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EXAMINER	
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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.

Office Action Summary	Application No. 18/082,397	Applicant(s) Hayes, Issac	
	Examiner BRENDAN S O'SHEA	Art Unit 3626	AIA (First Inventor to File) Status Yes

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☑ Responsive to communication(s) filed on 7/24/25.

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

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

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

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

Disposition of Claims*

5) ☑ Claim(s) 1-20 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 1-20 is/are rejected.

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

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

* If any claims have been determined 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 _____ 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: _____.

Notice of Pre-AIA or AIA Status

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 24, 2025 has been entered.

Status of the Claims

3. Claims 1-20 are all the claims pending in the application.

4. Claims 1, 8, and 16 are amended.

5. Claims 1-20 are rejected.

6. The following is a Non-Final Office Action in response to amendments and remarks filed July 24, 2025.

Response to Arguments

7. Regarding the 101 rejections, the 101 rejections are withdrawn because the amendments to the claims reflect a practical application. That is, under Step 2A Prong 1, Examiner finds the claims recite an abstract idea (i.e., advertising (e.g., monetizing content via advertisements)). Under Step 2A Prong 2, Examiner finds the additional elements of automatically adjusting the

soundbar to optimize viewing reflect a practical application because the additional elements overcome a problem arising in user interfaces. Accordingly, the 101 rejections are withdrawn.

8. Regarding the 103 rejections, the rejections are withdrawn because the cited references do not teach the newly amended limitations. Please see below for the new 103 rejections for the claims as amended.

9. In response to arguments in reference to any depending claims that have not been individually addressed, all rejections made towards these dependent claims are maintained due to a lack of reply by Applicant in regards to distinctly and specifically pointing out the supposed errors in Examiner's prior office action (37 CFR 1.111). Examiner asserts that Applicant only argues that the dependent claims should be allowable because the independent claims are unobvious and patentable over the prior art.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

> (a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

11. Claims 1-20 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains

subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention. The independent claims 1, 8, and 16 recite the newly amended limitation "…automatically adjusting the soundbar to a position on the screen of the user device to optimize viewing of the data currently shown…" however there is no discussion, throughout the entirety of the specification and drawings, of automatically adjusting the soundbar to optimize viewing of the data. For example, the specification discusses the user selecting and moving the soundbar around the screen, ¶[0049] of the Specification as filed, but the specification does not discuss automatically adjusting the soundbar.

12. As such, the Examiner asserts this as evidence that the newly amended claims are new matter. Accordingly, claims 1, 8, and 16 are rejected under 112(a). Claims 2-7, 9-15 and 17-20 do not overcome this issue and accordingly are rejected due to their dependencies.

Claim Rejections - 35 USC § 103

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

14. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim(s) 1-12 and 14-20 is/are rejected under 35 U.S.C. 103 as being unpatentable over Zack et al, US Pat. No. 10,032,145, herein referred to as "Zack" in view of Zayets-Volshin et al, US Pub. No. 2018/0136612, herein referred to as "Zayets-Volshin", further in view of Curry et al., US Pub. No. 2015/0040009, herein referred to as "Curry".

16. Regarding claim 1, Zack teaches:

- receiving, by the transceiver, a request for user data from the server (transmits data for application to user, Col. 23, ll. 8-37 and Fig. 5; see also Col. 14, ll. 17-34 discussing client device and Fig. 1 showing network and devices);
- displaying, by the processor on a screen of the user device, the request for user data (GUI depicts application, Col. 23, ll. 20-60 and Fig. 5);
- receiving, by the processor, the user data (receives application from user, Col. 23, ll. 20-60);
- sending, by the first social media application via the transceiver, the user data to the server (receives application from user, Col. 23, ll. 20-60);
- receiving, by the transceiver, a confirmation of a first user profile from the server (creates new profile, Col. 23, l. 61 – Col. 24, l. 3; see also Col. 25, ll.5-29 discussing sending monetization option to user);
- receiving a monetization request (receives request to activate monetization account, Col. 24, 22-27);

- and sending, by the transceiver, the monetization request to the server (transmits request to activate monetization account, Col. 24, 22-27).

17. However Zack does not teach but Zayets-Volshin does teach:

- sending, by a transceiver of a user device, a request to download a first social media application software to a server; receiving, by the transceiver, the first social media application software from the server; installing, by a processor of the user device, the first social media application software as a first social media application onto the user device (app stores supply and install apps on smartphones from, ¶[0013] and claim 1; see also e.g., ¶¶[0056]-[0057] discussing social media platform).

18. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the social network app installation of Zayets-Volshin because simple substitution of one known element for another is obvious, see MPEP 2143.I.B. That is, Zack teaches accessing the social network via a browser on the client device, Col. 14, ll. 26-34. One of ordinary skill would have recognized social networks can also be accessed via apps and accordingly would have simply substituted the browser with the installed app, e.g., as taught by Zayets-Volshin.

19. However the combination of Zack and Zayets-Volshin does not teach but Curry does teach:

- receiving, by the transceiver, a request for one or more audio files from the server (user selects content item to view, ¶[0041]; see also ¶[0030] noting content includes music);
- displaying, by the processor on the screen of the user device, an audio soundbar for controlling the one or more audio files (the media viewer is opened in UI, ¶[0041], and resizes into a mini-player format, ¶[0050]);

- determining, by the processor, the location of data currently shown on the screen of the user device (media player is positioned relative to other elements of the GUI, ¶[0050]);
- automatically adjusting the soundbar to a position on the screen of the user device to optimize viewing of the data currently shown on the screen of the user device (mini-player is "snapped" to a pre-determined size and position within the GUI relative to other elements of the GUI, ¶[0050])

20. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack and Zayets-Volshin with the mini-player of Bowen because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, one of ordain skill would have recognized users of social networks would likely be interested in listening to music while using social networks and would have modified the combination of Zack and Zayets-Volshin to include a media player within the user interface, e.g. as taught by Curry.

21. Regarding claim 2, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 1 and Zack further teaches:

- displaying, by the processor on the screen of the user device, a plurality of audio data (returns video search results to user, Col. 10, ll. 6-30; see also Col. 8, ll. 41-49 noting videos also include audio data);
- receiving, by the processor via a first graphical user interface (first GUI) of the user device, a user selection from the plurality of audio data (receives request for viewing a video from user, Col. 10 ll. 23-49);

- sending, by the transceiver, the user selection to the server; receiving, by the transceiver, audio content representative of the user selection from the server (retrieves video in response to user request, Col. 10, ll. 23-49);
- and outputting, by a speaker of the user device, the audio content (presents video to user, Col. 10, ll. 31-49).

22. Regarding claim 3, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 2 and Zack further teaches:

- receiving, by the transceiver, at least one of video content and photo content from the server (retrieves video in response to user request, Col. 10, ll. 23-49);
- and outputting at least one of video content and photo content simultaneously with the audio content (presents video to user, Col. 10, ll. 31-49; see also Col. 8, ll. 41-49 noting videos also include audio data and JPEG and GIF files).

23. Regarding claim 4, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 1 and Zack further teaches:

- wherein the user data includes at least one of: login credentials of the first social media application, biometric data, a second social media profile associated with a second social media application, demographics information, and financial institution information (uses username and password, Col. 10, ll. 50-63).

24. Regarding claim 5, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 1 and Zack further teaches:

- receiving, by the transceiver, balance information associated with the first user profile (sends payment to owner of video, Col. 13, l. 61 – Col. 14, l. 17).

25. Regarding claim 6, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 5 and Zack further teaches:

- wherein the balance information is based on social engagement from at least one other user profile (monetization is based on engagement like ad impressions and clicks, Col. 16, l. 62 – Col. 17, l. 10; see also Col. 5, l. 60 – Col. 6, l. 20 discussing views, clicks, etc.).

26. Regarding claim 7, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 1 and Zack further teaches:

- sending, by the transceiver, payment information to the server (uses banking account to send money, Col. 14, ll. 4-17, Col. 16, l. 52 – Col. 17, l. 10).

27. However Zack does not teach but Zayets-Volshin does teach:

- receiving, by the first social media application, a subscription request to a content creator profile; sending, by the transceiver, the subscription request to the server (users tap "follow" to follow other users, ¶¶[0080], [0121]);
- and receiving, by the transceiver, a status of the subscription request from the server (when tapped, the "follow" button changes its text to "following", ¶[0080])

28. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the subscription functionality of Zayets-Volshin because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, Zack teaches assessing popularity of social media content, e.g., Col. 19, l. 30 - Col. 20, l. 20. One of ordinary skill would have recognized an effective mechanism for evaluating popularity of social media content is to allow users to follow or subscribe to content creators, e.g., as taught by Zayets-Volshin.

29. Regarding claim 8, Zack teaches:

- receiving, by a server, a request for a first user profile from a first user device (receives application from user, Col. 23, ll. 20-60; see also e.g. Col. 6, ll. 28-65 discussing server; Col. 14, ll. 17-34 discussing client device and Fig. 1 showing network and devices);
- sending, by the server, a user data request to the first user device (receives application from user, Col. 23, ll. 20-60);
- receiving, by the server, user data from the first user device (receives application from user, Col. 23, ll. 20-60);
- creating, by the server, a first user profile based at least in part on the user data (creates account for user, Col. 23, l. 61 – Col. 24, l. 3);
- sending, by the server, confirmation of the first user profile to the first user device (creates new profile, Col. 23, l. 61 – Col. 24, l. 3; see also Col. 25, ll.5-29 discussing sending monetization option to user);
- receiving, by the server, first social media content from the first user device (users upload content, e.g. Col. 9, ll. 34-56);
- associating, by the server, the first social media content with the first user profile (stores uploading history of users, Col. 10, ll. 50-63).

30. However Zack does not teach but Zayets-Volshin does teach:

- receiving, by the server, a subscription enablement request from the first user device (users tap "follow" to follow other users, ¶¶[0080], [0121]; see also e.g., claim 1 discussing smart phones);

- and permitting, by the server, at least one of a plurality of user profiles to subscribe to at least a portion of the first social media content (videos from the followed user will appear in the following user's Home Screen, ¶[0080]; see also ¶[0188] discussing allowing subscribers to access private channels)

31. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the subscription functionality of Zayets-Volshin because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, Zack teaches assessing popularity of social media content, e.g., Col. 19, l. 30 - Col. 20, l. 20. One of ordinary skill would have recognized an effective mechanism for evaluating popularity of social media content is to allow users to follow or subscribe to content creators, e.g., as taught by Zayets-Volshin.

32. However the combination of Zack and Zayets-Volshin does not teach but Curry does teach:

- receiving, by the server, a request for one or more audio files from the server (user selects content item to view, ¶[0041]; see also ¶[0030] noting content includes music);
- displaying, by the server on the screen of the user device, an audio soundbar for controlling the one or more audio files (the media viewer is opened in UI, ¶[0041], and resizes into a mini-player format, ¶[0050]);
- determining, by the server, the location of data currently shown on the screen of the user device (media player is positioned relative to other elements of the GUI, ¶[0050]);
- automatically adjusting the soundbar to a position on the screen of the user device to optimize viewing of the data currently shown on the screen of the user device (mini-player is “snapped”

to a pre-determined size and position within the GUI relative to other elements of the GUI, ¶[0050])

33. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack and Zayets-Volshin with the mini-player of Bowen because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, one of ordain skill would have recognized users of social networks would likely be interested in listening to music while using social networks and would have modified the combination of Zack and Zayets-Volshin to include a media player within the user interface, e.g. as taught by Curry.

34. Regarding claim 9, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 8 and Zack further teaches:

- receiving, by the server, other social media content from at least one of the plurality of user profiles (users upload content, e.g. Col. 9, ll. 34-56);
- and sending, by the server, at least some of the other social media content to the first user device (presents video to user, Col. 10, ll. 31-49).

35. Regarding claim 10, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 9 and Zack further teaches:

- wherein: the first social media content comprises at least one of audio content, video content, and photo content; and the other social media content comprises at least one of audio content, video content, and photo content (content includes videos, audio, and images, Col. 8, ll. 41-49).

36. Regarding claim 11, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 10 and Zack further teaches:

- sending, by the server, audio content simultaneously with at least one of the video content and the photo content to the first user device (presents video to user, Col. 10, ll. 31-49; see also Col. 8, ll. 41-49 noting videos also include audio data and JPEG and GIF files).

37. Regarding claim 12, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 8 and Zack further teaches:

- receiving, by the server, a monetization request from the first user device (receives request to activate monetization account, Col. 24, 22-27);
- calculating, by the server, balance information based on social engagement of the plurality of user profiles with the first social media content (stores user activity information, Col. 5, l. 59 – Col. 6, l. 20; Col. 11, l. 65 – Col. 12, ll. 15),
- wherein the social engagement includes at least one of profile visits, unique profile visits, views, likes, and comments (user activity information includes video views, likes, comments, etc., Col. 5, l. 59 – Col. 6, l. 20; Col. 11, l. 65 – Col. 12, ll. 15);
- and associating, by the server, the balance information with the first user profile (tracks video views, likes, comments, etc., Col. 5, l. 59 – Col. 6, l. 20; and video are associated with user profiles, Col. 12, ll. 16-29).

38. Regarding claim 14, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 8 and Zayets-Volshin further teaches:

- receiving, by the server, a subscription request to the first user profile from a second user profile amongst the plurality of user profiles (users tap “follow” to follow other users, ¶¶[0080], [0121]);

- and sending, by the server, the at least a portion of the first social media content to the second user profile (videos from the followed user will appear in the following user's Home Screen, ¶[0080]).

39. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the subscription functionality of Zayets-Volshin because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, Zack teaches assessing popularity of social media content, e.g., Col. 19, l. 30 - Col. 20, l. 20. One of ordinary skill would have recognized an effective mechanism for evaluating popularity of social media content is to allow users to follow or subscribe to content creators, e.g., as taught by Zayets-Volshin.

40. Regarding claim 15, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 14 and Zayets-Volshin further teaches:

- wherein the subscription request comprises sending payment to a payment account of the first user profile from a payment account of the second user profile (subscribers pay fee to access private channels, ¶[0188]).

41. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the subscription functionality of Zayets-Volshin because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, Zack teaches assessing popularity of social media content, e.g., Col. 19, l. 30 - Col. 20, l. 20. One of ordinary skill would have recognized an effective mechanism for evaluating popularity of social media content is to allow users to follow or subscribe to content creators, e.g., as taught by Zayets-Volshin.

42. Regarding claim 16, Zack teaches:

- one or more processors; and memory, in communication with the one or more processors, storing instructions that, when executed, cause the one or more processors to (processor, memory and instructions, e.g. Col. 14, l. 35 – Col. 15, l. 35 an Fig. 2):
- receive a request for a first user profile from a first user device (receive request for new account creation, Col. 22, l. 66 – Col. 23, ll. 7 and Fig. 5);
- send a user data request to the first user device (transmits data for application to user, Col. 23, ll. 8-37 and Fig. 5);
- receive user data from the first user device (user provides information to complete application and receives application from user, Col. 23, ll. 20-60);
- create a first user profile based at least in part on the user data (creates new profile, Col. 23, l. 61 – Col. 24, l. 3);
- send confirmation of the first user profile to the first user device (creates new profile, Col. 23, l. 61 – Col. 24, l. 3; see also Col. 25, ll.5-29 discussing sending monetization option to user);
- receive first social media content from the first user device (users upload content, e.g. Col. 9, ll. 34-56);
- associate the first social media content with the first user profile (stores uploading history of users, Col. 10, ll. 50-63);
- receive a monetization request from the first user device (receives request to activate monetization account, Col. 24, 22-27);
- and permit monetization by the first user profile (activates ad serving account for the user to allow participation in revenue sharing program, Col. 25, ll. 63 – 67).

43. However Zack does not teach but Zayets-Volshin does teach:

- receive a subscription enablement request from the first user device (users tap "follow" to follow other users, ¶¶[0080], [0121]; see also e.g., claim 1 discussing smart phones);
- permit at least one of a plurality of user devices to subscribe to at least a portion of the first social media content (videos from the followed user will appear in the following user's Home Screen, ¶[0080]; see also ¶[0188] discussing allowing subscribers to access private channels).

44. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the subscription functionality of Zayets-Volshin because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, Zack teaches assessing popularity of social media content, e.g., Col. 19, l. 30 - Col. 20, l. 20. One of ordinary skill would have recognized an effective mechanism for evaluating popularity of social media content is to allow users to follow or subscribe to content creators, e.g., as taught by Zayets-Volshin.

45. However the combination of Zack and Zayets-Volshin does not teach but Curry does teach:

- receive a request for one or more audio files from the server (user selects content item to view, ¶[0041]; see also ¶[0030] noting content includes music);
- display an audio soundbar for controlling the one or more audio files (the media viewer is opened in UI, ¶[0041], and resizes into a mini-player format, ¶[0050]);
- determine the location of data currently shown on the screen of the user device (media player is positioned relative to other elements of the GUI, ¶[0050]);
- automatically adjust the soundbar to a position on the screen of the user device to optimize viewing of the data currently shown on the screen of the user device (mini-player is "snapped"

to a pre-determined size and position within the GUI relative to other elements of the GUI, ¶[0050])

46. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack and Zayets-Volshin with the mini-player of Bowen because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, one of ordain skill would have recognized users of social networks would likely be interested in listening to music while using social networks and would have modified the combination of Zack and Zayets-Volshin to include a media player within the user interface, e.g. as taught by Curry.

47. Regarding claim 17, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 16 and Zack further teaches:

- determine social engagement by the plurality of user devices with the first user profile (stores user activity information, Col. 5, l. 59 – Col. 6, l. 20; Col. 11, l. 65 – Col. 12, ll. 15);
- and calculate balance information for the first user profile based on the social engagement (monetization is based on engagement like ad impressions and clicks, Col. 16, l. 62 – Col. 17, l. 10; see also Col. 5, l. 60 – Col. 6, l. 20 discussing views, clicks, etc.).

48. Regarding claim 18, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 17 and Zack further teaches:

- wherein determining social engagement is based on at least one of profile visits, unique profile visits, views, likes, and comments (user activity information includes video views, likes, comments, etc., Col. 5, l. 59 – Col. 6, l. 20; Col. 11, l. 65 – Col. 12, ll. 15).

49. Regarding claim 19, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 16 and Zayets-Volshin further teaches:

- receive a subscription request to the first user profile from a second user profile amongst the plurality of user devices (users tap "follow" to follow other users, ¶¶[0080], [0121]);
- and send the at least a portion of the first social media content to the second user profile (videos from the followed user will appear in the following user's Home Screen, ¶[0080]).

50. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack with the subscription functionality of Zayets-Volshin because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, Zack teaches assessing popularity of social media content, e.g., Col. 19, l. 30 - Col. 20, l. 20. One of ordinary skill would have recognized an effective mechanism for evaluating popularity of social media content is to allow users to follow or subscribe to content creators, e.g., as taught by Zayets-Volshin.

51. Regarding claim 20, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 19 and Zack further teaches:

- send, to the first user device, audio content simultaneously with the first social media content, wherein the first social media content includes at least one of video content and photo content (presents video to user, Col. 10, ll. 31-49; see also Col. 8, ll. 41-49 noting videos also include audio data and JPEG and GIF files).

52. Claim(s) 13 is/are rejected under 35 U.S.C. 103 as being unpatentable over Zack, Zayets-Volshin and Curry further in view of Steele, US Pub. No. 2015/0287093, herein referred to as "Steele".

53. Regarding claim 13, the combination of Zack, Zayets-Volshin, and Curry teaches the limitations of claim 12 and does not teach but Steele does teach:

- generating, by the server, a monetization suggestion for the first user profile based on the social engagement, wherein the monetization suggestion includes at least one of optimal posting times, optimal posting content, and optimal target audience (system recommends to a user a particular article and an associated time/date to post the article, ¶[0062]);
- and sending, by the server, the monetization suggestion the first user device associated with the first user profile (sends time/date request to a user to post, ¶[0062]).

54. Further, it would have been obvious before the effective filing date of the claimed invention, to combine the social revenue of Zack, Zayets-Volshin and Curry with the suggestions of Steele because known work in one field of endeavor may prompt variations of it for use in the same field based on design incentives, see MPEP 2143.I.F. That is, One of ordinary skill would have recognized the users of Zack and Zayets-Volshin are interested in monetizing their content and would likely appreciate suggestion on how to maximize the monetarization and accordingly would have modified Zack and Zayets-Volshin to provide suggestions on maximizing monetarization, e.g. as taught by Steele.

Conclusion

55. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENDAN S O'SHEA whose telephone number is (571)270-1064. The examiner can normally be reached Monday to Friday 10-6.

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, Nathan Uber can be reached at (571) 270-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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