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In the Application of:	Examiner: Azziz, Hard
Tomas Aquinas	
Application No.: 12/345,678	Group Art Unit: 2349
Filed: 04-02-2010 *spell out*	Attorney Docket No.: 11220
For: SYSTEM OF DIMINISHING CARBON OUTPUT	Confirmation No.: 1234

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AMENDMENT

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

Dear Examiner Azziz Hard:

This Amendment is in response to the Office Action mailed April 9, 2010. This Amendment is timely because it is being submitted within the period for reply which expires July 9, 2010. Please enter and consider the following:

AMENDMENTS TO THE CLAIMS

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

LISTING OF CLAIMS

1. (Original)   A system of transmitting weight measurement data, said system including:

a measuring device measuring data that represents a weight of an object wherein said measuring device automatically performs said measuring in a periodic basis,

transmitting said data to a communicative device through a first communicative link wherein said measuring device automatically performs said transmitting in said periodic basis wherein said measuring device is in communication with said communicative device connected through said first communicative link;

said communicative device receiving said data from said measuring device through said first communicative link,

storing received data in a first-storage unit wherein said first-storage unit is a component of said communicative device,

comparing a value of first received data and a value of second received data,

updating a cumulative-weight-value stored in said first-storage unit when said value of second received data is higher than said value of first received data wherein said

communicative device adds said value of second received data to said cumulative-weight-value stored in said first-storage unit,

transmitting data representing said cumulative-weight-value stored in said first-storage unit automatically to a main server through a second communicative link when said communicative device completes performing said updating wherein said communicative device is in communication with said main server connected through said second communicative link; and

said main server receiving said data representing said cumulative-weight-value from said communicative device through said second communicative link, storing said data representing said cumulative-weight-value in a second-storage unit wherein said second-storage unit is a component of said main server.

2. (Original) The system of claim 1 wherein said main server updating said data representing said cumulative-weight-value stored in said second-storage unit of said main server when said main server receives a new data representing updated cumulative-weight value from said communicative device wherein said main server replaces a prior data representing previous cumulative-weight-value stored in said second-storage unit with said new data transmitted from said communicative device.

3. (Original) The system of claim 1 wherein said data represents a weight of trash wherein said measuring device measures said weight of trash.

4. (Original)   The system of claim 3 wherein said main server calculating a carbon output value wherein said carbon output value represents an amount of carbon output allocated to a specific weight of trash wherein said specific weight of trash is said cumulative-weight-value.

5. (Original)   The system of claim 4 wherein said main server performing said calculating by multiplying said cumulative-weight value by a conversion factor wherein said conversion factor is a value representing specific amount of carbon output allocated to a specific weight of trash wherein said conversion factor is determined based on the type and the weight of trash.

6. (Original)   The system of claim 1 wherein said periodic basis is one second.

7. (Original)   The system of claim 1 wherein said measuring device is a weight scale.

8. (Original)   The system of claim 7 wherein said weight scale containing a Bluetooth wireless network modem wherein said weight scale using said Bluetooth wireless network modem in transmitting said data to said communicative device.

9. (Original)   The system of claim 1 wherein said first communicative link is comprised of a wireless network.

10. (Original) The system of claim 1 wherein said second communicative link is comprised of the internet.

11. (Currently Amended)   A method of transmitting energy usage data, said method including:

measuring data that represents <u>house</u> energy usage wherein a measuring device ~~receives~~ <u>receiving</u> said data from at least one meters installed in a house <u>wherein said measuring device performs said receiving on a computer readable medium</u>;

transmitting said data from said measuring device to a communicative device through a first communicative link using said measuring device wherein said measuring device is in communication with said communicative device connected through said first communicative link <u>wherein said measuring device automatically performs said transmitting on said computer readable medium</u>;

receiving said data from said measuring device using said communicative device <u>wherein said communicative device performs said receiving on a computer, and</u>;

transmitting said data from said communicative device to a main server through a second communicative link using said communicative device wherein said communicative device is in communication with said main server connected through said

second communicative link <u>wherein said communicative device automatically performs</u>

<u>said transmitting on said computer</u> and)?.

receiving said data from said communicative device through said second

communicative link using said main server <u>wherein said main server receives said data</u>

<u>from said communicative device through said second communicative link, and stores said</u>

<u>data in a storage unit of said main server wherein said storage unit is a computer readable</u>

<u>medium installed in said main server.</u>

12. (Original) The method of claim 11 wherein said meters are in unidirectional

communication with said measuring device wherein said unidirectional communication is

comprised of a wireless network wherein said meters are comprised of an electricity

meter and a gas meter installed in said house.

13. (Original) The method of claim 11 wherein said first communicative link is

comprised of the internet.

14. (Original) The method of claim 11 wherein said second communicative link

is comprised of the internet.

15. (Currently Amended)   A method of transmitting vehicle usage data, said

method including:

measuring a distance-data that represents a distance travelled by a vehicle using a measuring device wherein said measuring device

~~positioning a first location wherein said measuring device activates an application installed in said measuring device at said first location~~ activating an application stored on a computer readable medium installed in said measuring device at a first location wherein said application initiates tracking said distance travelled by said vehicle upon activation wherein said application is a software pre-installed in said computer readable medium by a user,

~~positioning a second location wherein said measuring device deactivates said application at said second location~~ deactivating said application stored on said computer readable medium installed in said measuring device at a second location using said measuring device wherein said application terminates said tracking upon deactivation,

converting said distance travelled by said vehicle into said distance-data wherein said converting is performed by said application stored on said computer readable medium installed in said measuring device wherein said distance-data represents travelled distance of said vehicle from said first location to said second location;

transmitting said distance-data from said measuring device to a main server using said measuring device wherein said measuring device automatically transmits said distance-data to said main server through a communicative link after performing said converting wherein said measuring device is in communication with said main server

connected through said communicative link <u>wherein said measuring device performs said transmitting on said computer readable medium</u>; and

receiving said distance-data from said measuring device using said main server wherein said main server receives said distance-data from said measuring device through said communicative link, <u>and stores said distance-data in a storage unit of said main server wherein said storage unit is a computer readable medium installed in said main server</u>.

16. (Original) The method of claim 15 wherein said distance-data represents a number of miles driven by said vehicle.

17. (Original) The method of claim 15 wherein said measuring device is a portable-electronic device.

18. (Original) The method of claim 17 wherein said portable-machine is a cell-phone.

19. (Currently Amended)   The method of claim 15 wherein said application <u>stored on said computer readable medium installed in said measuring device</u> is a GPS-enabled application wherein said application uses a GPS signal in tracking said distance travelled by said vehicle.

20. (Original) The method of claim 15 wherein said communicative link is comprised of the internet.

21. (Currently Amended)   A method of diminishing carbon output, said method including:

displaying a list of data using ~~a server wherein said list of data is~~ an internet browser on a computer wherein said internet browser provides a graphical user interface to a user wherein said graphical interface displays said list of data comprised of a cost for purchasing a carbon offset credit provided by a carbon offset entity wherein ~~a user has an access~~ said internet browser allows an access to said user to see said list of data;

choosing at least one said carbon offset credit wherein said user may choose said carbon offset credit to purchase said carbon offset credit from said carbon offset entity;

purchasing said carbon offset credit chosen by said user wherein said user makes a payment to said carbon offset entity wherein said internet browser on said computer provides a graphical user interface for online-payment method to said user; ~~and~~

offsetting a carbon output value associated with a user-account on said computer wherein said user-account stores said carbon output value representing the amount of carbon associated with a carbon-generating activity of said user; and

diminishing an amount of carbon allocated to a number of said carbon offset

credit purchased by said user wherein said diminishing is performed by said carbon offset

entity,

wherein said carbon offset credit represents a value for diminishing (or)

sequestering specific amount of carbon, wherein said carbon offset entity is one of carbon

remediation organization and carbon sequestration organization.

22. (Original) The method of claim 21 wherein said carbon offset credit

represents a credit for diminishing a ton of carbon.

23. (Original) The method of claim 21 wherein said carbon offset entity

sequestering said amount of carbon allocated to the number of said carbon offset credits

purchased by said user.

24. (Original) The method of claim 21 wherein said carbon offset entity

remediating said amount of carbon allocated to the number of said carbon offset credits

purchased by said user.

Please add the follby new claims

25. (New)   The method of claim 21 wherein said carbon-generating activity is

comprised of consuming house energy, driving a vehicle, and generating household trash.

REMARKS

The present application includes claims 1 to 25. Claims 1-24 were rejected. By this Amendment, claims 11, 15, 19, and 21 have been amended, and new claim 25 has been added.

Claims 15-20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Claims 11-24 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Paloheimo, U.S. Pat. App. Pub. No. 2010/0077020.

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Paloheimo, U.S. Pat. App. Pub. No. 2010/0077020, in view of the CarbonFund website at http://www.carbonfund.org/Calculators/.

Claims 21-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Browne, U.S. Pat. App. Pub. No. 2010/0042514, in view of Constantz, U.S. Pat. App. Pub. No. 2010/0042514.

The Applicant now turns to the rejection of claims 15-20 under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

As amended, claim 15 recites "activating an application stored on a computer readable medium installed in said measuring device at a first location" and also recites "deactivating said application stored on said computer readable medium installed in said measuring device at a second location." An appropriate correction has been made to claim 15 in order to clarify the meaning of the claim languages "positioning a first location" and "positioning a second location." Consequently, claim 15 is respectfully submitted to be allowable. Additionally, claims 16-20 depend from claim 15, and thus include all the limitations of claim 15. Consequently, claims 16-20 are also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 11 - 24 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

As amended, claim 11 recites "measuring device performs said receiving on a computer readable medium," "said measuring device performs said transmitting on said computer readable medium," "said communicative device performs said receiving on a computer," and "said communicative device performs said transmitting on said computer." Thus, the claimed process is tied to a particular apparatus, a computer readable medium or a computer, satisfying statutory subject matter requirement set forth in In re Bilski, No. 2007-1130 (Fed. Cir. Oct. 30, 2008).

As amended, claim 15 recites "activating an application stored on a computer readable medium installed in said measuring device," "deactivating said application stored on said computer readable medium installed in said measuring device," and

"converting said distance travelled by said vehicle into said distance-data wherein said converting is performed by said application stored on said computer readable medium installed in said measuring device." Thus, the claimed process is tied to a particular apparatus, a computer readable medium, satisfying statutory subject matter requirement set forth in In re Bilski, No. 2007-1130 (Fed. Cir. Oct. 30, 2008).

As amended, claim 21 recites "[a] method of diminishing carbon output, said method including: displaying a list of data using an internet browser on a computer." Thus, the claimed process is tied to a particular apparatus, a computer, satisfying statutory subject matter requirement set forth in In re Bilski, No. 2007-1130 (Fed. Cir. Oct. 30, 2008).

The appropriate corrections have been made to claim 11, claim 15, and claim 21. Consequently, claim 11, claim 15, and claim 21 are respectfully submitted to be allowable. Additionally, claims 12-14 depend from claim 11, and thus include all the limitations of claim 11. Claims 16-20 depend from claim 15, and thus include all the limitations of claim 15. Claims 22-24 depend from claim 21, and thus include all the limitations of claim 21. Consequently, claims 12-14, 16-20, and 22-24 are also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 1 - 20 under 35 U.S.C. § 102(b) as being anticipated by Paloheimo, U.S. Pat. App. Pub. No. 2010/0077020.

The Applicant respectfully contends that Paloheimo is not a valid prior art under 35 U.S.C. § 102(b), which requires that the prior art must be published anywhere in the

world more than one year prior to the priority date of an application. But, Paloheimo was

published on March 25, 2010, which proves that this prior art was published not more

than one year prior to the priority date of this application (April 2, 2010). Thus,

Paloheimo does not constitute a valid prior art under 35 U.S.C. § 102(b) and the

Applicant respectfully submits that the rejection of claim 1-20 under 35 U.S.C. § 102(b)

as being anticipated by Paloheimo should be withdrawn.

However, even if Paloheimo is a valid prior art under 35 U.S.C. § 102(b), the

Applicant contends that Paloheimo does not anticipate claims 1-20. Paloheimo teaches a

system updating emission values. As shown in Figure 2, the system identifies a travel

method of a user and calculates a corresponding emission value for the identified travel

method. The system includes a mobile terminal 10 which receives the travel information

of the user such as a geographical location data, a GPS data, and a recorded data from

sensory devices. The mobile terminal 10 also communicates with the service platform 20

in order to calculate the emission value. The CO2 Emission Service 245 sends a

corresponding emission value of the identified travel method to the mobile terminal 10

upon a request of the mobile terminal10. Consequently, the system in Paloheimo teaches

providing the mobile terminal which both measures and calculates the carbon emission

value based on the travel information of the user.

Paloheimo does not teach providing a system to measure a weight data or a house

energy usage data. Paloheimo teaches measuring data that is only related to the user's

travel method. Paloheimo also does not teach providing a method of using utility meters

in a house in order to measure house energy usage. Finally, Paloheimo does not teach

providing a software that may be pre-installed in a device in order to track the travelling

distance of a vehicle. Paloheimo only teaches using an embodied GPS-module (as

disclosed in Figure 5) to calculate the travelled distance.

As presented, claim 1 recites "a measuring device measuring data that represents

a weight of an object." As mentioned above, Paloheimo does not teach providing a

system that measures weight data. Consequently, claim 1 is respectfully submitted to free

of Paloheimo and allowable. Additionally, claims 2-10 depend from claim 1, and thus

include all the limitations of claim 1. Consequently, claims 2-10 are also respectfully

submitted to be allowable.

As amended, claim 11 recites "measuring data that represents house energy usage

wherein a measuring device receiving said data from at least one meters installed in a

house." As mentioned above, Paloheimo does not teach providing a system that

measures house energy usage by making a communication with installed meters in a

house. Consequently, claim 11 is respectfully submitted to free of Paloheimo and

allowable. Additionally, claims 12-14 depend from claim 11, and thus include all the

limitations of claim 11. Consequently, claims 12-14 are also respectfully submitted to be

allowable.

As amended, claim 15 recites,

activating an application stored on a computer readable medium installed
in said measuring device at a first location wherein said application
initiates tracking said distance travelled by said vehicle upon activation

wherein <u>said application is a software pre-installed in said computer</u>
<u>readable medium by a user,</u>
deactivating said application stored on said computer readable medium
installed in said measuring device at a second location using said
measuring device wherein said application terminates said tracking upon
deactivation.

The method in claim 15 provides a user with the software application that may be

installed in any computer readable medium that may be installed in the measuring device

of claim 15 for the purpose of calculating the travelling distance of a vehicle.

As mentioned above, Paloheimo does not teach providing a software application

that may be pre-installed in a device in order to track the travelling distance of a vehicle.

The system of Paloheimo requires a user only to use the disclosed device, the mobile

terminal 10, which contains the embodied GPS-module for the purpose of calculating the

travelling distance. Consequently, claim 15 is respectfully submitted to free of Paloheimo

and allowable. Additionally, claims 16-20 depend from claim 15, and thus include all the

limitations of claim 15. Consequently, claims 16-20 are also respectfully submitted to be

allowable.

The Applicant now turns to the rejection of claims 1-20 under 35 U.S.C. § 103(a)

as being unpatentable over Paloheimo, U.S. Pat. App. Pub. No. 2010/0077020 in further

view of the CarbonFund website at http://www.carbonfund.org/Calculator/.

As discussed above, Paloheimo is not a valid prior art under 35 U.S.C. § 102(b).

A rejection under 35 U.S.C. § 103(a) requires that a combination of at least two prior arts

that qualify as prior art under 35 U.S.C. § 102. As such, the Applicant respectfully

submits that the rejection of claims 1-20 under 35 U.S.C. § 103(a) be withdrawn.

However, even if Paloheimo is a valid prior art under 35 U.S.C. § 102(b), the Applicant contends that claims 1-20 are not unpatentable over Paloheimo in further view of the CarbonFund website. As mentioned above, Paloheimo teaches a system to identify the travel method of the user and to calculate corresponding carbon emission value of the identified travel method. The CarbonFund website teaches a calculator which requires a user to enter values that represent house energy usage and vehicle usage into the menus set up in a website. When the user enters the appropriate value, the CarbonFund website calculates a corresponding carbon output value to the entered value of house energy usage or vehicle usage.

Neither Paloheimo nor the CarbonFund website teaches providing a system that measures a weight value of an object. Neither Paloheimo nor the CarbonFund website teaches a method of using utility meters in a house in order to measure house energy usage. None of the prior arts teach a method of transmitting house energy usage data from meters to another device. Even though Paloheimo teaches using GPS data in calculating the travelling distance moved by a user, Paloheimo only teaches to use the travelled distance in identifying the travel method of the user and to calculate the corresponding carbon emission value. Paloheimo does not teach installing a software application to a device in order to track the travelling distance of a vehicle.

As presented, claim 1 recites "a measuring device measuring data that represents a weight of an object." Neither Paloheimo nor the CarbonFund website teaches providing a system that measures weight data for the purpose of calculating carbon output value.

Thus, we have a new claim element, a measuring device which measures a weight data, that does not appear in the prior arts.

Further, although the PTO's guidelines of October 10, 2007 outline seven other rationales that may support a conclusion of obviousness, all of them fail here, as further discussed below. These rationales include:

> (A) Combining prior art elements according to known methods to yield predictable results;
> (B) Simple substitution of one known element for another to obtain predictable results;
> (C) Use of known technique to a known device (method, or product) ready for improvement to yield predictable results;
> (D) Applying a known technique to a known device (method, or products) in the same way;
> (E) "Obvious to try" – choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;
> (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art;
> (G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior reference teaching to arrive at the claimed invention.

However, rationale A fails because the measuring device measuring a weight data in claim 1 does not appear in the prior art. Thus, claim 1 is not a combination of prior art elements as required for rationale A to support a finding of obviousness. Similarly, rationale B requires the substitution of a known element of for another, but the measuring device measuring a weight data was not a known element. Consequently, rationale B fails. In the same fashion, rational E, F, and G are also lacking.

Moreover, rationale C and D also fail. The measuring device measuring a weight data has not appear in the prior arts, therefore, does not constitute a known "improvement" technique or device as required by rationale C and D. The prior art teaches away from using weight data in calculating carbon emission value because the prior arts either only use travel information or house energy usage and vehicle usage data.

Thus, both the TSM test and the seven other rationales identified by the PTO fail to support a finding of obviousness. Consequently, claim 1 is respectfully submitted to free of Paloheimo and CarbonFund and allowable. Additionally, claims 2-10 depend from claim 1, and thus include all the limitations of claim 1. Consequently, claims 2-10 are also respectfully submitted to be allowable.

As amended, claim 11 recites "measuring data that represents house energy usage wherein a measuring device receiving said data from at least one meters installed in a house." As mentioned above, Paloheimo and the CarbonFund website do not teach providing a method using meters in a house to measure house energy usage data. Thus, we have a new claim element, a method of receiving house energy usage data from meters installed in a house, that does not appear in the prior art.

Further, all of rationales fail here: rationale A fails because the method of receiving house energy usage data from meters installed in a house does not appear in the prior art. Thus, claim 1 is not a combination of prior art elements as required for rationale A to support a finding of obviousness. Similarly, rationale B requires the substitution of a known element of for another, but the method of receiving house energy usage data from

meters installed in a house was not a known element. Consequently, rationale B fails. In the same fashion, rational E, F, and G are also lacking.

Moreover, rationale C and D also fail. the method of receiving house energy usage data from meters installed in a house has not appear in the prior art, therefore, does not constitute a known "improvement" technique or device as required by rationale C and D. Also, the CarbonFund website teaches away from using meters installed in a house in order to automatically transmit the data because the CarbonFund website requires a user to enter manually the values representing house energy usage into the menus set up in the website. Finally, it is technically impossible to combine the CarbonFund's calculator with Paloheimo's system because the system of Paloheimo inherently requires a bidirectional communication between the carbon calculator 225 and CO2 emission service 245 of Figure 2. However, the calculator in the CarbonFund website is designed to only receive the data from the user manually.

Thus, both the TSM test and the seven other rationales identified by the PTO fail to support a finding of obviousness. Consequently, claim 11 is respectfully submitted to free of Paloheimo and CarbonFund and allowable. Additionally, claims 11-14 depend from claim 11, and thus include all the limitations of claim 11. Consequently, claims 11-14 are also respectfully submitted to be allowable.

As amended, claim 15 recites "activating an application" at a first location where the application initiates tracking the travelling distance of a vehicle and "deactivating said application" at a second location where the application stops tracking the travelling

distance. Claim 15 recites "said application is a software pre-installed in said computer readable medium by a user." As mentioned above, Paloheimo and the CarbonFund website do not teach providing a method of installing a software application to track the travelling distance of a vehicle. Paloheimo only teaches to adopt the device containing the embodied GPS-module (as shown in Figure 5) for the purpose of calculating the travelling distance. Thus, we have a new claim element, a software application pre-installed in a device by a user, that does not appear in the prior art.

Further, all of rationales fail here: rationale A fails because a software application pre-installed in a device does not appear in the prior art. Thus, claim 15 is not a combination of prior art elements as required for rationale A to support a finding of obviousness. Similarly, rationale B requires the substitution of a known element of for another, but a software application pre-installed in a device was not a known element. Consequently, rationale B fails. In the same fashion, rational E, F, and G are also lacking.

Moreover, rationale C and D also fail. A software application pre-installed in a device has not appear in the prior art, therefore, does not constitute a known "improvement" technique or device as required by rationale C and D. Also, the CarbonFund website teaches away from measuring actual mileage data because it only requires the user to enter annual mileage of a vehicle manually. Finally, Paloheimo teaches away from adopting a compatible software application for the purpose of tracking the travelling distance because the mobile system 10 in Paloheimo inherently requires the

user to use only the mobile terminal 10, which embodies a GPS-module for the purpose of calculating the travelling distance.

Thus, both the TSM test and the seven other rationales identified by the PTO fail to support a finding of obviousness. Consequently, claim 15 is respectfully submitted to free of Paloheimo and CarbonFund and allowable. Additionally, claims 15-20 depend from claim 15, and thus include all the limitations of claim 15. Consequently, claims 15-20 are also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 21-25 under 35 U.S.C. § 103(a) as being unpatentable over Browne, U.S. Pat. App. Pub. No. 2010/0042514 in further view of Constantz, U.S. Pat. App. Pub. No. 2010/0063902.

The Applicant respectfully contends that both Browne and Constanz do not qualify as prior art under 35 U.S.C. § 102(b). Browne was published on February 18, 2010, and Constanz was published on March 11, 2010. Both references were published not more than one year prior to the priority date of this application (April 2, 2010). A rejection under 35 U.S.C. § 103(a) requires that a combination of at least two prior arts that qualify as prior art under 35 U.S.C. § 102. Thus, the Applicant respectfully submits that the rejection of claim 21-25 under 35 U.S.C. § 103(a) be withdrawn.

However, even if both Browne and Constanz qualify as prior art under 35 U.S.C. § 102(b), the Applicant contends that claims 21-25 are not unpatentable over Browne in further view of Constanz.

Constanz teaches a system of generating and trading a CO2 commodity, which may be purchased by a consumer or other commodity markets. As described in Paragraph 0091, 0093, 0094, and 0095, the system 130 operates to sell (or trade) a plurality of CO2 commodities such as carbon offset, VERs, carbon allowance, CFI, ERU, EUAs, and CERs. All of these commodities represent specific quantified amount of sequestered CO2 certified by certain organization or entity. The system 130 sends information including a price of certain CO2 commodity and the number of available CO2 commodity that could be sold to a consumer through a network.

Browne teaches a method of verifying and auditing a purchased environmental resource product ("ERP"). An ERP takes one form of a carbon offset associated with an underlying environmental resource having a fixed or unique geographical location where carbon-sequestering activity is performed. When a user 150 purchases this ERP from a ERP vendor 120, the ERP vendor 120 requests a central auditing system (CAS) 110 for a unique code. The user 150 logs on to the central auditing system 110 with this code, and uses this code to allocate the purchased ERP to a specific geographical location.

Constanz does not teach providing comparable cost information among multiple CO2 commodities to a consumer. The system 130 in Constanz only sends a price of certain CO2 commodity to a consumer but does not send (or display) any list of cost data that represents prices of multiple CO2 commodities that represent the same amount of sequestered carbon. Each commodity sold by the system represents different amount of

sequestered carbon; therefore, the consumer is not able to compare costs between CO2 commodities that represent the same amount of sequestered carbon.

Browne also does not teach providing comparable cost information among CO2 commodities to a consumer. A carbon offset in Browne is associated with specific amount of carbon that may be sequestered within a specific geographical location. Each geographical location has a unique capacity for diminishing or sequestering specific amount of carbon.

As amended, claim 21 recites,

> displaying a list of data using an internet browser on a computer ... wherein said graphical interface displays said list of data comprised of a cost for purchasing a carbon offset credit provided by a carbon offset entity wherein said internet browser allows an access to said user to see said list of data;
> ...
> wherein said carbon offset credit represents a value for diminishing or sequestering specific amount of carbon, wherein said carbon offset entity is one of carbon remediation organization and carbon sequestration organization.

The method in claim 21 provides a list of data representing costs of multiple carbon offset credits that represent a value for diminishing or sequestering the same amount of carbon to a user.

As mentioned above, neither Constanz nor Browne teaches providing a system or method that displays a list of data representing costs of CO2 commodities that represent the same amount of sequestered carbon or the same amount of carbon to be sequestered. The prior arts do not inform a consumer comparable price list of CO2 commodities that represent the same amount of carbon to be sequestered. Thus, we have a new claim

element, a method of displaying a list of data representing costs of CO_2 commodities that represent the same amount of carbon to be sequestered, that does not appear in the prior art.

Further, all of rationales fail here: rationale A fails because the method of displaying a list of data representing costs of CO_2 commodities that represent the same amount of carbon to be sequestered does not appear in the prior art. Thus, claim 20 is not a combination of prior art elements as required for rationale A to support a finding of obviousness. Similarly, rationale B requires the substitution of a known element of for another, but the method of displaying a list of data representing costs of CO_2 commodities that represent the same amount of carbon to be sequestered was not a known element. Consequently, rationale B fails. In the same fashion, rational E, F, and G are also lacking.

Moreover, rationale C and D also fail. A method of displaying a list of data representing costs of CO_2 commodities that represent the same amount of carbon to be sequestered has not appear in the prior art, therefore, does not constitute a known "improvement" technique or device as required by rationale C and D. Further, Browne teaches away from providing a method or system to present comparable cost information of carbon offsets because each ERP represents different amount of carbon that may be sequestered on a unique geographic location. Thus, all ERPs inherently contain different amount of carbon to be sequestered.

Thus, both the TSM test and the seven other rationales identified by the PTO fail to support a finding of obviousness. Consequently, claim 21 is respectfully submitted to free of Constanz and Browne and allowable. Additionally, claims 22-24 depend from claim 21, and thus include all the limitations of claim 21. Consequently, claims 22-24 are also respectfully submitted to be allowable.

Application No. 12/345,678
Attorney Docket No. 11220

CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the

Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any

overpayment to the Deposit Account of Pat, Ent, & Win, Account No. 10-0000.

Respectfully submitted,

Date: _____ 04-16-2010 _____   _____ 11220 _____
11220
Registration No. 11220

Pat, Ent, & Win
504 East Pennsylvania Avenue
Champaign, IL 61820

Telephone: 217-333-0931
Facsimile: 217-333-0932