

***Status of Claims***

4. Claims 69-87 have been examined.
5. Claims 69-87 have been allowed.

***Reason for Allowance***

6. The present invention is directed to gaming. Specifically, the instant application is directed to method for enhancing game play. Prior art gaming systems are old and well-known. Companies such as Sega and Midway teach coin-operated video games, while Atari, Colecovision, Intellivision, Nintendo, Sega, Sony and more recently Microsoft teach console-based systems where games are stored on a medium such as a cartridge or optical disk, and the medium is inserted into the console to effect gameplay. Some of the prior art gaming systems offer "continuation" where play is resumed after a loss of game lives (e.g. SoulCalibur), an options screen where a player can obtain new gaming objects (e.g. Age of Empires), and/or an in-game object select option (e.g. Shrek 2). None of these systems, however, disclose offering a game object to a user for a price and allowing said user to access and incorporate said object in a game without interrupting the game. Kim discloses game features such as

“power-ups” that are incorporated within a game and can be used to enhance game play (US 6,928,414, column 5, lines 10-53). Kim denotes these game features as advertisements (‘414, abstract) as they are associated with a company logo (‘414, column 4, lines 59-63) and mentions that they can be purchased. Kim, however, is silent regarding a specific purchasing method for obtaining these features (‘414, column 4, lines 45-50). Rashkovsky et al. (US 6,616,533) teach interrupting game play to allow a user to purchase objects related to a game such as action figures (‘533, abstract; figures 1-3 and 5; column 1, lines 28-35; column 2, lines 8-19; column 3, lines 6-18; column 4, lines 27-39) and providing a discount to a user if the user has achieved a certain score (‘533, column 4, lines 58-67).

Martinez et al. (US 6,119,229) teach a system for obtaining digital objects in a gaming environment (‘229, column 3, lines 1-50; column 4, lines 32-64; column 8, lines 13-48; column 29, lines 29-60). Roskowski et al. (US 5,624,316) disclose downloading and incorporating game features into a game (‘316, abstract; figure 1; column/line 5/26-6/62), while Heckel (US 6,036,601) teach monitoring a user’s progress in a game environment and sending advertisements to the user based on said monitoring (‘301, column/line 4/20-5/40). To one of ordinary skill, therefore, the closest prior art teaching to Applicant’s claims is a combination of the Martinez et al., Roskowski et al. and Heckel teachings where a user is presented, in a game environment, with an ad for a game object based

on gameplay, the user downloads the object and the object is incorporated into the game. However, the instant invention is distinguished from the prior art singly or in combination as the system tracks a user's gaming actions, the system determines whether a user is eligible to purchase a game object based on the user's account balance, the system presents an offer to the user to purchase the game object based on at least said tracked gaming action, the user purchases and is supplied with the game object without interrupting the gaming action, and the object is incorporated into the game.

7. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
  - "MICROSOFT: Key players tap Microsoft DirectPlay to deliver online gaming to the masses" M2 PressWire, April 29, 1997
  - Gilmore et al. disclose advertising within video games