Ilka Mullarkey
Notary



0001/PTO Rev. 10/95 TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	U.S. Department of Commerce Patent and Trademark Office	Application Number	09/538,602	
		Filing Date	March 29, 2000	
		First Named Inventor	Brian P. Dougherty et al.	
		Group Art Unit Number	2743	
		Examiner Name	Unknown	
Total Number of Pages in This Submission		7	Attorney Docket Number	19502-04562

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Power of Attorney	<input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Informal Drawing(s): [] Sheet(s) of Figure(s) <input type="checkbox"/> Issue Fee Transmittal (in duplicate) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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REMARKS:

SIGNATURE OF ATTORNEY OR AGENT

Signature:			
Attorney/Reg. No.:	Michael R. Blum/44,545	Dated:	6/30/00

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:			
Typed or Printed Name:	Michael R. Blum	Dated:	6/30/00
Express Mail Mailing Number (optional):			

0002/PTO(modified) Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Complete if Known	
FEE TRANSMITTAL TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$40)		Application Number	09/538,602
		Filing Date	March 29, 2000
		First Named Inventor	Brian P. Dougherty et al.
		Group Art Unit	2743
		Examiner Name	Unknown
		Attorney Docket Number	19502-04562

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																															
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. † <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account. Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Other	3. ADDITIONAL FEES <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%; text-align: center;">Large Entity Fee Code/Fee</th> <th style="width: 15%; text-align: center;">Small Entity Fee Code/Fee</th> <th style="width: 45%;">Fee Description</th> <th style="width: 25%; text-align: center;">Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>116/\$380</td><td>216/\$190</td><td>Extension for response within second month†</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>117/\$870</td><td>217/\$435</td><td>Extension for response within third month†</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>118/\$1,360</td><td>218/\$680</td><td>Extension for response within fourth month†</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>128/\$1,850</td><td>228/\$925</td><td>Extension for response within fifth month†</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>119/\$300</td><td>219/\$150</td><td>Notice of Appeal</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>141/\$1,210</td><td>241/\$605</td><td>Petition to revive unintentionally abandoned application</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>142/\$1,210</td><td>242/\$605</td><td>Utility Issue Fee (Or Reissue)</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>143/\$430</td><td>243/\$215</td><td>Design Issue Fee</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td style="text-align: center;"><input type="text" value="40"/></td></tr> <tr><td>146/\$690</td><td>246/\$345</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>149/\$690</td><td>249/\$345</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td style="text-align: center;"><input type="text"/></td></tr> <tr> <td colspan="3" style="text-align: right;">Other fee (specify):</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td colspan="3" style="text-align: right;">Other fee (specify):</td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (3)</td> <td style="text-align: center;">(\$40)</td> </tr> </tbody> </table>				Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - 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1. FILING FEE <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%; text-align: center;">Large Entity Fee Code/Fee</th> <th style="width: 15%; text-align: center;">Small Entity Fee Code/Fee</th> <th style="width: 45%;">Fee Description</th> <th style="width: 25%; text-align: center;">Fee Due</th> </tr> </thead> <tbody> <tr><td>101/\$690</td><td>201/\$345</td><td>Utility Filing</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>106/\$310</td><td>206/\$155</td><td>Design Filing</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>108/\$690</td><td>208/\$345</td><td>Reissue</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>114/\$150</td><td>214/\$75</td><td>Provisional Filing</td><td style="text-align: center;"><input type="text"/></td></tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1)</td> <td style="text-align: center;">(\$)</td> </tr> </tbody> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	101/\$690	201/\$345	Utility Filing	<input type="text"/>	106/\$310	206/\$155	Design Filing	<input type="text"/>	108/\$690	208/\$345	Reissue	<input type="text"/>	114/\$150	214/\$75	Provisional Filing	<input type="text"/>	SUBTOTAL (1)			(\$)	2. CLAIMS <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%; text-align: center;">Large Entity Fee Code/Fee</th> <th style="width: 15%; text-align: center;">Small Entity Fee Code/Fee</th> <th style="width: 70%;">Fee Description</th> </tr> </thead> <tbody> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$78</td><td>202/\$39</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$260</td><td>204/\$130</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$78</td><td>209/\$39</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 10%; text-align: center;">(Col. 1) For</th> <th style="width: 10%; text-align: center;">No. of Existing Claims</th> <th style="width: 10%;"></th> <th style="width: 10%; text-align: center;">(Col. 2) Highest No. Previously Paid For</th> <th style="width: 10%;"></th> <th style="width: 10%; text-align: center;">(Col. 3) Extra**</th> <th style="width: 10%; text-align: center;">Fee</th> <th style="width: 10%;"></th> <th style="width: 10%; text-align: center;">Fee Due</th> </tr> </thead> <tbody> <tr> <td></td> <td>TOTAL</td> <td></td> <td>minus*</td> <td>20 or</td> <td>=</td> <td></td> <td>x</td> <td>=</td> <td></td> </tr> <tr> <td></td> <td>INDEP</td> <td></td> <td>minus*</td> <td>3 or</td> <td>=</td> <td></td> <td>x</td> <td>=</td> <td></td> </tr> <tr> <td colspan="10"> <input type="checkbox"/> First presentation of multiple dependent claim </td> </tr> <tr> <td colspan="8" style="text-align: right;">SUBTOTAL (2)</td> <td colspan="2" style="text-align: center;">(\$)</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;"> * Subtract the greater number of Col. 2 ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3 </p>				Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$78	202/\$39	Independent claims in excess of 3	104/\$260	204/\$130	Multiple dependent claim	109/\$78	209/\$39	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent		(Col. 1) For	No. of Existing Claims		(Col. 2) Highest No. Previously Paid For		(Col. 3) Extra**	Fee		Fee Due		TOTAL		minus*	20 or	=		x	=			INDEP		minus*	3 or	=		x	=		<input type="checkbox"/> First presentation of multiple dependent claim										SUBTOTAL (2)								(\$)	
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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Michael R. Blum	Reg. Number	44,543
Signature		Date	6/29/00

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

0002/PTO(modified)
Rev. 10/95

U.S. Department of Commerce
Patent and Trademark Office

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = **(\$1,914)**

Complete if Known

Application Number	09/538,602
Filing Date	March 29, 2000
First Named Inventor	Brian P. Dougherty et al.
Group Art Unit	2743
Examiner Name	Unknown
Attorney Docket Number	19502-04562

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to:

- ☐ Charge the indicated fees to the below mentioned deposit account.
- ☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†]
- ☐ Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account.

Deposit Account Number: 19-2555
Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

2. ☒ Payment Enclosed:
[X] Check [] Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	130
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
147/\$2,520	147/\$2,520	For filing a request for reexamination	
115/\$110	215/\$55	Extension for response within first month [†]	
116/\$380	216/\$190	Extension for response within second month [†]	
117/\$870	217/\$435	Extension for response within third month [†]	
118/\$1,360	218/\$680	Extension for response within fourth month [†]	
128/\$1,850	228/\$925	Extension for response within fifth month [†]	
119/\$300	219/\$150	Notice of Appeal	
141/\$1,210	241/\$605	Petition to revive unintentionally abandoned application	
142/\$1,210	242/\$605	Utility Issue Fee (Or Reissue)	
143/\$430	243/\$215	Design Issue Fee	
122/\$130	122/\$130	Petitions to the Commissioner	
123/\$50	123/\$50	Petitions related to provisional applications	
126/\$240	126/\$240	Submission of Information Disclosure Statement	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	
146/\$690	246/\$345	Filing a submission after final rejection (37 CFR 1.129(a))	
149/\$690	249/\$345	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify):

Other fee (specify):

SUBTOTAL (3) (\$130)

FEE CALCULATION (fees effective 11/12/98)

1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$690	201/\$345	Utility Filing	690
106/\$310	206/\$155	Design Filing	
108/\$690	208/\$345	Reissue	
114/\$150	214/\$75	Provisional Filing	
SUBTOTAL (1)			(\$690)

2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$78	202/\$39	Independent claims in excess of 3
104/\$260	204/\$130	Multiple dependent claim
109/\$78	209/\$39	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

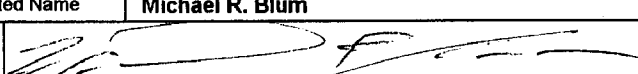
(Col. 1)		(Col. 2)		(Col. 3)		Fee Due	
For	No. of Existing Claims	Highest No. Previously Paid For		Extra**	Fee		
TOTAL	49	20 or	=	29	x 18	=	522
INDEP	7	3 or	=	4	x 78	=	312
[X] First presentation of multiple dependent claim						260	= 260

* Subtract the greater number of Col. 2

** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$1,094)

SUBMITTED BY

Typed or Printed Name	Michael R. Blum	Complete (If applicable)	
Signature		Reg. Number	44,543
		Date	6/30/00

[†] Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby