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Applicants: Joseph J. Caldas
Title: Securities Auction System and Method
Examiner: Bruce I. Ebersman
Art Unit: 3694

Watchung, New Jersey

August 19, 2009

AMENDMENT C

FILED WITH REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action mailed 08/18/2008, the applicant has filed a request for continued examination and submitted the appropriate fee and would like to requests that Amendment B Under Rule 116 previously filed unentered June 25, 2009 not be entered and that the application be amended as followed;

CLAIMS: Amendments to the Claims begin on page 2 of this amendment.

REMARKS: Remarks begin on page 11 of this amendment.

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Claims

The following is a listing of all Claims in the application with their status and the text of all active Claims.

1-20 (CANCELED)

21. (CURRENTLY AMENDED) A computer implemented method of conducting a secondary market securities auction on a host computer network, including standard network apparatus, including the steps of:

- (a) using a website on the internet, said website to be accessible by participants and other interested parties with a standard JavaScript enabled web browser on a computer connected to a host computer network via the internet or dedicated connection, to list ~~specific lots of outstanding securities~~ individual specific lots of outstanding secondary market securities for which bids are desired by a potential seller thereof sale and request bids from participants to buy the securities;
- (b) displaying immediately upon entry and dynamically updating on said website bids from said participants for buying said ~~specific lots of securities~~ individual specific lots of outstanding secondary market securities including the price of said bids such that said bids including the bid prices thereof are available to all participants immediately upon entry of said bids and throughout the auction;

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- (c) providing real-time dynamic updating on said web site of information pertaining to the auction including whether or not the individual specific lots of outstanding secondary market securities ~~securities~~ traded and re-offerings for lots that have traded or pricings on lot that may not have traded if available

whereby all participants have equal access to and knowledge of bids and the status of the auction to enable informed trading decisions.

22. (CANCELED)

23. (CANCELED)

24. (CURRENTLY AMENDED) The method defined in ~~Claim 23~~ Claim 21, including the step of searching on an auction search screen of said web site through a database of available auction items, using specified criteria, to find the type of security specific outstanding secondary market securities desired to be traded, wherein results of said search are displayed on said web site.

25. (CURRENTLY AMENDED) The method defined in Claim 24, including the step of accessing an auction detail screen of the computer network showing all bids made in priority order and other information pertinent to the auction including links to

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other functions concerning the status of the auction and the ~~securities~~ specific lots of outstanding secondary market securities being auctioned including:

- (a) independent evaluations
- (b) spreads to indicative yield curves
- (c) links to calculations
- (d) links to historical bid, offering and trade data
- (e) forms for submitting bids
- (f) forms for selling orders.

whereby substantially all information available on a specific auction and the securities thereof and substantially any permissible action which may be taken by a participant are accessible from a single ~~location~~ web page by all participants.

26. (CURRENTLY AMENDED) The method defined in ~~Claim 25~~ Claim 24, including the step of accessing a program alert screen of the host computer network wherein criteria is selected for notification of activity pertaining to the auction or the overall market, including activity of participants, specific securities or types of securities.

27. (CANCELED)

28. (CURRENTLY AMENDED) The method defined in ~~Claim 23~~ Claim 21 further including step of a seller optionally executing a trade for specific lots of outstanding

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secondary market securities for which bids have been desired within a specified time frame wherein all data pertinent to the sale of the securities including the prices of all bids is dynamically updated and displayed on a screen accessible to all participants.

29. (CURRENTLY AMENDED) A secondary market securities auction system including a computer having programs providing the means for:

- (a) listing securities individual specific lots of outstanding secondary market securities for which bids are desired by a potential seller thereof to request bids from participants;
- (b) displaying bids from participants for said individual specific lots of outstanding secondary market securities to all participants during an auction;
- (c) automatically updating all bids on said individual specific lots of outstanding secondary market securities while said bids are displayed on a real time basis such that all participants have equal, open access to all the bids as the auction proceeds.

30. (CURRENTLY AMENDED) The system defined in Claim 29, wherein said computer has databases and programs for searching information on the individual specific lots of outstanding secondary market securities securities and auction, and for alerting participants as to activity pertaining to the auction.

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31. (CURRENTLY AMENDED) The system defined in Claim 30 wherein said databases and programs dynamically create and display to participants of the auction, various graphic user interfaces comprising the means for:

- (a) submitting ~~items~~ individual lots of outstanding secondary market securities for which bids are desired for auction,
- (b) submitting bids for said lots of individual specific lots of outstanding secondary market securities,
- (c) permitting sellers and bidders to ~~execute~~ participate in ~~securities trades~~ auctions for individual specific lots of outstanding secondary market securities using the Internet.

32. (CURRENTLY AMENDED) A system for secondary market securities trading including in combination:

- (a) a computer system including a website to be accessible by participants and other interested parties with a standard JavaScript enabled web browser on a computer connected to a host computer network via the internet or dedicated connection wherein full functionality of the system, including dynamic real-time updating of content, is available, containing specific lots of securities to be auctioned;

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- (b) said computer system including programs for receiving and displaying requests for bids by a potential seller of individual specific lots of outstanding secondary market securities for which bids are desired by said seller, wherein said lots of secondary market securities are inserted in the system by submitting data pertinent to said individual specific lots of outstanding secondary market securities including a CUSIP or other unique identifier and the par amount of the specific lot for which bids are desired
- (c) said web site providing graphic user interfaces for potential buyers of said ~~specific lots of securities~~ individual specific lots of outstanding secondary market securities to enter bids for purchasing said ~~specific lots of securities~~ individual specific lots of outstanding secondary market securities;
- (d) said computer system having programs for, immediately upon entry and throughout the auction, displaying and dynamically updating the display of all bids, ~~immediately upon entry and throughout the auction,~~ received for said ~~lots of securities~~ individual specific lots of outstanding secondary market securities on said web site such that the bids, including the bid prices thereof are accessible to all bidders and observers

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whereby all participants and observers including potential buyers are enabled to have knowledge of the status of the auction as it proceeds and to assist the potential buyers in deciding whether to enter a bid and the price of the bid to be entered.

33. (CANCELED)

34. (CANCELED)

35. (CURRENTLY AMENDED) A computer implemented method of trading securities in the secondary market on a computer network, including programs and standard network apparatus, including the steps of:

- (a) a potential seller requesting bids for individual specific lots of outstanding secondary market securities ~~specific lots of securities~~ for which bids are desired utilizing a program of said computer network wherein said request requires the submission of data including a CUSIP or other unique identifier and the par amount of each said individual specific lots of outstanding secondary market securities ~~specific lot of securities~~ for which a bid is desired
- (b) displaying said ~~specific lots of securities to be sold~~ individual specific lots of outstanding secondary market securities for which a bid is desired on a website of said computer network

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- (c) receiving ~~and displaying~~ on said website bids to purchase each said ~~specific lot of securities~~ individual specific lots of outstanding secondary market securities,
- (d) displaying all said bids immediately upon entry and dynamically updating said bids including the prices thereof on said website such that all bidders, potential bidders and sellers have access to said bids as the auction proceeds.

36. (CURRENTLY AMENDED) The method defined in Claim 35, further including the step of the seller reviewing the bids on the website utilizing a program of said computer network and, at said sellers discretion, entering into said website that said individual specific lots of outstanding secondary market securities ~~specific lot of securities~~ for which a bid is desired are for sale at a price bid by the highest bidder wherein the current trade status of the lot of securities is explicitly displayed to all participants and updated dynamically as necessary.

37. (CURRENTLY AMENDED) The method defined in Claim 35, including the steps of:

- (a) entering a bid for an individual specific lot of secondary market securities for which a bid is desired greater than the current high bid plus a predetermined increment;

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- (b) entering a maximum bid for said individual specific lot of secondary market securities for which a bid is desired where said maximum bid is not disclosed to any participants;
- (c) automatically increasing the bid in one or more predetermined increments to top out a new submitted competitive high bid but not to exceed said maximum bid.

whereby a bidder may implement a predetermined decision to automatically increase ~~bids~~ a bid for an individual specific lot of secondary market securities based on market competition.

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Claim Objections

1. The applicant has modified Claim 31 (C) to state “permitting sellers and bidders to ~~execute~~ participate in ~~securities trades~~ auctions for individual specific lots of outstanding secondary market securities using the Internet.” The applicant accepts the examiners assumption that securities trades are basically exchanging securities for money. The present invention provides a novel and non-obvious method to determine the price at which such an exchange takes place. The result of a successful auction is the consummation of a trade. This modification is made to clearly define the subject matter that the applicant regards as his invention, which is the system and method of the auction as opposed to one of the multiple results achieved.

Claim Rejections - 13 USC 101

The applicant has modified Claims 21, 24-26, 35-37 to positively recite the other statutory class to which it is tied namely Computer implemented methods The applicant has canceled Claims 22 and 23 the subject matter of which has been incorporated into Claim 21.

Claim Rejections - 35 USC 112

It is the intent of the applicant to Claim secondary market offerings more specifically individual specific lots of outstanding secondary market securities. Therefore the

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applicant has modified the body of the Claims 21,29,32,35 to address secondary market type securities as suggested by the examiner.

Claim Rejections – 13 USC 103

Claim 21

This Claim has been modified to more specifically recite and more clearly define the subject matter of the Claim. Dependent claims have been incorporated into this claim to delineate the intended scope of the claim. The applicant's intent is to avoid reading limitations into the claim from the specification and to clearly recite such limitations as intended to be evident when interpreted in view of the specification.

- (a) The Office Action states Harrington discloses "using a web site to list specific lots of outstanding securities for sale Harrington in fact teaches Underwriting The underwriting process acts on a completely different material than that of the present invention and produces a completely different outcome.
- (b) (Harrington Col.9 lines 1-15, col. 4, lines 35-45) pertains to the preparation and submission of a bid and the optional display of a current best bid. This differs completely from the Claim, which teaches the display of all bids and the prices thereof to all participants immediately upon entry and throughout the auction. In the present invention there is no discretionary or optional display of data. The

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present invention teaches complete transparency as to current prices, indeed a novel concept.

- (c) (Harrington col.7, lines 30-47) does not pertain to the subject matter of the Claim namely providing real-time dynamic updating on said web site. The Claim pertains to a technical aspect of the invention that is not addressed in Harrington. Real-time dynamic updating does not require any action on part of the viewer. It means that information displayed on the web site changes as it is viewed when another remote participant updates the information. For example when a new bid is entered it automatically updates the screens that may be being viewed by other participants without any action on part of the viewer thus providing real-time (as it happens) dynamic (able to change or adapt as the result of an external force) updating of the web page. This is discussed in the description of the current invention and in the comparative example presented in Amendment A page 24 of the present invention. While the terminology used to describe the data displayed is similar the data itself and the method of display are not. The specific differences in the data points are discussed in Amendment A of this application. As to (col. 9 lines 10-20) the reference teaches the discretionary nature of the selection of the data displayed this is in direct conflict with the teaching of the present invention and the subject matter of the Claim: whereby all participants have equal access and knowledge of bids.

The examiner notes that (col.6, lines 10-30) that specific lots of securities could

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be a lot of 1 singular security. This is absolutely true. The examiner further notes that Harrington does not explicitly disclose a quantity of securities. This statement is inaccurate. (Col.7 line 38) "the size of the issue" which is the specific par value of the securities to be sold by the issuer that may be spread over various maturities or a single maturity and (col. 9 line 7-8) "a schedule of principal maturity amounts". As cited McCarthy also discloses quantity of securities. It is common practice in securities underwriting and trading and apparent to one of ordinary skill in the art to specify an amount, par value, quantity or principal amount (for the most part interchangeable terms) in a securities transaction, bid, offer, auction, purchase or sale. This is not relevant to the subject matter of this Claim. The term specific in this Claim identifies a specific lot of securities not a matching lot that may be available from another party. For example if bidder A has a bid for auction item 1 that bid is good only for auction item 1 even if auction item 2 is an identical lot.

Dependant Claim 22, 23, 27 are Canceled

The subject matter of these claims has been incorporated into Claim 21

Dependant Claim 24-26, 28 are a fortiori patentable over Harrington and McCarthy

Dependent Claim 24-26, 28 incorporate all the subject matter of Claim 21 and ads

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additional subject matter, which makes them a fortiori and independently patentable over these references.

Claim 29

This Claim has been modified to more specifically recite and more clearly define the subject matter of the Claim. The applicant's intent is to avoid reading limitations into the claim from the specification and to clearly recite such limitations as intended to be evident when interpreted in view of the specification.

The applicant's arguments concerning this rejection include many of the points presented in Amendment A of this application in the response to the rejection of Claim 10 rewritten as Claim 29. The addition of McCarthy has no bearing on this argument.

- (a) The Claimed element is to list fungible securities in the secondary market to request bids from auction participants (traders and investors) The ref has to do with soliciting bids on a new issue from underwriters. The terminology is similar but the actual function of the element of the Claim is completely different from that described in (Harrington col. 6 lines 19-45). These are not just different terms for the same thing. It is apparent to one of ordinary skill in the art these are completely different functions in different market spaces preformed by different participants in a different manner on completely different materials which produce different results.

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- (b) The ref teaches selective information is optionally displayed There is no such qualification attached to this element of the Claim of the present invention or for that matter anywhere else in the present invention. (Harrington col. 9 lines 1-15, col.4, lines 35-45) The present invention teaches complete transparency which is a new principle of operation. The present invention blazes a trail rather than follows one.
- (c) This particular element of the Claim clearly pertains to automatically updating bids while said bids are displayed on a real-time basis... the Ref (Harrington col. 12, lines 45-50) has to do with bidders accessing a real-time auction of an original issue financial instrument. The applicant respectfully submits that the reference does not teach what the examiner relies upon it supposedly teaching. The examiner has noted that Harrington does not explicitly disclose a secondary market and that Harrington is applicable to any securities. This is a valid observation. The applicant would like to note that Harrington describes the difference between secondary and primary (new issue markets) (col.2 lines 49-60) and explicitly states that the invention is directed to original issue auctions which involve distinctly different issues than those associated with the secondary market. While Harrington may be applicable to many other security types there is no indication in the patent (express or implied) that such versatility could be applied to anything but the new issue market for said security types. In fact

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Harrington specifically teaches against this in directing his invention to original issue auctions (Harrington col. 2 lines 57-58)

McCarthy teaches a trading system that is applicable to non-primary offering securities, commonly referred to as secondary market securities as other references also teach. If combined the result would not meet the Claim. The disclosures of Harrington do not equal those of the current invention. The present invention does far more than provide Harrington's auction to the secondary market.

The reference themselves expressly teach away from the suggested combination in that they each specifically state that their perspective inventions relate to a specific market sectors, trading (the secondary market) for (McCarthy 0002) and underwriting, the primary new issue market for Harrington. Harrington elaborates on this further in (col.2 lines 49-60) as sited above.

The motivation of providing access to a wide range of securities and a competitive market has no relevance to the true motivation of the present invention which is repeatedly stated in both the specification and Claims which is to improve the knowledge and transparency of an electronic securities auction by eliminating technical barriers and applying equal open standards to all participants. While the present invention has the capability to provide access to a wide range of securities this functionality has no bearing on the validity or

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usefulness of the present invention. It performs equally as well whether it is applied to a single security or many.

Dependent Claims 30, 31

Dependent Claims 30 and 31 incorporate all the subject matter of Claim 29 and adds additional subject matter, which makes it a fortiori and independently patentable over the references.

Claim 32

This Claim has been modified to more specifically recite and more clearly define the subject matter of the Claim. Dependent claims have been incorporated into this claim to delineate the intended scope of the claim.

The Office Action states Harrington discloses:

- (a) a computer system including a website containing specific lots of securities to be auctioned (col. 6, lines 16-45) The applicant has modified this Claim to read “individual specific lots of outstanding secondary market securities for which bids are desired” Additionally the applicant acknowledges that equities and indeed most other securities in the secondary market are sold in lots. This term, to one of ordinary skill in the art, refers to a specific amount of a specific security it is synonymous with the term “item” which the applicant has endeavored to remove from the Claims for sake of clarity. Whether a specific

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amount of a specific security in the secondary market comprises equity, bond or other type of security it is generally accepted terminology to refer to them as a lot. The term Lots is generally not applicable in the primary market. As stated before in the response to the rejection to Claim 29 the applicant would like to note that Harrington describes the difference between secondary and primary (new issue markets) (col.2 lines 49-60) and explicitly states that the invention is directed to original issue auctions which involve distinctly different issues than those associated with the secondary market. While Harrington may be applicable to many other security types there is no indication in the patent (express or implied) that such versatility could be applied to anything but the new issue market for said security types. In fact Harrington specifically teaches against this in directing his invention to original issue auctions (Harrington col. 2 lines 57-58).

- (b) Said web site providing graphic user interfaces for potential buyers of said specific lots of securities to enter bids for purchasing said specific lots of securities (col. 6, lines 16-45 fig 13) Fig. 13 in Harrington represents a Confirmation, it discloses the structure of a new issue stating specific amounts of specific maturities and coupons of the new issue after the successful completion of the auction. At this point Harrington's functionality is completed. This screen shot represents the confirmation of the sale of a new issue. This is not a representation of individual specific lots of outstanding

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secondary market securities for which bids are requested.

Fig 10 and 11 in Harrington represent an auction bid submittal form for bids on a new issue. Notice there is no coupon displayed, for it has not yet been determined, additionally the principal amounts and even the maturities may be adjusted in some cases to produce a lower TIC (True Interest Cost) to the issuer which is the number (in this particular example) by which a winning bid is determined the lowest TIC is the winning bid. In Harrington this bid may comprise individual bids for specific maturities or an AON (all or none) bid for the entire issue. This provides a potential advantage over prior art in the primary market sector but has no relevance to the secondary market where individual specific lots of outstanding secondary market securities (fungible securities) are dealt with. The process is different, the material acted upon is different and the results are different. This is a key rejection as it has permitted the applicant to clearly describe the complete differences between Harrington and the applicant's invention in a broader sense in addition to responding to the rejection of this specific Claim. These differences would be apparent to one of ordinary skill in the art of trading or underwriting. Bids in the primary and secondary market consist of different components and the methods and systems applied to them are accordingly different. The similar terminology applied to both should not occlude this fact. They are not the same. As to the reference to (col.2, line 25-30) this has been addressed

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above in the response to the rejection to Claim 31(c). No component, description or Claim of the present invention has anything to do with a trade matching system concisely defined in the sited reference. One of ordinary skill in the art of electronic trading systems would most likely refer to the present invention as an RFP (request for proposal) system as opposed to an Order Matching or trade matching System such as that sited in the reference.

(c) Said computer system having programs for displaying bids, immediately upon entry and throughout the auction (Col.7 lines 30-47) the reference does not meet the Claim. The applicant agrees that “view auction results” is correctly interpreted as weather or not the securities were purchased by a participant however, this is not a provision for the non-discretionary immediate disclosure of all bids that is taught in the present invention and is the subject matter of this Claim nor is there anything in Harrington that teaches this.

As to (website disclosed in Harrington Fig 10, website information helps buyer) This was discussed above in the response to part (b) and in fact provides a perfect example of what is not presented in Harrington namely competing bids. (70 in Fig 10) states that bids have been submitted but there is no display of the bids as taught in the present invention. Most of the information displayed on the sited web page is required to describe the securities that are for sale. The auction could not occur with out the disclosure of this data. There is not data presented in the reference that would that

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would meet the Claim and assist the potential buyers in deciding whether to enter a bid and the price of the bid to be entered.

As to (col.9, lines 10-20) The reference clearly discloses the discretionary, optional nature of the data that may be displayed. There is no discretion applied in the display of data in the present invention as written in the Claim whereby all participants have equal access to and knowledge of bids to enable informed trading decisions. The reference does not meet the Claim.

As to McCarthy's explicit security quantity teachings. Quantities, amounts, par value, or lot sizes are for the most part synonymous terms. No security transaction can take place without the disclosure of quantities. All the cited references, including Harrington and all trading systems known to the applicant include this component.

As to the combination, Even if combine the references would not meet the Claim nor would the suggested combination enhance either reference or produce anything new. Each reference is complete and functional in itself so there would be no reason to use parts from or add or substitute parts to any reference. The references themselves expressly teach away from the suggested combination in that they each specifically state that their respective inventions relate to a specific market sector, trading (the secondary market) for (McCarthy 0002) and underwriting, the primary new

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issue market for Harrington. Harrington elaborates on this further in (col.2 lines 49-60)

Dependent Claim 33 and 34 Canceled

Dependent Claims 33 and 34 have been canceled the subject matter of these claims have been incorporated into dependent Claim 32.

Claim 35

This Claim has been modified to more specifically recite and more clearly define the subject matter with which the claim is concerned.

The reference (Harrington col.9, lines 1-15) discloses the display of the potential structure of a new issue yet to be sold on a bid preparation and submission page. Part (b) and (c) of the Claim is for specific lots of secondary securities they are not the same.

The applicant cannot overstress the fact that underwriting and trading are two distinct processes in a market. They are analogous to manufacturing and commerce.

Underwriting creates the product trading provides a method of commerce for the resultant product of the prior process.

Harrington simply does not disclose the elements of this Claim as recited. As stated in the Office Action lots may be a bond or equity and they may be singular. The composition of the individual specific lots of outstanding secondary market securities,

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outside of them being a fungible security, has no bearing on the subject matter of this Claim.

(d) This particular element of the Claim positively recites displaying all bids immediately upon entry (Harrington col.7, line 30-47) teaches the optional display of data. The applicant accepts the Office Action interpretation of view auction results, as such that whether or not the securities were purchased by a participant. This is not an element of this Claim. This Claim pertains to equal knowledge of bids throughout the auction process, which is not taught in any reference. The Claim recites such that all bidders, potential bidders and sellers have access to said bids as the auction proceeds. A novel and non-obvious concept in markets that have been previously driven by limited knowledge to certain data.

(a) Once again the applicant agrees with the examiners belief that bonds are identified by CUSIP. This particular element of the Claim recites a potential seller requesting bids for specific individual specific lots of outstanding secondary market securities. The use of CUSIP and Amounts would be assumed by one of ordinary skill in the art. The applicant previously modified this Claim to recite these obviously required data points used in the process to distinguish the Claimed element from that a previous rejection citing Harrington. Harrington does not teach the use of CUSIP because CUSIP does not exist for unissued securities. The use of the term CUSIP and Amount in this Claim list some data points included in the method of the Claim. McCarthy (0068) makes no mention of either. The amount of (Harrington fig. 6) is a

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Principal Amount. In a new issue that is the size of the particular maturity. The amount of the present invention may be that amount or any permissible lesser incremental amount thereof for which a bid is desired. It is not the principle amount of bonds an issuer desires to sell in a specific maturity of an underwriting.

The combination of the cited references from Harrington and McCarthy do not meet the elements of this Claim. The motivation of creating a market in fixed income trading is not applicable. The market in fixed income trading already exists. The motivation behind this invention is stated in the Claims, this document and elaborated upon in the specification. No apparent combination of the cited references would meet the elements of this Claim as recited. The references are individually complete and the combination unsuggested furthermore the references expressly teach away from the suggested combination as discussed earlier.

Dependent Claim 36 and 37

Dependent Claims 36 and 37 incorporate all the subject matter of Claim 35 and adds additional subject matter, which makes it a fortiori and independently patentable over the references.

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Conclusion

The applicant has endeavored to more clearly define the subject matter which the he considers his invention and to properly define the scope of the claims as to their appropriate breadth. The nondiscriminatory dissemination of information, the dynamic update of auction data and the minimal technical requirements to access the system are fundamental to the invention. The present invention is far more than an internet auction for securities, it blazes a trail and solves problems the prior art failed to even recognize. No prior art know to the applicant sited or not, alone or in combination, meet the claims of the present invention as currently amended by this document.

The applicant respectfully submits that continued rejections base on Harrington alone or in combination fall to the interpretation of the perceived knowledge of “one of ordinary skill in the art”. An art that’s unique nuances and vernacular can, and often are miss-interpreted by many knowledgeable individuals. Underwriting and trading could be considered analogous with Mathematics and Physics. Without Math, Physics would not be plausible, yet the two are distinct individual sciences.

For all the reasons given above and in this paper the applicant respectfully submits that the errors sited in the Office action have been corrected,

Claim Objections

1. The Claim Objections because of informalities have been corrected by rewriting Claim 31.

Claim Rejections 35 U.S.C. 101

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1. The Rejections under 35 U.S.C. 101 to Claims 21,24-26, 35-37 because the claimed invention is directed to non-statutory subject matter have been corrected as suggested by the examiner.

Claims 22 and 23 have been canceled

Claims 13-17 had previously been canceled in the response to the first office action

Claim Rejections 35 U.S.C. 112

2. The body of the claims has been modified to include individual specific lots of outstanding secondary market securities in order to more specifically recite and more clearly define the subject matter of the claims. Various arguments have been presented to address the addition of McCarthy as a reference..

Claim Rejections 35 U.S.C. 103

3. Additional arguments have been made and previous ones re-enforced for all Claim rejections based on 103. Claims have been modified to more clearly define the subject matter and intended scope of the specific claim

The applicant would like to thank the examiner for clear office action and the additional information concerning the examination procedure which has enabled the applicant to correct errors and strengthen the validity of this application.

Accordingly, applicant submits that this application is now in full condition for allowance, which the applicant respectfully solicits. If the examiner agrees but does not deem the

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present Claims technically adequate, applicant respectfully requests the examiner write acceptable Claims pursuant to MPEP 707.07(j)

Very respectfully,

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