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1647155



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*August 10, 2007*

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**APPLICATION NUMBER: 60/802,422**

**FILING DATE: May 21, 2006**

**RELATED PCT APPLICATION NUMBER: PCT/US07/69401**

**THE COUNTRY CODE AND NUMBER OF YOUR PRIORITY APPLICATION, TO BE USED FOR FILING ABROAD UNDER THE PARIS CONVENTION, IS US60/802,422**



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052106



18379 U.S. PTO

PTO/SB/16 (10-05)

Approved for use through 07/31/2006. OMB 0651-0032

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**PROVISIONAL APPLICATION FOR PATENT COVER SHEET – Page 1 of 2**

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No. EQ 647373369 US

| INVENTOR(S)                            |                        |   |
|--|------------------------|---|
| Given Name (first and middle [if any]) | Family Name or Surname | Residence<br>(City and either State or Foreign Country) |
| Mark S.                                | Orgill                 | Laguna Beach, CA  |
|  |                        |   |
|  |                        |   |
|  |                        |   |
|  |                        |   |

112966 U.S. PTO  
60/802422  
052106

Additional inventors are being named on the \_\_\_\_\_ separately numbered sheets attached hereto

**TITLE OF THE INVENTION (500 characters max):**

Remote Motion Graphic Authoring

Direct all correspondence to:

**CORRESPONDENCE ADDRESS**

The address corresponding to Customer Number:

35938

OR

Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

**ENCLOSED APPLICATION PARTS (check all that apply)**

Application Data Sheet. See 37 CFR 1.76

CD(s), Number of CDs \_\_\_\_\_

Specification Number of Pages 13

Other (specify) Acknowledgment Postcard Fee Transmitted (58/17) - 1 page

Drawing(s) Number of Sheets 7

**Fees Due:** Filing Fee of \$200 (\$100 for small entity). If the specification and drawings exceed 100 sheets of paper, an application size fee is also due, which is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**METHOD OF PAYMENT OF THE FILING FEE AND APPLICATION SIZE FEE FOR THIS PROVISIONAL APPLICATION FOR PATENT**

Applicant claims small entity status. See 37 CFR 1.27.

A check or money order is enclosed to cover the filing fee and application size fee (if applicable).

\$100.00

Payment by credit card. Form PTO-2038 is attached

**TOTAL FEE AMOUNT (\$)**

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PROVISIONAL APPLICATION COVER SHEET

Page 2 of 2

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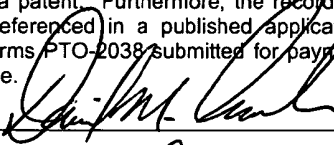


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SIGNATURE



Date

21 MAY 2006

TYPED or PRINTED NAME

Daniel M. Chambers

REGISTRATION NO.

34,561

(if appropriate)

TELEPHONE

858.350.9690

Docket Number:

MOR-1100-PV

18379 U.S. PTO  
052106

PTO/SB/17 (01-06)  
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| <b>FEE TRANSMITTAL</b><br><b>For FY 2006</b>  |  | <b>Complete if Known</b> |                |
| Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).                   |  | Application Number       | TBA            |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 |  | Filing Date              | 21 May 2006    |
| <b>TOTAL AMOUNT OF PAYMENT</b> (\$) <u>100.00</u>   |  | First Named Inventor     | Mark S. Orgill |
|   |  | Examiner Name            | N/A            |
|   |  | Art Unit                 | N/A            |
|   |  | Attorney Docket No.      | MOR-1100-PV    |

**METHOD OF PAYMENT** (check all that apply)

Check  
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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     | 100            |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 50       | 25                    |
| Each independent claim over 3 (including Reissues) | 200      | 100                   |
| Multiple dependent claims                          | 360      | 180                   |

**Total Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**  
 \_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**  
 \_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

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Non-English Specification, \$130 fee (no small entity discount)      **Fees Paid (\$)**

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|                     |                       |                                   |              |
|---------------------|-----------------------|-----------------------------------|--------------|
| <b>SUBMITTED BY</b> |                       |                                   |              |
| Signature           |                       | Registration No. (Attorney/Agent) | 34,561       |
| Name (Print/Type)   | Daniel M. Chamberlain | Telephone                         | 858.350.9890 |
|                     |                       | Date                              | 21 May 2006  |

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PROVISIONAL PATENT APPLICATION

entitled

REMOTE MOTION GRAPHIC AUTHORIZING

by

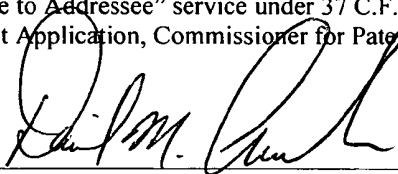
Mark S. Orgill

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Daniel M. Chambers

Number of Figures: 7 (on 7 sheets)

BLG Docket No.: MOR-1100-PV

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628 N. Rios Avenue  
Solana Beach, CA 92075-1248

# REMOTE MOTION GRAPHIC AUTHORIZING

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## FIELD OF THE INVENTION

The present invention relates to a remote service that provides post-production digital compositing and motion graphic authoring to users who provide their own core content, which the service supplements via a user-driven interface through the inclusion of digital still images, artwork, video, sound, and other supplemental content selected by the user. Following selection and sequencing of the various core and supplemental content components, the service automatically generates and makes available to a user a finished product that integrates core and supplemental content. To simplify the compositing task a series of pre-formatted templates are made available covering themes like corporate announcements, new product offerings, weddings, graduations, Christenings, bar mitzvahs, anniversaries and other notable events and celebrations appealing to consumers, professionals and entities like businesses, religious institutions, academic institutions and others. The end product provided by the instant invention is a professional quality ensemble video production that may be delivered in any popular format like AVI, JPEG, MPEG4 and the like to the customer and or their selected recipients via download or common carrier. To maximize user satisfaction while minimizing user learning curve frustration, the user is directed to select from multiple skill level user interfaces with varying degrees of directly controlled content enhancement and motion graphic versus automated macro or scripted control.

15

20

## BACKGROUND OF THE INVENTION

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### 1. Introduction

The following description includes information that may be useful in understanding the present invention. It is not an admission that any such information is prior art, or relevant, to the presently claimed inventions, or that any publication specifically or implicitly referenced is prior art.

30

## 2. Background

The art of digital compositing and creating motion graphics is well established and utilized by both amateurs and professionals alike to create visually stimulating motion picture content from otherwise less stimulating motionless visual content. Motion graphic design is a specialty skill, usually handled by artists that concentrate on designing for television broadcast or films.

To those following the latest trends of design and technology, the growing presence of motion graphics on television, the Internet, and in various forms of entertainment, such as DVDs and video games, is a logical progression from static graphics seen in print and other media, such as like billboards and signage.

The definition of motion graphics is the creation of non-narrative, non-figurative based visuals that change over time. The distinction of non-narrative, non-figurative based visuals is to separate motion graphics from the larger general definition of animation or film. Although motion graphics often incorporate video, film, animation, photography, illustration, and music, they are not to be confused with ordinary motion of an object such as might occur naturally, unless the footage was integrated with design elements such as type, shapes, or lines.

The creation of motion graphics requires a great deal of skill drawing from many disciplines, including graphic design, photography, film and video, animation, audio production, and the editing of all of the aforementioned. Even with the software creators that have attempted to simplify the daunting tasks associated with the creation of motion graphic content, such as Adobe System's "Adobe After Effects", the learning curve for the average consumer can be a long, steep, and costly. Moreover, even if an amateur was to master the use and operation of conventional motion graphics software, there remains another hurdle, namely that pertaining to hardware. As will be appreciated, the average personal computer lacks the computing power necessary to handle large number of complex computations needed to render and display motion graphics in real time. To perform the necessary operations associated with the creation of motion graphics, one must utilize a computer with the processing speed, RAM, and specialized graphics capabilities such as those used by professional practitioners, which are likely beyond the budget of most prospective consumers who would simply enjoy creating small productions related to personal events and memories, such as weddings, graduations, Christenings, bar mitzvahs, anniversaries, and other notable events in people's lives that that they would like to

capture and preserve for subsequent viewing enjoyment.

The present invention addresses the limitations inherent in current technology by providing an accessible remote service available to users to generate high quality motion graphics productions that combine a user's own core content with supplemental content made available through the service to produce a polished finished product without the need for the user to possess specialized expertise, hardware, and/or software.

### 3. Definitions

Before describing the instant invention in detail, several terms used in the context of the present invention will be defined. In addition to these terms, others are defined elsewhere in the specification, as necessary. Unless otherwise expressly defined herein, terms of art used in this specification will have their art-recognized meanings.

"Content" refers broadly to any refers to audio and/or visual content that can be used in the practice of this invention. Examples of content include still photos, artwork, video (with or without an accompanying audio track), sounds, music, and the like. Content is preferably in digital form. If not in digital form, the particular item(s) of content preferably is(are) converted to a digital media format that is compatible with or the same as the other data format(s) in which the other items of content are presented.

"Core content" means content provided by a user, whereas "supplemental content" refers to content accessed from a source other the user.

A "patentable" composition, process, machine, system, or article of manufacture according to the invention means that the subject matter satisfies all statutory requirements for patentability at the time the analysis is performed. For example, with regard to novelty, non-obviousness, or the like, if later investigation reveals that one or more claims encompass one or more embodiments that would negate novelty, non-obviousness, *etc.*, the claim(s), being limited by definition to "patentable" embodiments, specifically exclude the unpatentable embodiment(s). Also, the claims appended hereto are to be interpreted both to provide the broadest reasonable scope, as well as to preserve their validity. Furthermore, if one or more of the statutory requirements for patentability are amended or if the standards change for assessing whether a particular statutory requirement for patentability is satisfied from the time this application is filed or issues as a patent to a time the validity of one or more of the appended claims is questioned,

the claims are to be interpreted in a way that (1) preserves their validity and (2) provides the broadest reasonable interpretation under the circumstances.

A “plurality” means more than one.

5 “Remote” refers to a location or device that can be accessed only by traversing another location or device. For example, a “remote” server or computer refers to a computer that a user can access only indirectly, through another computer or other digital appliance. Preferably, a remote computer is one that a user accesses over the Internet or other network through at least one intervening computer.

10 In computer science and human-computer interaction, a “user interface” in relation to a computer or computer program a computer program refers to the graphical, textual, and auditory information the program presents to the user, and the control sequences, such as keystrokes made on a computer keyboard, movements of a computer mouse, selections from a touchscreen, etc. that a user employs to control the program.

## 15 SUMMARY OF THE INVENTION

It is the object of this invention to provide user-friendly methods of creating professional-appearing audiovisual compilations of one or more items of core content and one or more items of supplemental content presented in a video format compatible with performance on a personal computer, television, or other consumer electronic motion video play back device (e.g., DVD  
20 players, Personal Media Players, iPods, and the like). The present invention employs a remote computer or computer network, for example, a world wide web-based client server, that locally performs all of the necessary computing tasks necessary to create one or more professional looking, motion graphic compilations from preformatted templates. Such systems require no more skill from the user than the ability to direct the uploading of visual and/or audio content and to make, for example, “point and click” on-screen menu selections. In a preferred example  
25 of the operation of such a system, the customer begins by creating a user account and logging into an online service via a personal computer (PC), personal digital assistant (PDA), web-enabled cell phone, kiosk, or the like. Once the customer logs into the service, s/he is greeted with an opening page that offers several site navigation choices, such as “open new project”,  
30 “open current project”, “open last project”, “open a previous project”, “account summary”, etc.

As will be appreciated, systems according to the invention can be used by the full range

of computer users, from everyday consumers seeking to create a memorable tribute to a personal or family event to the corporate consumers looking for an inexpensive and expedient marketing tool to create an instant yet visually exciting promotional compilation to release to the press or prospective clients or consumers.

5           These and other aspects of the invention are described below, while still others will be readily apparent to those skilled in the art based on the descriptions provided in this specification, which other shall also be within the scope of the appended claims.

### BRIEF DESCRIPTION OF THE DRAWINGS

10           **Figure 1** illustrates an opening menu flow chart for new user and log in processing.

**Figure 2** illustrates a representative post template selection flow chart.

**Figure 3** illustrates a representative Video and still frames analysis flow chart.

**Figure 4** illustrates the User segment text and sequence assignment flow chart.

**Figure 5** illustrates a flow chart of the assignment of segment supporting music files.

15           **Figure 6** illustrates a representative diagram showing the various preview formats.

**Figure 7** illustrates a representative diagram of the motion graphics operations center servers in relation to the internet and its content providing partners and its customers.

20           As those in the art will appreciate, the following description describes certain preferred embodiments of the invention in detail, and is thus only representative and does not depict the actual scope of the invention. Before describing the present invention in detail, it is understood that the invention is not limited to the particular embodiments, devices, components, systems, and methodologies described, as these may vary. It is also to be understood that the terminology used herein is for the purpose of describing particular embodiments only, and is not intended to limit  
25           the scope of the invention defined by the appended claims.

### DESCRIPTION OF THE PREFERRED EMBODIMENTS

30           It has been recognized that it would be advantageous to provide a web-based motion graphics service to consumers who wish to create professional looking productions of their cherished memories in the form of digital stills or video footage, i.e., a user's "core content". In particular, the present invention provides a user friendly web-based or e-commerce-based motion

graphics service that allows the compilation and creation of professional productions from pre-scripted theme-specific templates. Such a system maximizes user creativity and satisfaction in an environment that minimizes learning curve-associated frustration and burn out. The systems of the invention provide multiple skill level-based compilations with tutorials to help a user achieve his/her desired result, relying on the user's creativity but not requiring specialized knowledge of computer-based systems and tools for creating and editing motion graphic and video productions. The number of special effects that can be offered to users is virtually unlimited. Based on the skill level a user selects, the user will be able to select from completely pre-scripted, "point and click" motion graphic routines at the beginner level to being able to create transitions, fades, fly-aways, spins, blurs, crops, motion tracking, alpha channel effects, aged film looks, particle generation, dissolves, explosions, light rays, drop shadows, altered perspectives, picture walls with camera angle sweeps, time effects, simulated news flash headlines that spin up to view, and many more. To augment the visual effects, the user is able to select from a large library of sound effects and other audio content.

To address the many possible applications for the service the present invention provides theme-specific templates addressing situations from every day "in the life of" personal events such as birthdays and weddings to business-related situations such as announcements and product launches. Each theme-specific production contains pre-scripted and compiled motion graphic chapters or segments that provide Hollywood-like special effects upon user-provided core content like digital stills and/or video captured from consumer to professional-type cameras, camcorders, cell phones, webcams, surveillance cameras, optical scanners, and any other digital image-generating device. Once a user/customer uploads her/his core content, s/he has the option to add several production options such as backgrounds, backdrops, background music, sound effects, and more from the service and/or its affiliated partners.

The invention will now be described in relation to several embodiments depicted in Figures 1-6.

Referring now to Fig. 1, which depicts in flow diagram fashion, the sequence of operation from the present invention's opening menu screen. The visitor to the present invention's web site is greeted with a conventional opening page or main menu (001). The visitor may then elect to simply browse through the site (005) or join as a new member and create a new account (002). Upon completion of the membership, the user will be contacted via email to have

5 them verify their information (003) by logging into the present invention website. The new member will then be asked to provide credit card or alternative payment methods like Paypal, Billpay or other similar services. Upon submitting payment method a verification process (004) is initiated to verify that a predetermined amount of open credit is available prior to completing the membership process. Existing members may login (006) and go right to their account. The new members as well as established members are guided to a skill level and tutorial selection screen (007). Once the user is ready to begin their compilation they can navigate to the appropriate project category (007). The project categories may include such items as personal, group, church, retail, corporate, etc. Template groups (009) within each category may include such items as Birth announcements, First day at school, Graduations, Reunions, Family reunions, 10 weddings, Anniversaries, First Communion, Confirmation, Bar mitzvahs, Vacations, etc. Templates (010) within each template group may be any relevant event. Once a template is selected (011) the user may elect to either begin uploading their images (012) or go to the tutorial section (013) of the site. If the user elects to go to the tutorial section (016) the user may practice at any skill level desired to arrive at a comfort level. If the user elects to upload their images the user will be directed to designate a location (014) on their computer or other like device where the files reside. Once the image location is entered the user will be prompted to upload their images (015). Upon completion of loading all the images located at the specified location, the user will be prompted to either indicate that they are done uploading (017) or if there are more 20 images from other file locations (012) If the user indicates that uploading is complete the user will have the choice of either continuing to the “create production” (019) or to return to the main menu (018) If the user decides to continue on and go to the “create production” the user can press the “Launch production build” (020) button. Upon selecting this function the Motion Graphic Server will examine the user’s uploaded content looking for flaws in file structure. If the user uploaded files are acceptable in type and structure the user will be notified (023) on screen and by email If any user uploaded image files are corrupted or unacceptable formats the server will set a warning flag and alert the user on-screen (022) and by email. Once the images are accepted, they are then examined by the server for frame size (025). If the user combined both 25 stills and full frame size video like that from a conventional video camera the frame sizes from each media type should be relatively close in size. However if one of the two media sources is 30 dramatically smaller in size and or resolution than the other the user will be prompted

accordingly (025), (026). The user is then directed to set which media type should get priority (027) and which should be increased in size to match to be in like size of the priority media (028). Upon conclusion of this step the server then directs the user to the image sorting screen (029).

5           At the image sorting screen the user is directed through a series of image file assignments (030) to place into priority the previously uploaded content. The user can establish priority of still images in a priority cue (031) with existing or newly created or updated filenames (032). Video clips are assigned priority (033), (034) in the same way except there is a segment length time assigned (035) to indicate how long each segment is. Once all clips and stills are prioritized  
10 the user is prompted (039) to determine if the original media source audio is to be used (041) and or if the user would like to add background music (042). Upon concluding these steps the user is directed to select the music (043) from a variety of sources like SmartSound (044) and other royalty free sources (045) as well as “pay per song” services (046) like Napster and iTunes. As the user selects and purchases music for the ongoing build of the compilation, the user screen  
15 illustrates each video segment (047), Segment title (048), Run time (049) and the music timeline (050, 051, 052). The music timeline is illustrative of the amount of time required to completely fill the segment from start to end with music content. The motion graphics server automatically assigns fade-in and fade-outs as needed at the segment in and out points as well as song to song interplay. Upon concluding these steps the user is prompted that the production is ready to  
20 finalize (053) and the user is prompted to select one or more output file types like DVD (VOB) files (055), MPEG4 files (056), Quick time (057), Windows Media files (059), AVI files (060) and any other file type that may exist or come into existence that is playable on one or more media players and media playing PC’s and other like apparatus. Once the motion graphic production is complete in the format of their choice, the user is directed to view their creation  
25 (061) and to make any corrections or updates they desire. Each of the available file formats are presented to the user as selected and then the user may elect to keep or discard any or all of the choices (062, 063, 064, 065 and 066). Allowing the preview of the finished production only after the format is selected is due to the fact that the final format type often contributes to the viewing quality of the production and the user may elect to change their original choice to one better  
30 suited to their playback device or those of the persons they may wish to distribute the production to. At this point the user accepts the production (067). If the user did not use any copyrighted

content in their production the order will be released to the customer (070) If the user elected to use any copyrighted or non-royalty-free materials (068) in their production like music, graphics, quotes, or other content subject to applicable copyright laws will be warned not to distribute or publicly show their production. The user will be asked to read and accept the terms of a limited use agreement (069) satisfying the requirements of the licensor of the copyrighted content. The present invention's feature of providing copyrighted material(s) to its users is subject to the approval and license by the content owners or their agents of record for the limited use by the instant invention's service and its customers.

\* \* \*

All of the articles and methods described and claimed herein can be made and executed without undue experimentation in light of the present disclosure. While the articles and methods of this invention have been described in terms of preferred embodiments, it will be apparent to those of skill in the art that variations may be applied to the articles and methods. All such similar substitutes and modifications apparent to those skilled in the art are deemed to be within the spirit and scope of the invention as defined by the appended claims.

All patents, patent applications, and publications mentioned in the specification are indicative of the levels of those of ordinary skill in the art to which the invention pertains. All patents, patent applications, and publications, including those to which priority or another benefit is claimed, are herein incorporated by reference to the same extent as if each individual publication was specifically and individually indicated to be incorporated by reference.

The invention illustratively described herein suitably may be practiced in the absence of any element(s) not specifically disclosed herein. Thus, for example, in each instance herein any of the terms "comprising", "consisting essentially of", and "consisting of" may be replaced with either of the other two terms. The terms and expressions which have been employed are used as terms of description and not of limitation, and there is no intention that in the use of such terms and expressions of excluding any equivalents of the features shown and described or portions thereof, but it is recognized that various modifications are possible within the scope of the invention claimed. Thus, it should be understood that although the present invention has been specifically disclosed by preferred embodiments and optional features, modification and

variation of the concepts herein disclosed may be resorted to by those skilled in the art, and that such modifications and variations are considered to be within the scope of this invention as defined by the appended claims.

Claim

1. An online or e-commerce based motion graphics service providing Hollywood-like productions from user provided content including but not limited to digital stills, video footage, graphics, sound effects, and musical content.
2. Use of an off the shelf program like Adobe After Effects and a SDK “Software Development Kit” to provide an automated scripted motion graphic generating user interface and production suite for online use.
3. Use of multiple skill levels and tutorials to maximize user satisfaction.
4. User being able to preview their production in various formats prior to accepting their project to see which format plays back best for their targeted playback device(s).

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**ABSTRACT**

5       The invention concerns an online or e-commerce-based motion graphics service providing Hollywood-like productions from user provided content including but not limited to digital stills, video footage, graphics, sound effects, and musical content. User involvement is determined by their skill level.

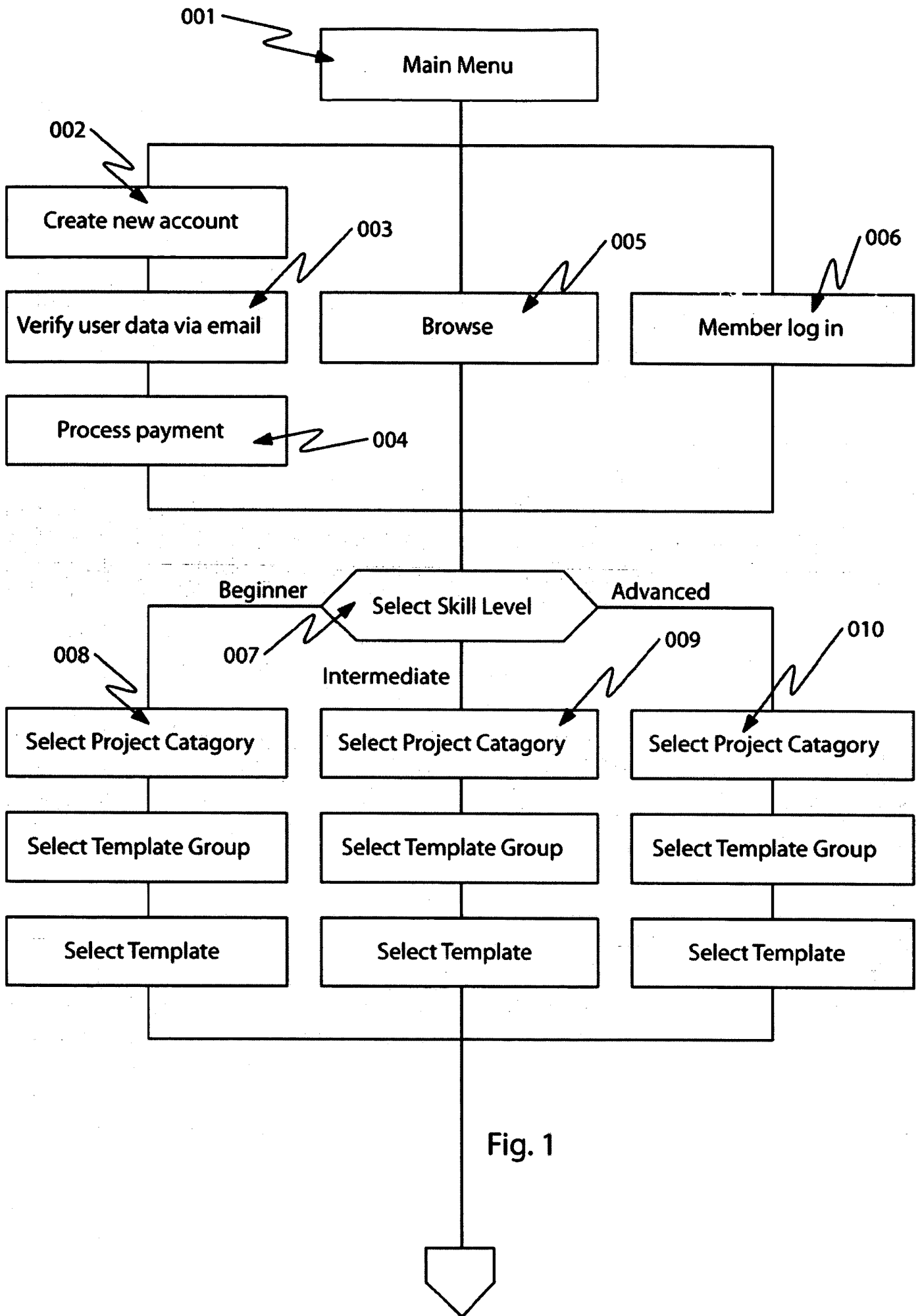


Fig. 1

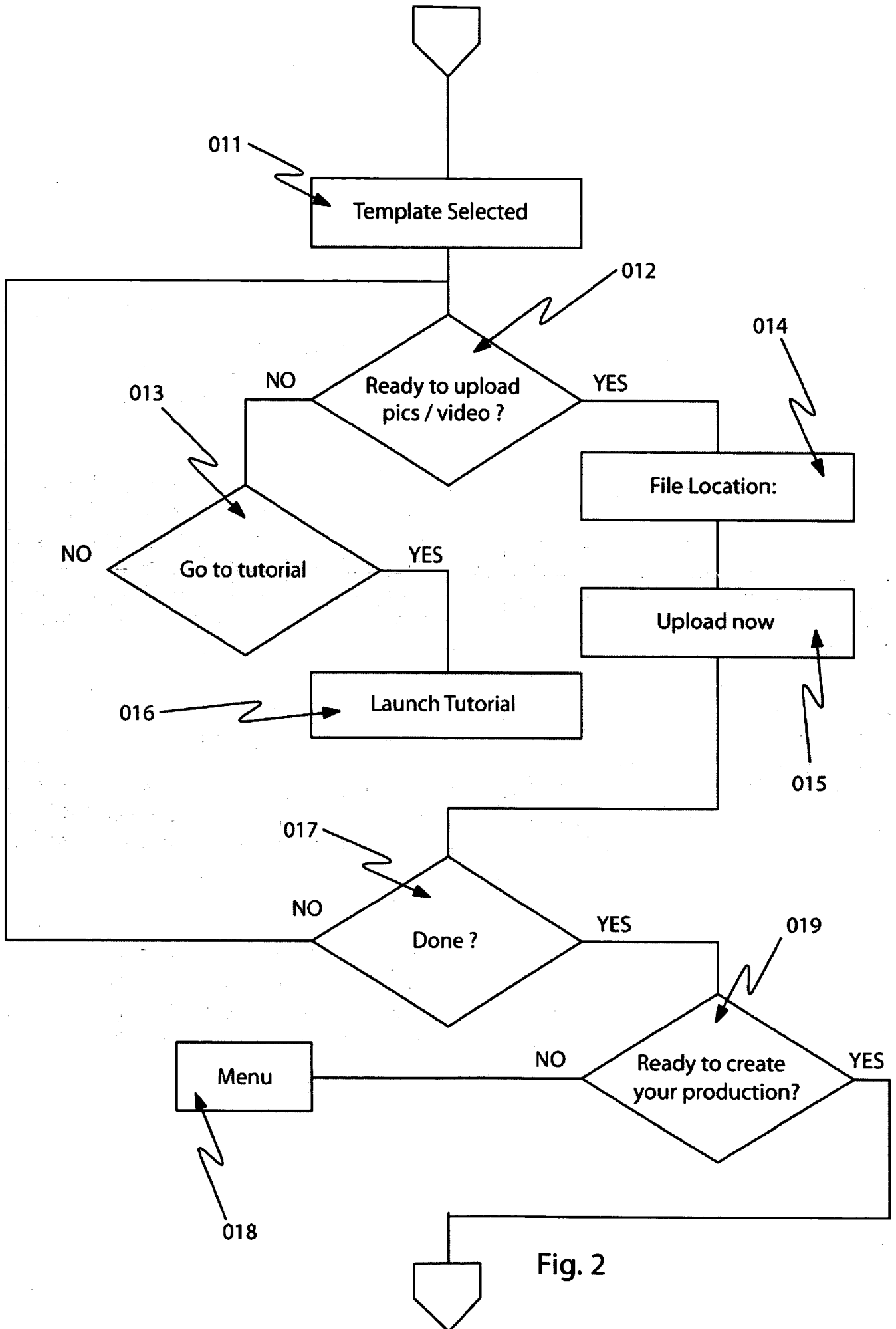


Fig. 2

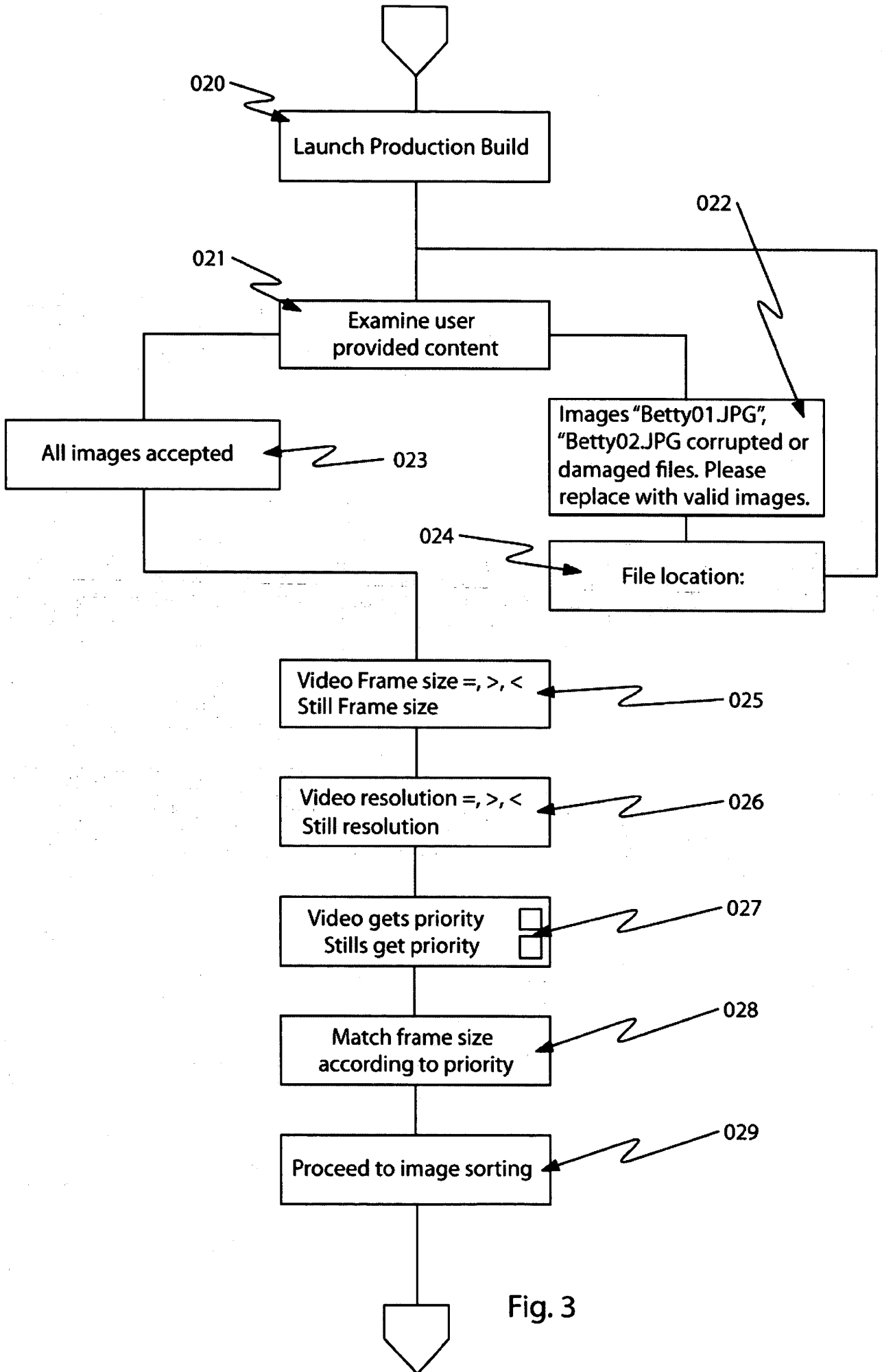


Fig. 3

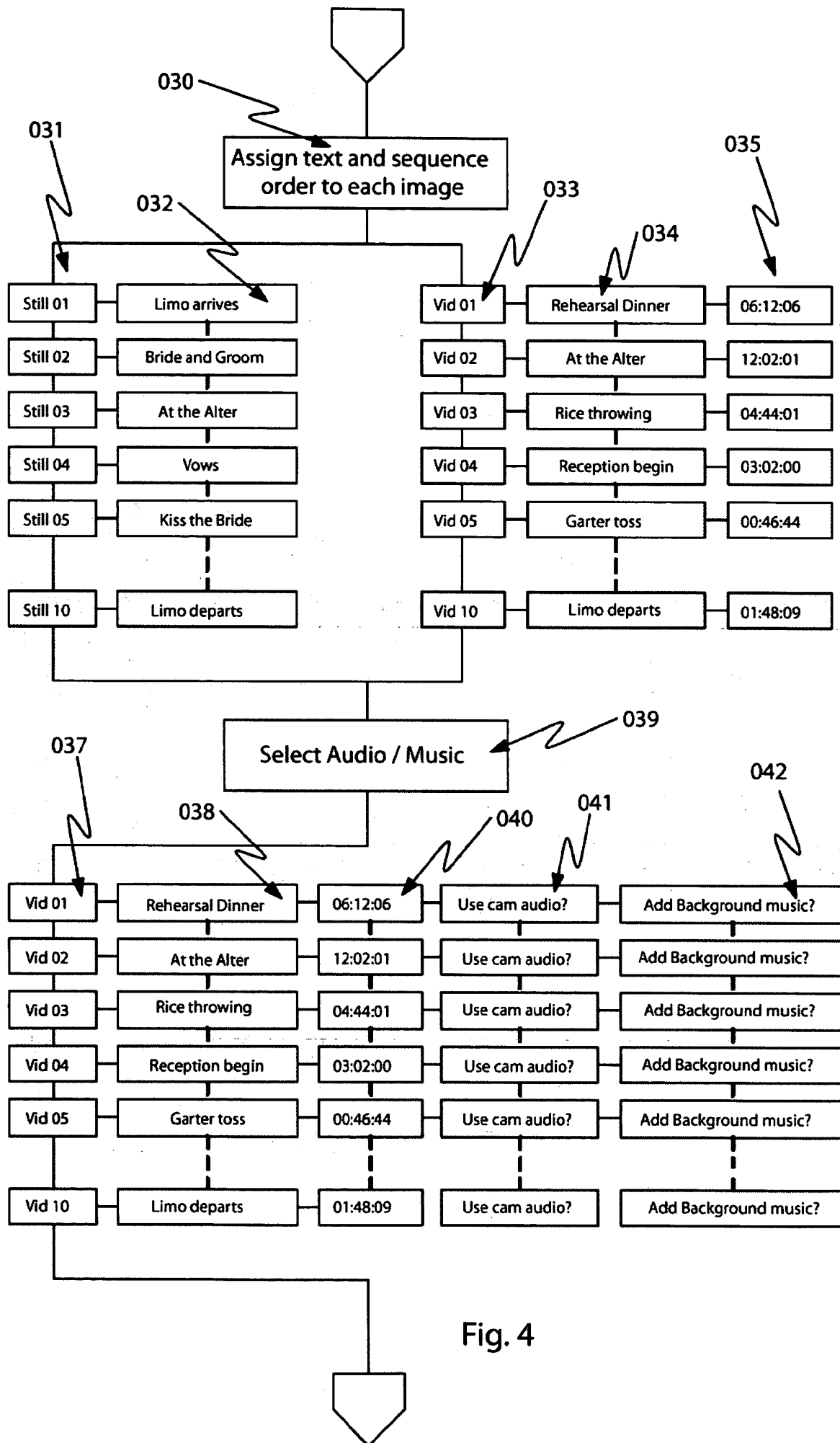


Fig. 4

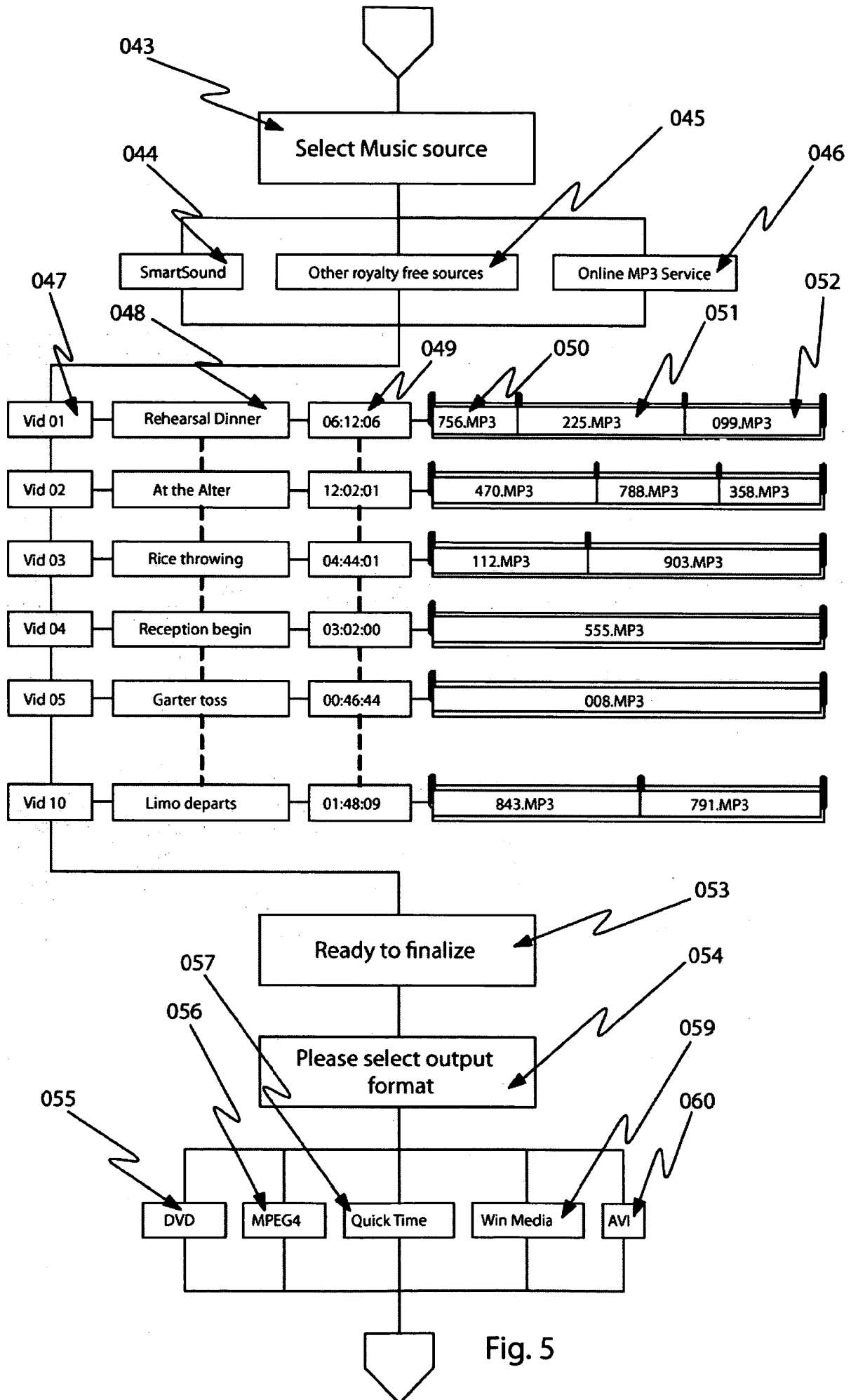


Fig. 5

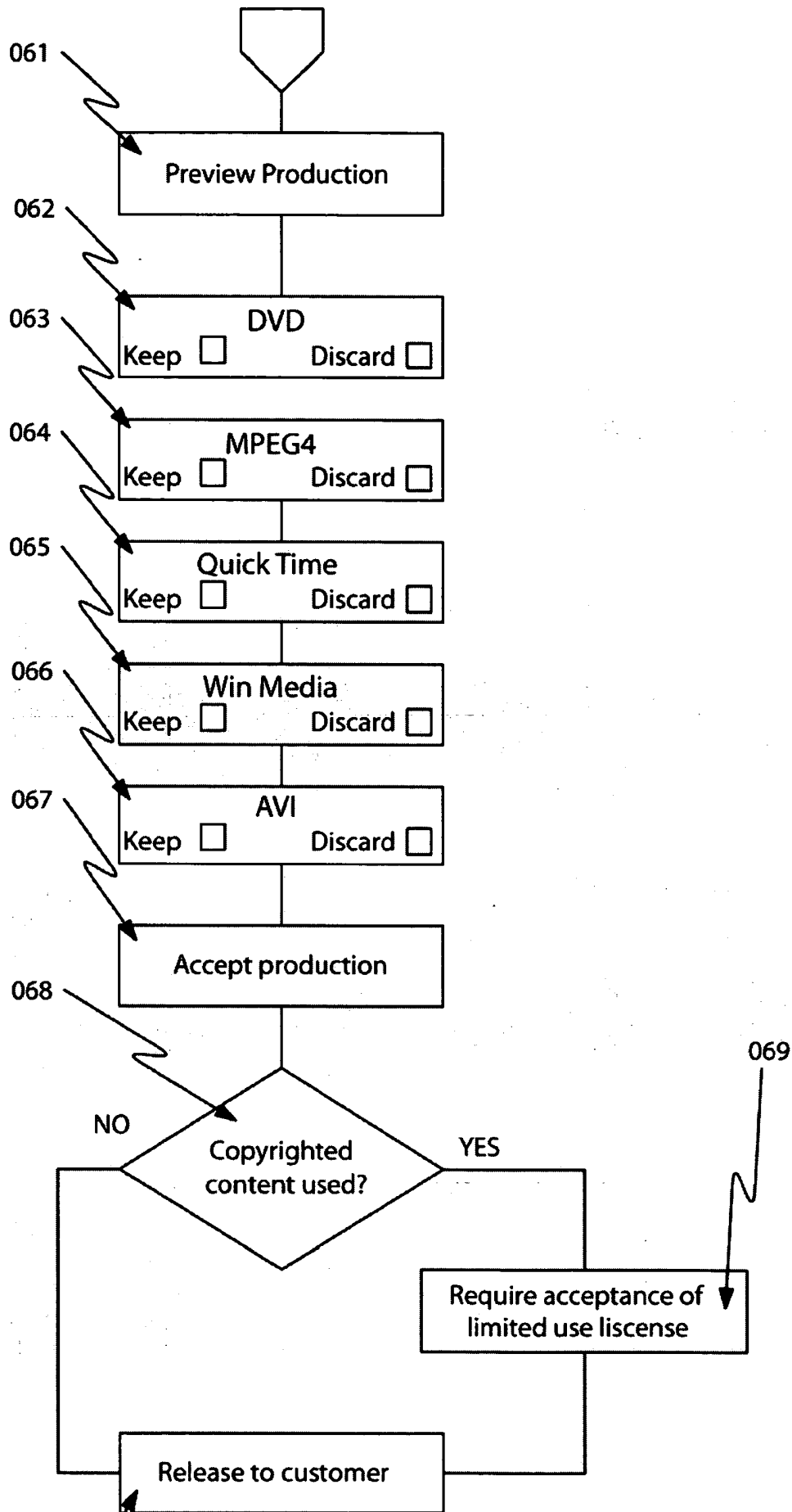


Fig. 6

# Online Motion Graphics business operations center

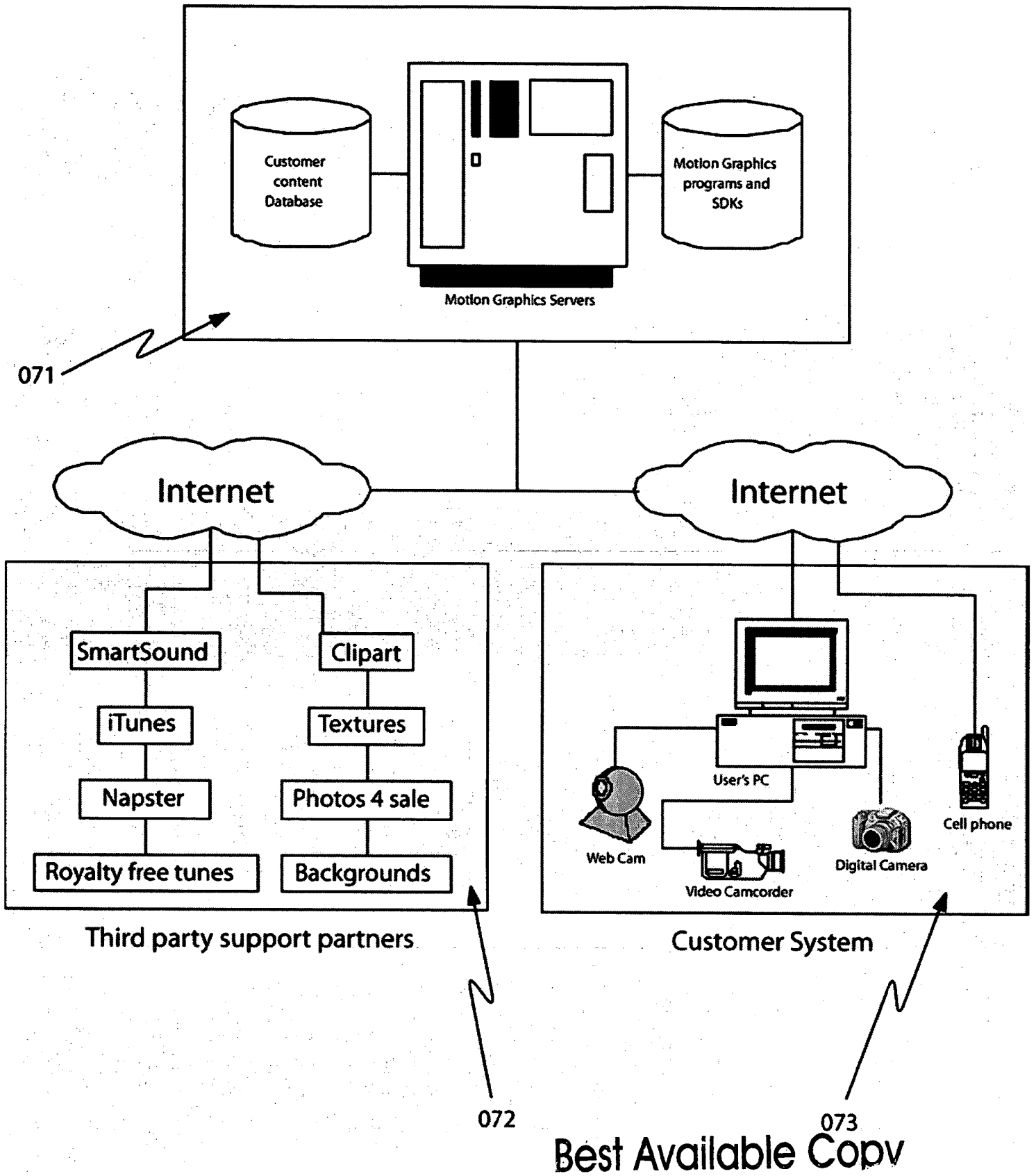


Fig. 7