

US00RE44899E

(19) **United States**
(12) **Reissued Patent**
Merriman et al.

(10) **Patent Number:** **US RE44,899 E**
(45) **Date of Reissued Patent:** ***May 13, 2014**

(54) **METHOD OF DELIVERY, TARGETING, AND MEASURING ADVERTISING OVER NETWORKS**

(75) Inventors: **Dwight Allen Merriman**, New York, NY (US); **Kevin J. O'Connor**, Santa Barbara, CA (US)

(73) Assignee: **Google Inc.**, Mountain View, CA (US)

(*) Notice: This patent is subject to a terminal disclaimer.

(21) Appl. No.: **13/336,738**

(22) Filed: **Dec. 23, 2011**

Related U.S. Patent Documents

Reissue of:

(64) Patent No.: **5,948,061**
Issued: **Sep. 7, 1999**
Appl. No.: **08/738,634**
Filed: **Oct. 29, 1996**

U.S. Applications:

(63) Continuation of application No. 09/577,798, filed on May 24, 2000, now Pat. No. 5,948,061.

(51) **Int. Cl.**
G06F 15/16 (2006.01)
G06Q 30/00 (2012.01)
G06F 17/00 (2006.01)

(52) **U.S. Cl.**
USPC **709/219**; 705/14.53; 705/14.73;
715/205; 715/234

(58) **Field of Classification Search**
USPC 705/1, 10, 14, 26, 27, 14.4, 14.53,
705/14.73; 709/219; 715/205, 234
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,602,279 A	7/1986	Freeman
4,703,423 A	10/1987	Bado
4,775,935 A	10/1988	Yourick
4,789,235 A	12/1988	Borah et al.
4,850,007 A	7/1989	Marino et al.
4,870,579 A	9/1989	Hey
4,996,642 A	2/1991	Hey
5,027,400 A	6/1991	Baji et al.
5,099,422 A	3/1992	Foresman et al.

(Continued)

FOREIGN PATENT DOCUMENTS

DE	19528911	2/1997
EP	0 216 535	4/1987

(Continued)

OTHER PUBLICATIONS

“Another Media-Buying Firm . . .”; Media Daily, No. 5, vol. 4; Feb. 14, 1996; SD005599-SD005601.

(Continued)

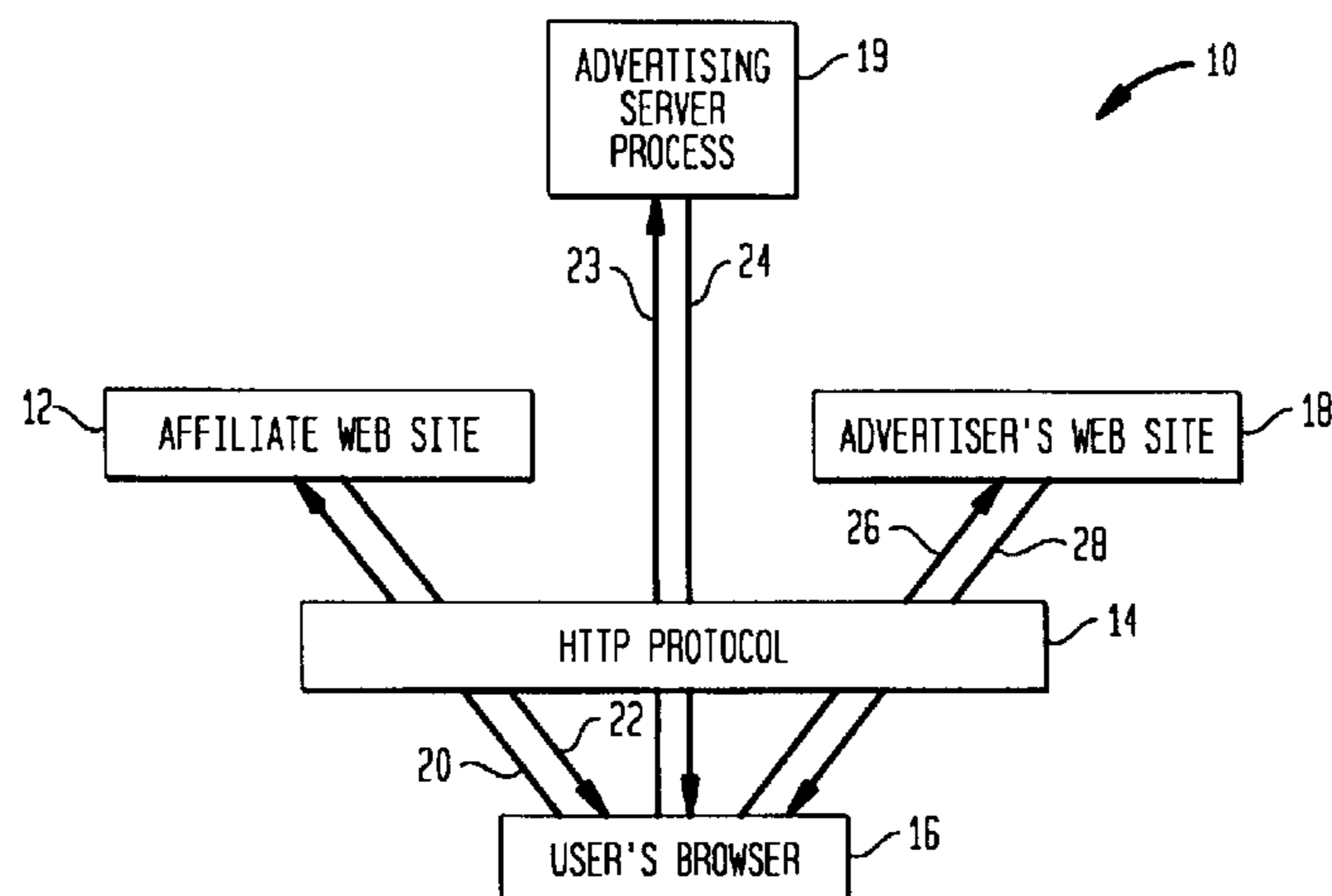
Primary Examiner — Ronald Laneau

(74) *Attorney, Agent, or Firm* — Fish & Richardson P.C.

(57) **ABSTRACT**

Methods and apparatuses for targeting the delivery of advertisements over a network such as the Internet are disclosed. Statistics are compiled on individual users and networks and the use of the advertisements is tracked to permit targeting of the advertisements of individual users. In response to requests from affiliated sites, an advertising server transmits to people accessing the page of a site an appropriate one of the advertisement based upon profiling of users and networks.

50 Claims, 2 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

5,105,184 A	4/1992	Pirani et al.	5,790,426 A	8/1998	Robinson
5,155,591 A	10/1992	Wachob	5,790,935 A	8/1998	Payton
5,166,866 A	11/1992	Kim et al.	5,794,210 A	8/1998	Goldhaber et al.
5,191,410 A	3/1993	McCalley et al.	5,796,945 A	8/1998	Tarabella
5,220,501 A	6/1993	Lawlor et al.	5,796,952 A	8/1998	Davis et al.
5,253,341 A	10/1993	Rozmanith et al.	5,809,242 A	9/1998	Shaw et al.
5,260,778 A	11/1993	Kauffman et al.	5,812,769 A	9/1998	Graber et al.
5,261,094 A	11/1993	Everson et al.	5,812,776 A	9/1998	Gifford
5,283,731 A	2/1994	Lalonde et al.	5,815,148 A	9/1998	Tanaka
5,305,195 A	4/1994	Murphy	5,819,285 A	10/1998	Damico et al.
5,347,632 A	9/1994	Filepp et al.	5,838,790 A	11/1998	Mcauliffe et al.
5,355,327 A	10/1994	Stent et al.	5,842,199 A	11/1998	Miller et al.
5,361,393 A	11/1994	Rossilo	5,848,396 A	12/1998	Gerace
5,377,354 A	12/1994	Scannell et al.	5,848,397 A	12/1998	Marsh et al.
5,412,416 A	5/1995	Nemirofsky	5,855,008 A	12/1998	Goldhaber et al.
5,442,771 A	8/1995	Filepp et al.	5,870,724 A	2/1999	Lawlor et al.
5,446,891 A	8/1995	Kaplan et al.	5,873,068 A	2/1999	Beaumont et al.
5,446,919 A	8/1995	Wilkins	5,893,075 A	4/1999	Plainfield et al.
5,448,625 A	9/1995	Lederman	5,913,040 A	6/1999	Rakavy et al.
5,459,656 A	10/1995	Fields et al.	5,918,014 A	6/1999	Robinson
5,469,206 A	11/1995	Strubbe et al.	5,933,811 A	8/1999	Angles et al.
5,475,819 A	12/1995	Miller et al.	5,933,827 A	8/1999	Cole et al.
5,477,451 A	12/1995	Brown et al.	5,937,162 A	8/1999	Funk et al.
5,499,046 A	3/1996	Schiller et al.	5,937,392 A	8/1999	Alberts
5,504,744 A	4/1996	Adams et al.	5,946,646 A	8/1999	Schena et al.
5,504,894 A	4/1996	Ferguson et al.	5,948,061 A	9/1999	Merriman et al.
5,515,098 A	5/1996	Carles	5,950,173 A	9/1999	Perkowski
5,515,270 A	5/1996	Weinblatt	5,956,024 A	9/1999	Strickland et al.
5,537,542 A	7/1996	Eilert et al.	5,960,409 A	9/1999	Wexler
5,550,746 A	8/1996	Jacobs	5,960,429 A	9/1999	Peercy et al.
5,559,548 A	9/1996	Davis et al.	5,963,915 A	10/1999	Kirsch
5,566,353 A	10/1996	Cho et al.	5,990,927 A	11/1999	Hendricks et al.
5,568,612 A	10/1996	Barrett et al.	5,999,912 A	12/1999	Wodarz et al.
5,572,643 A	11/1996	Judson	6,002,393 A	12/1999	Hite et al.
5,584,025 A	12/1996	Keithley et al.	6,005,566 A	12/1999	Jones et al.
5,594,910 A	1/1997	Filepp et al.	6,005,567 A	12/1999	Nielsen
5,598,536 A	1/1997	Slaughter, III et al.	6,006,197 A	12/1999	D'eon et al.
5,600,364 A	2/1997	Hendricks et al.	6,006,252 A	12/1999	Wolfe
5,621,812 A	4/1997	Deaton et al.	6,016,509 A	1/2000	Dedrick
5,636,346 A	6/1997	Saxe	6,020,887 A	2/2000	Loring et al.
5,638,457 A	6/1997	Deaton et al.	6,026,368 A	2/2000	Brown et al.
5,649,114 A	7/1997	Deaton et al.	6,029,141 A	2/2000	Bezos et al.
5,675,662 A	10/1997	Deaton et al.	6,029,195 A	2/2000	Herz
5,692,132 A	11/1997	Hogan	6,049,777 A	4/2000	Sheena et al.
5,696,965 A	12/1997	Dedrick	6,049,878 A	4/2000	Caronni et al.
5,704,017 A	12/1997	Heckerman et al.	6,052,554 A	4/2000	Hendricks et al.
5,704,018 A	12/1997	Heckerman et al.	6,061,659 A	5/2000	Murray
5,708,780 A	1/1998	Levergood et al.	6,119,101 A	9/2000	Peckover
5,710,887 A	1/1998	Chelliah et al.	6,182,050 B1	1/2001	Ballard
5,712,979 A	1/1998	Graber et al.	6,185,586 B1	2/2001	Judson
5,717,860 A	2/1998	Graber et al.	6,223,215 B1	4/2001	Hunt et al.
5,717,923 A	2/1998	Dedrick	6,247,047 B1	6/2001	Wolff
5,721,827 A	2/1998	Logan et al.	6,269,361 B1	7/2001	Davis et al.
5,724,424 A	3/1998	Gifford	6,434,614 B1	8/2002	Blumenau
5,724,521 A	3/1998	Dedrick	6,466,970 B1	10/2002	Lee et al.
5,727,156 A	3/1998	Herr-Hoyman et al.	6,615,251 B1	9/2003	Klug et al.
5,734,720 A	3/1998	Salganicoff	6,718,551 B1	4/2004	Swix et al.
5,734,828 A	3/1998	Pendse et al.	6,757,662 B1	6/2004	Greenwald et al.
5,737,619 A	4/1998	Judson	6,757,710 B2	6/2004	Reed
5,740,252 A	4/1998	Minor et al.	6,782,369 B1	8/2004	Carrott
5,740,549 A	4/1998	Reilly et al.	7,039,599 B2	5/2006	Merriman et al.
5,745,681 A	4/1998	Levine et al.	7,136,853 B1	11/2006	Kohda et al.
5,751,956 A	5/1998	Kirsch	7,496,943 B1	2/2009	Goldberg et al.
5,752,022 A	5/1998	Chiu et al.	2001/0037205 A1	11/2001	Joao
5,752,238 A	5/1998	Dedrick	2001/0056374 A1	12/2001	Joao
5,754,772 A	5/1998	Leaf	2002/0013785 A1	1/2002	Miyazaki et al.
5,754,938 A	5/1998	Herz et al.	2002/0019831 A1	2/2002	Wade
5,754,939 A	5/1998	Herz et al.	2002/0046118 A1	4/2002	Minte
5,757,917 A	5/1998	Rose et al.	2002/0082923 A1	6/2002	Merriman et al.
5,761,601 A	6/1998	Nemirofsky et al.	2002/0099600 A1	7/2002	Merriman et al.
5,768,521 A	6/1998	Dedrick	2002/0103698 A1	8/2002	Cantrell
5,774,170 A	6/1998	Hite et al.	2002/0120507 A1	8/2002	Chanos et al.
5,778,367 A	7/1998	Wesinger, Jr. et al.	2003/0023489 A1	1/2003	McGuire et al.
5,781,894 A	7/1998	Petrecce et al.	2005/0033855 A1	2/2005	Moradi et al.
5,787,253 A	7/1998	Mccreery et al.	2005/0144067 A1*	6/2005	Farahat et al. 705/14
			2005/0197164 A1	9/2005	Chan
			2006/0293955 A1*	12/2006	Wilson et al. 705/14

(56)

References Cited

U.S. PATENT DOCUMENTS

2008/0276271 A1* 11/2008 Anderson et al. 725/34
 2008/0301727 A1* 12/2008 Cristofalo et al. 725/35
 2009/0044246 A1* 2/2009 Sheehan et al. 725/146

FOREIGN PATENT DOCUMENTS

EP	0 355 697	2/1990
EP	0 120 054	5/1990
EP	0 643 359	3/1995
EP	0 749 081	12/1996
EP	0 875 843	11/1997
EP	0 814 419	12/1997
EP	0 818 742	1/1998
EP	0 829 058	3/1998
EP	0 834 822	4/1998
EP	0 837 407	4/1998
EP	0 838 769	4/1998
EP	0 849 689	6/1998
EP	0 864 990	9/1998
EP	0 869 448	10/1998
EP	0 749 081	11/1998
EP	0 877 314	11/1998
EP	0 897 158	2/1999
EP	0 734 556	9/2002
EP	0 886 825	2/2005
JP	H5143653	6/1993
JP	9091215	4/1997
JP	10049591	2/1998
JP	10320336	12/1998
WO	WO 84/01382	4/1984
WO	WO 93/16443	8/1993
WO	WO 93/19427	9/1993
WO	WO 94/23383	10/1994
WO	WO 95/12176	5/1995
WO	WO 95/13587	5/1995
WO	WO 95/16971	6/1995
WO	WO 96/31848	9/1996
WO	WO 96/30864	10/1996
WO	WO 96/36926	11/1996
WO	WO 96/38796	12/1996
WO	WO 96/39668	12/1996
WO	WO 97/07656	3/1997
WO	WO 97/21183	6/1997
WO	WO 97/41673	11/1997
WO	WO 98/34189	9/1998
WO	WO 98/57275	12/1998
WO	WO 98/57285	12/1998
WO	WO 01/65747	9/2001

OTHER PUBLICATIONS

“Executive Summary”; Focalink Communications Confidential; printed Jul. 30, 1997; MA0054-MA0109.
 “First Advertising Server Launched”; Business Wire; Feb. 5, 1996, SD005618-SD005619.
 “First Advertising Server Launched”; Business Wire; Feb. 5, 1996, SD005622-SD005623.
 “Focalink Communications”; Feb. 1996; MA0110-MA0149.
 “FocaLink Services”; FocaLink Media Services, Inc.; DC004278B-DC004278C, 1995.
 “Focalink Will Monitor”; Julia Angwin; San Francisco Chronicle; Feb. 7, 1996; SD005590.
 “Industry Overview”; FocaLink Media Services, Inc.; MA0041-MA0053, 1995.
 “Interactive Media & Marketing”; Advertising Age; Dec. 11, 1995; SD005614-SD005615.
 “Interactive; Focalink and Doubleclick”; Kim Cleland; Advertising Age, p. 30; Feb. 5, 1996; SD005620-SD005621.
 “Internet Access: First Advertising”; Edge: Work-Group computing Report; Feb. 12, 1996; SD005595-SD005596.
 “Internet Access: Major Companies”; Edge: Work-Group Computing Report; Feb. 12, 1996; SD005593-SD005594.

“Internet Access: Major Companies”; Edge: Work-Group Computing Report; Feb. 12, 1996; SD005597-SD005598.
 “LinkMarket”; David Zinman et al.; MA0008-MA0027, 1995.
 “Major Companies, Ad Agencies”; Business Wire; Feb. 5, 1996; SD005616-SD005617.
 “Major Companies, Ad Agencies”; Business Wire; Feb. 5, 1996; SD005624-SD005625.
 “Media Daily Special”; Sean Butterbaugh; Media Daily, No. 5, vol. 4; Feb. 7, 1996; SD005591-SD005592.
 “readme. 1st;”; David Evans; Marketing Computers, No. 2, vol. 16, p. 12; Feb. 1996; SD005588-SD005589.
 “Seeing a Gap”; Ellis Booker; <http://www.internetworld.com/print/1996/02/01/industry/adserver.html>; Feb. 1996; SD005587.
 Unraveling a Tangled Web; . . . Ken Siegmann; PC Week, No. 15, vol. 13, p. A4; Apr. 15, 1996; SD005608-SD005610.
 “Web ad-management software”; John Evan Froom; InternetWeek; Mar. 18, 1996; SD005605-SD005607.
 Web Personals Report; Oct. 12, 1995; Z00001-Z00009/SD027072-SD027080.
 “Web Site Links;”; Electronic Marketplace Report No. 16, vol. 9; Aug. 22, 1995; SD005611-SD005613.
 “Welcome to Focalink!”; Focalink Communications; DC004278D-DC004278CC, 1996.
 “Working the Web;” Jennifer Reese; Executive Female, No. 2, vol. 19, p. 24; Mar. 13, 1996; SD005602-SD005604.
 “www.amazon.com”, web site pages, 15 pages, printed out on Jan. 21, 1998 (original date unknown).
 “www.barnesandnoble.com” (“www.firefly.com”), web site pages, 12 pages, printed out on Jan. 21, 1998 (original date unknown).
 [Fwd: Re: DoubleClick and IAN]; Feb. 6, 1996; Jason Strober; Z00199/SD027264.
 17189959; Product View seeks funding for 3Q launch of ad-supported . . . ; Electronic Marketplace Report; May 16, 1995.
 17225819; Write once, publish many times; Ratcliffe; Digital Media; Aug. 7, 1995.
 17244186; Free E-Mail with Postage Stamp “Ads”; Newsbytes; Jul. 3, 1995.
 17497026; Look who’s surfing . . . ; Schurr; PC Week; Oct. 30, 1995.
 17594025; HotWired and Neilsem team to verify usage data; Electronic Marketplace Report; Jul. 4, 1995.
 17625888; Java and Blackbird: extending the Web . . . ; Seybold Reoport on Publishing Systems; Oct. 23, 1995.
 51st IETF—Whois enhancement BOF (whoisfix), Aug. 1, 2001.
 ADMedium Newsletter linked from Bount Quest Website; (http://uts.cc.utexas.edu/tecas/n19_2_96.html); printed on Apr. 4, 2001).
 Advertising advisory board; Oct. 25, 1995; David Zinman: Z00097-Z00099/SD027168-SD027170.
 Answer to your request; Apr. 8, 1996; Z00223/SD027288.
 Bill Harvey, The Expanded ARF Model: Bridge to the Accountable Advertising Future, Journal of Advertising Research, Mar./Apr. 1997, pp. 11-20.
 Blankenhorn, Dana; “Sites experiment with advertising to offer free service,” Advertising Age’s Business Marketing, v82, p. 29, Jul. 1997.
 Booker, Ellis “Seeing a Gap, A Palo Alto Startup will Debut Advertising Server for the Net,” Web Week, v.2 iss. 2. Available online at <http://internetworld.com>. Feb. 1996.
 Bounty Quest home page article titled DoubleClick Bounty Paid Ad Pioneer Turned Online Porn Mogul Wins \$10,000; (<<http://www.bountyquest.com/>>; printed on Mar. 9, 2001).
 Bounty Quest web page displaying article titled Bounty Collected Double Click Banner Ad Patent; (<http://www.bountyquest.com/bounties/displayBounty.php?bountyName=1019>); printed on Mar. 9, 2001).
 Bounty Quest Web page displaying article titled Digital Porn Mogul Wins Silver Bullet Award; (<http://www.bountyquest.com/winner/bschuster.htm>); printed on Mar. 9, 2001).
 Bounty Quest Web page displaying article titled DoubleClick Prior Art; (<http://bountyquest.com/patentinfo/douclickart.htm>); printed on Mar. 9, 2001).

(56)

References Cited

OTHER PUBLICATIONS

Business Plan posted on Bounty Quest Website titled Summary of Proposed Business Activities for the World Wide Internet Network (WWIN); (<http://www.bountyquest.com/images/doubleclickPage9.gif>; printed on Mar. 9, 2001).

Business Wire (New York, Nov. 17, 1998). "i33 Communications Links Personal Finance Sites with Dynamic Investment Research Banners; Quote.com and Multex partnew Using i33's AdMaximize Technology".

Cashing in: The rush is on to buy and sell on the Internet, *Interactive Media & Marketing*, Adv. Age, p. 11, Dec. 19, 1994.

Catch-up time; Dec. 11, 1995; David Zinman; Z00157/SD027222.

Cespedes & Smith, Database Marketing: New Rules for Policy and Practice, *Sloan Management Review*, Summer 1993, pp. 7-22.

Chat transcript; Topic: Ad Measurement and Management; Oct. 15, 1998; (<http://www.zeff.com/learn/zdu/advertising/zinman.html>; printed on Feb. 7, 2000).

CMP Technical Contact; Oct. 30, 1995; Jason Strober; Z00104/SD027172.

CNET Press Release titled About CNET; (<http://www.canada.cnet.com/aboutcnet/0-13613-7-808022.html>; printed on Mar. 9, 2001).

CNET Press Release titled "CNET Online Signs Up More Than a Quarter of a Million Members Through Voluntary Registration after Only Five Months"; (<http://home.cnet.com/aboutcnet/0-13613-7-808021.html>; printed on Nov. 26, 1999).

Comments; Jan. 29, 1996; David Zinman; Z00178-Z00182/SD027243-SD027247.

Contact at Netcom; Oct. 26, 1995; David Zinman; Z00100/SD027171.

Cookie FAQ; May 21, 1996; Z00244/SD027309.

Cookies & privacy ? /German Press; Jul. 15, 1996; Z00250/SD027315.

Cookies & privacy ? /German Press; Jul. 15, 1996; Z00251/SD027316.

Cookies; Mar. 6, 1996; David Zinman; Z00219/SD027284.

CWK19951009S0006; Search-engine advertising; Frook; Communications Week; Nov. 9, 1995.

Daily Spectrum; May 20, 1996; Z00232-Z00242/SD027297-SD027307.

David E. Zinman (Founder of FocaLink), Deposition Transcript from *DoubleClick, Inc., v. L90, Inc.* 00 Civ. 2690, S.D.N.Y.

Did I send this 2x; Apr. 3, 1996; David Zinman; Z00220-Z00222/SD027285-SD027287.

DoubleClick Measures Beyond the Click with New "Spotlight" Software, Sep. 4, 1996, Doubleclick.

DoubleClick Shines Its Spotlight, Sep. 5, 1996, *Advertising Age—Interactive Daily*.

DoubleClick Unveils Internet Ad Tracking Product, Sep. 4, 1996, *Reuter Financial Report*.

DoubleClick; Apr. 16, 1996; Z00227/SD027292.

DoubleClick; Sep. 5, 1996; Z00252-Z00253/SD027317-SD027318.

Eric Smith Quote (fwd); Jan. 10, 1996; David Zinman; Z00165/SD027230.

Ericsson Introduces New Intelligent Network-Based Internet Advertiser At Internet World '98, *Business Wire*, p. 0240, Oct. 7, 1998.

Fact check; May 12, 1996; Z00229/SD027294.

Fact check; May 20, 1996; Z00243/SD027308.

FocaLink Beta Test on SmartBanner; Dec. 14, 1995; David Zinman; Z00163/SD027228.

FocaLink Communications, Inc.; Jan. 10, 1996; David Zinman; Z00166/SD027231.

Focalink Communications; Feb. 13, 1996; David Zinman; Z00213/SD027278.

Focalink Communications; Feb. 5, 1996; David Zinman; Z00186-Z00188/SD027251-SD027253.

Focalink Communications; Feb. 6, 1996; David Zinman; Z00190-Z00192/SD027255-SD027257.

Focalink Communications; Feb. 6, 1996; David Zinman; Z00193-Z00195/SD027258-SD027260.

Focalink Communications; Feb. 6, 1996; David Zinman; Z00196-Z00198/SD027261-SD027263.

Focalink Communications; Feb. 6, 1996; David Zinman; Z00200-Z00202/SD027265-SD027267.

Focalink Communications; May 21, 1996; Z00245-Z00246/SD027310-SD027311.

FocaLink for the Layman; Dec. 6, 1995; David Zinman; Z00150/SD027215.

FocaLink Media Services; Dec. 6, 1995; David Zinman; Z00147/SD027212.

FocaLink Media Services; Dec. 6, 1995; David Zinman; Z00148/SD027213.

FocaLink Media Services; Dec. 11, 1995; David Zinman; Z00155-Z00156/SD027220-SD027221.

FocaLink Media Services; Dec. 6, 1995; David Zinman; Z00149/SD027214.

FocaLink Media Services; Nov. 14, 1995; David Zinman; Z00117-Z00119/SD027185-SD027187.

FocaLink Technology; Aug. 30, 1995; Z00010-Z00011/SD027081-SD027082.

FocaLink white paper; Nov. 13, 1995; Jason Strober; Z00115-Z00116/SD027183-SD027184.

FocaLink white paper; Nov. 15, 1995; David Zinman; Z00121-Z00123/SD027189-SD027191.

Focalink/Microsoft I.E.; Feb. 23, 1996; Margee Bond; Z00217-Z00218/SD027282-SD027283.

Focalink; Feb. 22, 1996; Jason Strober; Z00216/SD027281.

FocaLink; Jan. 25, 1996; David Zinman; Z00175/SD027240.

FocaLink Media Services, Inc.; David Zinman et al.; Aug. 2, 1995; Z00057-Z00070/SD027128-SD027141.

FocaLink Technology; Aug. 30, 1995; Z00076-Z00077/SD027147-SD027148.

FocaLink: request for ISN ad traffic data (fwd); Sep. 26, 1995; Z00084-Z00085/SD027155-SD027156.

For Immediate Release; Hyperlink Advertising Explodes on the World Wide Web; <http://link.w3.com>; Z00014-SD027085.

From ad age today . . . ; Oct. 30, 1995; Karen Johnson; Z00105-Z00106/SD027173-SD027174.

Fyi; Feb. 5, 1996; "Roger Follis"; Z00184-Z00185/SD027249-SD027250.

Heads Up Feb. 9, 1996 (20 stories<CD58M010>); Feb. 9, 1996; An Information Service of Individual Inc.; Z00209-Z00212/SD027274-SD027277.

Heads up . . . (fwd); Nov. 8, 1995; David Zinman; Z00109-Z00110/SD027177-SD027178.

Hypertext Markup Language—2.0; Nov. 1995 (Draft HTML 2.0 Specification; Sep. 22, 1995).

I/Pro Mtg Today; Dec. 19, 1995; David Zinman; Z00164/SD027229.

I/Traffic & Dave Carlick; Nov. 14, 1995; David Zinman; Z00120-SD027188.

IDG; May 17, 1996; Z00230-Z00231/SD027295-SD027296.

Improved Internet security enabling . . . , *PC Week*, v12, n11, p. 1(2), Mar. 20, 1995.

Info on FocaLink Media Services; Dec. 11, 1995; David Zinman; Z00152-Z00154/SD027217-SD027219.

Info on FocaLink; Dec. 13, 1995; David Zinman; Z00158-Z00160/SD027223-SD027225.

Information Request; Sep. 12, 1995; Z00080/SD 027151.

Infoseek Business Terms; Sep. 7, 1996; Z00254-Z00256/SD027319-SD027321.

Infoseek Offers Web Advertisers Customized Delivery of Ads, *Newsbytes*, pNEW05270111, May 27, 1997.

Intel ad on Dilbert Site; Dec. 13, 1995; David Zinman; Z00161/SD027226.

Intel update (fwd); Nov. 23, 1995; Jason Strober; Z00129-Z00130/SD027197-SD027198.

Interactive Age: The newspaper for Electronic Commerce; Z00015-Z00019/SD027086-SD027090.

Internet access: Internet marketing revolution begins in the US this Sep. (Hyper Net offering), *EDGE: Work-Group Computing Report*, v7 n316, Jun. 1996.

Invitation; Jan. 25, 1996; wilkins@eit.com; Z00174/SD027239.

(56)

References Cited

OTHER PUBLICATIONS

Kohda Yet al: Ubiquitous advertising on the WWW; Merging Advertising on the Browser, Computer Networks and ISDN Systems, vol. 28, No. 11, May 1996, pp. 1493-1499.

Link Marketing; handwritten page; MA0001, 1993.

Link Marketing, LLP; Z00020-Z00021/SD027091-SD027092, May 11, 1995.

Link Marketing; Z00022-Z00027/SD027093-SD027098, May 28, 1995.

LinkMarket Business Plan; David Zinman et al.; SD005545-SD005569, Jun. 6, 1995.

LinkMarket; David Zinman et al.; Z00028-Z00030/SD027099-SD027101, Jun. 7, 1995.

LinkMarket; David Zinman et al.; Z00033-Z00056/SD027104-SD027127, Jun. 6, 1995.

LinkMarket; David Zinman et al.; SD005573-SD005574, Jun. 27, 1995.

Lockhard, Meredith; "Advertising done your way," Target Marketing, v20, n10, p. 40, ISSN: 0889-5333, Oct. 1997.

Looming issue; Jul. 13, 1996; Z00248-Z00249/SD027313-SD027314.

Luring in Customers Via Web Advertising, Oct. 1996, Business Strategies.

Medialink: Bell Laboratories unveils sophisticated information insertion technology for broadcast and cable advertising, Edge, v11, p. 43(1), Dec. 16, 1996.

Metcalf, Bob "From the Ether", InfoWorld, v. 18 iss.3. Available at <http://infoworld.com>, Aug. 1996.

Microsoft ads through FocaLink; Nov. 21, 1995; Jason Strober; Z00126/SD027194.

Microsoft Press Computer Dictionary Third Edition, 1997, p. 387 "proxy server".

Microsoft Press Computer Dictionary Third Edition, 1997, pp. 271 ("junction"), 285 ("link"), 331 ("node").

Microsoft Update; Feb. 5, 1996; Margaret Bond; Z00189-SD027254.

Microtargeting; Dec. 7, 1995; David Zinman; Z00151/SD027216.

Miller B., "GroupLens: An Open Architecture for Collaborative Filtering," <ftp://ftp.cs.umn.edu/users/bmiller/prop.ps>, Univ. of Minn., pp. 1-18, Oct. 1995.

NetGravity AdServer 2.0 Announcement. Available at <http://netgravity.com>, Oct. 1996.

NetGravity Releases Adserver 2.0; Oct. 21, 1996; Z00260-Z00263/SD027325-SD027328.

Network World Fusion; May 22, 1996; Z00247/SD027312.

November Report; Dec. 5, 1995; Jennifer Ratner; Z00141-Z00146/SD027206-SD027211.

Online Marketing . . . ; Internet week, vol. 1, Issue 36; Dec. 18, 1995; SD005584-SD005585.

Open Market Licenses With NetGravity; May 6, 1996; Z00228/SD027293.

Oracle and Intel; Apr. 12, 1996; Z00226/SD027291.

Poppe Tyson/Internet Advertising Network Alliance; Feb. 26, 1996; Ron Kovas; Z00183/SD27248.

Preston Gralla, How the Internet Works, Aug. 1999, Millennium Edition, 202-204 and 243-247.

Proposal (fwd); Oct. 23, 1995; Jason Strober; Z00095-Z00096/SD027166-SD027167.

Proposal to Intel; Nov. 13, 1995; Jason Strober; Z00111-Z00114/SD027179-SD027182.

Question for you; Sep. 7, 1995; Z00078-Z00079/SD027149-SD027150.

Quote for Press Release; Jan. 15, 1996; David Zinman; Z00168/SC027233.

Re: Advertisers for wyp.net; Jan. 12, 1996; David Zinman; Z00167/SD027232.

RE: Advertising Update; Oct. 3, 1995; Eric Ver Ploeg; Z00088-Z00089/SD027159-SD027160.

Re: Cookies; Feb. 15, 1996; David Zinman; Z00215/SD027280.

Re: FocaLink Meeting (fwd); Nov. 20, 1995; Karen Johnson; Z00124-Z00125/SD27192-SD027193.

RE: Focalink; Jan. 26, 1996; Rick Vorhaus; Z00177/SD027242.

Re: Intel ad on Dilbert Site; Dec. 13, 1995; David Zinman; Z00162/SD027227.

Re: Quote for Press Release (fwd); Jan. 16, 1996; David Zinman; Z00170-Z00171/SD027235-SD027236.

Re: Quote for Press Release; Jan. 16, 1996; "thomas mark"; Z00169/SD027234.

Re: Rest Parameters; Oct. 23, 1995; Jason Strober; Z00093-Z00094/SD027164-SD027165.

Re: Test Parameters (fwd); Oct. 23, 1995; Jason Strober; Z00091-Z00092/SD 027162-SD027163.

Re: Who's in and who's out (fwd); Nov. 21, 1995; Jason Strober; Z00127-Z00128/SD027195-SD027196.

RE> Ad Placement Notific; Jan. 19, 1996; Dan_Stoller@antsf.com; Z00172-Z00173/SD027237-SD027238.

RE> Saturn Ad Placements; Sep. 29, 1995; Adam@utne.co; Z00087/SD027158.

RE>> Saturn Ad Placements; Sep. 29, 1995; wigley@utne.com; Z00090/SD027161.

Sales Literature posted on Bounty Quest Website titled What You Get with WWIN; (<http://bountyquest.com/images/doubleclickGet.gif>; printed on Mar. 9, 2001).

Saturn Ad Placements; Sep. 28, 1995; David Zinman; Z00086-SC027157.

Saturn Banner Ad Placement; Aug. 25, 1995; Z00071/Z027142.

Saturn Banner Ad Placement; Aug. 27, 1995; Z00075/Z027146.

Saturn reports; Dec. 5, 1995; Jennifer Ratner; Z00134-Z00140/SD027199-SD027205.

Site Letter; Apr. 10, 1996; Z00224-Z00225/SD027289-SD027290.

SmartBanner ads on HotWired; Sep. 11, 1996; Z00257-SD027322.

SmartBanner Reports; Jan. 25, 1996; David Zinman; Z00176/SD027241.

Sponsorable Site—Riddle Du Jour; Aug. 26, 1995; Z00072-Z00074/SD027143-SD027145.

Spotlight on Doubleclick, Sep. 13, 1996, Information & Interactive Services Report.

Statement of Work; Sep. 23, 1996; Z00258-Z00259/SD027323-SD027324.

Targeting; Feb. 13, 1996; Michael Wang; Z00214/SD027279.

Test for Microsoft Banner; Feb. 8, 1996; Joel Bassuk; Z00205/SD027270.

Test with Focalink; Feb. 7, 1996; David Zinman; Z00203/SD027268.

Tracking Services Tallies Ad Response, Online Orders, Sep. 16, 1996, DMNews.

Update and Miscellaneous; Sep. 22, 1995; Z00081-Z00083/SD027152-SD027154.

Upendra Shardanand, "Social Information Filtering for Music Recommendation" Sep. 1994, pp. 1-93, Massachusetts Institute of Technology, Thesis.

Urgent—Microsoft Ad Placement; Feb. 7, 1996; David Zinman; Z00204/SD027269.

URL's; Feb. 8, 1996; Dan Stoller; Z00207-Z00208/SD027272-SD027273.

We need to get on this; Oct. 31, 1995; David Zinman; Z00107-SD027175.

Web Personals stats; Aug. 22, 1995; Z00012-Z00013/SD027083-SD027084.

Web site pricing draft; Nov. 7, 1995; Jason Strober; Z00108-SD027176.

Webster's Third New International Dictionary of the English Language Unabridged, 1967, p. 2171 "some".

www5conf.inria.fr; Ubiquitous Advertising on the WWW; Kohda et al; Fifth International WWW Conference; May 6-10, 1996.

ZDNet Test; Margaret Bond; Feb. 8, 1996; Z00206/SD027271.

Deposition Transcript of Thomas E. Wharton, Sep. 28, 2000, 45 pages.

Google's Preliminary Invalidity Contentions, dated Jun. 26, 2009, 12 pages.

Google's Preliminary Invalidity Contentions: Exhibits A and B, dated Jun. 26, 2009, 60 pages.

Declaration of Dwight Allen Merriman, signed Feb. 9, 2001, 10 pages.

(56)

References Cited

OTHER PUBLICATIONS

Netscape Communications Corporation, "Escapes/Best of the Net", MA0039-MA0040, 1995.

LinkMarket, "Link Marketing", MA0002-MA0007, 1995.

Link Marketing, LLP, SD027091-SD027092, May 11, 1995.

Link Marketing LLP, "Service/Benefits", MA0030-MA0038, 1995.
David Zinman, <http://www.focalink.com/dzinman/bio.html>, SD005586, Dec. 22, 1999.

Ronald A. Kovas (DEO of FocaLink), Deposition Transcript from *DoubleClick, Inc. v. L90, Inc.*, 99 Civ. 11781, SDNY, 69 pages, Oct. 4, 2000.

* cited by examiner

FIG. 1

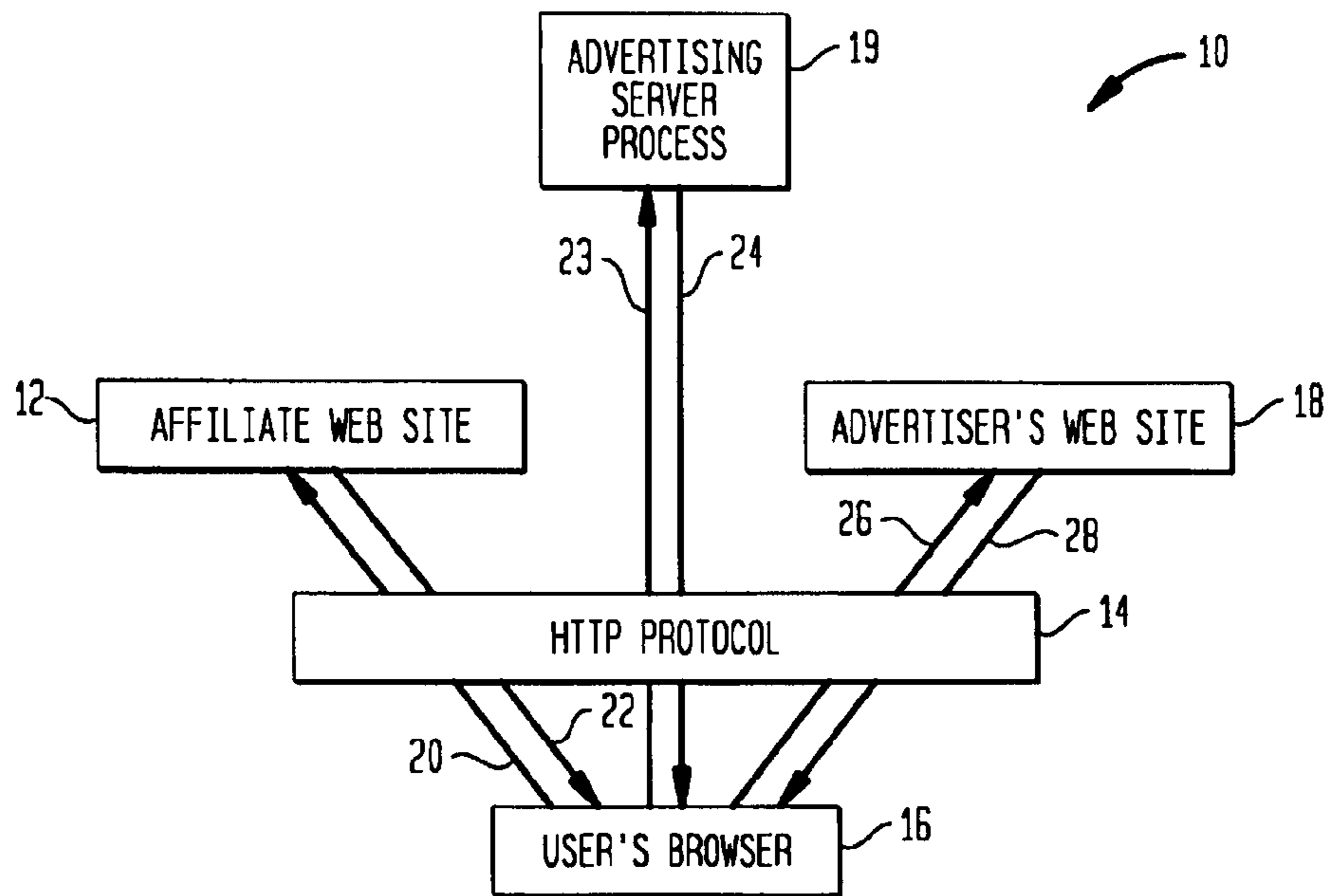


FIG. 2

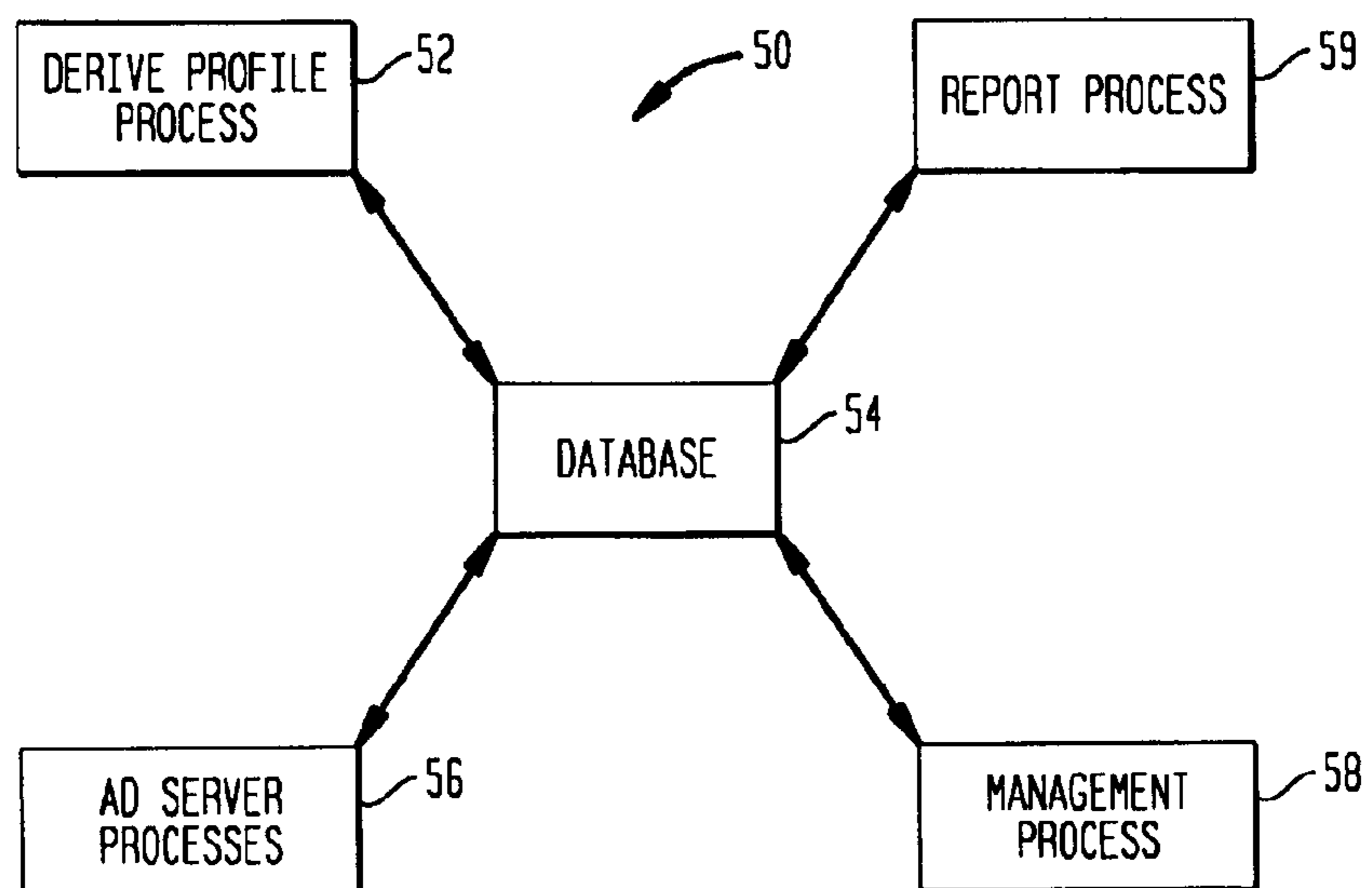


FIG. 3A

USER ID	IP ADDRESS	DOMAIN TYPE	TIME ZONE	LOCATION	SIC	ADS SEEN	ADS CLICKED ON	PAGES ADS SEEN ON
---------	------------	-------------	-----------	----------	-----	----------	----------------	-------------------

FIG. 3B

AD ID	START DATE	END DATE	TOTAL VIEWED	SIC's	TARGET NO.	PRIOR CLICKED ON's	PAGES ADS SEEN ON
-------	------------	----------	--------------	-------	------------	--------------------	-------------------

FIG. 3C

DOMAIN NAME	NETWORK ADDRESS	SIC	GEOGRAPHIC LOCATION	TIME ZONE	NO. OF EMPLOYEES
-------------	-----------------	-----	---------------------	-----------	------------------

METHOD OF DELIVERY, TARGETING, AND MEASURING ADVERTISING OVER NETWORKS

Matter enclosed in heavy brackets [] appears in the original patent but forms no part of this reissue specification; matter printed in italics indicates the additions made by reissue.

CROSS-REFERENCE TO RELATED APPLICATIONS

This is a continuation reissue application of U.S. Reissue application Ser. No. 09/577,798 filed May 24, 2000, which claims the benefit of U.S. Pat. No. 5,948,061 issued Sep. 7, 1999. All subject matter set forth in the above referenced applications is hereby incorporated by reference into the present application as if fully set forth herein.

BACKGROUND OF THE INVENTION

1. Area of the Art

This invention relates to methods of delivery of advertisements and measuring responses to those delivered advertisements and in particular relates to the targeting of advertisements delivered over networks such as the Internet.

2. Description of the Prior Art

In advertising, it is considered highly desirable to target advertisements to the appropriate potential customer base, rather than to broadcast advertisements in general. It has long been known that, for example, advertisements for computers should generally not appear in magazines on gardening and, conversely, advertisements for gardening tools should not appear in magazines on computers. Similarly, advertisers have generally targeted their advertisements on television to programs appropriate for the desired customer base.

It has also long been known that an advertisement that is repeated too often will eventually become ignored by consumers. Therefore, an advertiser typically wishes to eliminate duplication and reach as many individuals in the advertiser's target group as possible.

The recent development of on-line networks, such as America On-Line, Compuserve, and the Internet, has led to "on-line" advertising. For example, on the Internet, often such on-line advertisements will appear on a web page, such as a banner on the top or the bottom of the page. When the user views a web page using a browser such as Internet Explorer 3 or Netscape 3, the banner appears at the appropriate location and the user may then try to find out more information regarding the advertisement by selecting the advertisement (clicking through on that banner) through the use of the mouse or other pointing device. This will cause a HTTP message to be generated by the browser using the information encapsulated in association with the banner to send a request for an object with a given URL address to a different appropriate web site to access, for example, the advertiser's home page.

Nonetheless, such advertising has had, so far, a poor rate of response because it is untargeted advertising. Thus, someone who is totally uninterested in computers other than they happen to be on the Internet, may continually see advertisements for computers. On the other hand, someone who is interested in computers may continually see advertisements for gardening tools when browsing through a particular web site. Thus it would be highly desirable to have a method of targeting the advertising to the appropriate user.

In addition, if a user of such computer networks is continuously exposed to the same advertisement, the response rate to the advertisement will generally decline. Therefore, it is highly desirable to have a system that controls the frequency of exposure of advertisements to particular users. In addition, it is also important for the advertisers to track response to the advertisements and to acquire as much information about those people responding to the advertisements for targeting those same people at later dates.

Therefore, it is a first object of this invention to provide targeting of advertising over networks such as the Internet. It is a second object of this invention to provide control over frequency of exposure to users for advertisements appearing on web pages over time. It is a third object of the invention to provide the capability to gather information about recipients of the advertisement.

SUMMARY OF THE INVENTION

These and other objects of the invention are achieved by the disclosed system and methods. Information about networks and subnetworks is routinely collected. In addition, information about individual users is also gathered when users select (click on) different advertisements. Also, data is tracked on how often a given advertisement has been displayed, how often a given user has seen a given advertisement, and other information regarding the user and the frequency of the display of the advertisement.

To effect such a capability, an advertising server process is provided as a node on the network. The various advertisements are stored on the network of the server and preferably on the server. When, for example, a user using a web browser accesses a web page that is affiliated with the advertising server process, the affiliated page's encoding includes an embedded reference to an object provided by the advertising server process. That causes the user's browser to contact the advertising server process to provide the advertising image or information that will appear on the accessed web page as displayed by the user's browser. Using the address information and/or other information passed by the browser for the user, including the page being accessed by the user, the advertising server process determines an appropriate advertisement to select for the particular user. In addition, the advertising server process will use information such as the number of times the user has seen various advertisements, how often the advertisement has been seen by any user and the start and stop date for the various advertisements to select which advertisement to transmit to the user's web page for display.

If the user decides to respond to the advertisement selected by the web server by clicking on the advertisement, the advertising server process logs that fact and to have more information about the given user. A derive profile process is used for compiling information on TCP/IP networks for use by the advertising server process. By compiling the information on networks and user selections, the advertising server process is able to compile information that can be used for targeting advertising.

DESCRIPTION OF THE FIGURES

FIG. 1 is diagram for explaining a first embodiment of the invention.

FIG. 2 is a diagram explaining the processes performed in the preferred embodiments.

FIGS. 3A, 3B and 3C are diagrams showing the basic structure of some of the databases kept by the advertising server.

DETAILED DESCRIPTION OF THE INVENTION

The basic architecture of the network **10** comprises at least one affiliate web site **12**, an advertisement (ad) server web site **19** and one or more individual advertiser's web sites **18**. Affiliates are one or more entities that generally for a fee contract with the entity providing the advertisement server permit third party advertisements to be displayed on their web sites. When a user using a browser accesses or "visits" a web site of an affiliate, an advertisement provided by the advertisement server **19** will be superimposed on the display of the affiliate's web page displayed by the user's browser. Examples of appropriate affiliates include locator services, service providers, and entities that have popular web sites such as museums, movie studios, etc.

The basic operation of the system is as follows in the preferred embodiment. When a user browsing on the Internet accesses an affiliate's web site **12**, the user's browser generates an HTTP message **20** to get the information for the desired web page. The affiliate's web site in response to the message **20** transmits one or more messages back **22** containing the information to be displayed by the user's browser. In addition, an advertising server process **19** will provide additional information comprising one or more objects such as banner advertisements to be displayed with the information provided from the affiliate web site. Normally, the computers supporting the browser, the affiliate web site and the advertising server process will be at entirely different nodes on the Internet. Upon clicking through or otherwise selecting the advertisement object, which may be an image such as an advertisement banner, an icon, or a video or an audio clip, the browser ends up being connected to the advertiser's server or web site **18** for that advertisement object.

In FIG. 1, a user operates a web browser, such as Netscape or Microsoft Internet Explorer, on a computer or PDA or other Internet capable device **16** to generate through the hypertext transfer protocol (HTTP) **14** a request **20** to any one of preferably a plurality of affiliate web sites **12**. The affiliate web site sends one or more messages back **22** using the same protocol. Those messages **22** preferably contain all of the information available at the particular web site **12** for the requested page to be displayed by the user's browser **16** except for one or more advertising objects such as banner advertisements. These objects preferably do not reside on the affiliate's web server. Instead, the affiliate's web server sends back a link including an IP address for a node running an advertiser server process **19** as well as information about the page on which the advertisement will be displayed. The link by way of example may be a hypertext markup language (HTML) tag, referring to, for example, an inline image such as a banner. The user's browser **16** then transmits a message **23** using the received IP address to access such an object indicated by the HTML tag from the advertisement server **19**. Included in each message **23** typically to the advertising server **19** are: (i) the user's IP address, (ii) a cookie if the browser **16** is cookie enabled and stores cookie information, (iii) a substring key indicating the page in which the advertisement to be provided from the server is to be embedded, and (iv) MIME header information indicating the browser type and version, the operating system of the computer on which the browser is operating and the proxy server type. Upon receiving the request in the message **23**, the advertising server process **19** determines which advertisement or other object to provide to user's browser and transmits the messages **24** containing the object such as a banner advertisement to the user's browser **16** using the HTTP protocol. Preferably contained within the HTTP message is a unique identifier for

the advertiser's web page appropriate for the advertisement. That advertisement object is then displayed on the image created by the web user's browser as a composite of the received affiliate's web page plus the object transmitted back by the advertising web server.

As part of the "click through" process, when the user clicks on the banner or other advertising object displayed by the user's browser **16**, the user's browser again transmits a message to the ad server. The ad server notes the address of the computer of the browser (or any other identifier such as a cookie or a digital signature) that generated the message **23** and transmits back the URL of the advertiser's web page so that the user's web browser **16** generates a message **26** to contact the advertiser's web site. **18**. The ad server process **19** also notes that a "click through" for an advertisement has occurred and updates the various databases in the manner described below. In the above scenario for the click through process, the ad server process must remember which advertisement was sent to the user's browser in order to know where to redirect the user's browser.

While in the above embodiments, the user is a computer on an IP network using a browser, the affiliate web sites are web pages of affiliates located somewhere on the Internet and the ad server is a particular node on the Internet, other setups are also possible. The affiliates may be ISP's or may be actual dedicated web servers and the users may be an entire network instead of an individual browsing on a single computer with a browser.

FIG. 2 shows the ad server architecture. The ad server, which may comprise one or more servers uses a database **54** that will be described below and performs reporting processes **59**, management processes **58**, derivation of profile processes **52** and advertisement processes **19**. The derive profile process **52** is how the advertisement server gathers information about individual users or TCP/IP networks for individual users. Advertisements, which may be advertisement banners are stored within the ad server process **19** as part of the advertising server process **19** and are periodically updated and refreshed. The advertisement server process **19** is used for responding to requests from advertisements provided by the user's as described above. The management process **58** is used for updating the various advertisements and overall control of the advertising server process **19** and also permits the advertisers to interface with the database to obtain up to the date reports on the placement of the advertisements. The report process **59** is used for generating online reports about the success rate of the advertisement and statistics on the users that are viewing and clicking through on various advertisements and also updating the counters in the database that store how often an advertisement has been displayed.

The basic database structure is shown in FIG. 3. For each user identified by the system as shown in FIG. 3A, a user identification, IP address, domain type, time zone, location of the user, standard industrial code for the user's network, the particular advertisements seen and the number of times each such advertisement is seen, the advertisements that were selected or "clicked on" and the pages on which the various users' advertisements were seen is collected. By using the information such as which advertisements a user has expressed interest in and which pages the user was viewing when the user clicked through along with other information, targeted Internet advertising is possible.

FIG. 3B shows a database structure for the advertisements. Included in the information for an advertisement are an identifier for the advertisement, the start date for the advertisement being carried, the last date the advertisement is to be carried, the total number of people who have viewed the

5

advertisements, the target or the minimum number of times the advertisement is to be viewed, acceptable viewers by their web site's SICS (Standard Industry Codes), clicked through and pages that the advertisements are seen on.

Also, as noted above, to enhance the process of identifying information about various users, information on domains or networks is also tracked. This information includes the domain name and type (e.g., military, government, commerce, foreign countries), the IP address, the standard industrial code, the time zone and the address as shown in FIG. 3C. This information can be used in developing information about users. Through the use of these three databases and other appropriate databases that may be kept, the various processes of the advertising server process 19 are performed.

Advertising Server Processes 19

In response to an incoming message to the advertising server process 19, the advertising server processes 19 first attempts to identify the user in FIG. 2. This can be accomplished by at least one of two means. First, any incoming request for an image or a multimedia object is examined to determine the IP address of the requesting browser. The advertising server then notes whether a cookie was received in the MIME heading of the request. From these two pieces of information, a user identification is determined. If a cookie was detected, then the cookie contains the user's identification number that can be accessed in the database. If the user's browser is cookie enabled but no cookie is detected, then the request is from a new user so a user identification must be assigned to the user and that user's new identification number will be transmitted back to the user's browser along with a write cookie instruction that causes the browser to write a cookie containing that unique identification number on the user's local drive for future accesses to affiliate sites. The cookie instruction is transmitted back with the advertisement messages 24. Alternatively, instead of using cookies, digital signatures or certificates or log ins uniquely identifying the user accessing the affiliate page may be used.

If the user's browser does not support cookies, the advertising server process looks up the user's IP address in a table that stores identification numbers that correspond to IP addresses for the users who have previously contacted the advertising server process. If the IP address is not found in the table, then the user is a new user and is assigned an unused identification number. Also, for each new user, that user's identification number will be marked for further processing under the derive profile process 52 described below. Also, if the domain for the new user has not previously been processed in the domain profile process, it may not be possible to target the advertisement for the new user and rather the new user should be shown a generic advertisement. Also, for new users, a promotional advertisement may be shown to get the new user to provide information about him or herself and his or her employer.

If the user is an existing user, the ad server 19 obtains from a database all of the information known about the user including the user's geographic location, the domain type (commercial educational, governmental, the Internet service provided), the organization type where the user works (for example a SIC code), the company size, the number of employees in that company, the particular types of advertisements that the user has clicked on by SIC or other appropriate coding and the number of times that the user has been exposed to each advertisement currently in the system as described in FIG. 3A. Also, the relative time of day for the user is calcu-

6

lated based upon either the user's country code or the user's IP access provider or the location of their domain.

Each advertisement along with a table of the targeting profile criteria for the advertisement and other data regarding the advertisement currently available is stored in a database such as shown in FIG. 3B. The actual advertising object, which may be a banner image in a GIF or JPEG file format, an icon for an audio or video clip or some other object is kept as part of the advertising server process. This information may include targeted consumers by SIC, country, organization type and type of advertisements previously selected by the user. For any of the advertisements currently provided for which there is a match (for example there may be several advertisements targeted at people interested in computers), the next step is to determine which of the advertisements for which there is a match should be selected.

The preferred embodiment also includes determining which advertising object should be selected if two or more advertising object have criteria matching the user. selecting from the matched advertisements by determining how often the particular user has been exposed to the given advertisement. For each user, data is kept about the number of times that a user has seen a given advertisement based upon the user ID. For each advertisement where the user matches the criteria, if the number of times that the user has seen the advertisement is less than a predetermined threshold, the advertisement is retained as one of the possible matches. If the number of times that the user has seen a given advertisement exceeds the threshold, the advertisement is discarded as a possible candidate for transmitting back to the user.

From the advertisements for which the user matches the criteria and for which the user has seen the advertisement less than the threshold, any of number of algorithms may be used to select the particular advertisement to transmit back to the user. In an embodiment, the formula used is based upon a satisfaction index (SI) according to the following formula:

$$SI = \frac{n}{N} * \frac{\text{end} - \text{start}}{\text{now} - \text{start}}$$

Where:

n: =the number of times the particular advertisement has been viewed by anyone

N: the number of times the advertisement is to be seen by anyone

end-start: the total number of days that the advertisement is scheduled to run

now-start: the number of days that the advertisement has run to date

The satisfaction index (SI) is 1.0 when the advertisement is on schedule. If the advertisement is running behind schedule (i.e., the current rate of display means that the advertisement will not be viewed the targeted number of times by the end date so that the SI is less than 1.0) while if the SI is greater than 1.0, the advertisement is running ahead of schedule. Therefore, the advertisement that is to be selected for viewing is the one that has a matched profile and has the smallest SI. Upon selecting the advertisement, the selected advertisement object is then transmitted to the user's browser over the Internet by transmitting the GIF stored in RAM in one or more messages.

After delivery of the advertisement to the user, additional processing needs to be done both for tracking the exposure of the advertisement and for having more information about the user. First, the system stores the fact that the advertisement was sent to the user by storing that information in the database

based upon the user ID. This information is used for processing the user's response to the advertisement when the user "clicks" on the advertisement. Also, the advertising processor updates the advertisements satisfaction index and logs the advertisement delivery for providing reports. Also, if the advertisement that has been sent has a limit on the number of times that the advertisement can be sent, the count of the number of times that the advertisement has been transmitted is incremented. This limit can be the overall limit for the number of times that the advertisement is viewed and/or the limit that any specific user can view the advertisement. If the limit on the number of times the advertisement can be sent is reached, then the particular advertisement is removed from the list of those that can be transmitted. In addition, even if an advertisement has not been transmitted recently, the SI is updated to reflect the passage of time.

If the user then decides that he wants to respond to the advertisement and then clicks on the advertisement, the advertisement server 19 receives an HTTP request 23 for a click through which it will recognize by receiving the same IP address (and optionally, the user ID specified by the cookie, digital signature or certificate or log in identification) in the request from the same affiliate's web page within a predetermined period. Since the advertisement server previously recorded which advertisement was sent to that IP address, it sends the redirect message causing the user's browser to receive the URL for the advertiser's web site based upon data stored in the server. In addition, the server logs that the advertisement was clicked through, which user selected the advertisement based upon the IP address, and the page on which the advertisement was seen based upon the click through. This information can then be logged in later reporting processes 59.

As an alternative to using a satisfaction index, the selection of the particular advertisement object to be sent back to the viewer's browser by the advertising server process 19 can be made by different criteria. For example, models can be created to maximize the likelihood of a click through. Such models for maximizing the likelihood of a click through may be based upon empirically gathered information about either types of advertisements or individual advertisements actually on the system correlated to the compiled information on a user or the user's network and the specific page through which the user is accessing the advertising server process 19.

Derivative Profile Process 52

In addition, as part of the profiling process for gathering information about users and IP addresses needs to be done. First, appropriate "networks" need to be identified based upon the TCP/IP network address of the user. Periodically, the derive profiles process searches the user database for the address of additional users that have addresses for unknown networks, indicating that they are new users. Then the server does a reverse domain name search to locate the domain name of the user. The server also queries Internet Whois databases to find information about the network, which will often include the domain name.

Alternatively, a reverse form of look up can be used independent of people accessing the network. When a domain is discovered, the server will check common DNS names for the name, such as those starting with "www" and "ftp". These resolve to IP addresses in most cases. From the IP addresses, the network number can be extracted and if the network does not yet have a domain name associated with the network number or address, the new domain associated with the network. A reverse domain name look up (A Whois lookup) will

then usually provide the name, address and phone number of the organization, thereby providing the geographic location and the time zone of the network. Once the domain name is acquired, the server will determine whether the domain is an educational, military, governmental network and for non-U.S. based networks what country the network is located in through the extension.

However, it should be noted that some networks cover broad geographic areas and that further checking needs to be done to ensure that the data may be inaccurate. This can be done by performing a trace route operation to trace the network topology back to the network being examined. If the last two or three nodes on the trace show as being from a given region, the chances are high that the specific user on a network is located in that geographic area. Thus, reverse traces can be used to confirm location with a database for geographic locations. By checking telephone directories and other sources, the specific location for such users may be found by looking up the locations where the owner of the domain name has facilities and using the one closest to the outcome of the trace back step. If the information for a given user is different than the location of the domain based upon the trace back, it is this address and location information that is then used.

Further for each domain that is found, a determination must be made as to whether the domain is an Internet Service Provider (ISP). A list of domains that are ISP's is compiled manually. For any user having a domain name of an ISP, the user is presumed to be an individual and so only information relating to that individual are used for the profiling process.

Reporting Process

The reporting process uses standard database techniques for generating any desired reports. For example, reports showing the number of viewings and click throughs of various advertisements may be generated along with reports showing the click through rates relative to the matching criteria. Also, reports on the SI can be readily generated.

In addition to using the domain profiling process and logging advertisement clicked on by individual users and the pages being accessed by users of affiliate web sites, in addition surveying may be used. Further, for those survey respondents who are responding for non-ISP users discussed above, the results of the survey can be attributed to others on the same network. This provides further information for targeting the display of the advertisements.

Of course, those of skill in the field will understand that the disclosed techniques need not just be confined to Internet advertising but will work on other communication networks and private on line services such as CompuServe and America On Line. In addition, while specific user and domain profile information and matching criteria are discussed, it will be obvious to those of ordinary skill in the field that the specific type of user and domain name information profiled and used as matching criteria may include other or different criteria. In addition, while the specific examples are for IP networks, the same concepts can be applied to virtual LAN's such that a VLAN is the equivalent of a domain or on IPX based protocols or other network protocols.

Still further, rather than using cookies or IP addresses or other network addresses to identify the users, digital signatures or certificates may be used. In addition, a log in technique may be used whereby when users first access an affiliated web site, the user is assigned through a log in procedure a unique identifier and a log in name. When the user subsequently accesses either the same or a different affiliated web site, the user logs in using the unique identifier, thereby ensur-

ing that users can be identified notwithstanding proxy servers or different users using the same computer.

Still further, those of ordinary skill in the field will also understand that while the advertising server, the affiliate web site and the advertiser's web site are described as being in different geographic locations, that is not required. Still further, while the advertising server process, reporting process, derive profile process and management process are described as being implemented on one computer platform performing all of the above described functions, it is readily understood by those of skill that any or all of these functions may be implemented on one or more different computers and further that these processes may be performed at different nodes on the network.

We claim:

1. A network *supporting the hypertext transfer protocol*, comprising:

a user node having a browser program coupled to said network, said user node providing requests for information on said network;

a content provider affiliate node having a respective affiliate web site responsive to requests for information from said user node to provide media content, advertising space for display of advertising content and a link message to said user node;

an advertiser node having an advertiser web site including advertising content, said advertiser node responsive to a request to provide said advertising content; and

an advertisement server node *storing information about said user node, said advertisement server node being responsive to a request from said user node based on said link message to select [an] said advertiser node as a selected advertiser node based upon the information stored about said user node at said advertisement server node*, and identify said advertiser node as said selected advertiser node to said user node,

whereby said advertising content from said selected advertiser node is displayed at said user node *in response to a request sent from said user node to said advertiser node to provide said advertising content*.

2. A network in accordance with claim 1, wherein said advertisement server node selects said advertiser node based on [the] a number of times said advertising content has been previously displayed at said user node.

3. A network in accordance with claim 1, wherein said advertisement server node selects said advertiser node based on [the] characteristics of [said] a user.

4. A network in accordance with claim 3, wherein said advertisement server node selects said advertiser node based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.

5. A network in accordance with claim 1, wherein said link message is an HTML tag.

6. A network in accordance with claim 1, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

7. In a network *supporting the hypertext transfer protocol and having a user node including a browser program coupled to said network, said user node providing requests for information on said network, a content provider affiliate node having a respective affiliate web site responsive to requests*

for information from said user node to provide media content, advertising space for display of advertising content and a link message to said user node, a plurality of advertiser nodes, each of said plurality of advertiser nodes having a respective advertiser web site including respective advertising content, each of said advertiser nodes responsive to a respective request to provide respective advertising content, a network node comprising:

an advertisement server node *storing information about said user node and responsive to a request from said user node based on said link message to select [an] one of said plurality of advertiser [node] nodes as a selected advertiser node based upon the information stored about said user node at said advertisement server node*, and identify said advertiser node as said selected advertiser node to said user node, whereby said advertising content from said selected advertiser node is displayed at said user node *in response to a request sent from said user node to said advertiser node to provide said advertising content*.

8. [An advertisement server] *A network node in accordance with claim 7, wherein said advertisement server node selects said advertiser node based on [the] a number of times said advertising content has been previously displayed at said user node.*

9. [An advertisement server] *A network node in accordance with claim 7, wherein said advertisement server node selects said advertiser node based on [the] characteristics of [said] a user.*

10. [An advertisement server] *A network node in accordance with claim 9, wherein said advertisement server node selects said advertiser node based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.*

11. A network node in accordance with claim 7, wherein said link message is an HTML tag.

12. A network node in accordance with claim 7, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

13. In a network *supporting the hypertext transfer protocol and having a user node including a browser program coupled to said network, said user node providing requests for information on said network, an advertiser node having an advertiser web site including advertising content, said advertiser node responsive to a request to provide said advertising content, and an advertisement server node storing information about said user node and responsive to a request from said user node to select [an] said advertiser node as a selected advertiser node based upon the information stored about said user node at said advertisement server node*, and identify said advertiser node as said selected advertiser node to said user node, wherein said advertising content from said selected advertiser node is displayed at said user node *in response to a request sent from said user node to said advertiser node to provide said advertising content*, a network node comprising:

a content provider affiliate node having a respective affiliate web site responsive to requests for information from said user node to provide media content and advertising space for display of advertising content, said content provider affiliate web site further providing a link message to said user node identifying the IP address of said advertisement server node to said user node for provid-

11

ing advertising content for said advertising space, wherein the advertising content is selected by said advertisement server node based upon the information stored about said user node at said advertisement server node.

14. A network node in accordance with claim 13, wherein said link message is an HTML tag.

15. A network node in accordance with claim 13, wherein said link message is an HTTP redirect message containing said IP address used to redirect said user node to said advertisement server node.

16. A network supporting the hypertext transfer protocol, comprising:

a user node having a browser program coupled to said network, said user node providing requests for information on said network;

a content provider affiliate node having a respective affiliate web site responsive to requests for information from said user node to provide media content, advertising space for display of advertising content and a link message to said user node; and

an advertisement server node storing information about said user node and responsive to a request from said user node based on said link message to select an advertising banner for said advertising space based upon information stored about said user node, and to reply to said request from said user node by identifying said advertising banner to said user node,

whereby said advertising banner from said advertisement server node is displayed at said user node in said advertising space.

17. [An advertisement server] A network node in accordance with claim 16, wherein said advertisement server node selects said advertiser node based on [the] a number of times said advertising content has been previously displayed at said user node.

18. [An advertisement server] A network node in accordance with claim 16, wherein said advertisement server node selects said advertiser node based on the characteristics of [said] a user.

19. [An advertisement server] A network node in accordance with claim 18, wherein said advertisement server node selects said advertiser node based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.

20. A network in accordance with claim 16, further including: wherein said advertisement server node is responsive to a request from said user node to identify an advertiser web site corresponding to said advertising banner; and further including

an advertiser node having an advertiser web site including advertising content corresponding to said advertising banner, said advertiser node responsive to a request to provide said advertising content corresponding to the selection of said advertising banner by [said] a user, whereby said advertising content from said advertiser node is displayed at said user node in response to a request sent from said user node to said advertiser node to provide said advertising content.

21. A network in accordance with claim 16, wherein said link message is an HTML tag.

12

22. A network in accordance with claim 16, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

23. In a network supporting the hypertext transfer protocol and comprising a user node having a browser program coupled to said network, said user node providing requests for information on said network, a content provider affiliate node having a respective affiliate web site responsive to requests for information from said user node to provide media content, advertising space for display of advertising content and a link message to said user node, a network node comprising:

an advertisement server node storing information about said user node and responsive to a request from said user node based on said link message to select an advertising banner for said advertising space based upon the information stored about said user node at said advertisement server node, and to reply to said request from said user node by identifying said advertising banner to said user node, wherein said advertising banner from said advertisement server node is displayed at said user node in said advertising space.

24. [An advertisement server] A network node in accordance with claim 23, wherein said advertisement server node selects said advertising banner based on [the] a number of times said advertising content has been previously displayed at said user node.

25. [An advertisement server] A network node in accordance with claim 23, wherein said advertisement server node selects said advertising banner based on [the] characteristics of [said] a user.

26. [An advertisement server] A network node in accordance with claim 25, wherein said advertisement server node selects said advertising banner based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.

27. A network node in accordance with claim 23, wherein said link message is an HTML tag.

28. A network node in accordance with claim 23, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

29. In a network supporting the hypertext transfer protocol and comprising a user node having a browser program coupled to said network, said user node providing requests for information on said network, an advertisement server node storing information about said user node and responsive to a request from said user node to select an advertising banner for an advertising space based upon the information stored about said user node, and to reply to said request from said user node by identifying said advertising banner to said user node, a network node comprising:

a content provider affiliate node having a respective affiliate web site responsive to requests for information from said user node to provide media content and advertising space for display of advertising content, said content provider affiliate web site further providing a link message to said user node identifying [the] an IP address of said advertisement server node to said user node for providing an advertising banner for said advertising

space, wherein the advertising banner is selected based upon the information stored about said user node at said advertisement server node.

30. A network node in accordance with claim 29, wherein said link message is an HTML tag.

31. A network node in accordance with claim 29, wherein said link message is an HTTP redirect message containing said IP address used to redirect said user node to said advertisement server node.

32. In a network supporting the hypertext transfer protocol and comprising a user node having a browser program coupled to said network, said user node providing requests for information on said network, a content provider affiliate node having a respective affiliate web site responsive to requests for information from said user node to provide media content, advertising space for display of advertising content and a link message to said user node, and an advertiser node having an advertiser web site including advertising content corresponding to [said] an advertising banner, said advertiser node responsive to a request to provide said advertising content corresponding to the selection of said advertising banner by [said] a user, a network node comprising:

an advertisement server node storing information about said user node and responsive to a request from said user node based on said link message to select an advertising banner for said advertising space based upon the information stored about said user node, and to reply to said request from said user node by identifying said advertising banner to said user node, wherein said advertisement server node is responsive to a request from said user node to identify the advertiser web site corresponding to said advertising banner, whereby said advertising banner from said advertisement server node is displayed at said user node in said advertising space, and whereby said advertising content [from said selected advertiser node] corresponding to the selection of said advertising banner is displayed at said user node in response to a request sent from said user node to said advertiser node to provide said advertising content.

33. [An advertisement server] A network node in accordance with claim 32, wherein said advertisement server node selects said advertising banner based on [the] a number of times said advertising content has been previously displayed at said user node.

34. [An advertisement server] A network node in accordance with claim 32, wherein said advertisement server node selects said advertising banner based on [the] characteristics of [said] a user.

35. [An advertisement server] A network node in accordance with claim 34, wherein said advertisement server node selects said advertising banner based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.

36. A network method in accordance with claim 42, wherein said advertisement server node selects said advertising banner based on the characteristics of [said] a user.

37. A network method in accordance with claim 36, wherein said advertisement server node selects said advertising banner based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet

service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.

38. A network method in accordance with claim 42, wherein said advertisement server node selects said advertising banner based on [the] a number of times said advertising content has been previously displayed at said user node.

39. A method in accordance with claim 37, said method further comprising:

sending a request from said user node to said advertising server web site responsive to selection of said advertising banner at said user node;

sending a reply from said advertising server web site to said user node identifying said advertiser web site corresponding to said advertising banner;

sending a request from said user node to said [advertising] advertiser web site to provide said advertising content corresponding to said selected advertising banner [by said user];

sending a reply from said advertiser web site to said user node; and

displaying said advertising content at said user node.

40. A network node in accordance with claim 32, wherein said link message is an HTML tag.

41. A network node in accordance with claim 32, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

42. In a network supporting the hypertext transfer protocol and including a user node having a browser program coupled to said network, a content provider affiliate node having a respective affiliate web site containing media content, advertising space for display of advertising content and an advertisement server node having an advertising server web site and storing information about said user node, a method for delivery of advertising to said user node, said method comprising:

sending a request for information from said user node to said affiliate web site requesting information;

sending a reply from said affiliate web site responsive to said request for information from said user node, said reply containing media content, advertising space for display of advertising content and a link message to said user node;

sending a request from said user node based on said link message to said advertising server web site to provide an advertising banner for said advertising space;

selecting, at said advertising server web site, an advertising banner based upon the information stored about said user node;

sending a reply from said advertising server web site identifying said advertising banner to said user node; and displaying said advertising banner in said advertising space at said user node.

43. A network method in accordance with claim 42, wherein said link message is an HTML tag.

44. A network method in accordance with claim 42, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

45. In a network supporting the hypertext transfer protocol and including a user node having a browser program coupled to said network, a content provider affiliate node having a respective affiliate web site containing media content and advertising space for display of advertising content, an advertisement server node storing information about said user

15

node, and an advertiser node having an advertiser web site including advertising content, a method for delivery of advertising content to said user node said method comprising:

5 sending a request for information from said user node to said affiliate web site requesting information;
 sending a reply from said affiliate web site, responsive to said request for information from said user node, containing media content, advertising space for display of advertising content and a link message to said user node;
 10 sending a request based on said link message from said user node to said advertisement server node to select an advertiser node;
 selecting, at said advertisement server node, an advertiser node *based upon the information stored about said user node*;
 15 sending a reply from said advertisement server node to said user node identifying said selected advertiser node;
 sending a request from said user node to said advertiser node to provide said advertising content to said user;
 sending a reply from said advertiser web site to said user node containing said advertising content; and
 20 displaying said advertising content at said user node.

46. A network method in accordance with claim 45, wherein said advertisement server node selects said adver-

16

tiser node based on [the] *a* number of times said advertising content has been previously displayed at said user node.

47. A network method in accordance with claim 45, wherein said advertisement server node selects said advertiser node based on [the] characteristics of [said] *a* user.

48. A network method in accordance with claim 47, wherein said advertisement server node selects said advertiser node based on at least one of the characteristics of said user selected from the group consisting of user ID, IP address, user cookie, user login code, user digital certificate, geographic location, time zone, country, domain type, Internet service provider, organization type, employer, industry type, company size, number of employees, types of advertisements previously viewed and types of advertisements previously clicked.

49. A network method in accordance with claim 45, wherein said link message is an HTML tag.

50. A network method in accordance with claim 45, wherein said link message is an HTTP redirect message containing an IP address used to redirect said user node to said advertisement server node.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : RE44,899 E
APPLICATION NO. : 13/336738
DATED : May 13, 2014
INVENTOR(S) : Dwight Allen Merriman and Kevin J. O'Connor

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

In Claim 16, column 11, line 26, after “upon” insert --the--.

In Claim 17, column 11, line 33, after “network” delete “node”.

In Claim 18, column 11, line 38, after “network” delete “node”.

In Claim 19, column 11, line 42, after “network” delete “node”.

Signed and Sealed this
Twelfth Day of August, 2014



Michelle K. Lee
Deputy Director of the United States Patent and Trademark Office