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May 11, 2000

CONFIDENTIAL

Mr. Scott Bowman

Wachovia Bank

Re: Iviewit.com LLC Intellectual Property Portfolio
Our Ref.: 57103/101

Dear Mr. Bowman:

Mr. Brian Utley of Iviewit.com requested that we provide you with information regarding the Intellectual Property matters of the company.

Foley & Lardner has just recently been retained to take over the patent matters from Iviewit.com's previous patent counsel. As discussed below, we have only had the opportunity to provide an initial review of the patent matters as we work toward the preparation and filing of additional patent applications in an effort to provide a comprehensive Intellectual Property position for Iviewit.com. Although we believe that the information and statements contained herein are factually accurate, they are not intended to be any type of representation or opinion as to the scope, strength, or value of Iviewit's Intellectual Property portfolio.

Technology Overview

In our initial discussions with Iviewit, we concentrated our efforts on two primary inventive technologies: (1) Enhanced Digital Imaging Technique (a.k.a., "Zoom & Pan"); and (2) Enhanced Video Streaming Technique (a.k.a., "Full-Screen Full-Motion Video"). These two technologies are the subject of numerous patent applications (see below) already on file. Other inventions were also identified and discussed, but there was a greater need to study these first two because of the upcoming dates that must be met to file additional patent applications. We even identified inventive aspects of Iviewit's business technologies that may be appropriate for a "business method" patent. These other inventions will be fully investigated and evaluated in the next few months.

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Patents

Iviewit.com's previous patent counsel filed eight provisional patent applications in the United States Patent and Trademark Office, and one PCT International patent application in the World Intellectual Property Office.

As you may be aware, a U.S. provisional application for patent is a U.S. national patent application that provides the means to establish an early effective filing date and allows the term "Patent Pending" to be applied. However, a provisional application itself cannot issue into a patent having enforceable rights. A non-provisional application for patent must be filed within 12 months of the provisional application's filing date to claim the benefit of priority. Only the non-provisional application may issue into a patent having enforceable rights.

Provisional applications for patent are not examined on their merits, and there is no requirement to include patent claims in the application. Hence, a provisional patent application (1) provides simplified filing with a lower initial investment for one full year before committing to the higher cost of filing and prosecuting a non-provisional application for patent, (2) establishes an official United States patent application filing date for the invention (to the extent the invention is fully described in the provisional) such that patent rights are not lost, and (3) enables immediate commercial promotion of the invention with greater security against having the invention stolen. However, provisional U.S. patent applications remain confidential in the United States Patent and Trademark Office.

The following eight U.S. provisional applications have been filed for Iviewit:

<i>F&L Docket No.</i>	<i>MLG Docket No.</i>	<i>Patent Appl. No.</i>	<i>Appl. Filing Date</i>	<i>Application Title</i>
57103/102	5865-1	60/125,824	3/24/1999	Apparatus and Method for Producing Enhanced Digital Images
57103/103	5865-3	60/137,297	6/03/1999	Apparatus and Method for Producing Enhanced Video Images
57103/104	5865-4	60/137,921	6/07/1999	Apparatus and Method for Playing Video Files Across the Internet
57103/105	5865-4.1	60/141,440	6/29/1999	Apparatus and Method for Providing and/or Transmitting Video Data and/or Information in a Communication Network.
57103/106	5865-6	60/146,726	8/02/1999	Apparatus and Method for Producing Enhanced Digital Images
57103/107	5865-5	60/149,737	8/19/1999	Apparatus and Method for Producing Enhanced Digital Images and/or Digital Video Files

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Joao made US non-provisional filing that is missing here. Foley also finds it was not sent to them, as indicated in their letter to Joao's firm, regarding missing files that were never sent.

[Click here to see Foley letter to Joao firm regarding the missing files for inventions](#)

57103/108	5865-7	60/155,404	9/22/1999	Apparatus and Method for Producing Enhanced Video Images and/or Video Files
57103/109	5865-8	60/169,559	12/08/1999	Apparatus and Method for Producing Enhanced Video Images and/or Video Files

The first of these eight U.S. provisional applications (Docket No. 57103/102) was filed in the PCT within a year of its filing date (as described below). The remaining seven provisional applications are still pending in the U.S. PTO.

As you may also be aware, a patent application can also be filed as an "international" patent application under the Patent Cooperation Treaty (the "PCT"). By filing one international patent application, the patent applicant can simultaneously seek protection for an invention in each of a large number of countries (the "contracting states") that are "designated" in the PCT application. For example, a PCT application designating the United States may be filed in place of a U.S. non-provisional application to initiate the process for obtaining a United States patent based on the provisional application. As another example, a PCT application designating Europe has the effect of a European patent application among the PCT contracting states that are also party to the European Patent Convention, provided they are each designated for a European patent. The PCT international application is published 18 months after its priority date.

The following PCT International Application has been filed for Iviewit:

<i>F&L Docket No.</i>	<i>MLG Docket No.</i>	<i>Patent Appl. No.</i>	<i>Appl. Filing Date</i>	<i>Application Title</i>
57103/110	5865-10	PCT/US00 /07772	3/23/2000	Apparatus and Method for Producing Enhanced Digital Images

This PCT application is the same as, and properly claims priority to, the first U.S. provisional application (Docket No. 57103/102). Therefore, only the subject matter set forth in the first U.S. provisional application will be covered by this PCT application and any patents that result from it.

We should receive the PCT search results in about three months, and the PCT application is scheduled to be published on 9/24/2000. This will be the first opportunity for the world to see what patent protection Iviewit has applied for. The United States and all foreign countries were designated in this PCT application, but the actual decision of which countries warrant patent protection still needs to be made.

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As shown from the titles of these patent applications, various combinations of the first two technologies are covered in different applications. However, the first application (and, accordingly, the PCT application) appears to only relate to the first “zoom and pan” technology. The other applications relate to the other technologies, so additional U.S. or PCT or foreign patent applications still need to be filed.

Since a U.S. provisional application is not examined and will never issue as a patent itself, it does not make sense to discuss any “scope of protection” for a provisional application. Patent claims still need to be prepared and a non-provisional application still has to be filed for each invention that warrants it. Furthermore, the patent applicant has the opportunity to amend the claims during the prosecution of the non-provisional application. Since the language of the claims of the patent that are examined and finally granted are the only true measure of the scope of protection of any invention, any attempt to evaluate the scope before the application is actually allowed to issue is premature, and could be misleading to those that don’t understand the patent system. Therefore, we cannot comment on the scope of patent protection for any of the Iviewit technologies at this time.

Proper assignments have been executed by the inventor, Eliot Bernstein, and recorded in the United States Patent and Trademark Office for all of the provisional applications. Iviewit Holdings Inc. is the assignee and owner of all the inventions.

We are currently in the process of reviewing all the Iviewit technologies and preparing an appropriate number of non-provisional patent applications to be filed in the next few months.

Trademarks

The Proskauer, Rose law firm is handling the Trademarks for Iviewit.com. Numerous trademark applications are on file with the United States Patent and Trademark Office. Please contact Mr. Utley for further information regarding this Intellectual Property.

This statement is wholly untrue as all the patents were not assigned and owner were not Iviewit Holdings, Inc. Later, it was discovered that there were two Iviewit Holdings, Inc.

Proskauer and Foley are billing for securing copyrights on the source codes for the inventions but they never do it. They bill for it though.

Copyrights

Since any “original work of authorship” that is “fixed in a tangible medium of expression” is automatically protected by copyright laws, Iviewit already has copyrights in any software that it developed. However, registration of the copyright works in the United States Copyright Office affords stronger copyright protection. We have identified several copyright works at Iviewit that we plan to file applications to register the copyrights in the near future.

Trade Secrets

Iviewit has developed a significant amount of software, technical information, and know-how, and has taken significant steps to protect this intellectual property. For example,

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Iviewit has consistently implemented confidentiality agreements with third parties, development agreements with its consultants, and invention agreements with its employees. We are currently in the process of reviewing Iviewit's trade secret protection efforts to ensure that this Intellectual Property remains protected.

Very truly yours,

Douglas A. Boehm

cc: Mr. Brian G. Utley