IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
(MIAMI DIVISION)

08-23543

CIV-JORDAN

/ McALILEY

QUITO ENTERPRISES, LLC, Plaintiff, v. NETFLIX, INC., AMAZON.COM, INC., YAHOO!, INC., SLACKER, INC., PANDORA MEDIA, INC., STRANDS, INC., VEOH NETWORKS, INC., REALNETWORKS, INC., HULU, LLC, NBC UNIVERSAL, INC., NEWS CORP., LAST.FM, LTD., and CBS CORP., Defendants.	§ §	Civil Action No. _____ FILED by AJS D.C. INTAKE DEC 26 2008 STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. MIAMI **JURY TRIAL DEMANDED**

PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Quito Enterprises, LLC ("Plaintiff" or "Quito"), by and through its undersigned counsel, files this Original Complaint against Netflix, Inc., Amazon.com, Inc., Yahoo!, Inc., Slacker, Inc., Pandora Media, Inc., Strands, Inc., Veoh Networks, Inc., RealNetworks, Inc., Hulu, LLC, NBC Universal, Inc., News Corp., Last.fm, Ltd., and CBS Corp. (collectively "Defendants") as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendants' infringement of Plaintiff's United States Patent No. 5,890,152, entitled "Personal Feedback Browser for Obtaining Media Files" (the "'152 patent"; a copy of which is attached hereto as Exhibit 1). The '152 patent may be referred to herein as the "patent-in-suit." Plaintiff is the legal owner of the patent-in-suit. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

2. Plaintiff Quito Enterprises, LLC is a limited liability company organized and existing under the laws of the State of Delaware. Quito maintains its principal place of business at 1000 North West Street, Suite 1200, Wilmington, Delaware 19801. Quito is the legal owner of the patent-in-suit, and possesses all rights of recovery under the patent-in-suit, including the right to sue for infringement and recover past damages.

3. Upon information and belief, Defendant Netflix, Inc. ("Netflix") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 100 Winchester Circle, Los Gatos, California 95032.

4. Upon information and belief, Defendant Amazon.com, Inc. ("Amazon") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 1200 12th Avenue South, Suite 1200, Seattle, Washington 98144.

5. Upon information and belief, Defendant Yahoo!, Inc. ("Yahoo") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 701 First Avenue, Sunnyvale, California 94089.

6. Upon information and belief, Defendant Slacker, Inc. ("Slacker") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 16935 West Bernardo Drive, San Diego, California 92127.

7. Upon information and belief, Defendant Pandora Media, Inc. ("Pandora") is a corporation organized and existing under the laws of the State of California, with its principal place of business located at 360 22nd Street, Suite 440, Oakland, California 94612.

8. Upon information and belief, Defendant Strands, Inc. ("Strands") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 760 Southwest Madison, Suite 106, Corvallis, Oregon 97333.

9. Upon information and belief, Defendant Veoh Networks, Inc. ("Veoh") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 10180 Telesis Court, 4th Floor, San Diego, California 92121.

10. Upon information and belief, Defendant RealNetworks, Inc. ("Real") is a corporation organized and existing under the laws of the State of Washington, with its principal place of business located at 2601 Elliot Avenue, Suite 1000, Seattle, Washington 98121.

11. Upon information and belief, Defendant Hulu, LLC ("Hulu") is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business located at 12312 West Olympic Blvd., Los Angeles, California 90064. Upon information and belief, Hulu is a joint venture between NBC and News Corp.

12. Upon information and belief, Defendant NBC Universal, Inc. ("NBC") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 30 Rockefeller Plaza, New York, New York 10112.

13. Upon information and belief, Defendant News Corp. ("News Corp.") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 1211 Avenue of the Americas, New York, New York 10036.

14. Upon information and belief, Defendant Last.fm, Ltd. ("Last.fm") is a corporation organized and existing under the laws of England, with its principal place of business located at 1-11 Baches Street, London, Greater London N1 6DL, United Kingdom.

15. Upon information and belief, Defendant CBS Corp. ("CBS") is the parent of Last.fm and is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 51 West 52nd Street, New York, New York 10019.

JURISDICTION AND VENUE

16. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, and 281-285.

17. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

18. This Court has personal jurisdiction over each Defendant. Each Defendant has conducted and does conduct business within the State of Florida. Each Defendant, directly and/or through intermediaries (including distributors, retailers, and others), ships, distributes, offers for sale, sells, advertises, and utilizes its products and services in the United States, the State of Florida, and the Southern District of Florida. Each Defendant (directly and/or through intermediaries) maintains a website that actively and successfully solicits members/subscribers within Florida and the Southern District of Florida. Each Defendant has purposefully and voluntarily placed one or more of its infringing products and services, as described below in

Count I, into the stream of commerce with the expectation that the infringing products and services will be utilized in the Southern District of Florida. These infringing products and services have been and continue to be utilized in the Southern District of Florida. Each Defendant has committed the tort of patent infringement within the State of Florida, and more particularly, within the Southern District of Florida.

19. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b)-(c) and 1400(b).

BACKGROUND

20. On March 30, 1999, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,890,152, entitled "Personal Feedback Browser for Obtaining Media Files." Plaintiff holds all right, title, and interest in and to the '152 patent.

21. Upon information and belief, Defendants make, use, license, sell, offer for sale, or supply in the State of Florida, in this judicial district, and elsewhere in the United States Internet media products and associated services that infringe the patent-in-suit.

COUNT I: INFRINGEMENT OF THE '152 PATENT

22. Plaintiff realleges and reincorporates by reference herein the allegations contained in Paragraphs 1 through 21.

23. Upon information and belief, Netflix has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent.

Upon information and belief, Netflix has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

24. Upon information and belief, Amazon has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Amazon has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

25. Upon information and belief, Yahoo has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Yahoo has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

26. Upon information and belief, Slacker has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Slacker has contributed to the infringement of the '152 patent,

and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

27. Upon information and belief, Pandora has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Pandora has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

28. Upon information and belief, Strands has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Strands has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

29. Upon information and belief, Veoh has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Veoh has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

30. Upon information and belief, Real has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Real has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

31. Upon information and belief, Hulu has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Hulu has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

32. Upon information and belief, NBC has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, NBC has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

33. Upon information and belief, News Corp. has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries),

and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, News Corp. has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

34. Upon information and belief, Last.fm has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, Last.fm has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

35. Upon information and belief, CBS has infringed and continues to infringe the '152 patent by making, using, offering to sell, selling (directly or through intermediaries), and/or importing, in this district and elsewhere in the United States, Internet media products and associated services that utilize the systems and methods disclosed and claimed in the '152 patent. Upon information and belief, CBS has contributed to the infringement of the '152 patent, and/or actively induced others to infringe the '152 patent, in this district and elsewhere in the United States.

36. Each Defendant's infringement of the '152 patent has caused Plaintiff to suffer damages in an amount that is no less than a reasonable royalty.

37. Plaintiff is entitled to recover from each Defendant the damages sustained by Plaintiff as a result of each Defendant's wrongful acts in an amount subject to proof at trial.

38. Each Defendant's infringement of Plaintiff's exclusive rights under the '152 patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless it is enjoined by this Court.

JURY DEMAND

39. Plaintiff demands a trial by jury on all issues and has paid the required jury fee.

PRAYER FOR RELIEF

Plaintiff Quito Enterprises, LLC respectfully requests this Court to enter judgment in its favor against each Defendant, granting the following relief:

a. An adjudication that each Defendant has infringed and continues to infringe claims of the '152 patent;

b. An award to Plaintiff of damages adequate to compensate Plaintiff for each Defendant's acts of infringement together with prejudgment interest;

c. A grant of a permanent injunction pursuant to 35 U.S.C. § 283, enjoining each Defendant from further acts of (1) infringement, (2) contributory infringement, and (3) actively inducing infringement with respect to the claims of the '152 patent; and

d. Any further relief that this Court deems just and proper.

Dated: December 24, 2008

Respectfully submitted,

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EXHIBIT 1

US005890152A

United States Patent [19]

Rapaport et al.

[11] **Patent Number: 5,890,152**

[45] **Date of Patent: Mar. 30, 1999**

[54] **PERSONAL FEEDBACK BROWSER FOR OBTAINING MEDIA FILES**

[75] Inventors: **Jeffrey Alan Rapaport**, 362 West Olive Ave., Sunnyvale, Calif. 94086; **Seymour Alvin Rapaport**, 1050 Crooked Creek Dr., Los Altos, Calif. 94024

[73] Assignees: **Seymour Alvin Rapaport**, Los Altos; **Jeffrey Alan Rapaport**, Sunnyvale; **Linda Rapaport**, Los Altos, all of Calif.

[21] Appl. No.: **709,762**

[22] Filed: **Sep. 9, 1996**

[51] **Int. Cl.**[6] **G06F 3/00**

[52] **U.S. Cl.** **707/6**; 707/7; 707/104; 345/333; 345/978; 345/968

[58] **Field of Search** 345/326, 358, 345/968, 978, 12, 54; 379/427; 707/3–6, 7, 104, 501

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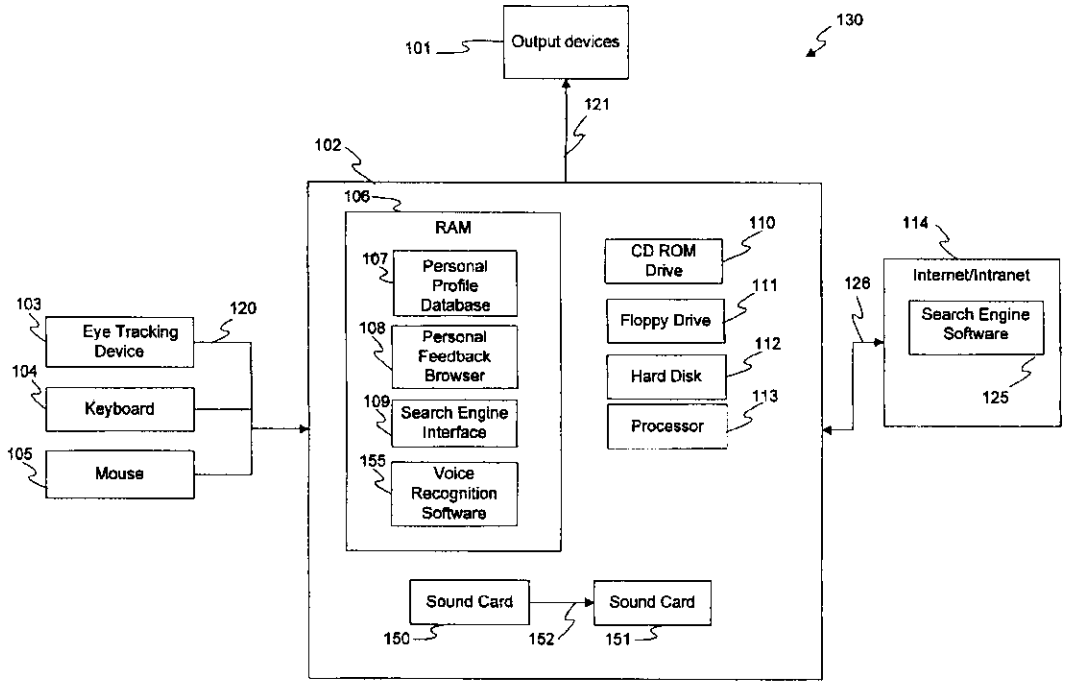
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Primary Examiner—John E. Breene
Attorney, Agent, or Firm—Fliesler, Dubb, Meyer & Lovejoy

[57] **ABSTRACT**

A Personal Feedback browser and Personal Profile database is provided for obtaining media files from the internet. A Personal Feedback browser selects media files based on user-specified information stored in the Personal Profile database. The Personal Profile database includes Profile Objects which represent the interests, attitude/aptitude, reading comprehension and tastes of a user. Profile Objects are bundles of key words/key phrases having assigned weight values. Profile Objects can be positioned a specified distance from a Self Object. The distance from the Profile Object to the Self Object represents the effect the Profile Object has in filtering and/or selecting media files for that user. The Personal Feedback browser includes a media evaluation software program for evaluating media files based on a personal profile database. The Personal Profile database is also adjusted based upon user selection and absorption of media files. A sound-to-text software program is provided for translating a sound file to a text file.

49 Claims, 33 Drawing Sheets



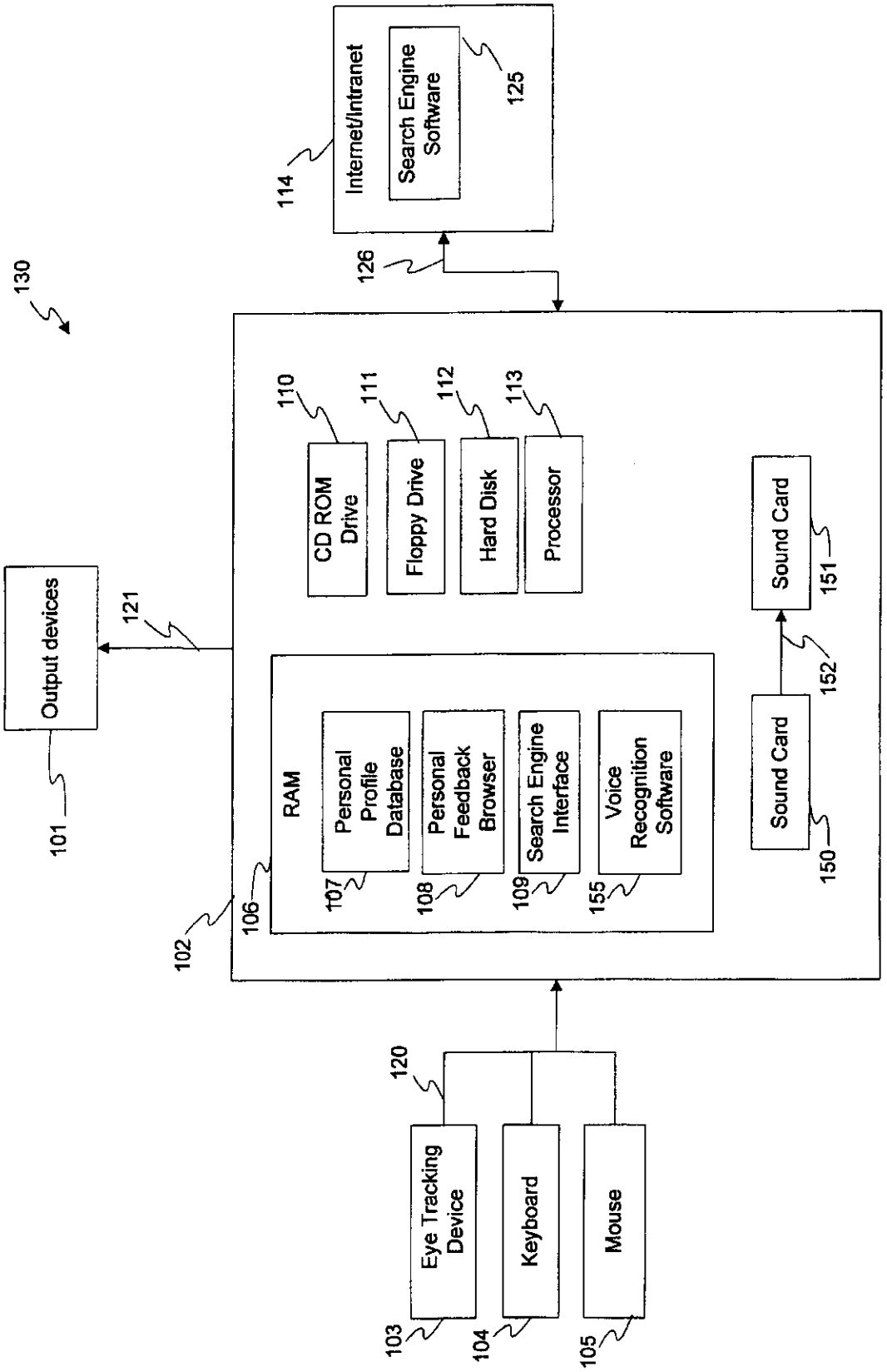

Internet/Intranet
Search Engine Software
125
114
126
130
110
111
112
113
CD ROM Drive
Floppy Drive
Hard Disk
Processor
Sound Card
151
Output devices
121
RAM
Personal Profile Database
Personal Feedback Browser
Search Engine Interface
Voice Recognition Software
Sound Card
152
150
101
106
107
108
109
155
102
120
Eye Tracking Device
Keyboard
Mouse
103
104
105

Fig. 1

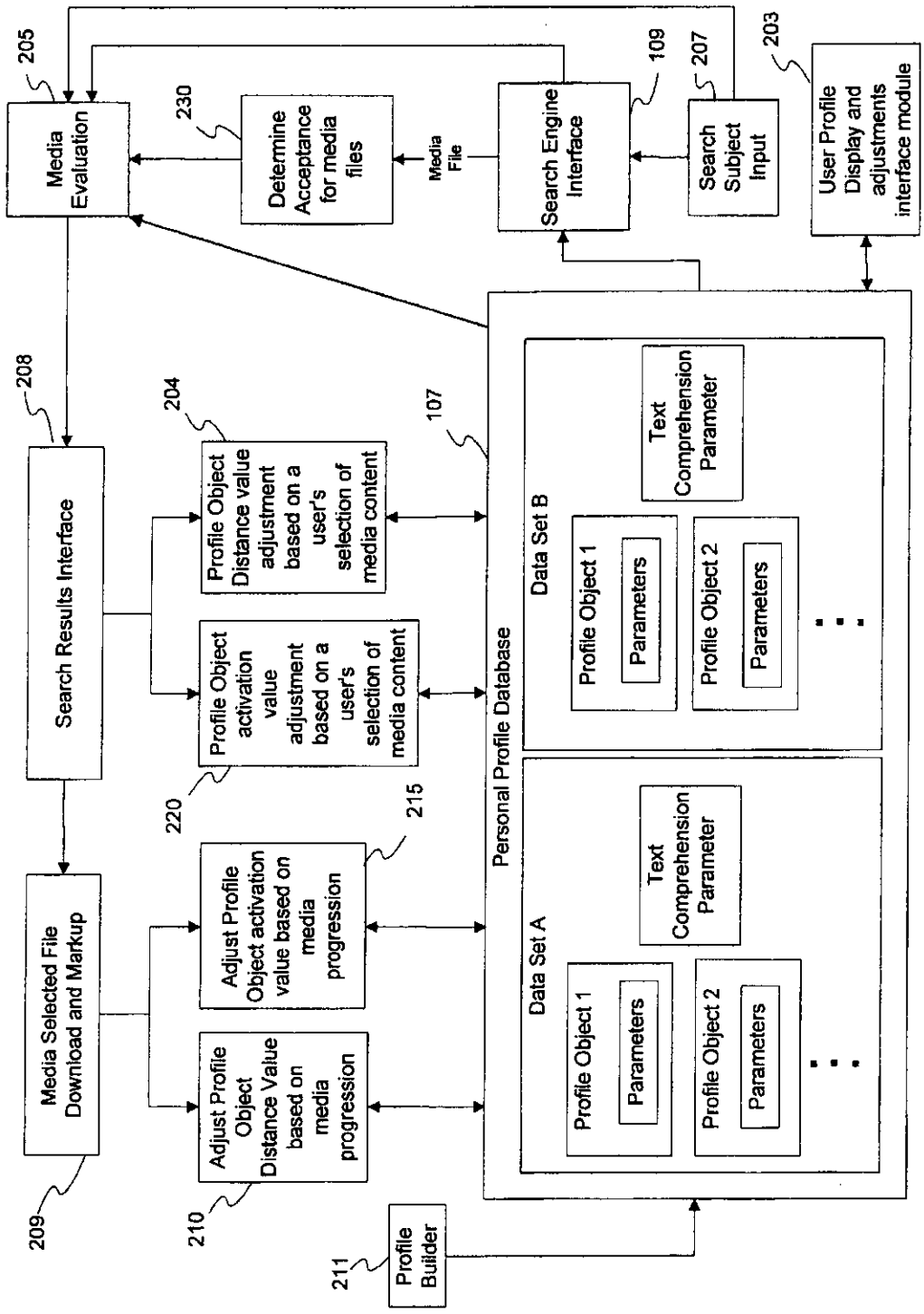

205
Media Evaluation
230
Determine Acceptance for media files
Media File
Search Engine Interface
109
207
Search Subject Input
203
User Profile Display and adjustments interface module
208
Search Results Interface
204
Profile Object Distance value adjustment based on a user's selection of media content
107
Profile Object activation value adjustment based on a user's selection of media content
220
Personal Profile Database
Data Set B
Text Comprehension Parameter
Profile Object 1
Parameters
Profile Object 2
Parameters
Data Set A
Text Comprehension Parameter
Profile Object 1
Parameters
Profile Object 2
Parameters
215
Adjust Profile Object activation value based on media progression
Media Selected File Download and Markup
209
Adjust Profile Object Distance Value based on media progression
210
211
Profile Builder

Fig. 2

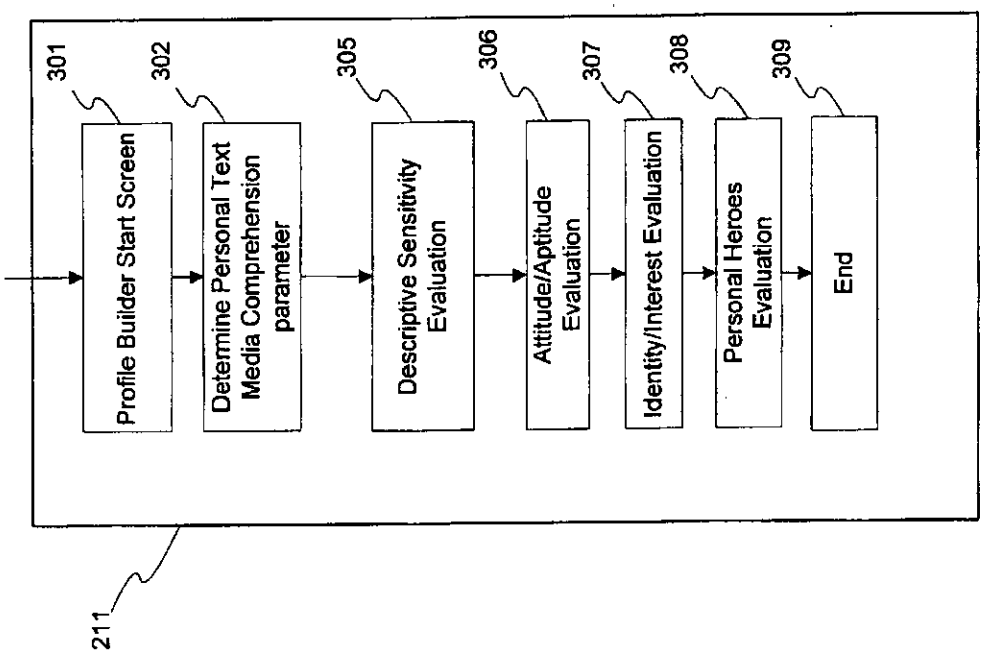

301
Profile Builder Start Screen
302
Determine Personal Text Media Comprehension parameter
305
Descriptive Sensitivity Evaluation
306
Attitude/Aptitude Evaluation
307
Identity/Interest Evaluation
308
Personal Heroes Evaluation
309
End
211

Fig. 3a

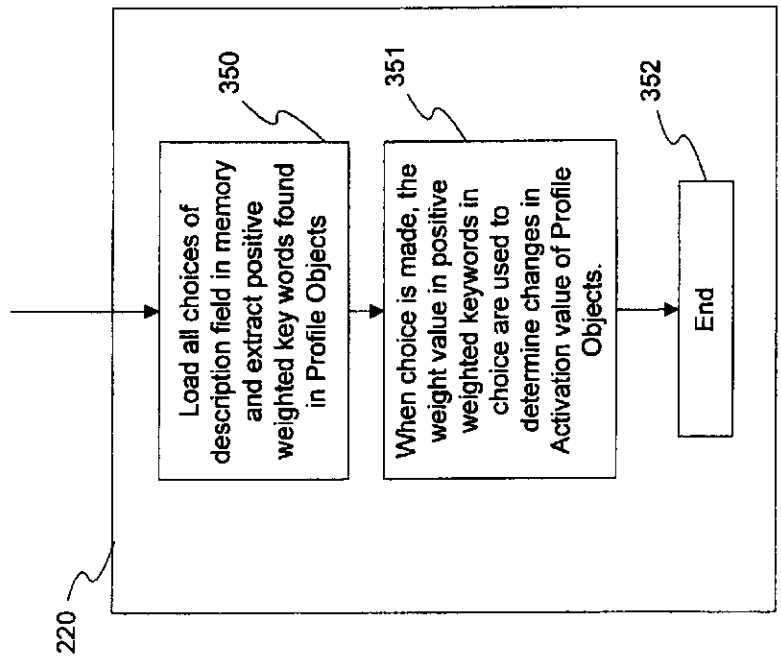

220
Load all choices of description field in memory and extract positive weighted key words found in Profile Objects
350
When choice is made, the weight value in positive weighted keywords in choice are used to determine changes in Activation value of Profile Objects.
351
End
352

Fig. 3c

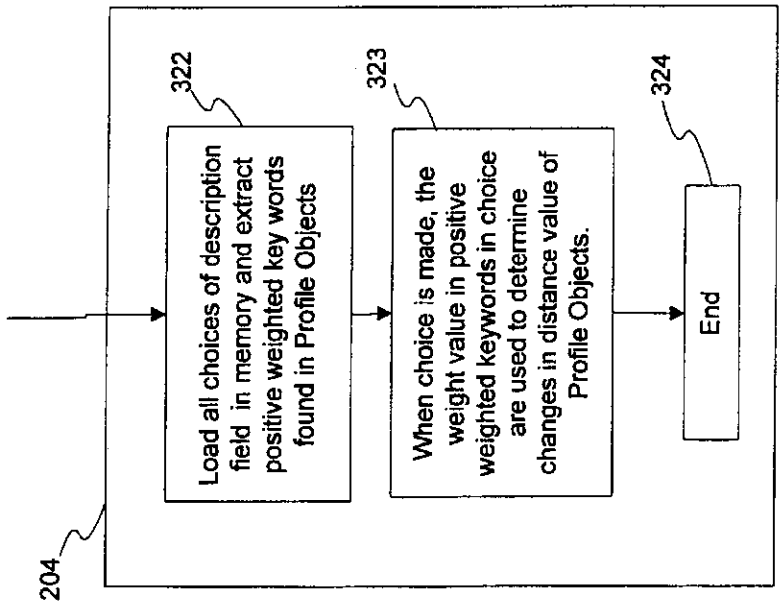

204
Load all choices of description field in memory and extract positive weighted key words found in Profile Objects
322
When choice is made, the weight value in positive weighted keywords in choice are used to determine changes in distance value of Profile Objects.
323
End
324

Fig. 3b

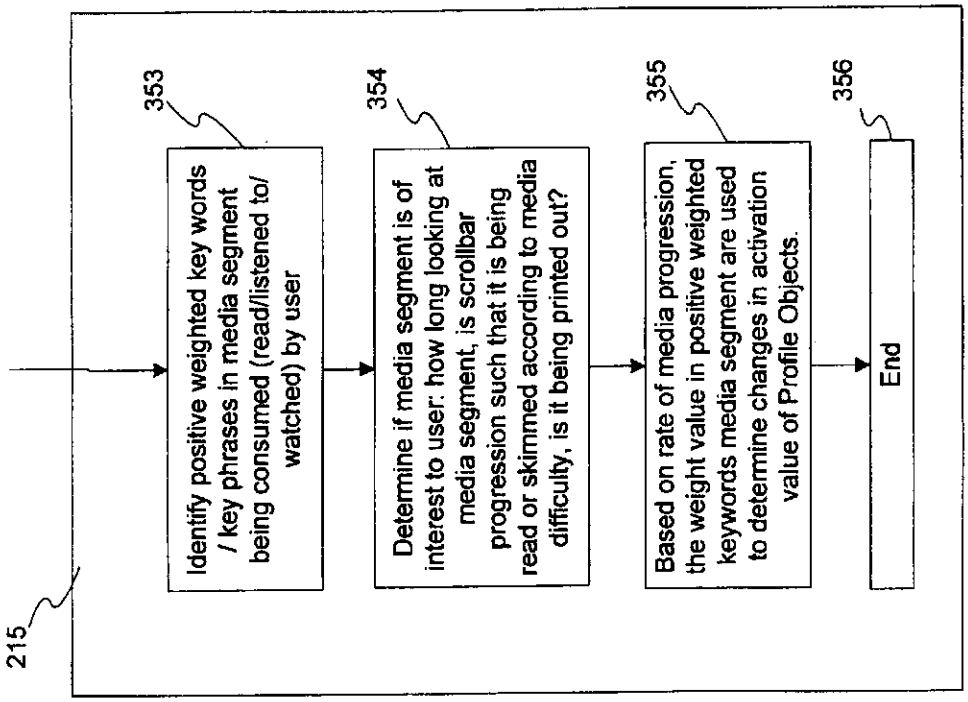

215
353
Identify positive weighted key words / key phrases in media segment being consumed (read/listened to/ watched) by user
354
Determine if media segment is of interest to user: how long looking at media segment, is scrollbar progression such that it is being read or skimmed according to media difficulty, is it being printed out?
355
Based on rate of media progression, the weight value in positive weighted keywords media segment are used to determine changes in activation value of Profile Objects.
356
End

Fig. 3e

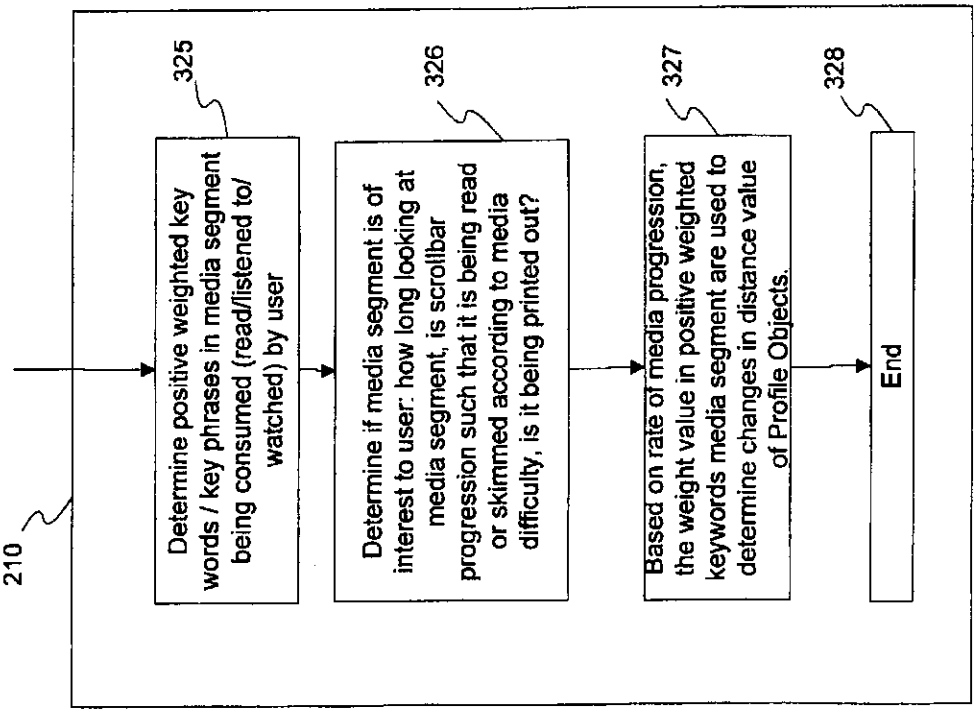

210
325
Determine positive weighted key words / key phrases in media segment being consumed (read/listened to/ watched) by user
326
Determine if media segment is of interest to user: how long looking at media segment, is scrollbar progression such that it is being read or skimmed according to media difficulty, is it being printed out?
327
Based on rate of media progression, the weight value in positive weighted keywords media segment are used to determine changes in distance value of Profile Objects.
328
End

Fig. 3d

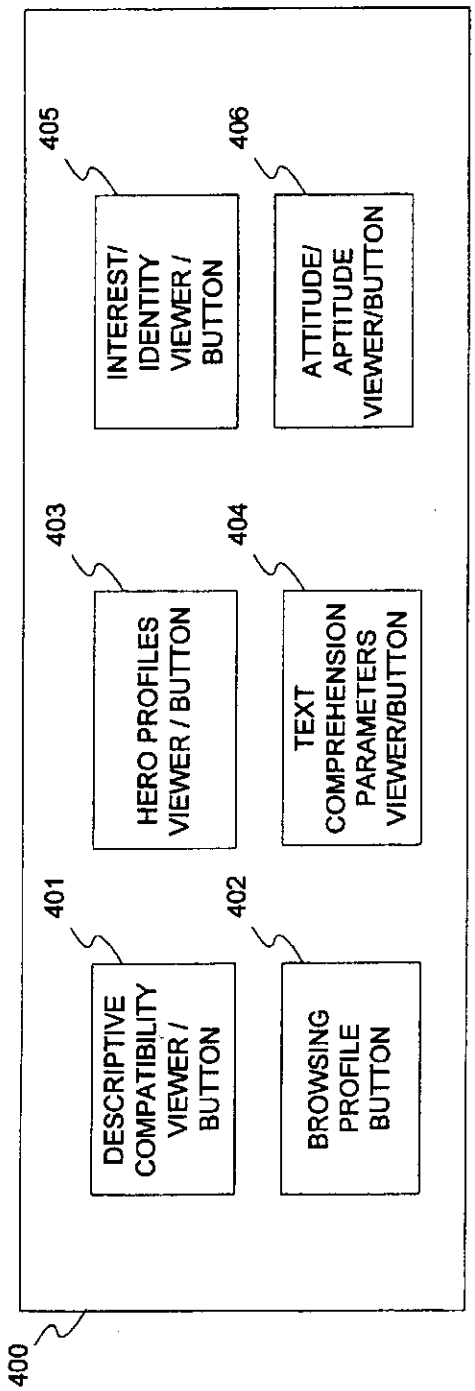

400
401
DESCRIPTIVE COMPATIBILITY VIEWER / BUTTON
402
BROWSING PROFILE BUTTON
403
HERO PROFILES VIEWER / BUTTON
404
TEXT COMPREHENSION PARAMETERS VIEWER/BUTTON
405
INTEREST/ IDENTITY VIEWER / BUTTON
406
ATTITUDE/ APTITUDE VIEWER/BUTTON

Fig. 4a

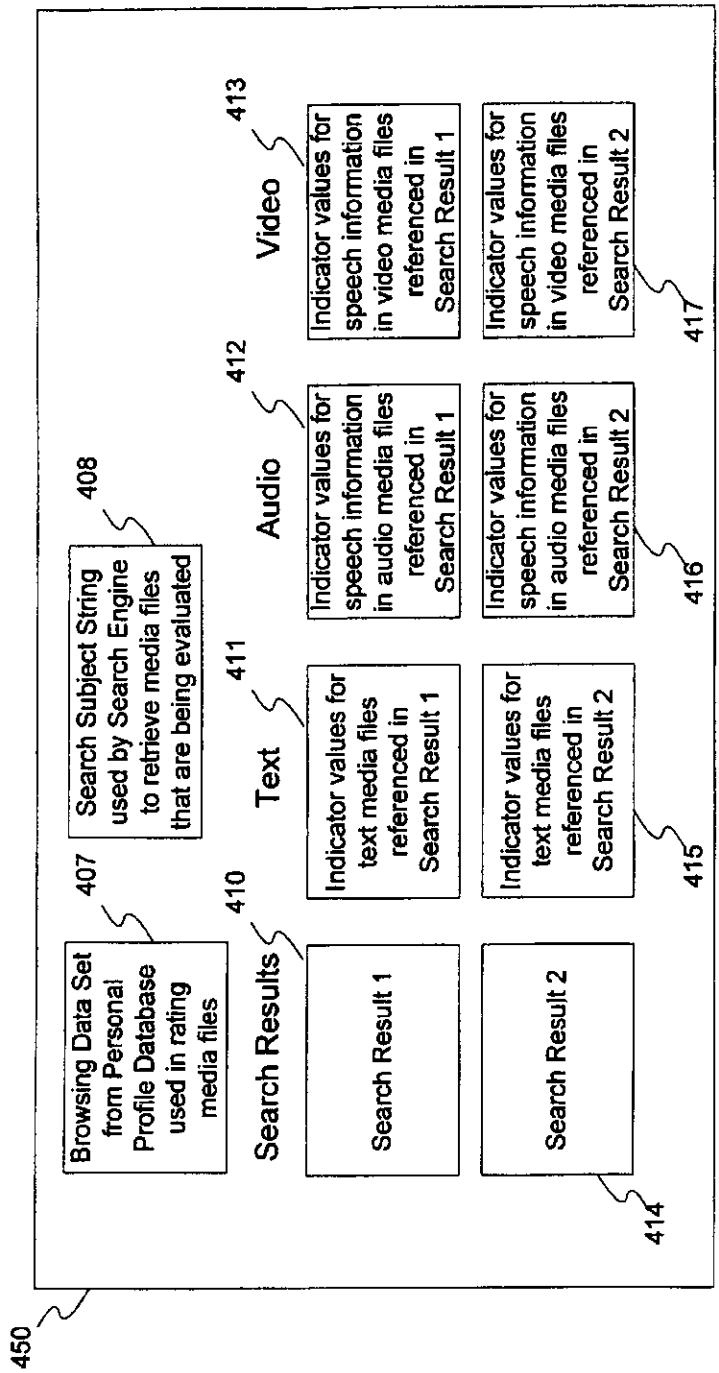

450
Browsing Data Set from Personal Profile Database used in rating media files
407
Search Subject String used by Search Engine to retrieve media files that are being evaluated
408
Search Results
410
Text
411
Audio
412
Video
413
Search Result 1
Indicator values for text media files referenced in Search Result 1
Indicator values for speech information in audio media files referenced in Search Result 1
Indicator values for speech information in video media files referenced in Search Result 1
Search Result 2
Indicator values for text media files referenced in Search Result 2
Indicator values for speech information in audio media files referenced in Search Result 2
Indicator values for speech information in video media files referenced in Search Result 2
414
415
416
417

Fig. 4b

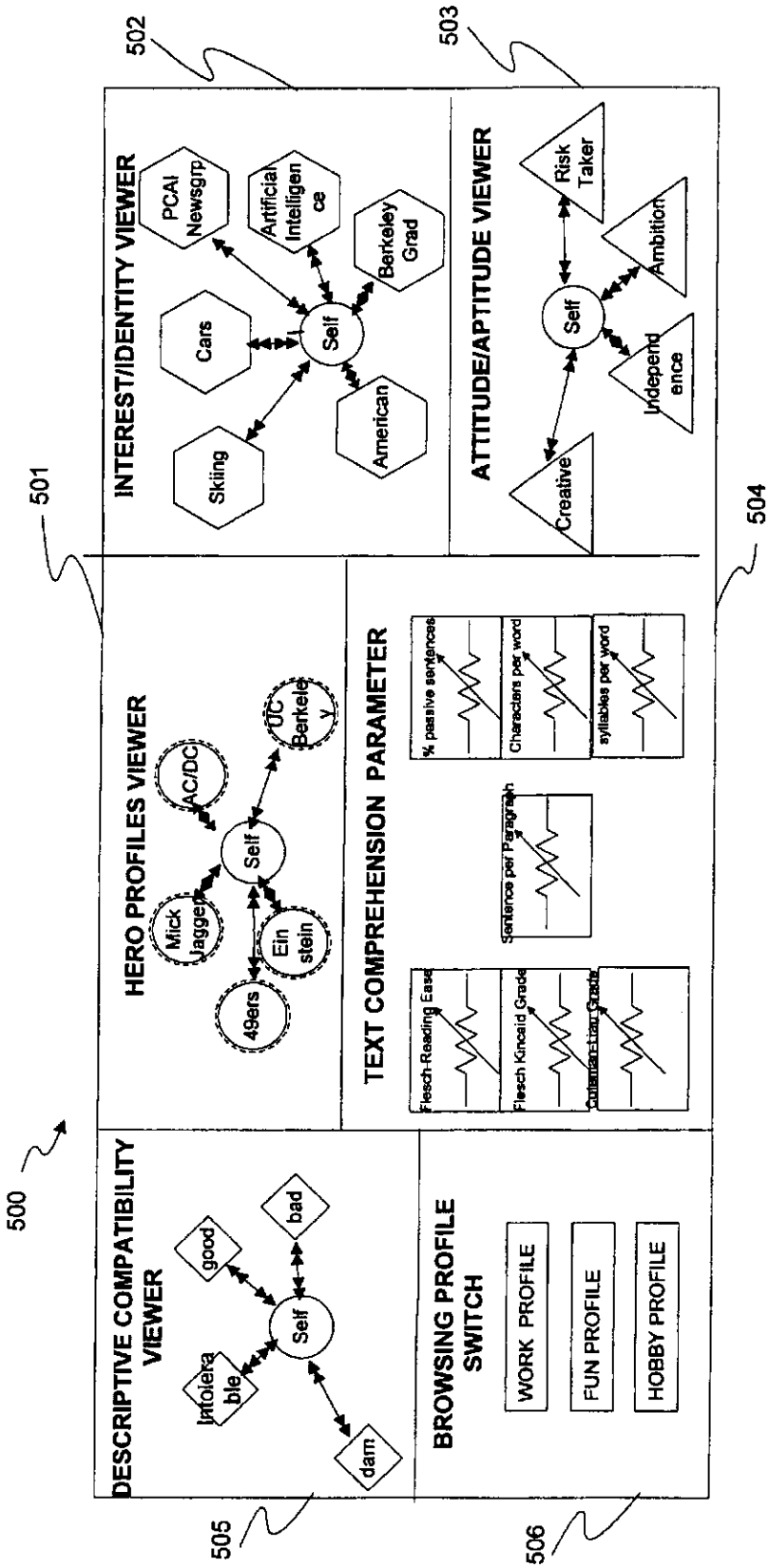

500
501
502
503
504
505
506
INTEREST/IDENTITY VIEWER
PCAI Newsgrp
Artificial Intelligen ce
Berkeley Grad
Cars
Self
Skiing
American
ATTITUDE/APTITUDE VIEWER
Risk Taker
Ambition
Self
Independ ence
Creative
HERO PROFILES VIEWER
AC/DC
UC Berkele y
Self
Mick Jagger
Ein stein
49ers
TEXT COMPREHENSION PARAMETER
% passive sentences
Characters per word
syllables per word
Sentence per Paragraph
Flesch-Reading Ease
Flesch Kincaid Grade
DESCRIPTIVE COMPATIBILITY VIEWER
good
bad
Intolera ble
Self
dam
BROWSING PROFILE SWITCH
WORK PROFILE
FUN PROFILE
HOBBY PROFILE

Fig. 5a

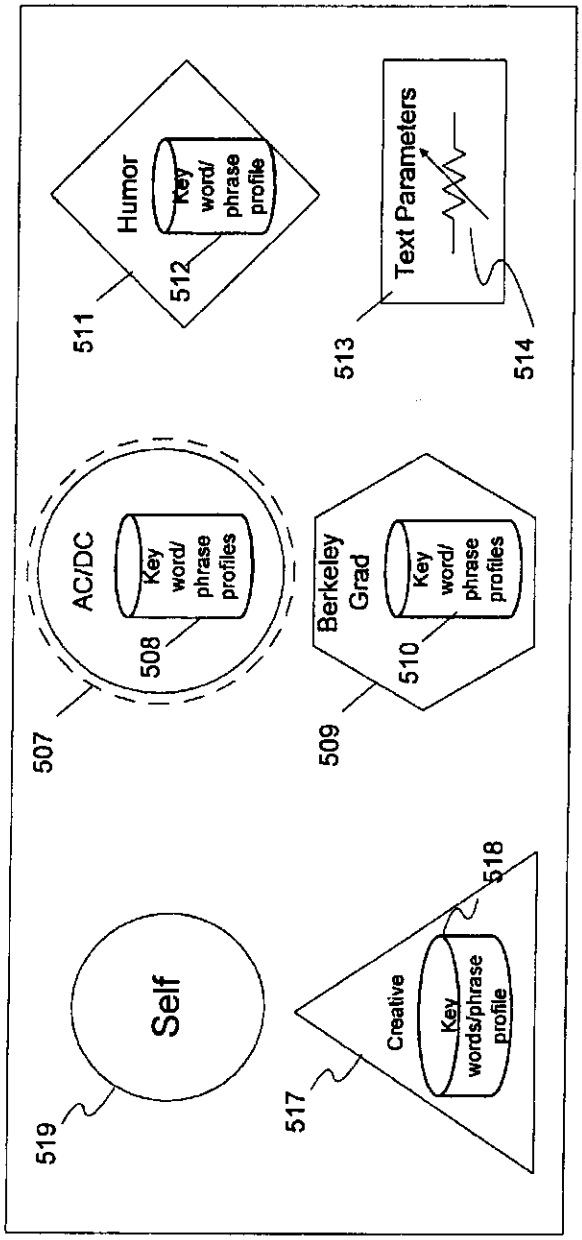

Humor
Key word/ phrase profile
511
512
Text Parameters
513
514
AC/DC
Key word/ phrase profiles
507
508
Berkeley Grad
Key word/ phrase profiles
509
510
Self
519
Creative
Key words/phrase profile
517
518

Fig. 5b

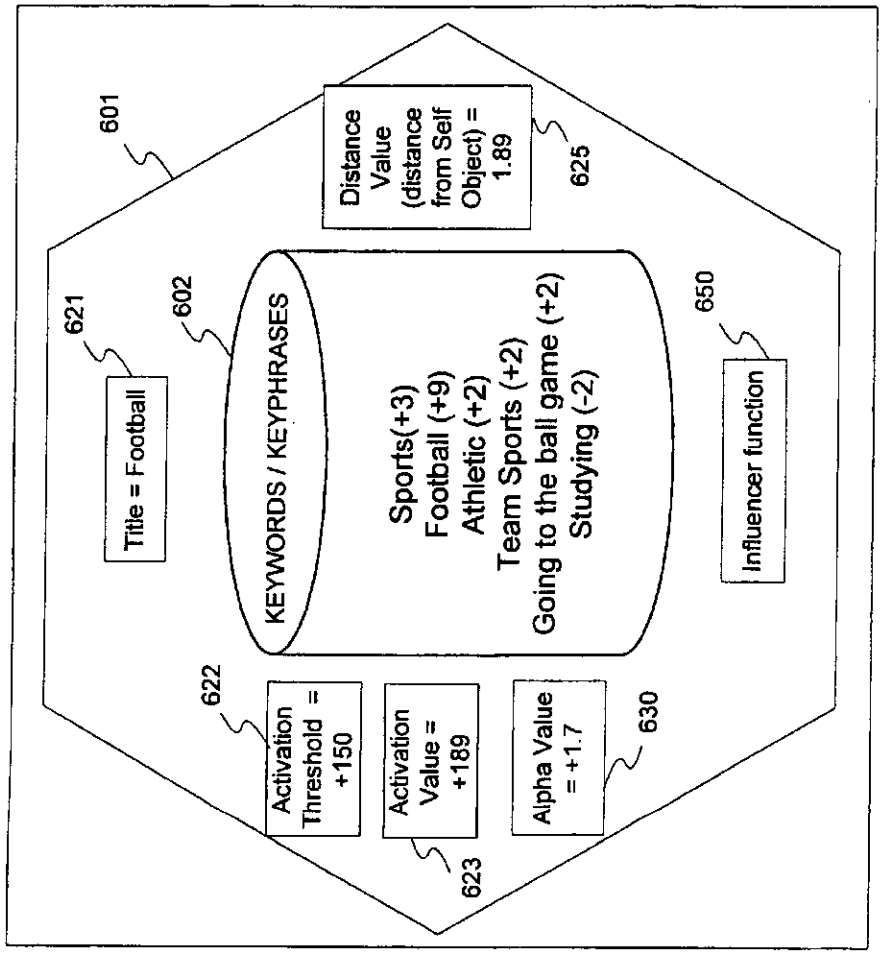

601
Distance Value (distance from Self Object) = 1.89
625
621
602
650
Title = Football
KEYWORDS / KEYPHRASES
Sports(+3)
Football (+9)
Athletic (+2)
Team Sports (+2)
Going to the ball game (+2)
Studying (-2)
Influencer function
622
Activation Threshold = +150
Activation Value = +189
Alpha Value = +1.7
630
623

Fig. 6a

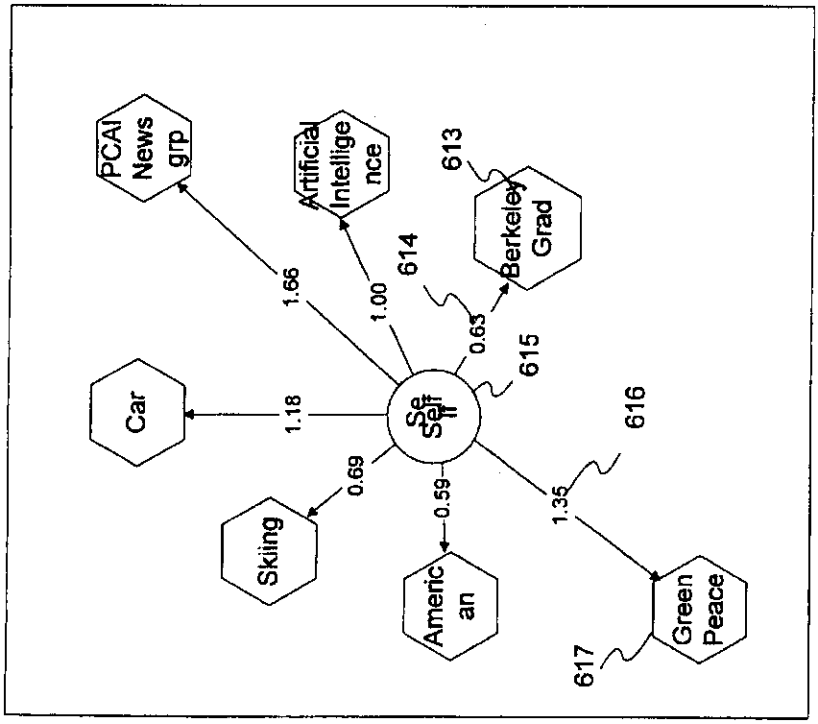

PCAI News grp
Artificial Intellige nce
613
Berkeley Grad
614
1.66
1.00
0.63
615
Car
1.18
Self
616
0.69
0.59
1.35
Skiing
Americ an
Green Peace
617

Fig. 6b

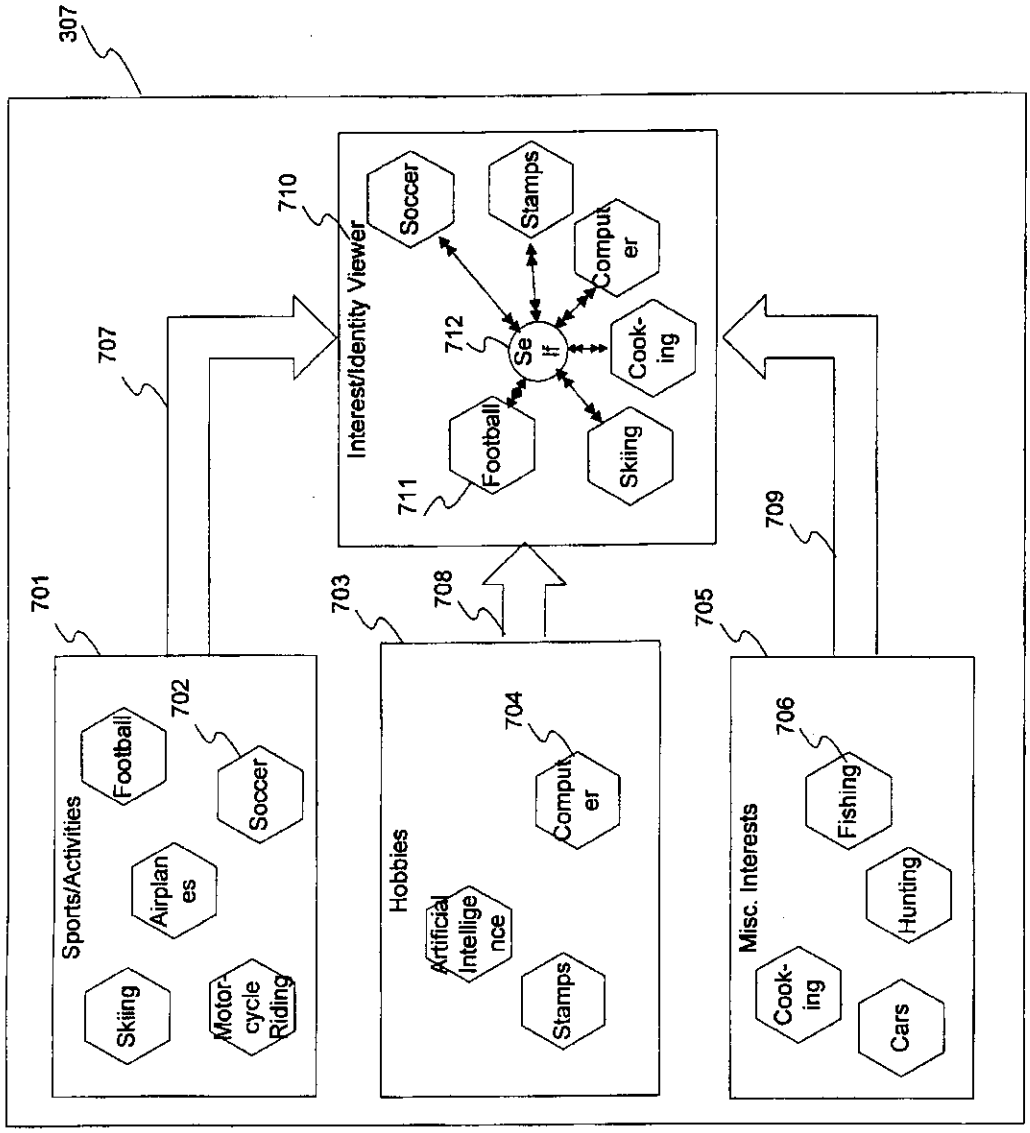

307
710
Interest/Identity Viewer
Soccer
Stamps
Comput er
Cook- ing
Skiing
Football
Se lf
712
711
707
709
701
703
708
705
Sports/Activities
Football
Soccer
Airplan es
Skiing
Motor- cycle Riding
Hobbies
Comput er
Artificial Intellige nce
Stamps
Misc. Interests
Fishing
Hunting
Cook- ing
Cars
702
704
706

Fig. 7a

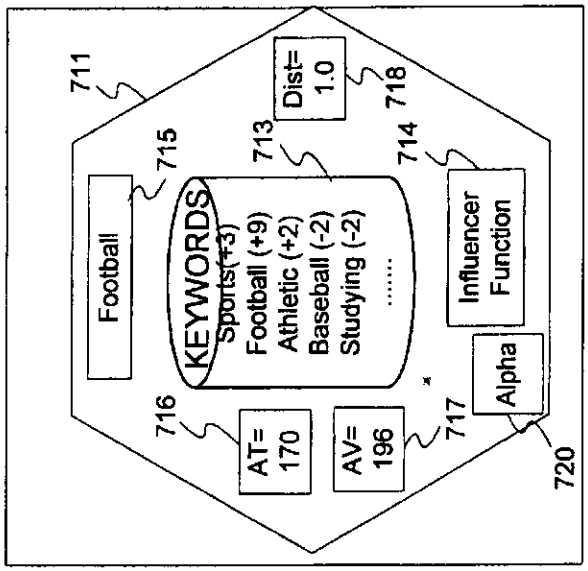

711
715
713
714
718
716
717
720
Football
KEYWORDS
Sports(+3)
Football (+9)
Athletic (+2)
Baseball (-2)
Studying (-2)
.....
Dist= 1.0
Influencer Function
Alpha
AT= 170
AV= 196

Fig. 7b

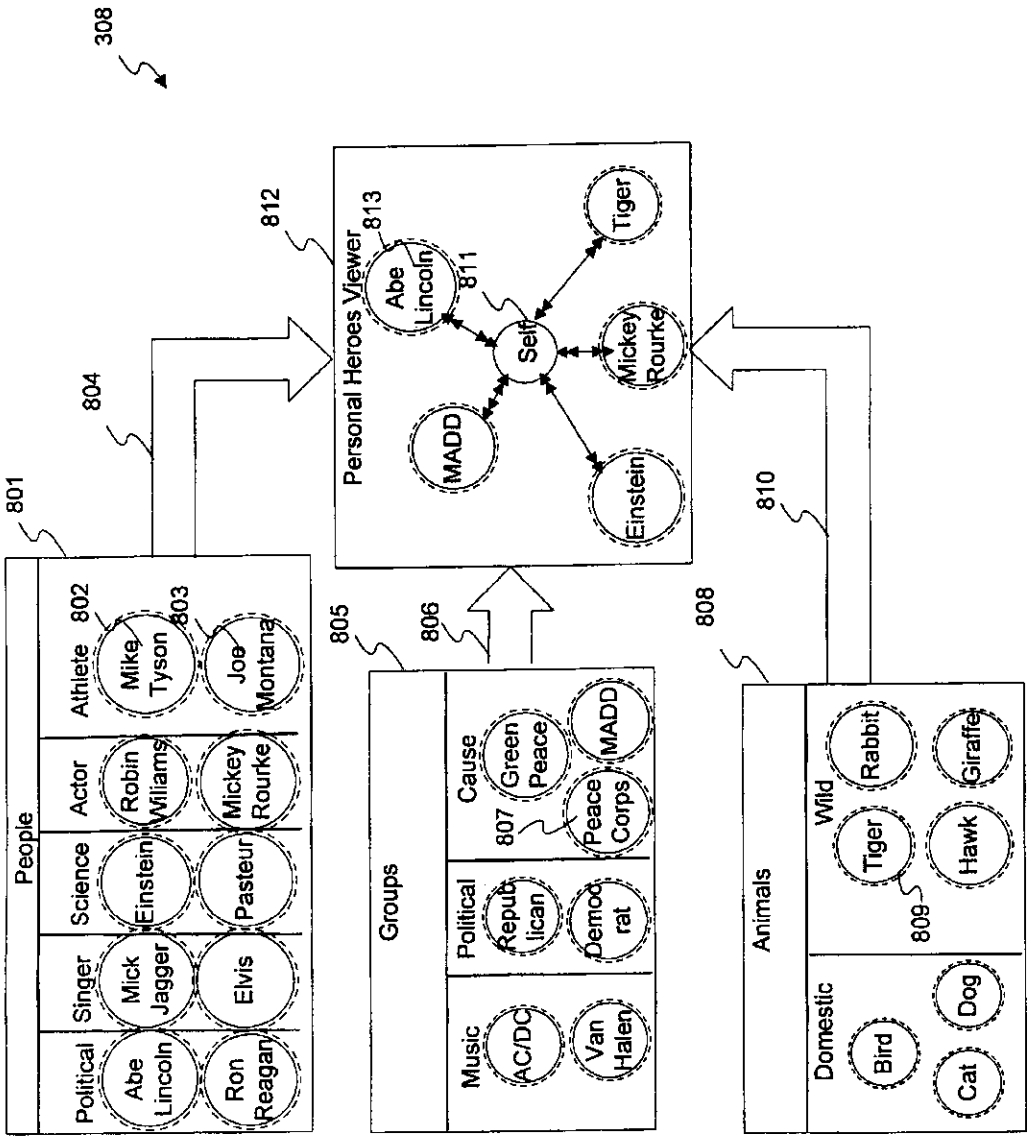

308
812
813
Personal Heroes Viewer
Abe Lincoln
811
Self
Tiger
Mickey Rourke
MADD
Einstein
804
801
People
Athlete
802
Mike Tyson
803
Joe Montana
Actor
Robin Wiliams
Mickey Rourke
Science
Einstein
Pasteur
Singer
Mick Jagger
Elvis
Political
Abe Lincoln
Ron Reagan
805
806
Groups
Cause
Green Peace
MADD
807
Peace Corps
Political
Republican
Demodrat
Music
AC/DC
Van Halen
810
808
Animals
Wild
Rabbit
Giraffe
Tiger
Hawk
809
Domestic
Bird
Dog
Cat

Fig. 8a

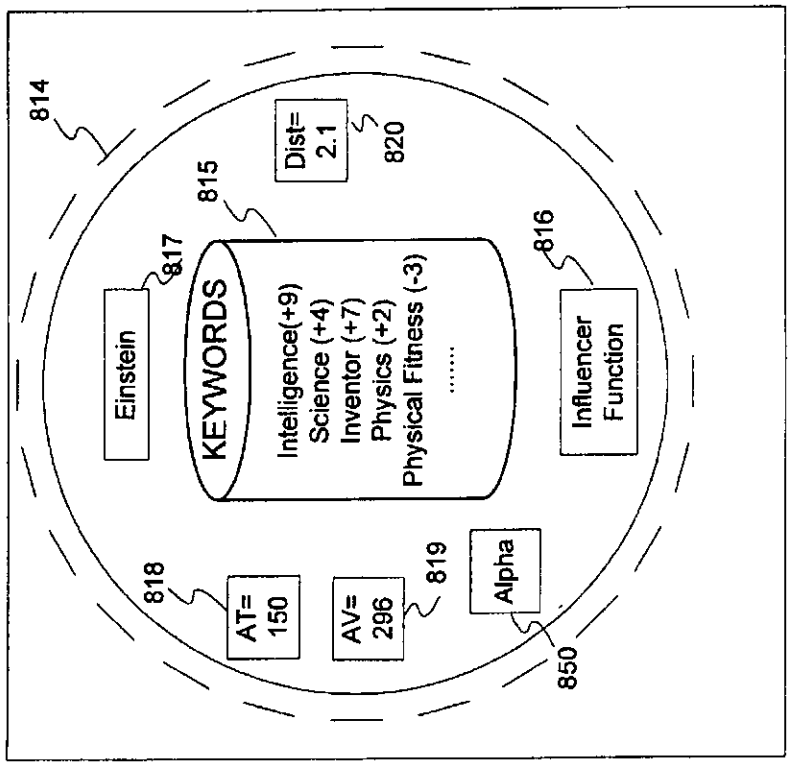

814
Dist= 2.1
820
815
817
816
Einstein
KEYWORDS
Intelligence(+9)
Science (+4)
Inventor (+7)
Physics (+2)
Physical Fitness (-3)
.....
Influencer Function
818
AT= 150
AV= 296
819
Alpha
850

Fig. 8b

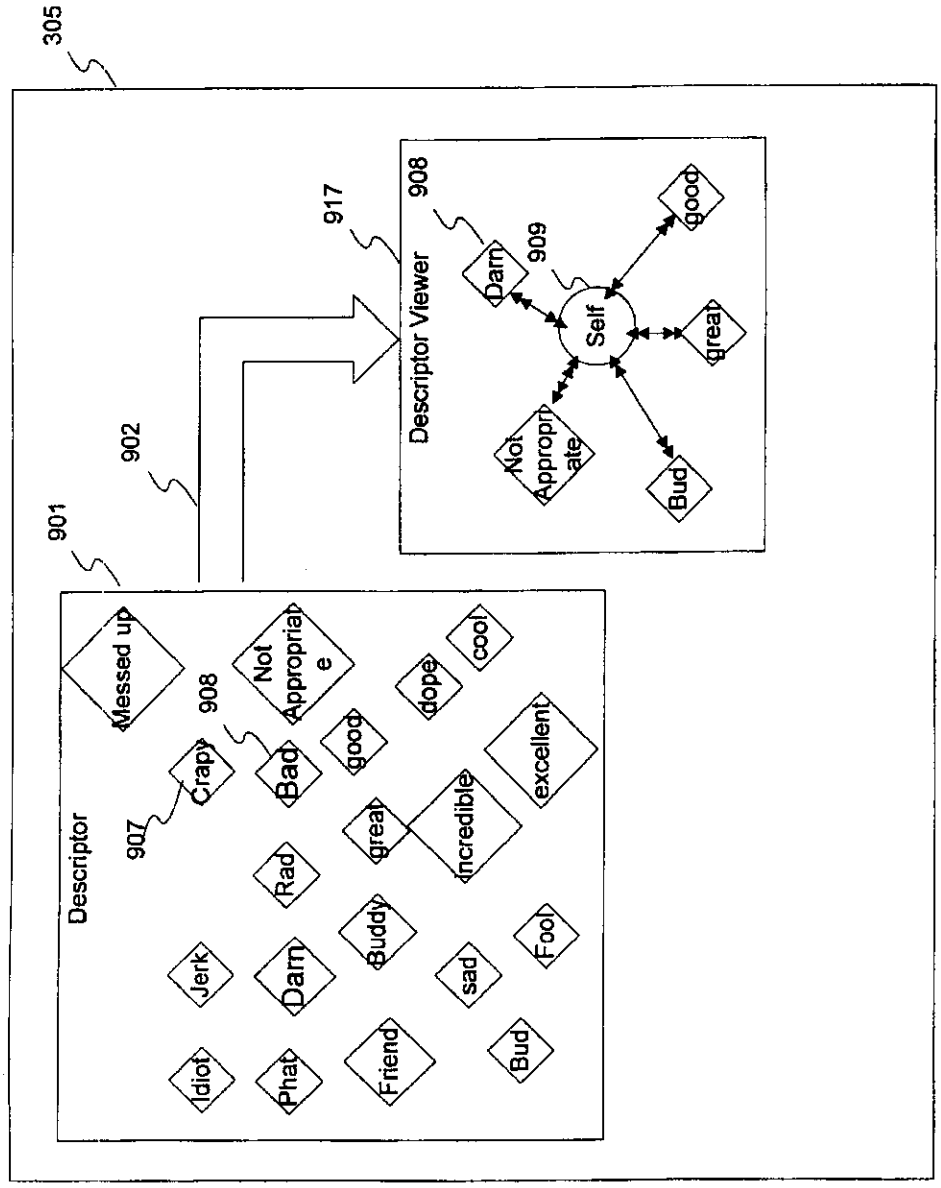

305
917
908
Descriptor Viewer
Darn
909
Self
good
great
Not Appropri ate
Bud
902
901
Descriptor
907
908
Messed up
Crap
Not Appropria e
Bad
good
dope
cool
great
Incredible
excellent
Rad
Buddy
Jerk
Darn
sad
Fool
Idiot
Phat
Friend
Bud

Fig. 9a

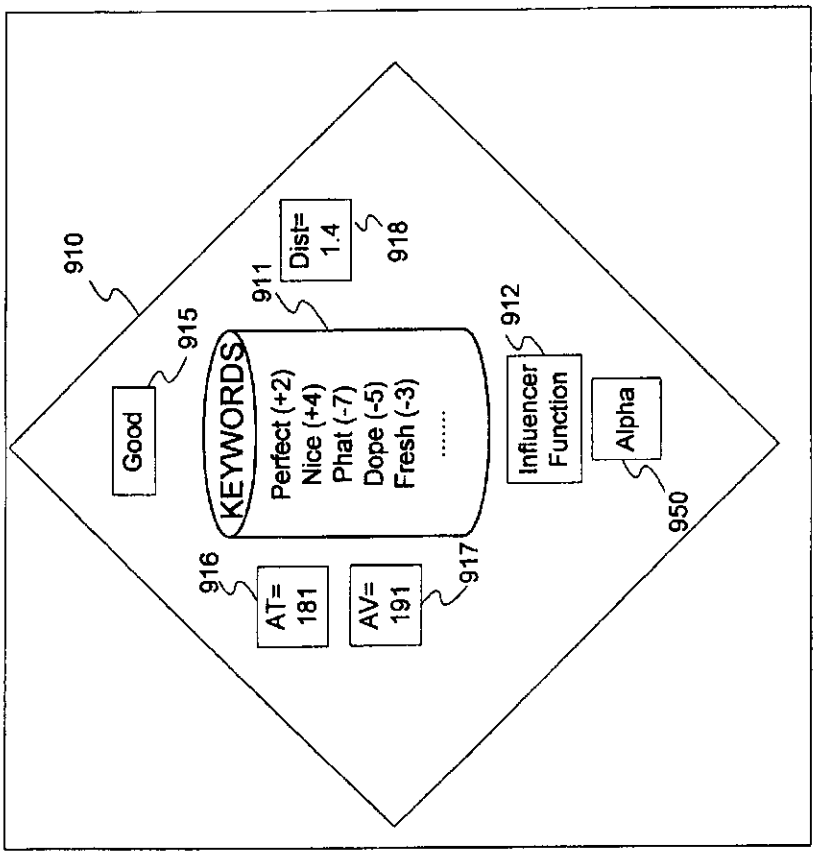

910
915
Good
911
KEYWORDS
Perfect (+2)
Nice (+4)
Phat (-7)
Dope (-5)
Fresh (-3)
.....
Dist= 1.4
918
912
Influencer Function
Alpha
950
916
AT= 181
AV= 191
917

Fig. 9b

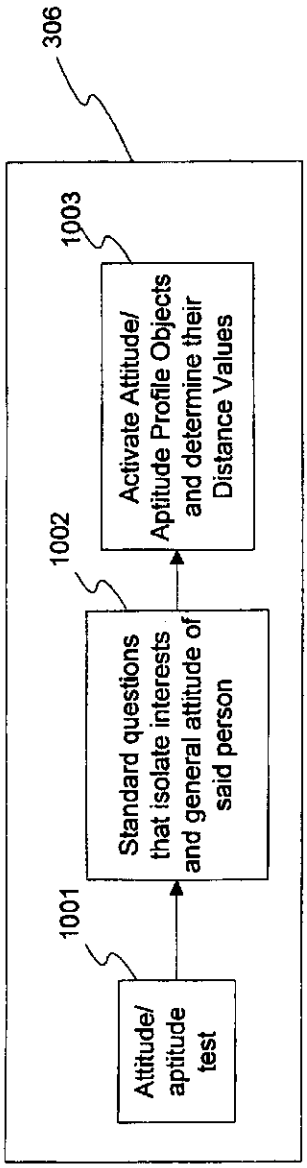


Fig. 10a

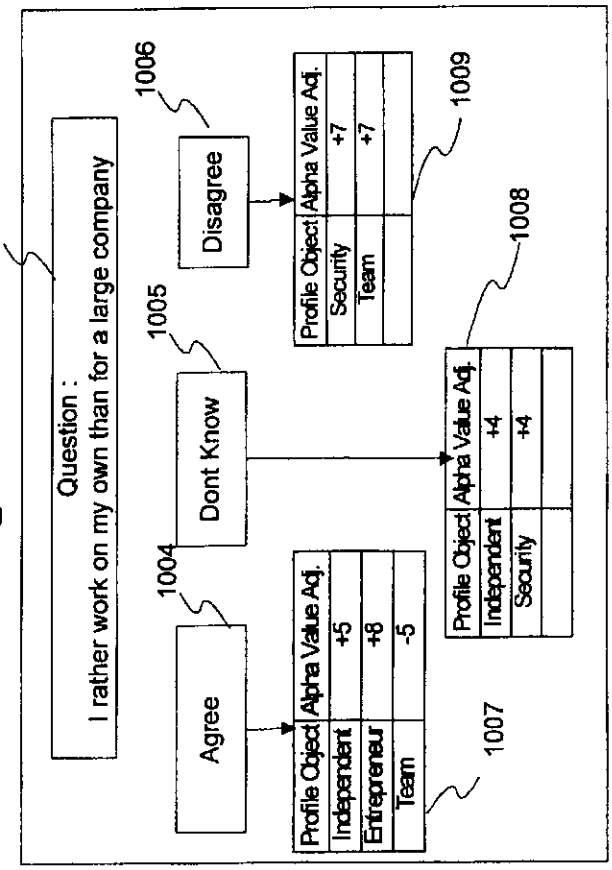


Fig. 10b

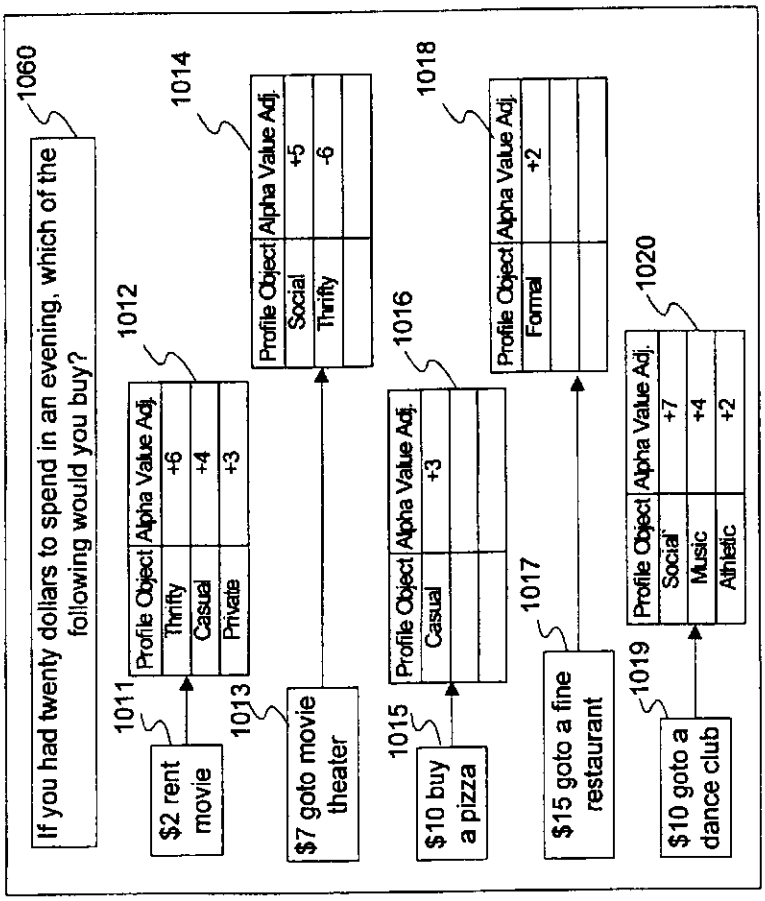

1060
If you had twenty dollars to spend in an evening, which of the following would you buy?
$2 rent movie
1011
Profile Object
Alpha Value Adj.
Thrifty
+6
Casual
+4
Private
+3
1012
$7 goto movie theater
1013
Profile Object
Alpha Value Adj.
Social
+5
Thrifty
-6
1014
$10 buy a pizza
1015
Profile Object
Alpha Value Adj.
Casual
+3
1016
$15 goto a fine restaurant
1017
Profile Object
Alpha Value Adj.
Formal
+2
1018
$10 goto a dance club
1019
Profile Object
Alpha Value Adj.
Social
+7
Music
+4
Athletic
+2
1020

Fig. 10c

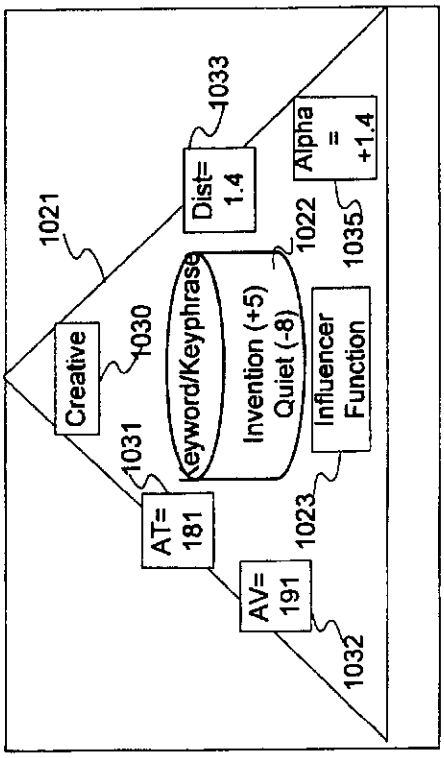

1021
Creative
1030
1031
AT= 181
AV= 191
1032
Keyword/Keyphrase
Invention (+5)
Quiet (-8)
1023
Influencer Function
1022
Dist= 1.4
1033
Alpha = +1.4
1035

Fig. 10d

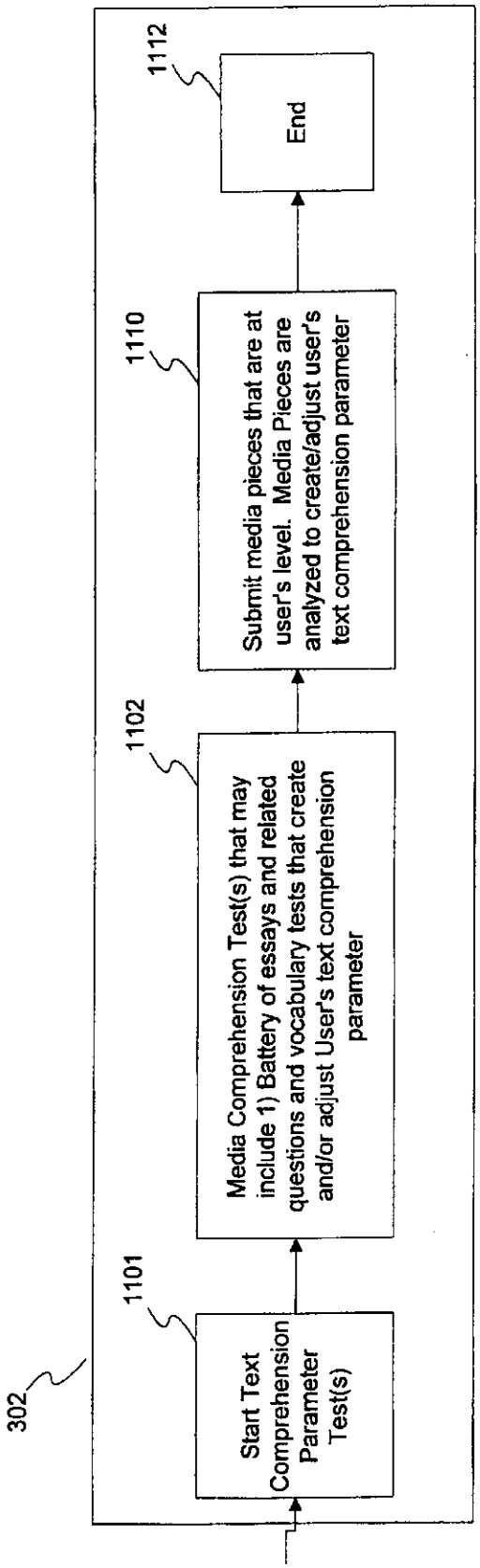

302
1101
Start Text Comprehension Parameter Test(s)
1102
Media Comprehension Test(s) that may include 1) Battery of essays and related questions and vocabulary tests that create and/or adjust User's text comprehension parameter
1110
Submit media pieces that are at user's level. Media Pieces are analyzed to create/adjust user's text comprehension parameter
1112
End

Fig. 11

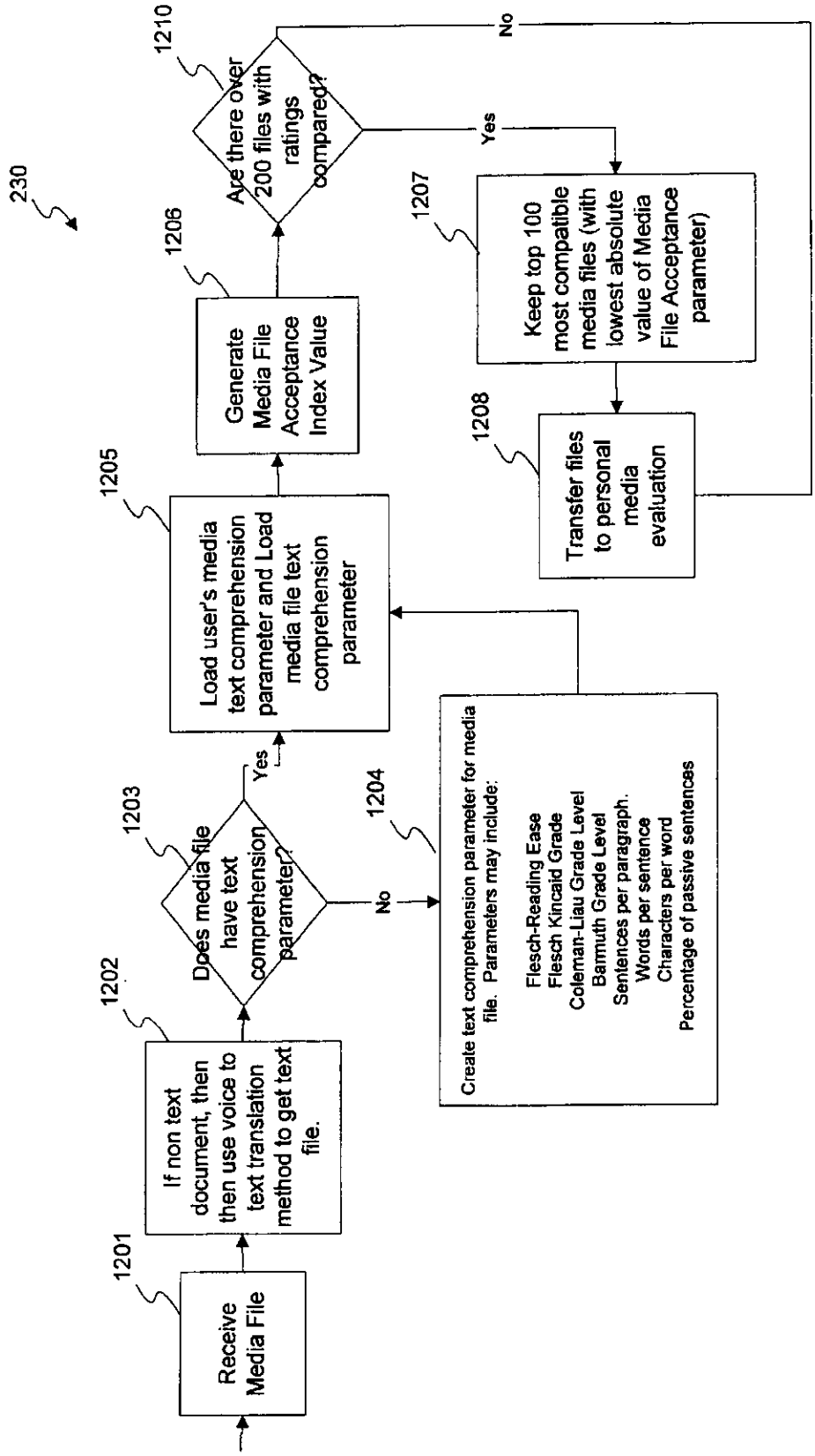

230
1201
Receive Media File
1202
If non text document, then then use voice to text translation method to get text file.
1203
Does media file have text comprehension parameter?
Yes
No
1204
Create text comprehension parameter for media file. Parameters may include:
Flesch-Reading Ease
Flesch Kincaid Grade
Coleman-Liau Grade Level
Barmuth Grade Level
Sentences per paragraph.
Words per sentence
Characters per word
Percentage of passive sentences
1205
Load user's media text comprehension parameter and Load media file text comprehension parameter
1206
Generate Media File Acceptance Index Value
1207
Keep top 100 most compatible media files (with lowest absolute value of Media File Acceptance parameter)
1208
Transfer files to personal media evaluation
1210
Are there over 200 files with ratings compared?
Yes
No

Fig. 12

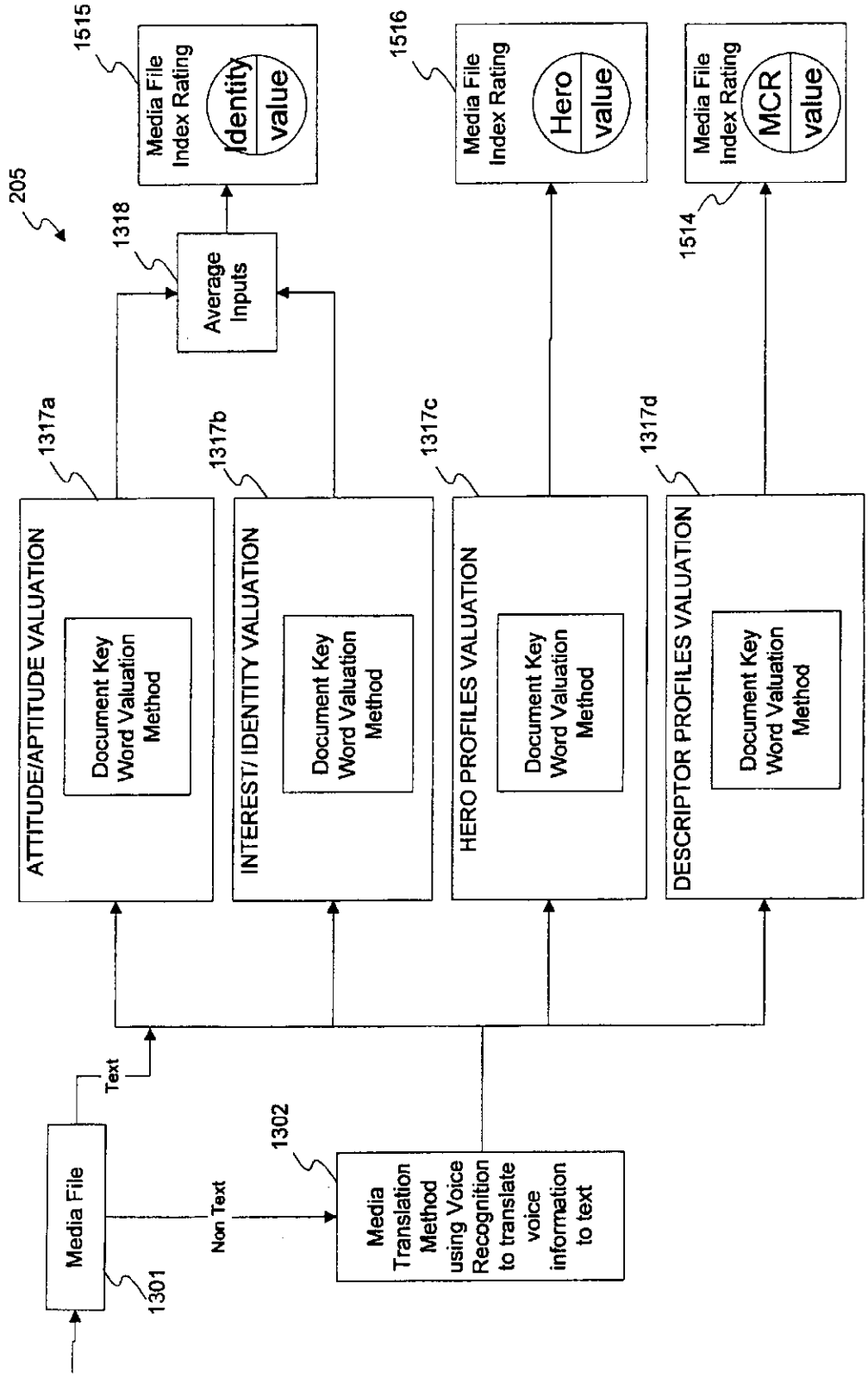

205
1515
Media File Index Rating
Identity value
1516
Media File Index Rating
Hero value
Media File Index Rating
MCR value
1514
1318
Average Inputs
1317a
1317b
1317c
1317d
ATTITUDE/APTITUDE VALUATION
Document Key Word Valuation Method
INTEREST/ IDENTITY VALUATION
Document Key Word Valuation Method
HERO PROFILES VALUATION
Document Key Word Valuation Method
DESCRIPTOR PROFILES VALUATION
Document Key Word Valuation Method
Text
Non Text
1302
Media Translation Method using Voice Recognition to translate voice information to text
Media File
1301

Fig. 13

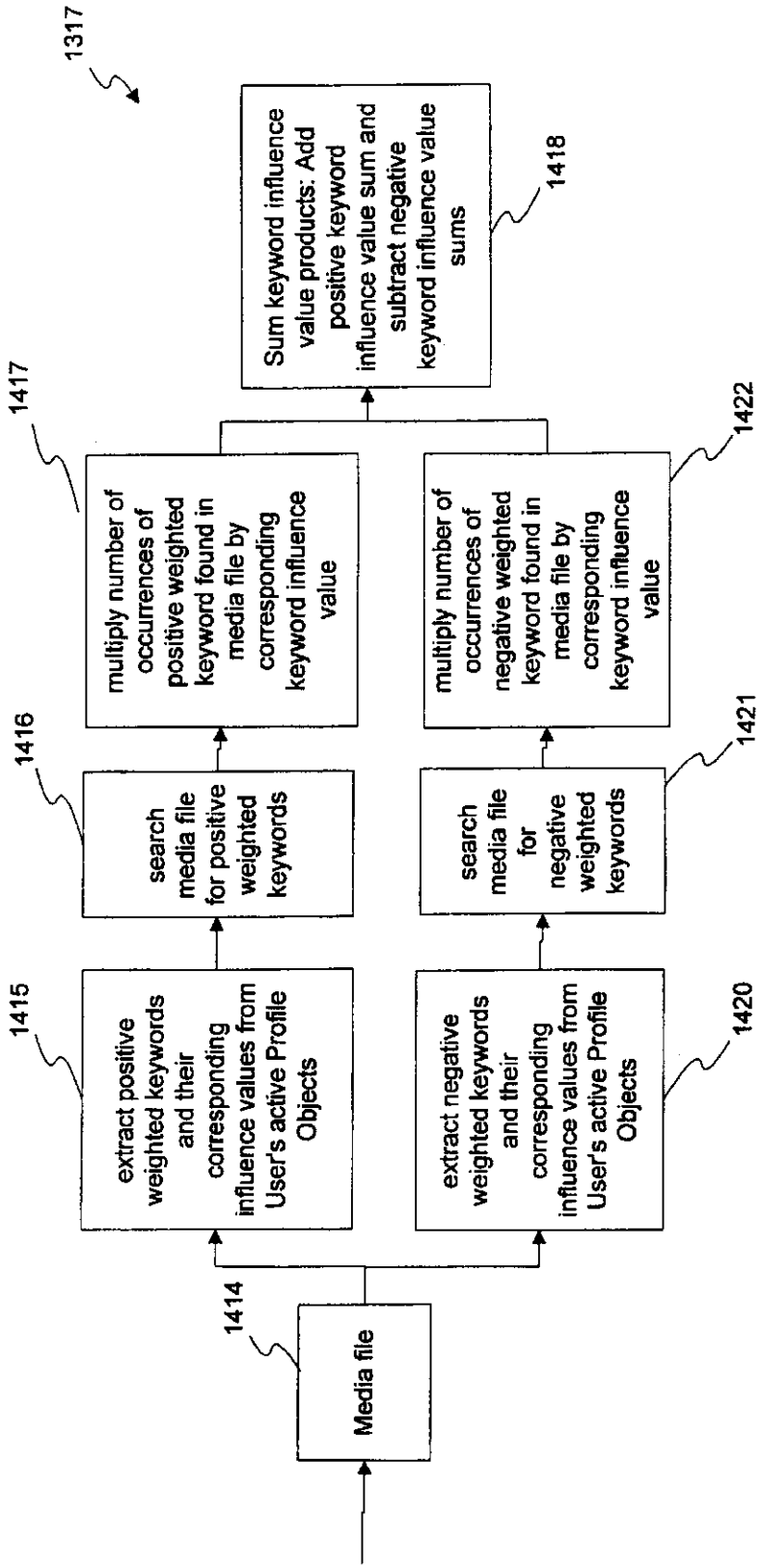

1317
Sum keyword influence value products: Add positive keyword influence value sum and subtract negative keyword influence value sums
1418
multiply number of occurrences of positive weighted keyword found in media file by corresponding keyword influence value
1417
multiply number of occurrences of negative weighted keyword found in media file by corresponding keyword influence value
1422
search media file for positive weighted keywords
1416
search media file for negative weighted keywords
1421
extract positive weighted keywords and their corresponding influence values from User's active Profile Objects
1415
extract negative weighted keywords and their corresponding influence values from User's active Profile Objects
1420
Media file
1414

Fig. 14

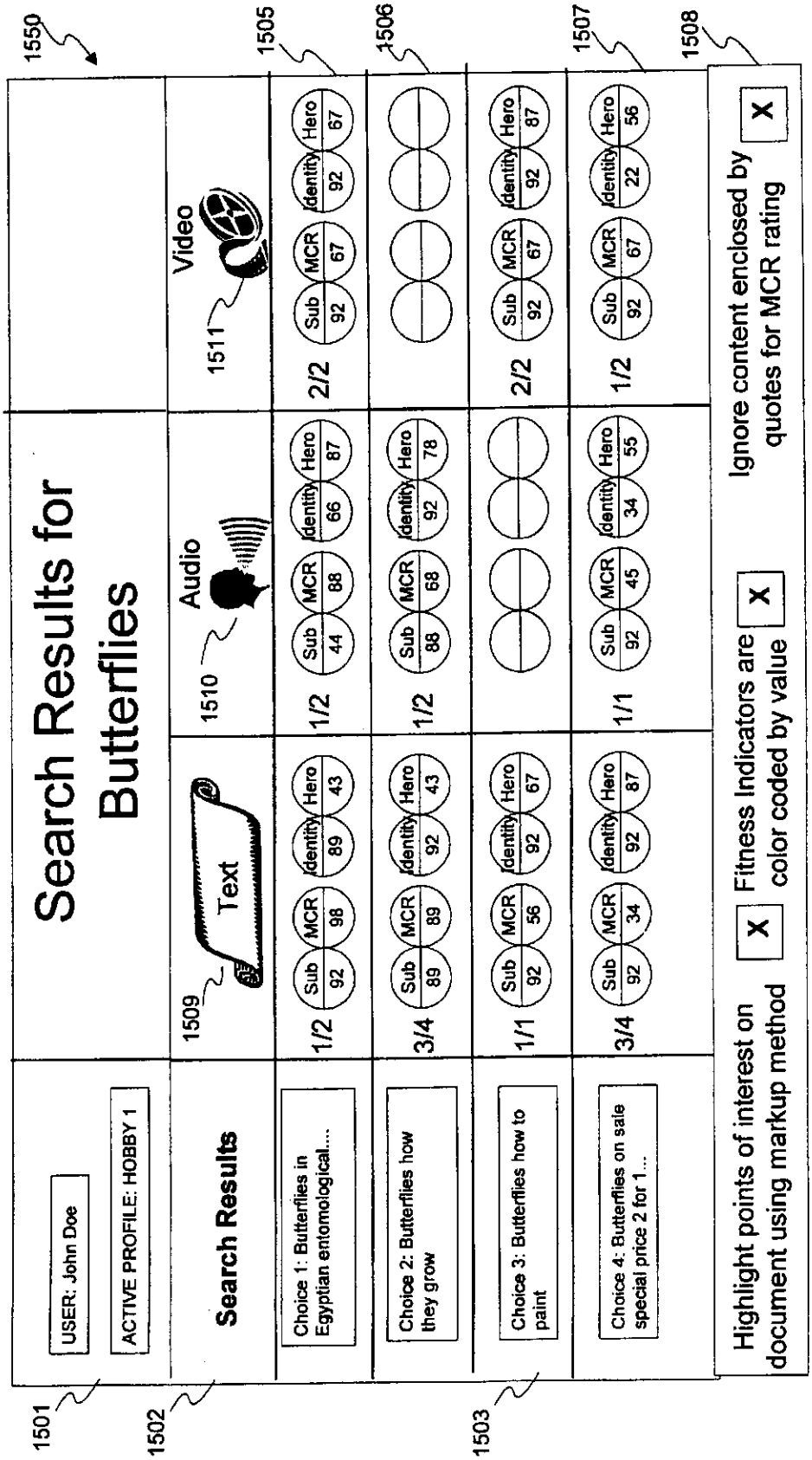

1550
1501
1502
1503
USER: John Doe
ACTIVE PROFILE: HOBBY 1
Search Results for Butterflies
Search Results
1509
Text
1510
Audio
1511
Video
1505
1506
1507
1508
Choice 1: Butterflies in Egyptian entomological....
Choice 2: Butterflies how they grow
Choice 3: Butterflies how to paint
Choice 4: Butterflies on sale special price 2 for 1...
1/2 Sub 92 MCR 98 Identity 89 Hero 43
3/4 Sub 89 MCR 89 Identity 92 Hero 43
1/1 Sub 92 MCR 56 Identity 92 Hero 67
3/4 Sub 92 MCR 34 Identity 92 Hero 87
1/2 Sub 44 MCR 88 Identity 66 Hero 87
1/2 Sub 88 MCR 68 Identity 92 Hero 78
1/1 Sub 92 MCR 45 Identity 34 Hero 55
2/2 Sub 92 MCR 67 Identity 92 Hero 67
2/2 Sub 92 MCR 67 Identity 92 Hero 87
1/2 Sub 92 MCR 67 Identity 22 Hero 56
Highlight points of interest on document using markup method
X
Fitness Indicators are color coded by value
X
Ignore content enclosed by quotes for MCR rating
X

Fig. 15a

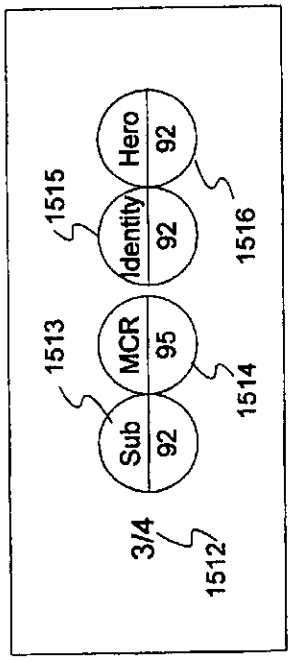


Fig. 15b

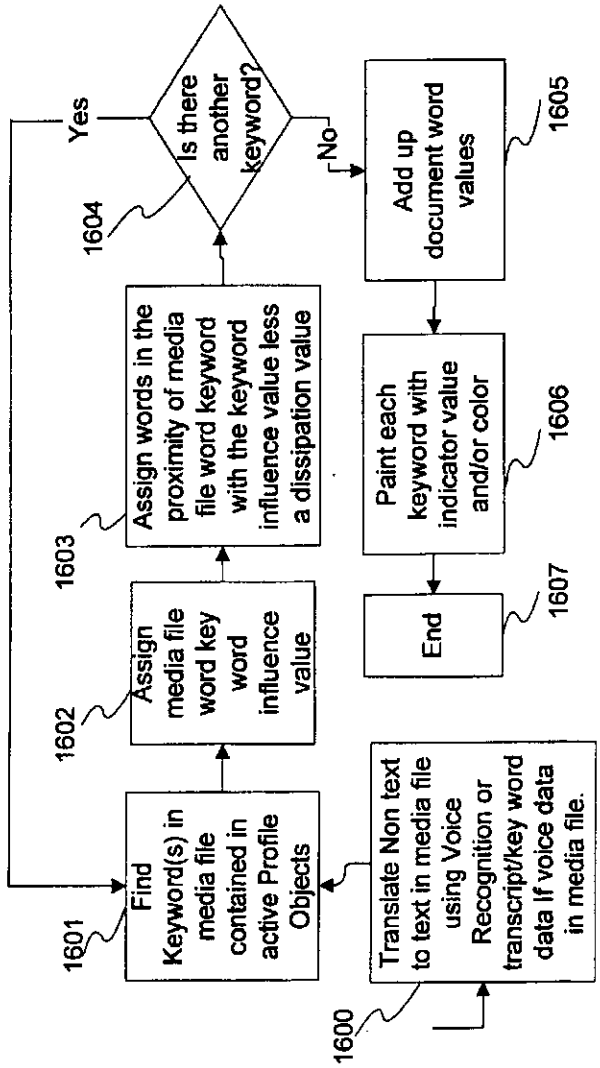

Translate Non text to text in media file using Voice Recognition or transcript/key word data If voice data in media file.
1600
Find Keyword(s) in media file contained in active Profile Objects
1601
Assign media file word key word influence value
1602
Assign words in the proximity of media file word keyword with the keyword influence value less a dissipation value
1603
Is there another keyword?
1604
Yes
No
Add up document word values
1605
Paint each keyword with indicator value and/or color
1606
End
1607

Fig. 16a

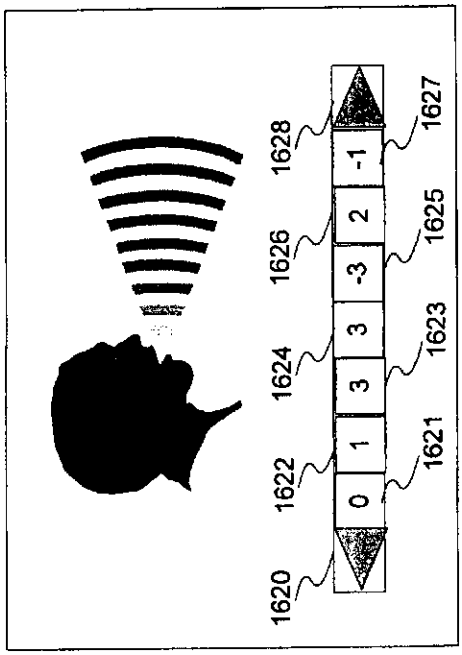


Fig. 16b

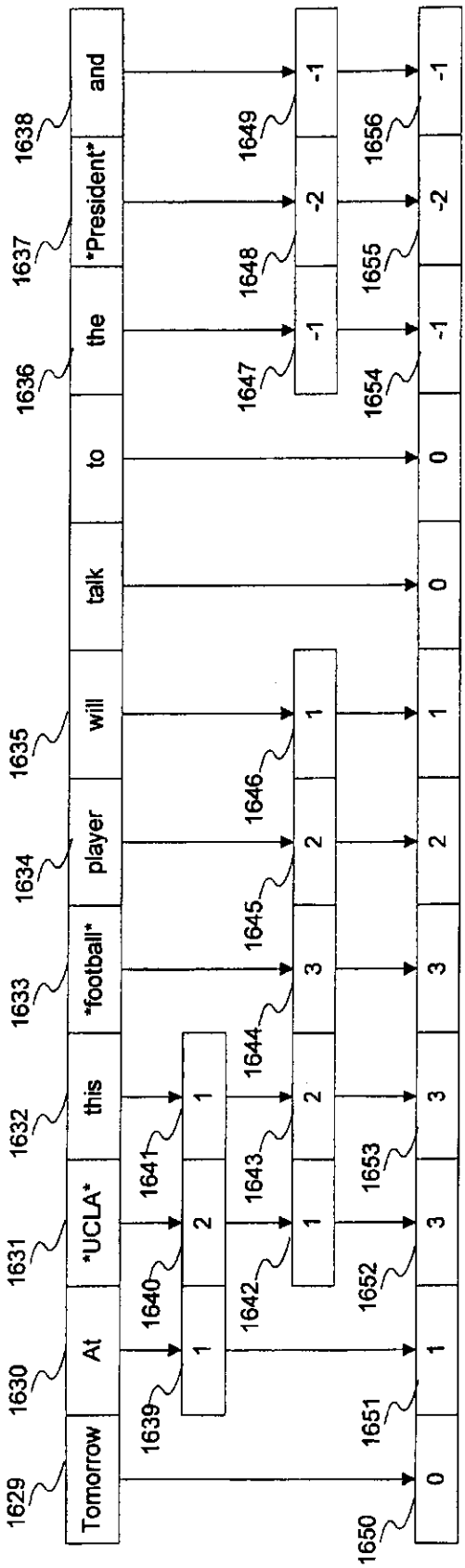

Tomorrow
At
UCLA
this
football
player
will
talk
to
the
President
and
1629
1630
1631
1632
1633
1634
1635
1636
1637
1638
1639
1640
1641
1642
1643
1644
1645
1646
1647
1648
1649
1650
1651
1652
1653
1654
1655
1656

Fig. 16c

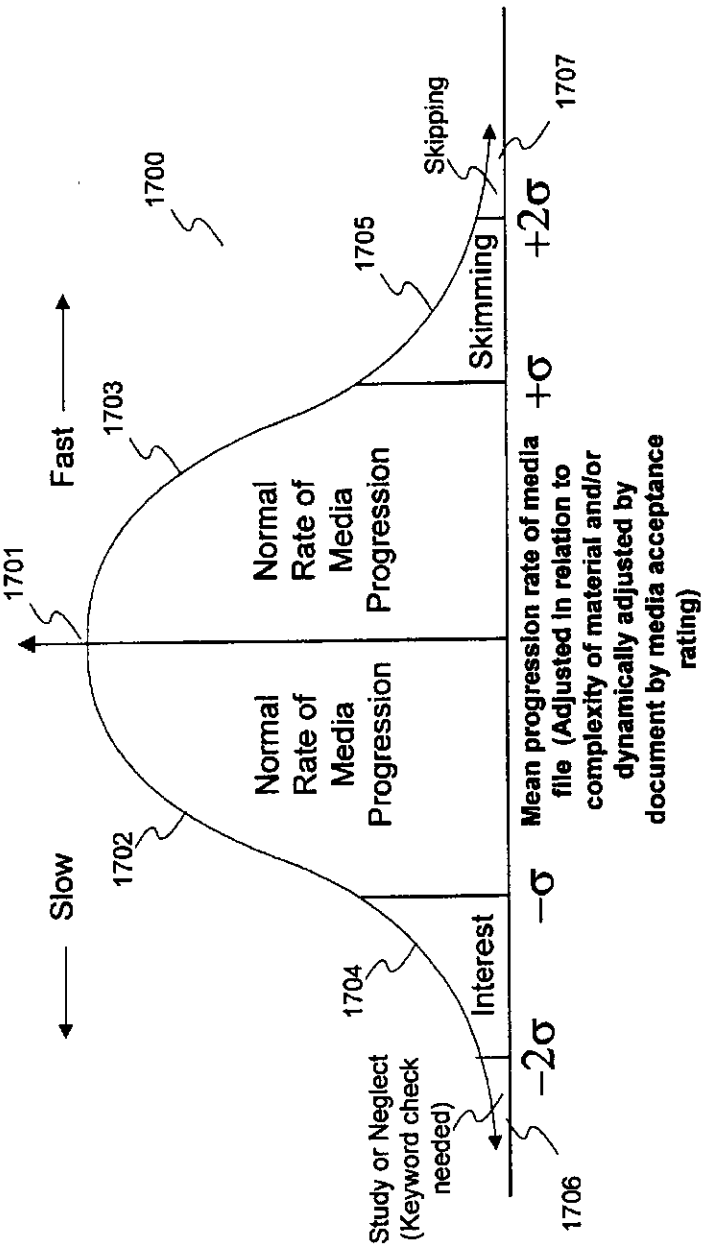

1700
1701
1702
1703
1704
1705
1706
1707
Fast
Slow
Normal Rate of Media Progression
Normal Rate of Media Progression
Skimming
Interest
Skipping
Study or Neglect (Keyword check needed)
+2σ
+σ
−σ
−2σ
Mean progression rate of media file (Adjusted in relation to complexity of material and/or dynamically adjusted by document by media acceptance rating)

Fig. 17

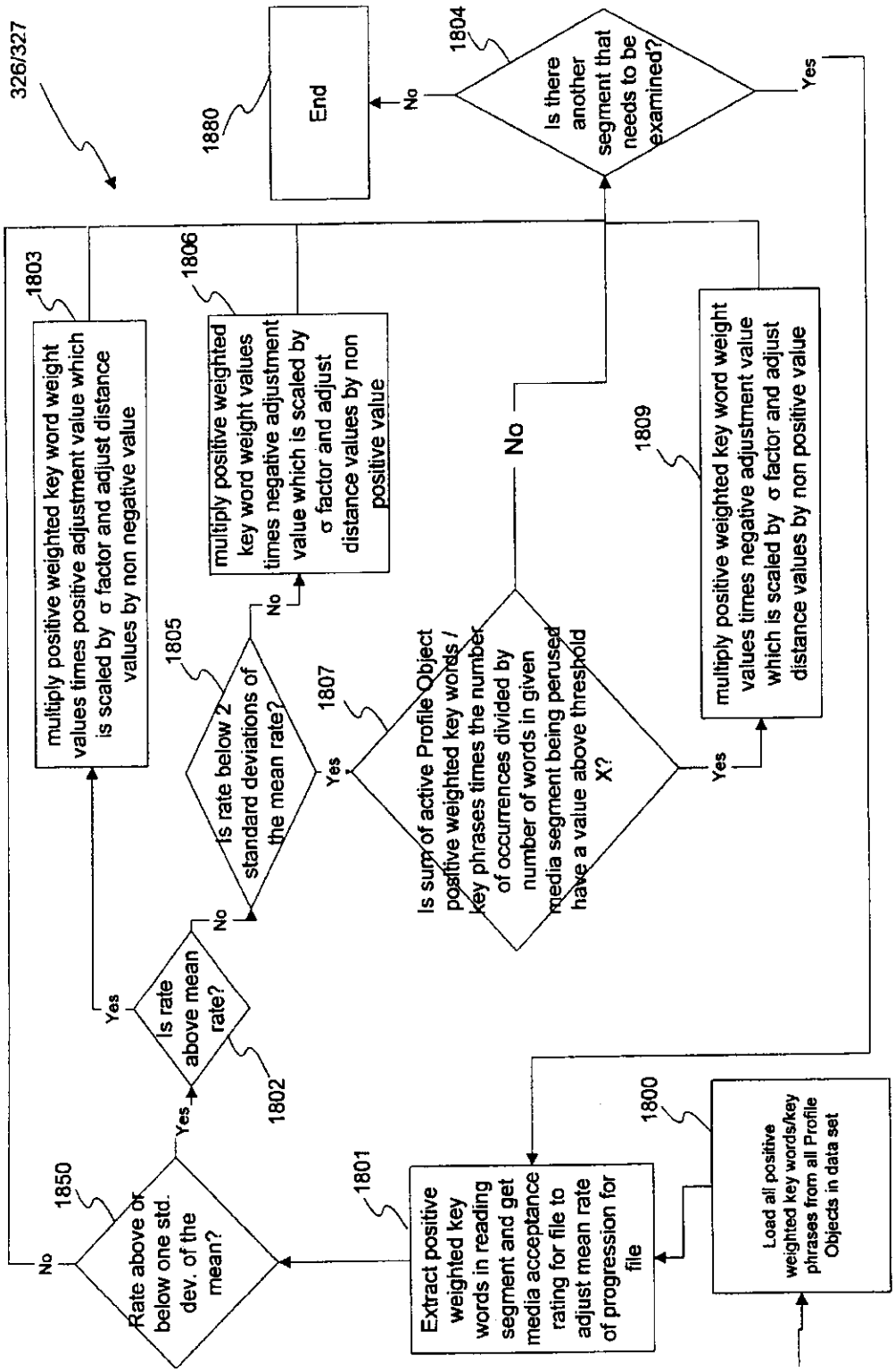

326/327
1880
End
No
1804
Is there another segment that needs to be examined?
Yes
1803
multiply positive weighted key word weight values times positive adjustment value which is scaled by σ factor and adjust distance values by non negative value
1806
multiply positive weighted key word weight values times negative adjustment value which is scaled by σ factor and adjust distance values by non positive value
1805
Is rate below 2 standard deviations of the mean rate?
No
Yes
1807
Is sum of active Profile Object positive weighted key words / key phrases times the number of occurrences divided by number of words in given media segment being perused have a value above threshold X?
No
Yes
1809
multiply positive weighted key word weight values times negative adjustment value which is scaled by σ factor and adjust distance values by non positive value
Is rate above mean rate?
No
Yes
1802
1850
Rate above or below one std. dev. of the mean?
No
Yes
1801
Extract positive weighted key words in reading segment and get media acceptance rating for file to adjust mean rate of progression for file
1800
Load all positive weighted key words/key phrases from all Profile Objects in data set

Fig.18

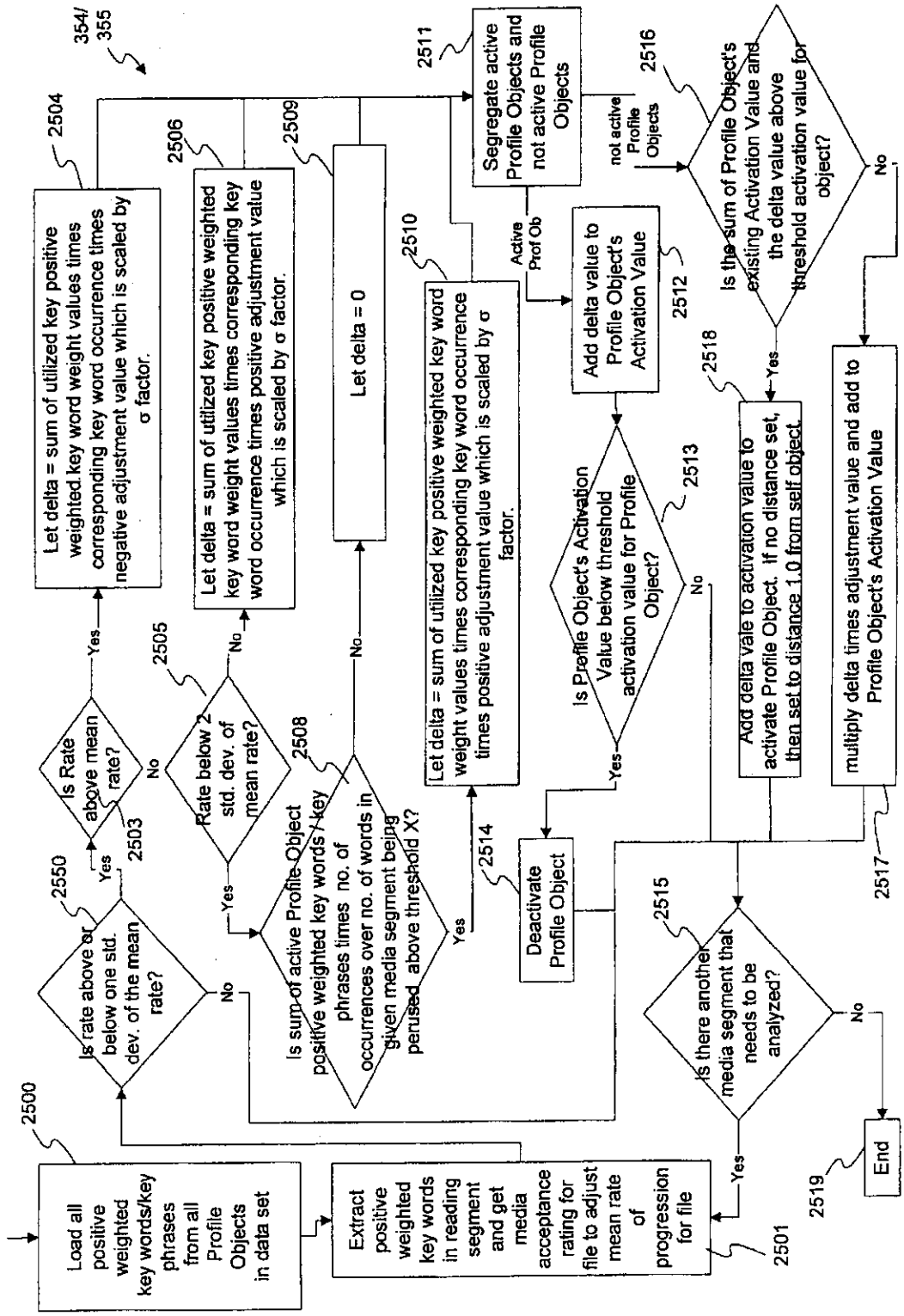

2500
Load all positive weighted key words/key phrases from all Profile Objects in data set
2501
Extract positive weighted key words in reading segment and get media acceptance rating for file to adjust mean rate of progression for file
2503
Is Rate above mean rate?
2504
Let delta = sum of utilized key positive weighted key word weight values times corresponding key word occurrence times negative adjustment value which is scaled by σ factor.
2505
Rate below 2 std. dev. of mean rate?
2506
Let delta = sum of utilized key positive weighted key word weight values times corresponding key word occurrence times positive adjustment value which is scaled by σ factor.
2508
Is sum of active Profile Object positive weighted key words / key phrases times no. of occurrences over no. of words in given media segment being perused above threshold X?
2509
Let delta = 0
2510
Let delta = sum of utilized key positive weighted key word weight values times corresponding key word occurrence times positive adjustment value which is scaled by σ factor.
2511
Segregate active Profile Objects and not active Profile Objects
2512
Add delta value to Profile Object's Activation Value
2513
Is Profile Object's Activation Value below threshold activation value for Profile Object?
2514
Deactivate Profile Object
2515
Is there another media segment that needs to be analyzed?
2516
Is the sum of Profile Object's existing Activation Value and the delta value above threshold activation value for object?
2517
multiply delta times adjustment value and add to Profile Object's Activation Value
2518
Add delta vale to activation value to activate Profile Object. If no distance set, then set to distance 1.0 from self object.
2519
End
2550
Is rate above or below one std. dev. of the mean rate?
354/355
Active Prof Ob
not active Profile Objects
Yes
No

Fig. 19

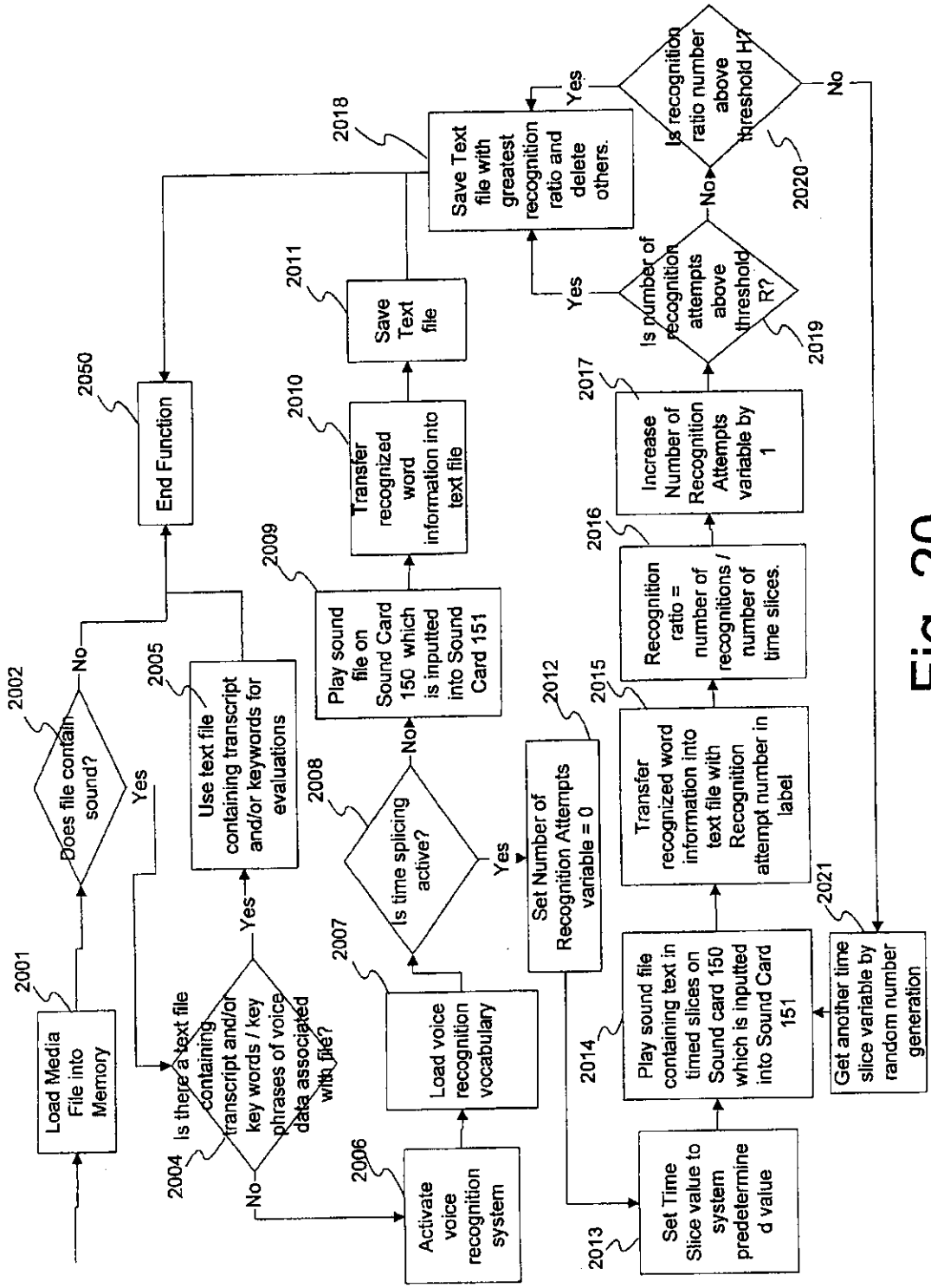

Load Media File into Memory
2001
Does file contain sound?
2002
No
Yes
Is there a text file containing transcript and/or key words / key phrases of voice data associated with file?
2004
Yes
No
Use text file containing transcript and/or keywords for evaluations
2005
End Function
2050
Activate voice recognition system
2006
Load voice recognition vocabulary
2007
Is time splicing active?
2008
No
Yes
Play sound file on Sound Card 150 which is inputted into Sound Card 151
2009
Transfer recognized word information into text file
2010
Save Text file
2011
Set Number of Recognition Attempts variable = 0
2012
Set Time Slice value to system predetermine d value
2013
Play sound file containing text in timed slices on Sound card 150 which is inputted into Sound Card 151
2014
Transfer recognized word information into text file with Recognition attempt number in label
2015
Recognition ratio = number of recognitions / number of time slices.
2016
Increase Number of Recognition Attempts variable by 1
2017
Is number of recognition attempts above threshold R?
2019
Yes
No
Is recognition ratio number above threshold H?
2020
Yes
No
Save Text file with greatest recognition ratio and delete others.
2018
Get another time slice variable by random number generation
2021

Fig. 20

PERSONAL FEEDBACK BROWSER FOR OBTAINING MEDIA FILES

BACKGROUND OF THE INVENTION

1. Field of Invention

This invention relates to obtaining information and, in particular, searching, retrieving and evaluating information on a computer network such as the internet.

2. Background

The challenge of making the internet more useful for users is quickly and efficiently obtaining information suitable for a particular user. This is challenging due to the large amount of information on the internet and the diverse type of users. Current search engines and web crawlers such as Yahoo!, Alta-Vista, and Excite are used to assist users in locating information or media files based on subject matter. For example, a user enters specific subject key words using selected subject matter categories or data bases in order to hopefully retrieve information or user resource locator ("URL") addresses which have information of interest to the user. The search engines do not take into account other information, other than subject matter, which may be used in retrieving information.

Current search engines do not take into account characteristics of the user that could better customize retrieval and evaluation of information for the user. These may include personal vocabulary, sentence characteristic preferences, descriptor preferences, depth of interest in given topics and user-related knowledge. If a user enters a subject key word or subject matter into a search engine, many retrieved URL addresses may be irrelevant to a particular user. For example, a particular user may be a nine-year-old child wanting to learn about butterflies who has distinguishing characteristics from another user such as a post-graduate entomology student. Both users are interested in the same subject, but each desires different levels of sophistication in information retrieved.

Users typically have a variation of personal characteristics which define who they are and what they enjoy. These personal characteristics include general interests and identity information, attitude and aptitude information, personal heroes and media comprehension. Characteristics regarding a specific user are not used by current search engines in retrieving prospective information.

Further, current search engines only examine text data and ignore other media types such as sound and video files that contain voice information. Current search engines do not convert the voice information into text and evaluate the converted sound file. This is a significant shortcoming since a much of the information on the internet is not text data. Users typically find sound and video presentations popular, easy and efficient ways of interacting and obtaining information and, in most cases, probably prefer this media over text.

The current search engines do not collect information generated by the user's selections of retrieved media files to evaluate retrieved media files in the current session as well as later sessions. Every time a user looks through a list of media files and/or a brief description of media files, what the user selects and doesn't select can be used to determine the user's interests. Every time a user interacts with a media file, by choosing to read it, print it, or skip it, the user is identifying a level of interest in the particular media file.

Users search for information on the internet for various reasons. These reasons effect the type of information in which they are interested. For example, a Ph.D. student may search for information used in his thesis and also search for recreation. There is presently no way to capture these personal motivations and use them in searches for information on the internet.

Finally, current search engines do not generally mark up media files such that a user can efficiently locate information of interest.

Therefore, it is desirable to provide an apparatus, article of manufacture and method for retrieving and evaluating information on the internet using user-specific characteristics. These characteristics may include general interest information, identity information, attitude and aptitude information, personal heroes, media compatibility and media comprehension ability. The apparatus, article of manufacture and method should also take into account user selections and interest in specific information in retrieving further information. Text, sound and video files should all be evaluated based on user characteristics. Also, the reason or motivation for searching the internet should be used in searching for information. The invention should also mark points of interest in media files such that a user can quickly locate information of interest in lengthy media files.

SUMMARY OF THE INVENTION

According to an aspect of the present invention, a data processing apparatus for obtaining information from a computer network, such as the internet, is presented. The apparatus comprises: (a) a display for displaying data to a user; (b) input means for supplying input data in response to a user's input; (c) memory, coupled to the display and input means, for storing a Personal Feedback browser and a Personal Profile database; and, (d) a processor, coupled to the display, the input means and memory, for controlling the memory, input means, and the display in response to the stored Personal Feedback browser and the Personal Profile database, wherein the Personal Feedback browser provides a media file to the display based on the Personal Profile database.

According to another aspect of the present invention, the Personal Feedback browser includes a profile builder software program for obtaining and storing personal profile data into the Personal Profile database.

According to another aspect of the present invention, the Personal Feedback browser includes a media evaluation software program for evaluating a media file obtained from the computer network based upon personal profile data in the Personal Profile database.

According to another aspect of the present invention, the media evaluation software program includes a sound file to text file software program for translating a sound file to a text file.

According to another aspect of the present invention, the Personal Feedback browser includes an adaptive software program for modifying the Personal Profile database in response to a user's selection of the media file.

According to another aspect of the present invention, the Personal Feedback browser includes an adaptive software program for modifying the Personal Profile database in response to a user's absorption of the media file.

According to another aspect of the present invention, the personal feedback browser includes a mark-up software program for highlighting sections of a media file in response to a plurality of key words assigned sound values in the media file.

According to another aspect of the present invention, the data processing apparatus further comprises an eye-tracking device coupled to the processor for adjusting a media progression rate value.

According to another aspect of the present invention, the profile builder software program includes a software program for providing a Profile Object and a Self Object, wherein the Profile Object's distance from the Self Object is adjusted by a user to adjust impact on rating media files. Further, the Profile Object is either an Identity/Interest Profile Object, Hero Profile Object, Descriptor Profile Object and/or Attitude/Aptitude Profile Object.

According to another aspect of the present invention, an article of manufacture, including computer readable medium having computer readable program code means embodied therein for obtaining a media file from the internet, is provided. The article of manufacture comprises: (a) computer-readable program code means for building a Personal Profile database responsive to user input; (b) computer-readable program code means for evaluating a media file obtained from the internet based upon the Personal Profile database; (c) computer-readable program code means for adjusting the Personal Profile database responsive to a user selection of the media file; (d) computer-readable program code means for adjusting the Personal Profile database in response to a user's absorption of the media file.

According to still another aspect of the present invention, a method for obtaining a media file from the internet comprises the steps of: (a) building a Personal Profile database containing user-specific information; (b) retrieving a plurality of media files from the internet based upon a subject key word; (c) evaluating the plurality of media files obtained from the internet responsive to the Personal Profile database; (d) adjusting the user's Personal Profile database in response to a selection of a media file from the plurality of media files obtained from the internet; and, (e) adjusting the Personal Profile database based on a user's absorption of the media file obtained from the internet.

BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying drawings, referred to herein and constituting a part hereof, illustrate principles and embodiments of the present invention and together with the description serve to explain the principle of the invention in which:

FIG. **1** Illustrates an apparatus having a Personal Feedback browser according to the present invention.

FIG. **2** Illustrates a block diagram of a Personal Feedback browser according to the present invention.

FIG. **3***a* Illustrates a Profile Builder module according to the present invention.

FIG. **3***b* Illustrates a Profile Object Distance Value Adjustment Based on User's Selection of Media Content module according to the present invention.

FIG. **3***c* Illustrates a Profile Object Activation Value Adjustment Based on User's Selection of Media Content module according to the present invention.

FIG. **3***d* Illustrates a Profile Object Distance Value Adjustment Based on Rate of Media Progression module according to the present invention.

FIG. **3***e* illustrates a Profile Object Activation Value Adjustment Based on Rate of Media Progression module according to the present invention.

FIG. **4***a* Illustrates a User Profile Display and Adjustment module screen according to the present invention.

FIG. **4***b* Illustrates a Search Results Interface screen according to the present invention.

FIG. **5***a* Illustrates a detail view of a User Profile Display and Adjustment screen according to the present invention.

FIG. **5***b* Illustrates a plurality of Profile Objects, a Self Object and a Media Comprehension Parameter Value Indicator according to the present invention. FIG. **6***a* Illustrates a Profile Object according to the present invention.

FIG. **6***b* Illustrates the relationship between a plurality of Profile Objects and a Self Object according to the present invention.

FIG. **7***a* Illustrates the Identity/Interest Evaluation method used in the Profile Builder module **211** shown in FIG. **3***a* according to the present invention.

FIG. **7***b* Illustrates an Identity/Interest Profile Object according to the present invention.

FIG. **8***a* Illustrates the Personal Heroes Evaluation method used in the Profile Builder module **211** shown in FIG. **3***a* according to the present invention.

FIG. **8***b* Illustrates a Hero Profile Object according to the present invention.

FIG. **9***a* Illustrates the Descriptor (Adjective/Adverb/Simile/Metaphor) Sensitivity Evaluation method used in Profile Builder module **211** shown in FIG. **3***a* according to the present invention.

FIG. **9***b* Illustrates a Descriptor Profile Object according to the present invention.

FIG. **10***a* Illustrates the Attitude/Aptitude Evaluation method used in Profile Builder module **211** shown in FIG. **3***a* according to the present invention.

FIG. **10***b* illustrates an Attitude/Aptitude Evaluation sample personality question according to the present invention.

FIG. **10***c* illustrates an Attitude/Aptitude Evaluation sample conjoint analysis question according to the present invention.

FIG. **10***d* Illustrates an Attitude/Aptitude Profile Object according to the present invention.

FIG. **11** Illustrates a Method for Determining a User's Text Media Comprehension Parameter module **302** used in the Profile Builder module **211** shown in FIG. **3***a* according to the present invention.

FIG. **12** Illustrates a Method for Determining Acceptance of a Media File using Text Comprehension Parameter used in module **230** shown in FIG. **2** according to the present invention.

FIG. **13** illustrates the Media Evaluation module **205** shown in FIG. **2** according to the present invention.

FIG. **14** Illustrates a Media File Key Word Valuation method used in Media Evaluation module **205** shown FIG. **13** according to the present invention.

FIG. **15***a* Illustrates a Search Results screen having Content to User Fitness Indicators according to the present invention.

FIG. **15***b* Illustrates a Content to User Fitness Indicator block according to the present invention.

FIG. **16***a* Illustrates a Key Word Interest Media File Markup method according to the present invention.

FIG. **16***b* Illustrates a Key Word Interest Sound File/Video File Markup example according to the present invention.

FIG. **16***c* Illustrates a Key Word Interest Text Media File Markup example according to the present invention.

FIG. **17** Illustrates Adjustment Value Change Based on Rate of Media Progression according to the present invention.

FIG. **18** Illustrates a Profile Object Distance Value Adjustment Based on User's Rate of Media Progression module **326/327** shown in FIG. **3***d* according to the present invention.

FIG. **19** Illustrates a Profile Object Activation Value Adjustment Based on Rate of Media Progression module **354/355** shown in FIG. **3***e* according to the present invention.

FIG. **20** Illustrates a Method of Translating a Media File to Text File according to the present invention.

DETAILED DESCRIPTION OF THE INVENTION

I. Data Processing Apparatus Architecture

FIG. **1** illustrates a data processing apparatus **130** having a Personal Feedback browser **108** according to the present invention. In an embodiment, data processing apparatus **130** may be a computer **102** having random access memory ("RAM") **106**, compact disk read-only memory ("CD-ROM") drive **110**, floppy drive **111**, hard disk **112**, and processor **113**.

In alternate embodiments, data process apparatus **130** may be a "network computer" and/or "web-enabled television" available from WebTV Networks, Inc., Palo Alto, Calif. In another embodiment, data processing apparatus **130** may be a web-enabled telephone, for example, a model P100-A/B available from Philips Home Services, Inc., 1764A New Durham Road, South Plainfield, N.J. 07080.

Personal Profile database **107**, Personal Feedback browser **108**, Search Engine interface **109** and voice recognition software **155** are stored in RAM **106**. In alternate embodiments, Personal Profile database **107**, Personal Feedback browser **108**, Search Engine interface **109** and voice recognition software **155** may be embodied in a software program stored on a computer readable medium, such as a magnetic or optical disk. Personal Feedback browser **108** and search engine interface **109**/search engine software **125** are used to obtain information from internet **114** based on user characteristics and selections. User characteristics may include 1) interests/identity, 2) attitude/aptitude characteristics, 3) personality characteristics, 4) media compatibility criteria, 5) media comprehension ability.

Computer **102** receives input from Electric Eye Tracking Device **103**, keyboard **104**, and mouse **105** on line **120**. Electronic Eye Tracking device **103** and related software can be obtained from Applied-Science Laboratories, Bedford, Mass. or ISCAN Inc., Burlington, Mass.

In an embodiment, Applied Science Laboratories' Eye Tracking Device Series **4000** is a table mounted optics unit that is attached to computer **102**. A RS**232** connector cable connects the series **4000** device to an ISA board that is mounted in computer **102**. In this embodiment, computer **102** uses a Microsoft Windows NT operating system with the Series 4000 eye tracking software running in a DOS shell.

In an embodiment Computer **102** has two sound cards **150** and **151**. These sound cards are connected by line **152** where sound card **150**'s audio output is connected to sound card's **151** audio input. In an embodiment, sound cards **150** and **151** are Creative Labs Sound Blaster **16** sound cards which may be obtained from Creative Labs Incorporated, 1901 McCarthy Blvd, Milpitas, Calif. 95035. Sound card drivers are also loaded into RAM **106**.

In an embodiment, RAM **106** also contains Microsoft Windows **95** operating system.

Computer **102** generates output on line **121**. Output devices **101** may include a monitor, speakers and/or virtual reality hardware. Computer **102** is also connected to a computer network, such as internet/intranet **114** by line **126**. Computer **102** accesses a search engine **125** on line **126** via Search Engine interface software **109**. In other embodiments, computer **102** may access internet/intranet by way of wireless communication. In other embodiments, Personal Feedback browser **108** may be used to obtain information from a compact disk in CD-ROM drive **110**.

II. Personal Feedback Browser and Interfaces

FIG. **2** illustrates a Personal Feedback browser **108** shown in FIG. **1**, along with Personal Profile database **107** and Search Engine interface **109** according to the present invention. A brief description of the software modules comprising Personal Feedback browser **108** and associated interfaces is discussed below. A detailed description of each software module, and in particular, the methods describing the software modules, is described in greater detail below.

A. Personal Profile Database

A fundamental component used with the Personal Feedback browser **108** are Profile Objects. Profile Objects, as illustrated in FIG. **6***a*, contain bundles of key words and key phrases which have corresponding signed numeric values or weights.

In an embodiment, Profile Object contains at least one key word or ia key phrase with a corresponding signed weight. For example, "sports" has a positive 3 weight value in the Profile Object illustrated in FIG. **6***a*. Typically there are many key words and key phrases with corresponding signed weights contained in a particular Profile Object. The bundle of key words and key phrases may include positive weighted key words/key phrases, typically for synonyms. Negative weighted key words/key phrases, typically for antonyms, identify a particular identity, trait, interest or descriptive term that the Profile Object represents. These key words and key phrases have corresponding numerical values which are used to rate retrieved media files in terms of the user's interest.

In an embodiment positive weighted key words/key phrases are not limited to synonyms and negative weighted key words/key phrases are not limited to antonyms.

In an embodiment, key words in Profile Objects that are present in media file being analyzed are treated as equivalents to other key words located in a thesaurus database.

In an embodiment, a Profile Object's key words/key phrases and their corresponding signed weights cannot be changed by a user.

In another embodiment, a Profile Object's key words/key phrases and their corresponding signed weights may be changed by a user.

Personal Profile database **107**, as illustrated in FIG. **2**, stores information regarding a user's personal characteristics that are utilized by various software modules to evaluate a retrieved media file. Specifically, Personal Profile database **107** includes Profile Object's parameters and a text comprehension parameter. Profile Object Parameters (for example, a Distance value, Activation value, and Alpha value which are described in detail below) as well as a Text Comprehension Parameter (for example, Flesch-Reading Ease and/or average characters per word) are stored in Personal Profile database **107**.

In an embodiment, more than one Text Comprehension Parameter may be stored in Personal Profile database **107** for use in rating media files.

Each Profile Object has a Distance value defined by the relative distance from the active Profile Object to a "Self Object." A Self Object signifies the identity of the user, where ideas, interests, and values represented by Profile

Objects surround the user. In this way, a user builds a representation of himself or herself. The effect key word/key phrases have in rating a media file is based on their corresponding numeric weight values and the Distance value which is representative of the relative distance of the Profile Object from a Self Object. The closer a Profile Object is to a Self Object, the more effect each of the key words and key phrases contained in said Profile Object have in rating media files. The Distance value is adjusted by the user's choices in accessing media files and interaction with media files. In an embodiment, the Distance value is never less than 0.

In an embodiment, if the Distance value changes sign, all key words'/key phrases' weight values are multiplied by (−1) and the absolute value of the distance is used for the Distance value of the Profile Object.

Profile Objects are either active or inactive. Only active Profile Objects are used to rate media files. Each Profile Object has an Activation value **623** and a Activation Threshold value **622**, as seen in FIG. **6***a*. The Activation value is adjusted by the user's choices in accessing media files and interaction with media files. If a Profile Object's Activation value is greater than its Activation Threshold value, then the Profile Object is active. If the Profile Object's Activation value is below or equal to the Profile Object's Activation Threshold value, then the Profile Object is not active.

A text comprehension parameter associated with a specific user is used in evaluating whether a specific media file is suitable for a user. For example, a user may have an associated Flesch-Reading Ease score used to evaluate whether a media file contains suitable text which matches the user's sophistication.

In an embodiment there are several data sets of Profile Objects and text comprehension parameters for a particular user. The user can select which data set is used to evaluate media files. Having more than one data set allows the user to evaluate media files based on the motivation of the information search. For example, a user can have one data set that is used for searching and evaluating information for his or her work and another data set for searching and evaluating information for entertainment.

In an embodiment, a single Personal Profile database **107** data set is used.

B. Profile Builder

Profile Builder module **211** includes software modules for determining Profile Object Activation values that correspond to whether or not Profile Objects are active, as well as Profile Object Distance values that correspond to the impact key words and key phrases contained in Profile Objects have on rating media files. This module also determines the text comprehension parameter which is used in determining whether a media file is appropriate for a user. Profile Builder module **211**, as illustrated in FIG. **2** and **3***a*, subjects a user to a series of questions and interactive exercises that build a user's Personal Profile database **107** which is used in evaluating suitability of a retrieved media file. These Profile Objects and their corresponding parameters and a text comprehension parameter are then stored in a data set in Personal Profile database **107**.

In an embodiment, several data sets containing Profile Objects with their corresponding parameters and the text comprehension parameter can be obtained and/or adjusted with the Profile Builder for a particular user.

FIG. **3***a* illustrates Profile Builder module **211** according to the present invention. Logic blocks **302–308** are further illustrated in FIGS. **7–11** and described below. Logic block **301** generates a profile building session prompt screen for a user. Control is then transferred to logic block **302** which determines the text media comprehension parameter for the user, as illustrated in detail in FIG. **11**. Control is then transferred to logic block **305** where an interactive descriptor evaluation locates, activates (by increasing Activation value to a predetermined amount above the Activation Threshold value), and sets the Distance value for Profile Objects that contain key words and key phrases that will be used in rating descriptive word compatibility, as illustrated in FIG. **9***a*. Control is then transferred to logic block **306** where an interactive attitude/aptitude evaluation locates, activates (by increasing Activation value to a predetermined amount above the Activation Threshold value), and sets the Distance value for Profile Objects that contain key words and key phrases that will be used in rating media files for the user, as illustrated in FIGS. **10***a–c*. Control is then transferred to logic block **307** which locates, activates (by increasing Activation value to a predetermined amount above the Activation Threshold value), and sets the Distance value for Profile Objects that contain key words and key phrases that will be used in rating media files for the user using an interactive Identity/Interest evaluation, as illustrated in FIG. **7***a*. Control is then transferred to logic block **308** where a user interactive hero evaluation locates, activates (by increasing Activation value to a predetermined amount above the Activation Threshold value), and sets the Distance value for Profile Objects that contain key words and key phrases that will be used in rating media files for the user using a personal hero evaluation, as illustrated in FIG. **8***a*. Control is then transferred to logic block **309** where the Personal Profile Builder module ends. It should be understood that in alternate embodiments, various combinations of logic blocks **302–308** may be used or omitted.

C. User Profile Screen Interface

FIG. **4***a* illustrates a display screen generated by User Profile Display and Adjustment module **203**. Parameters regarding active Profile Objects which are used in rating media files for the user as well as parameter values that determine media comprehension ability for a specified user may be accessed by control panel **400**. The user may interact with the control panel **400** to manipulate a Distance value of any active Profile Object and thereby change the effect of key words and key phrases contained in a selected active Profile Object has in rating media files.

In another embodiment module **203** may display Profile Object values in a tabular spreadsheet format wherein the properties and values of Profile Objects can be viewed and adjusted.

In an embodiment, if a user double clicks one of the control panel **400** fields, for example, button **401**, the user may edit the values of a Profile Object or add and delete key words/key phrases and/or change key word/key phrase weights, as well as change the following Profile Object values: Distance value, Activation value, and Activation Threshold value.

In an embodiment, a user can create his or her own Profile Objects.

Descriptive Compatibility viewer/button **401** allows a user to access and change Distance values in Profile Objects containing positive weighted descriptive key words/key phrases associated with a particular user's vernacular and negative weighted descriptive key words/key phrases not associated with a particular user's vernacular.

Browsing Profile button **402** allows a user to select from several different Personal Profile data sets that represent the user. This is valuable because a user may need to have different media evaluation sets to satisfy different search needs: for example, different search/evaluation criteria are necessary if someone is searching for work versus for pleasure.

Hero Profiles viewer/button **403** allows a user to access and change the Distance value in Profile Objects associated with popular stereotypes or heroes.

Text Comprehension Parameter viewer/button **404** allows a user to access and change a Text Comprehension Parameter value associated with a particular user.

Identity/Interest viewer/button **405** allows a user to access and change the Distance value in Profile Objects associated with a particular user's identity and/or interest.

Attitude/Aptitude button **406** allows a user to access and change the Distance value in Profile Objects associated with a particular user's attitude and/or aptitude.

D. Search Engine Interface

Search Engine interface **109** accesses a Search Engine **125** on Internet/Intranet **114** in order to retrieve media files. Search Engine interface **109**/Search Engine **125** retrieves media files based on user input, as illustrated by logic block **207**. Retrieved media files are then transferred to Media Acceptance module **230** where it is determined which media files are within the user's comprehension level. Accepted files are then transferred to Media Evaluation module **205** which also receives the Search subject input data from module **207**. In an embodiment, media files from an internet web page or an internet news groups may be obtained from internet/intranet **114**.

In an alternate embodiment, media files may be retrieved from a CD-ROM **110**.

Media Evaluation module **205** transfers rating values and file information to Search Results Interface **208** which generates a graphic display, such as display **450** in FIG. **4***b*, showing the media files located and also providing indicators that illustrate suitability of the media file based on the user's Personal Profile database **107**. Search Engine interface **109** also transfers subject match rating of media files to media evaluation **205**, which is provided by Search Engine software **125**. Display **450** shows various media types including text files, audio files and video files. Indicator value Blocks in fields **411–413** contain index values that indicate the suitability of a particular media file based on a user's data set in Personal Profile database **107** and subject match rating.

Browsing Profile Field **407** indicates which data set is being used in Personal Profile database **107** to evaluate media files. Inputted File Indicator field **408** illustrates the file subject criteria used by Search Engine **125** to retrieve the media files that are presented and evaluated in the Search Results display **450**. In an embodiment, search results are ranked in order of media acceptance ratings described below.

Search result descriptions **410** and **414** indicate a textual synopsis of the type and location of the media file on the internet that is provided by Search Engine interface **109**. For example, description **410** may include a URL address and text synopsis of a media file.

Index Value Indicator fields **411**, **412** and **413** contain index values generated by Media Evaluation module **205**. Index Value Indicators, except for Subject indicator as explained below, are generated from a user data set located in Personal Profile database **107** which is selected in logic block **407** and are used to display suitability ratings of media files for a particular user as described below in relation to FIG. **15**.

Index value Indicator field **411** contains index values for text media files which illustrate values of fitness of content to the user of text information contained in a media file identified in field **410**.

Index Value Indicator field **412** contains index values for sound media which illustrate values of fitness of content to the user of speech information contained in a media file identified in field **410**.

Index Value Indicator field **413** contains file index values for video media which illustrate values of fitness of content to the user of speech information contained in a media file identified in field **410**.

Likewise, index Value Indicators **415**, **416**, and **417** contain media indicator values of fitness of content relative to the user of a media file identified in field **414**.

E. Media Evaluation

Personal Feedback browser includes a Media Evaluation module **205**, as illustrated in FIG. **13**, which examines the content of a media file in response to Personal Profile database **107** data set. The examination includes rating methods using Profile Objects containing key words and/or key phrases. The evaluation module creates a variety of indexes that assist a user in determining interest in the content of a media file.

Media Evaluation module **205** in FIG. **2** receives subject matching rating from Search Engine **125** through Search Engine interface **109** regarding located media files. Media Evaluation module also extracts information from a media file retrieved from Search Engine interface **109** and analyzes files responsive to active Profile Object key words/key phrases and corresponding Influence values (described below) as well as a text comprehension parameter in Personal Profile database **107**. Media Evaluation module **205** logs media files received for evaluation so that the same media file is never evaluated more than once during the same session. Media Evaluation **205** then sends evaluation results to Search Results interface **208**.

In an embodiment Personal Feedback browser **108** does not require input from Search Engine **125**. For example, Media Evaluation module **205** can evaluate all files at a URL address specified by a user and therefore not require input from Search Engine **125**. In this embodiment, search engine subject words and subject index rating values will not be received from Search Engine **125** and therefore subject index rating value **1513** and Field **1550** of FIG. **15** is not used.

In an embodiment, Media Evaluation module **205** evaluates all files at a web address located by search Engine **125**.

Search Results interface **208** creates a search result image to be displayed on a display which includes search results and index values which illustrate ratings of a media file based on a user's Personal Profile database, including Profile Object parameters and a text comprehension parameter. The types of indexes and how they are created are described below. From the Search Results interface **208**, the user then may select a media file to be viewed or downloaded.

F. Profile Object Distance Value Adjustment Based on User Selection

Adjusting the Distance value of certain Profile Objects based on user selection module **204** adjusts Distance values of Profile Objects in Personal Profile database **107** data set based upon a user's media selections.

The user's selection of information, in particular a URL address and/or descriptions of a media file, represents a particular user's interests and may be used in further searching by changing the Profile Object's Distance value as explained below.

FIG. **3***b* Illustrates Profile Object Distance Value Adjustment Based on User Selection Module **204**. Logic block **322** extracts and loads all positive weighted key words and key phrases in Profile Objects, as illustrated in FIG. **15**. Control is then transferred to logic block **323** where key words in search results field **1503** are compared to positive weighted

key words in Profile Objects in a Personal Profile database **107** data set. If key words with positive weights are found in a user's selection, such as Search Results field **1503**, corresponding to key words in a particular Profile Object, then the Distance value of the Profile Object is adjusted in Personal Profile database **107** data set. Control is then transferred to logic block **324** where the function ends.

G. Profile Object Activation Value Adjustment Based on User Selection

Adjusting Activation values for certain Profile Objects Based on user Selection Module **220**, as illustrated in FIG. **3***c*, adjusts the Activation values of certain Profile Objects in a Personal Profile database **107** data set based upon user selections.

The user's selection of information, in particular descriptions of media files and/or descriptions of internet pages, represent a particular user's interests and may be used in further searching and media file evaluation.

FIG. **3***c* illustrates the Profile Object Activation Value Adjustment Based on User's Selection of Media Content module **220**. Logic block **350** loads the description of all of the media file choices into memory and extracts positive weighted key words and key phrases that are present in Profile Objects. Key words in a media file choice description, such as Search Results field **1503**, are compared to positive weighted key words/key phrases in Personal Profile database **107** data set in logic block **351**. If positive weighted key words/key phrases are found in a user's selection corresponding to key words in a Profile Object, then the Activation value of said Profile Object is adjusted in a Personal Profile database **107** data set. Control is then transferred to logic block **352** where function ends.

In an embodiment, after each media selection, all Profile Object Activation values are decreased and Distance values are increased to prevent a Profile Object from having undue impact on media evaluation. Profile Object Activation Value Adjustment Based on User's Selection of Media Content module **220** can only increase a Profile Object's Activation value. Profile Object Distance Value Adjustment Based on User's Selection of Media Content module **204** can only decrease a Profile Object's Distance value. Therefore, by automatically countering these changes by a small amount after each choice, undue impact can be prevented.

In an embodiment, Profile Object parameter values have maximum and minimum values.

H. Profile Object Distance Value Adjustment Based on Media Progression

Changing the Distance value of certain Profile Objects Based on Media Progression module **210**, as illustrated in FIG. **3***d*, adjusts the Distance value of certain Profile Objects in Personal Profile database **107** based on a user's rate of progression through a media file.

When a user is examining a media file, the rate of progression through the media file may indicate interest in the particular media file. For example, if a user skims a section of the media file, interest is most likely not as high as if the user pays close attention to particular section and reads more slowly.

FIG. **3***d* illustrates Profile Object Distance Value Adjustment Based on Media Progression module **210** shown in FIG. **2**. The Profile Object Distance value determines the impact a Profile Object has in ia rating media files. This value can be adjusted based on a user's rate of media progression. Logic block **325** identifies positive weighted key words/key phrases in the media file being viewed by a user. Control is then transferred to logic block **326** where it is determined if the media file is of interest to the user, for example, by examining how long the user is looking at the section of the media file segment, if the sound file/video file is being accessed repeatedly, how fast is a scroll bar progressing on a text file segment, or is the media file segment printed, saved or listened to. Then control is transferred to logic block **327** where the effect of Profile Objects containing positive weighted key words and key phrases found in a media file segment is changed by adjusting the Distance value. Control is then transferred to logic block **328** where the module ends. This is illustrated in more detail in FIG. **17** and FIG. **18**.

I. Profile Objects Activation Value Adjustment Based on Media Progression

Profile Object Activation Value Adjustment Based on Media Progression module **215**, shown in FIG. **3***e* and FIG. **2**, adjusts the activation values of certain Profile Objects in Personal Profile database **107** data set based on a user's rate of progression of a selected media file segment.

Logic block **215** receives a media file segment from logic block **209** that makes adjustments to the activation value of certain Profile Objects in a Personal Profile database **107** data set. If the activation status value is above the activation threshold of a Profile Object, then the Profile Object is active. If the activation status value is at or below the activation threshold of a particular Profile Object, then the Profile Object is inactive.

The user's rate of progression through the media file segment may indicate interest in the particular media file segment and can be used to change the activation value of a Profile Object which in turn determines whether or not a particular Profile Object is used in rating media files.

Logic block **353** identifies the positive key words/key phrases in a media file segment being reviewed by a user. Control is then transferred to logic block **354** to determine if the media file segment is of interest to the user by analyzing the rate of media progression, such as whether a scroll bar is being depressed or if the media file segment is printed, saved or listened to. Then control is transferred to logic block **355** where the activation value of Profile Objects containing positive key words and key phrases found in a media file are changed. Control is then transferred to logic block **356** where the module ends. This is described in more detail below with regard to FIG. **19**.

In an embodiment, during Profile Object Distance value adjustment and Activation value adjustment via rate of media progression in modules **210** and **215** shown in FIG. **2**, input from an eye tracking device may also be used. The modules generate a one bit data request to the eye tracking device **103** and the eye-tracking device **103** transfers data, including coordinates of eye gaze, pupil diameters, and head position orientation values.

In an embodiment, the values of pupil diameters, and head position orientation can be used to alter the rate of media progression value. This information is used to change the Distance value and Activation value in Profile Objects.

The changes in coordinates of eye gaze determine which media is being viewed and a rate of media progression. This information is used to change the Distance value and Activation value in Profile Objects.

The pupil diameter measurement can sense changes in eye pupil diameter which can be used to indicate changes in the readers interest while viewing a particular media file segment and is used to change the Profile Object Distance value and Activation Value.

The head position orientation information can be used to indicate changes in the readers interest while viewing a given media file segment and is used to change Profile Object's Distance value and Activation Value.

In an embodiment the Profile Builder module is not necessary because module **220** and module **215** activate Profile Objects that by default are not active and module **204** and module **210** determine relative Distance values for Profile Objects.

III. Profile Builder

A. Detail of User Profile Display and Adjustment Interface

FIG. **5***a* illustrates a detailed display screen **500** generated by Search Results interface **208**. Display screen **500** includes Descriptor Compatibility viewer **505**, Browsing Profile switch **506**, Hero Profile viewer **501**, Text Comprehension Parameter viewer **504**, Interest/Identity viewer **502** and Attitude/Aptitude viewer **503**.

Each Viewer, except the Text Comprehension Parameter Viewer, displays Profile Objects.

B. Profile Objects

Profile Objects contain a bundle of key words and/or key phrases that have associated signed numeric values or weights. The impact a Profile Object has in rating a media is file affected by the Profile Object's Distance value (which is representative of the distance between a Profile Object and a Self Object).

The Influence value of each key word/key phrases in a Profile Object is obtained by multiplying a key word/key phrase assigned weight value by the value of the Profile Object's Influencer function described in detail below. The Profile Object's Influencer function value is inversely proportional to this distance from the Self Object. The closer the Profile Object is to the Self Object, the greater the value of the Influencer function and therefore more impact the bundle of key words and key phrases have in evaluating a media file.

FIG. **5***b* illustrates a Self Object **519** and several Profile Objects **517**,**507**,**509** and **511** as well as Text Comprehension Parameter **513** that are used in display screen **500**, as illustrated in FIG. **5***a*. In an embodiment, Profile Objects contain at least one key word or key phrase having an associated signed weight value.

Attitude/Aptitude Profile Object **517** contains key words/key phrases **518**.

Hero Profile Object **507** contains key words/key phrases **508**.

Interest/Identity Profile Object **509** contains key words/key phrases **510**.

Descriptor Profile Object **511** contains key words/key phrases **512**.

Text Comprehension Parameter **513** contains Parameter value **514**.

Self Object **519** is positioned in the center of each of the Viewers in graphic display **500** (except for the Text Comprehension Parameter Viewer). The closer a user positions a Profile Object to the Self Object, the more important the contents of the Profile Object is to the user.

FIG. **6***a* illustrates a Profile Object **601** with Title **621** "Football". Profile Object **601** includes key words and key phrases **602** having numeric values. The key word "Sports" has an corresponding weight (+3), the key word "Studying" has a corresponding weight (−2) and the key phrase "Going to the ball game" has an corresponding weight (+2).

Each Profile Object has an Alpha value **630** that can be used in interactive question and conjoint analysis question exercises in Profile Builder module to determine the Activation value and Distance value of Profile Objects. This is described in more detail below.

Each Profile Object has an Activation value **623** and Activation Threshold value **622**. If a Profile Object's Activation value is greater than its Activation Threshold value, then the Profile Object is active and is used in rating media files. If the Profile Object's Activation value is less than, or equal to, its Activation Threshold value, then the Profile Object is not active and therefore is not used in rating media files.

Distance value **625** indicates the distance the Profile Object is from a Self Object. For example, Car Profile Object is 1.18 units from Self Object **615** in FIG. **6***b*.

In an embodiment, the Influencer function is given by the following equation:

$$\text{Influencer function for (Profile Object)}_i = 1/(d_i + a) \qquad \text{Equ. 1}$$

Where d_i=the relative distance of the (Profile Object)$_i$ from a Self Object, and a=a small number such that there is not a divide by zero error.

In an embodiment, the distance di is determined as follows: a user positions a number of Profile Objects on an appropriate viewer and arranges their distance from a Self Object in accordance with a user's perceived importance of each Profile Object. The distances of each of the Profile Objects from the Self Object are averaged to obtain the average distance of the Profile Objects to the Self Object, d_{av}.

In an embodiment, the relative distance for the Profile Object is then obtained by taking the ratio of the distance of the Profile Object from the Self Object and dividing by d_{av}.

For example, the distance **616** between Green Peace Profile Object **617** and Self Object **615** is 1.35 units. The distance **614** between Berkeley Grad Profile Object **613** and Self Object **615** is 0.63 units. Since the distance **616** is greater than the distance **614**, the importance placed on key words and key phrases in the Green Peace Profile Object **617** are of proportionately less importance (assuming weight values are the same) than the key words, and key phrases in the Berkeley Grad Profile Object.

The importance of a particular key word, key phrase, or other measurement included in a Profile Object is determined by the product of the Profile Object's Influencer function **650** and the corresponding weight (signed numeric value) associated with each key word or key phrase in the Profile Object. Because the value of the Influencer function changes as the Distance value (distance from the Profile Object to the Self Object) changes, the importance of key words/key phrases located in a particular Profile Object change in relation to the Distance value (distance from a Profile Object to a Self Object).

IV. Profile Builder

Profile Builder **211** includes several methods to enable a user to create a data set containing Profile Object parameters and a text comprehension parameter in Personal Profile database **107**. These methods include user interactive methods where the user identifies, activates and positions Profile Objects representing interests, attitudes, and other characteristics of the user. Also, survey-question methods are used, as well as conjoint or choice-based analysis methodologies.

A. The Identity/Interest Evaluation

The Identity/interest test utilizes Identity/interest Profile Objects which include key words and key phrases that help the user identify themselves through their interests and the concepts, ideas and activities by which they identify themselves.

FIG. **7***a* illustrates an Identity/interest Evaluation Method **307** as illustrated in FIG. **3***a*. The Identity/interest Evaluation allows the user to activate Interest/Identity Profile Objects and determines their importance to the user. As described above, the closer the Identity/Interest Profile

Object is to the Self Object, the greater the importance the Profile Object will have in evaluating a media file.

Bins **701**, **703**, and **705** contain Identity/interest Profile Objects organized in Bins. These Bins serve as an organizational aid for the user.

Sports/Activities Profile Object bin **701** contains several Identity/Interest Profile objects including a "Soccer" Identity/Interest Profile Object **702**.

Hobbies Profile Object bin **703** contains several Identity/Interest Profile objects including a "Computer" Identity/interest Profile Object **704**.

Miscellaneous Interests Profile Object bin **705** contains several Identity/interest Profile Objects including a "Fishing" Identity/interest Profile Object **706**.

Arrows **707**, **708**, and **709** illustrate a user positioning or dragging (by way of point and click) Profile Objects from various Profile bins to be placed into an Identity/Interest viewer **710**.

The user drags the Interest/identity Profile Object from one of the Bins **701**, **703** and **705**, to the Interest/identity viewer **710** which causes the Interest/identity Profile Object's Activation value to be set to a specified value above the Interest/identity Profile Object's Activation Threshold value. Thus, the Interest/Identity Profile Object is now active. The user then places the Interest/Identity Profile Object in relation to the Self Object to adjust the Distance value of the Interest/identity Profile Object which affects the Influence values for key words and key phrases used in rating media files.

Identity/interest viewer **710** contains "Football" Interest/Identity Profile Object **711** and Self Object **712**.

1. Identity/interest Profile Object

FIG. **7***b* illustrates an Identity/interest Profile Object. "Football" Identity/Interest Profile Object **711** includes a plurality of key words and key phrases **713**. Each key word/key phrase weight value is then multiplied by the value of the Interest/identity Profile Objects Influencer function **714** which results in an Influence value for each key word/key phrase. The Profile Object's Influencer function **714** changes value according to the Distance value **718** which represents the distance between various Profile Objects and the Self Object **712**. Profile Object **711** contains Title **715**. Activation Threshold **716**, Activation value **717**, Alpha value **720** and Distance value **718**.

B. Personal Hero Evaluation

The Personal Hero Evaluation **308**, as illustrated in FIG. **3***a*, utilizes Hero Profile Objects containing key words and key phrases that relate to individuals that may be considered stereotypes.

FIG. **8***a* illustrates a Personal Hero evaluator **308**. The Personal Hero evaluator **308** gathers Profile Objects and determines their importance to the user. As above, the closer a Hero Profile Object is to the Self Object, the greater the importance the Profile Object will have in evaluating a media file.

Profile Object bins **801**, **805**, and **808** include Personal Hero Profile Objects.

People Profile Object bin **801** includes Personal Hero Profile Objects that are in several categories. Each category serves as an organizational aid in assisting a user in finding certain Hero Profile Objects that are identified by people. For example, the Athlete Category contains a "Mike Tyson" Hero Profile Object **802** and a "Joe Montana" Hero Profile Object **803**.

The Groups Profile Object bin **805** includes Hero Profile Objects such as "Peace Corps" Hero Profile Object **807**.

Animal Profile Object bin **808** contains several Hero Profile Objects such as "Tiger" Hero Profile Object **809**.

The user drags a Hero Profile Object from one of the bins **801**, **805** and **808**, to the Hero viewer **812** which causes the Hero Profile Object's Activation value to be set to a specified value above the Hero Profile Object's Activation Threshold value. Thus, the Hero Profile Object is now active. The user then places the Hero Profile Object in relation to the Self Object to adjust the Distance value of the Hero Profile Object used in rating media files.

Personal Hero viewer **812** contains Self Object **811** and "Abe Lincoln" Hero Profile Object **813**.

Arrows **804**, **806**, and **810**, as above, illustrate the positioning of Hero Profile Objects by a user relative to a Self Object **811**.

1. Hero Profile Object

FIG. **8***b* illustrates a Hero Profile Object. "Einstein" Hero Profile Object **814** includes key words and key phrases having associated weight values. The key word/key phrase value is multiplied by Hero Profile Object's Influencer function **816** to create the Influence value of each key word/key phrase. The value of the Influencer function **816** changes according to the Distance value that represents the distance between the Profile Object and the Self Object. Profile Object **814** contains Title **817**, Activation Threshold **818**, Activation value **819**, Alpha value **850**, Distance value **820**, and Influencer function **816**.

C. Descriptor Sensitivity Evaluation

Descriptor Sensitivity evaluator **305**, as illustrated in FIG. **3***a*, allows a user to select descriptors with which the user feels comfortable. The descriptors then may be used in evaluating a media file for the user.

FIG. **9***a* Illustrates a Descriptor Sensitivity evaluator **305**. A Descriptor Sensitivity evaluator **305** gathers Profile Objects and determines their importance to the user. These Descriptor Profile Objects contain key words and key phrases of descriptors such as adjectives, adverbs, metaphors and similes. The lower the Profile Objects Distance value, the closer the Profile Object is to the Self Object and the greater the importance the Profile Object will have in evaluating a rating media files.

Descriptor Profile Objects bin **901** includes several Descriptor Profile Objects, such as "Crapy" Descriptor Profile Object **907** and "Bad" Descriptor Profile Object **908**.

The user drags the Descriptor Profile Object from bin **901** to the Descriptor viewer **917** which causes the Descriptor Profile Object's Activation value to be set to a specified value above the Descriptor Profile Object's Activation Threshold value. Thus, the Descriptor Profile Object is now active. The user then places the Descriptor Profile Object in relation to the Self Object to adjust the Distance value of the Descriptor Profile Object which changes the impact the Descriptor Profile Object has in rating media files.

Arrow **902** illustrates how a user can position Profile Objects from a Profile bin **901** relative to a Self Object **909** which sets Profile Object Distance values as described above.

Descriptor Compatibility viewer **917** contains Self Object **909** and "Darn" Descriptor Profile Object **908**.

1. Descriptor Profile Object

FIG. **9***b* illustrates a "Good" Descriptor Profile Object **910**. "Good" Profile Object **910** includes key words and key

phrases **911** and Influencer function **912**. The positive weighted key words/key phrases contain descriptors that are representative of the Profile Object's Title word's/phrase's vernacular style. The negative weighted key words/key phrases contain descriptors that are not representative of the Profile Object's Title word's/phrase's vernacular style. The Influencer function **912** and signed weight values associated with key words **911** are used as described above. Profile Object **910** contains Title **915**, Activation Threshold **916**, Activation value **917**, Alpha value **950** and Distance value **918**.

D. Attitude/Aptitude Evaluation

Attitude/Aptitude Evaluation **306**, as shown in FIG. **3***a*, is a personality test that isolates interests, values, and attitudes of a user.

FIG. **10***a* illustrates the steps of an Attitude/Aptitude Evaluation **306**, which consists of a battery of questions and user interactive exercises that extracts Attitude/Aptitude Profile Objects and adjusts their Distance value.

Logic Block **1001** initiates an Attitude/Aptitude Evaluation **306**. Logic block **1002** which queries a user in order to isolate interests and general attitudes. Logic block **1003** activates Attitude/Aptitude Profile Objects and determines their Distance values based on answers to questions in logic block **1002**.

Each Attitude/Aptitude Profile Object has an Alpha value **1035** that is used to determine the Distance value of the Attitude/Aptitude Profile Object. This Alpha value is used only during question exercises as illustrated in the Attitude/Aptitude Evaluation method.

At the beginning of the Attitude/Aptitude Evaluation method, all Attitude/Aptitude Profile Object Alpha values are set to zero.

During the evaluation, each answer causes adjustments in the Alpha value of certain Attitude/Aptitude Profile Objects. For example, an answer to a question can cause an Attitude/Aptitude Profile Object Alpha value to increase by 5 or decrease by 3.

At the end of Attitude/Aptitude Evaluation **306**, all numerical adjustments corresponding to an Attitude/Aptitude Profile Object Alpha value are summed and the resultant Alpha value total is used to determine the Attitude/Aptitude Profile Object Distance value and Activation value as described below. In an embodiment, if the resultant sum of a Profile Object's Alpha value is negative or zero, then the Profile Object is not activated and not positioned in an Attitude/Aptitude Profile screen.

In an alternate embodiment, if the resultant sum of an Attitude/Aptitude Profile Object Alpha value is negative, then the absolute value of the sum is used to determine the distance from the Profile Object and the Self Object and each of the associated key word/key phrase weight values in the Profile Object is multiplied by −1 and the Profile Object is activated by setting the Activation value to a predetermined number above the Activation Threshold value.

In an embodiment, Attitude/Aptitude Profile Objects with Alpha values totaling zero or less are not activated. Attitude/Aptitude Profile Objects with Alpha values greater than zero have their Activation value set to a predetermined value above the Profile Object's Activation Threshold value, thereby causing the Profile Object to become active.

The average of the sum totals of each remaining Attitude/Aptitude Profile Object positive Alpha value is then calculated. This average is used to assign a relative Distance value for a each Attitude/Aptitude Profile Object with a positive Alpha value in the following manner. Each Distance value is calculated by taking the ratio of the average of all Profile Object positive Alpha values and the selected Profile Object's Alpha value. Thus, for example, if the largest Alpha value is 150 for Independence Attitude/Aptitude Profile Object; and the smallest Alpha value is 10 for "Team" Attitude/Aptitude Profile Object; and the average Profile Object Alpha value is 100. Then relative Distance value assignments would be the following: Independence Profile Object Distance value=100/150=0.67 units and Team Profile Object Distance value=100/10=10 units.

1. Example of an Attitude/Aptitude Question

FIG. **10***b* illustrates a sample Attitude/Aptitude Question. Question **1010** is statement from a series of such statements constituting an Attitude/Aptitude Evaluation where user reactions are measured.

Selecting answer button **1004** corresponds to a user agreeing with statement **1010**. Selecting answer button **1005** corresponds to a user not knowing whether to agree with statement **1010**. Selecting answer button **1006** corresponds to a user disagreeing with statement **1010**.

Tables **1007**, **1008**, and **1009** illustrate Attitude/Aptitude Profile Object Alpha value adjustments for an "Independent" Attitude/Aptitude Profile Object, an "Entrepreneur" Attitude/Aptitude Profile Object, a "Team" Attitude/Aptitude Profile Object, and a "Security" Attitude/Aptitude Profile Object. As can be seen, the Attitude/Aptitude Profile Object's Alpha values are adjusted based on answers to question **1010**. The Attitude/Aptitude Profile Object Alpha value is used to determine the Distance value of the Attitude/Aptitude Profile Object. This is illustrated in table **1007** where an "Independent" Attitude/Aptitude Profile Object has a corresponding Alpha value adjustment of (+5), "Entrepreneur" Attitude/Aptitude Profile Object has a corresponding Alpha value of (+8), and a "Team" Attitude/Aptitude Profile Object has a corresponding Alpha value adjustment of (−5). These Attitude/Aptitude Profile Object Alpha value adjustments are used to change their corresponding Profile Object Alpha values that correspond to user's selecting answer buttons **1004**, **1005**, and **1006**.

Thus, if a user selects answer button **1004**, indicating agreement with statement **1010**, then the Alpha value associated with the Independent Profile Object is adjusted by (+5). Likewise, the Entrepreneur Profile Object Alpha value is adjusted by (+8), while the Team Profile Object is adjusted by (−5). If the user selects answer button **1005**, indicating not knowing whether to agree with statement **1010**, then Independent Attitude/Aptitude Profile Object Alpha value is adjusted by (+4) and the Security Attitude/Aptitude Profile Object is also adjusted by (+4). If the user selects Disagree button **1006**, the corresponding Attitude/Aptitude Profile Objects are likewise adjusted.

2. Example of a Conjoint Analysis Attitude/Aptitude Test Question

FIG. **10***c* illustrates a sample conjoint analysis Attitude/Aptitude evaluation which may be used instead of, or in conjunction with, the Attitude/Aptitude Evaluation illustrated in FIG. **10***b*. Conjoint analysis, or choice based questions, ask a user to discover bundles of items that are close to the taste of the user. Through this type of questioning, it is possible to discover Profile Objects that are relevant to a user.

In an embodiment, answers to such conjoint analysis questions may associate certain Profile Objects consistently.

For example, if Profile Object A and Profile Object B are both having Alpha value adjustments simultaneously, in substantially the same amount, in a predetermined number of such questions, the two Profile Objects may then be classified as linked to form a new Profile Object which has all of the key words and key phrases with corresponding values in Profile Object A and Profile Object B and having an Activation value and Distance value equal to the average of the respective values contained in Profile Object A and Profile Object B.

Logic block **1060** illustrates a question and logic blocks **1011, 1013, 1015, 1017** and **1019** illustrate possible answers that may be selected by a user. The answers correspond to tables **1012, 1014, 1016, 1018**, and **1020** which may be used to adjust Attitude/Aptitude Profile Objects Alpha values.

3. Attitude/Aptitude Profile Object

FIG. **10***d* illustrates an Attitude/Aptitude Profile Object, such as a "Creative" Attitude/Aptitude Profile Object **1021**, which contains key words and key phrases. Profile Objects Influencer function **1023** is multiplied by key word or key phrase weight values to create influence values as described above. Profile Object **1021** contains Title **1030**, Activation Threshold (AT) **1031**, Activation value (AV) **1032**, Key words/Key phrases with corresponding weight values **1022**, Distance value (Dist.) **1033** and Alpha value (Alpha) **1035**.

VI. Methods to Determine Media File Acceptance

The following methods, as illustrated in logic blocks **302** in FIG. **3***a*, are used to determine the suitability of a media file based on a user's text media comprehension ability.

A. Method for Determining Text Media Comprehension Parameters

FIG. **11** illustrates a method for determining a Text Media Comprehension parameter for a user. Logic block **1101** initiates the testing of user's text comprehension ability. Logic block **1102** determines text media comprehension parameter for a user by asking the user to read a battery of essay questions and answers questions regarding the essays and subjects the user to a list of vocabulary questions where the user's Text Media Comprehension parameter is created or adjusted in a Personal Profile database **107** data set. Text Media Comprehension parameter may include average and standard deviation of characters per word, syllables per word, words per sentence, and sentences per paragraph in relation to user's performance on these tests. Also, text readability statistics such as Flesch-Reading Ease, Flesch Kincaid Grade, Coleman-Liau Grade Level, Barmuth Grade Level can be used as a Text Media Comprehension parameter.

Control is then transferred to logic block **1110** which allows a user to submit reading material which the user believes to be at the user's reading level. The content is analyzed and a Text Media Comprehension parameter described above is generated and used to create or adjust the ia Text Media Comprehension parameter stored in a Personal Profile database **107** data set. Control is then transferred to logic block **1112** where the method ends.

It should be understood that various combinations of tests can create a Text Media Comprehension parameter and methods to derive a Text Media Comprehension parameter can be used or omitted.

In an embodiment, more than one Text Media Comprehension parameter may be derived and stored in Personal Profile database **107** to evaluate media files.

VI. Media Evaluation

A. Choosing Media Files to be Evaluated on Search Screen

FIG. **12** illustrates a method for Determining Acceptance of a Media File module Using Text Comprehension parameter **230**, as illustrated in FIG. **2**. Logic block **1201** receives the media file from Search Engine interface **109**. If the media file contains a sound file with voice information, voice information is translated into text using voice recognition process in logic block **1202** as described in FIG. **20**. In an embodiment, only text files are evaluated, and logic block **1202** is not used.

Logic block **1203** determines if the media file already contains a Text Comprehension parameter. If yes, then control is transferred to logic block **1205**. If no, then control is transferred to logic block **1204**.

Logic block **1204** creates a Text Comprehension parameter for a media file. The Text Comprehension parameter may include the Flesch-Reading Ease measurement, the Flesch Kincaid Grade measurement, the Coleman-Liau Grade Level test, and/or the Barmuth Grade Level test. Other Text Comprehension parameters may include average and/or standard deviation of number of sentences per paragraph, words per sentence, characters per word, and syllables per word.

Logic block **1205** loads the user's Text Comprehension parameter value from Personal Profile database **107** data set and retrieves the media file Text Comprehension parameter from logic block **1204**. The media file Text Comprehension parameter is compared to the corresponding user's Text Comprehension parameter in logic block **1206**.

Logic block **1206** generates a media acceptance rating for the media file based on the media file Text Comprehension parameter and user Text Comprehension parameter. The media file's Text Comprehension parameter is subtracted from the corresponding user's Text Comprehension parameter to obtain an associated value identified as the acceptance rating. The lower the absolute value of the media acceptance rating for a particular media file, the more compatible the media file is to the particular user. In alternate embodiments, multiple media acceptance ratings may be obtained using all or various combinations of the Text Comprehension parameters above.

Logic block **1210** determines if there are over two hundred files having media acceptance ratings. If yes, control is transferred to logic block **1207**. If no, control is transferred to logic block **1208**.

Logic block **1207** keeps the top **100** media files which are most compatible with the user (the files with the lowest absolute value of the media acceptance rating). Control is then transferred to logic block **1208** where the files are transferred to Personal Media Evaluation module **205**, as illustrated in FIG. **2**.

B. Media Evaluation Method

FIG. **13** illustrates a Media Evaluation module **205**, as illustrated in FIG. **2**, which creates indicator ratings for a retrieved media file that represents the likelihood of interest of the media file to a specific user.

Media file **1301** includes text information and a text acceptance rating which were determined in logic block **230**, as illustrated in FIG. **2**. The text information for the media file **1301** is transferred to logic block **1317***a–d*.

If media file **1302** contains non-text, a voice-to-text translation method as illustrated in FIG. **20** is implemented and transfers text information to logic block **1317***a–d*. In an embodiment only text files are evaluated, and logic block **1302** is not used.

Media text file **1301** is then evaluated in logic block **1317***a–d* using key word(s) and key phrase(s), as illustrated in FIG. **14**.

FIG. **14** illustrates a Media File Key Word Valuation Method used in logic blocks **1317***a–d* of FIG. **13**. Logic block **1414** opens a media file and transfers text information to logic blocks **1415** and **1420**.

Logic block **1415** extracts the user's Active Profile Object positive weighted key words and key phrases along with their respective Influence value (which is derived from the key word/key phrase signed weight multiplied by the value of its Influencer function) from a user's Profile Objects. Logic block **1416** searches the media file for the user's active Profile Object positive key words and key phrases. Control is then transferred to logic block **1417** where each positive key word or key phrase Influence value is multiplied by the number of instances the key word or key phrase are found in the media file. Logic block **1417** contains a positive or zero value since positive key word and key phrase values are all non-negative.

Logic block **1420** extracts the users active Profile Object negative weighted key words and key phrases along with their respective Influence value from the user's Profile Objects. Logic block **1421** searches the media file for the user's active Profile Object negative key words and key phrases. Control is then transferred to logic block **1422** where the each negative key word or key phrase Influence value is multiplied by the number of instances the key word or key phrase are found in the media file. Logic block **1422** contains a negative or zero value since negative key word and key phrase values are all non-positive. Control is then transferred to logic block **1418**.

In an embodiment the number of negative and positive key words is normalized by dividing by the total number of words in the media file.

Logic block **1418** sums the products (incidence of key words multiplied by Influence value) from logic blocks **1417** and **1422** to obtain an index value. As can be seen from FIG. **13**, index values are output from logic blocks **1317***a–d* to display an Identity, Hero and MCR rating value shown in FIG. **13**. The index values from **1317***a* and **1317***b* are averaged in logic block **1318**. Index values **1515**, **1516** and **1514** are displayed.

In an embodiment, the following equation illustrates the key word valuation method illustrated in FIG. **14**:

$$(\text{MediaFile})_i = \sum_j \sum_k (fq)_{ik}(w)_{jk}(\text{Fun})_j \qquad \text{Equ. 2}$$

where:

The first sum is over the k key words/key phrases in the jth Profile Object and the second sum is over the j Profile Objects,

and where:

$(fq)_{ik}$=the number of occurrences of the kth key word/key phrase in the ith media file divided by the total number of words in the ith media file.

$(w)_{jk}$=assigned weight value associated with the kth key word/key phrase in profile object j $(\text{Fun})_j$= Influencer function for Profile Object j.

VII. Search Results Screen with Content to User Fitness Indicators

FIG. **15***a* illustrates a Search Results screen having Content to User fitness indicators ratings generated by Search Results interface module **208**, illustrated in FIG. **2**. Field **1501** displays a user name and the Personal Profile database **107** data set that is used to create the indicator value Ratings.

Field **1550** contains the subject word(s) used by search engine **125** to retrieve media files. In an embodiment, search engine **125** is not used to retrieve media files and Field **1550** is not used. In an embodiment, the user can specify the location of media files for evaluation.

Field **1502** is the title field.

Field **1503** contains choice number 3 URL address and text synopsis retrieved from Search Engine interface **109** as well as three corresponding Indicator rating fields displaying evaluation ratings of the content of each type of media file at the choice 3 internet site. FIG. **15***b* illustrates an Indicator rating field containing indicator index values described in detail below.

Indicator Fields contain the following four indicator value ratings: Subject, Media Compatibility Rating ("MCR"), Identity/interest, and Hero. The Subject rating value is the subject match value that is received from the Search Engine interface **109**. The other three indicator value ratings correspond to evaluation ratings derived from a data set in Personal Profile database **109** and evaluates a media file in the context of the current user.

Column **1509** represents the text media file column. Indicator value ratings corresponding to text media files in search result column **1502** are provided.

Column **1510** represents the audio media file column. Indicator value ratings corresponding to media files in search result column **1502** are provided.

Column **1511** represents the video/visual media file column. Indicator value ratings corresponding to text media files obtained from speech-to-text translation of video/sound file as illustrated in FIG. **20**.

Indicator field **1505** contains indicator value ratings corresponding to choice 1 in search results column **1502**. The "2/2" represents the second file out of the two files at that URL location. The denominator indicates the number of files at the internet site, and the numerator represents that the indicator value ratings correspond to the second media file at the web address.

Indicator field **1506** illustrates empty indicator value ratings since there are no video files at the choice number 2 internet site.

Similarly, indicator value rating field **1507** illustrates indicator value ratings of the first of two video media files at the choice number 4 internet site.

A. Indicator Value Field

Each indicator field contains indicator values corresponding to a rating of a media file, as illustrated in FIG. **15***b*. Sub=subject index rating value which is received from Search Engine **125**, MCR=Media Compatibility Rating obtained from the Descriptor Compatibility valuation of a media file, Identity=Identity/Interest index rating value which is obtained from the Identity/Interest valuation and the Attitude/Aptitude valuation of a media file, Hero=hero index rating value which is obtained from the Hero valuation of a media file.

In this example, **1513** is the subject index rating value, **1514** is the media compatibility index rating value, **1515** is the Identity/interest index rating value and **1516** is the hero index rating value.

It should be understood that in alternate embodiments, various combinations of index ratings and/or indicators can be used or omitted.

In an embodiment, valuation of media files can be accomplished by evaluating a file linked to a media file where the linked file contains a synopsis of the contents of the media file and/or key words/key phrases contained in and/or describing contents of media file. This could be accomplished by having both the media file and the linked synopsis file having the same file name, but different file extensions. In an embodiment, the file extension for the synopsis could be ".syn". For example, a media file on butterflies could be "butterfly 1.txt" and the synopsis file could be "butterfly1.syn".

VIII. Key word Interest Media File Markup Method

FIG. **16** illustrates the Key word Interest Media File Markup Method used in module **209** in FIG. **2**. Logic block **1600** translates the voice information in the media file to text, if necessary, as illustrated in FIG. **20**. In an embodiment, only text files are used in the Key Word Interest Media File Markup Method and accordingly, logic block **1600** is not used. Logic block **1601** locates key words of active Profile Objects located in a media file input from Search Result interface **208**. The key words are obtained from active Profile Objects stored in Personal Profile database **107** data set. An identified active Profile Object key word in the media file is assigned a value corresponding to the product of the associated weight value and associated Influencer function value. The words neighboring the located key word are then identified in the media file and are also assigned a value in logic block **1603**. The words neighboring the active Profile Object key word in a media file are assigned values that are of an absolute value less than the key word value.

In an embodiment, neighboring words of an identified positive key word are assigned values based on the following equation:

X=Decrease in value of neighboring word

while X>0

X=(key word value)−(# of words away from key word/key phrase)

When x <=0 assignment ends.

Neighboring words of an identified negative key word/key phrase are assigned values by the following equation.

Y=Increase in value of neighboring word

while Y<0

Y=(key word value)+(# of words away from key word/key phrase)

When y>=0 assignment ends

In an embodiment, certain special "negation words/phrases" such as "not", "never", "no" that are in a predetermined range from a key word will change the signed value of the key word instance in the media file. In another embodiment, these negation words can be made to trigger sign value change of a key word if they are only on the left of a identified key word.

In an embodiment, certain special "amplification" words/phrases such as "very", "much", "a lot of", amplify the magnitude of a key word in a specific range and/or to the left of a identified key word.

In an embodiment, certain special "reduction" words/phrases such as "little", "tiny", "a touch of", reduce the magnitude of a key word in a predetermined range and/or to the left of the identified key word.

In an embodiment, certain words such as articles ("the", "a", "an") are ignored in the key word media file markup method.

In an embodiment, key phrases can be used in the Key word Interest Document Markup Method.

Thus, a media file has been marked revealing the major points of interest and/or disinterest to a user having profile objects. The media file may be appropriately highlighted saving valuable user time in locating desired information.

A. Interest Sound/Video File Markup Example

FIG. **16***b* illustrates Interest Sound/Video file Markup example. Bars **1621**–**1627** illustrate the amount of time and/or video in a sound/video file, where each bar represents an amount of the sound/video file. Control arrows **1620** and **1628** allow a user to play a portion of the sound/video media file.

FIG. **16***c* is an example of the Key Word Interest Media File Markup example. Words **1629**–**1638** represent words in a media file that are being examined for active Profile Object key words. In an embodiment, a sound file may be translated to a text file, as illustrated in FIG. **20** and described below. Word **1631** and **1633** illustrate identifying active Profile Object key words having assigned positive values 2 and 3 which are stored in memory location **1640** and **1644**, respectively. Identified Key Word **1637** has a negative value of (−2) stored in memory location **1648**. Neighboring words **1630** and **1632** are assigned values based upon key word **1631**'s assigned value and the equation above. Words **1629**–**1635**, and **1636**–**1638** have similar key word and neighboring values stored in memory locations **1639**–**1641**, **1642**–**1646** and **1647**–**1649** as illustrated in FIG. **16***c*.

Memory location **1650**–**1656** represents the sum total of the identified assigned key word values and neighboring key word values in the media file. In particular, the values in memory locations **1639**–**1649** are added based on corresponding word position to obtain the sums in memory locations **1650**–**1656**.

For example, the sum total value of the word "Tomorrow" has a value of 0 in memory location **1650** because there are no key word assigned or neighboring values for "Tomorrow".

The sum total value in memory location **1651** of the Word "At" is 1 because word **1630** is a neighboring key word to the active Profile Object key word "UCLA". The "UCLA" word has a value of (+3) value in memory location **1652** because "UCLA" is a key word and is also a neighboring key word of an active Profile Object (football).

Likewise, the media file may be numerically marked by summarizing identified assigned key word values and neighboring key word values. The numeric values in memory location **1650**–**1656** correspond to word positions then may be used to color code the media file to identify a user's area of interest and disinterest.

Similarly the time bars in FIG. **16***b* may also be assigned summed values to identify to a user areas in sound/video file which are of interest or disinterest. For example, time bar **1624** identifies a portion of a sound/video file of interest because of the (+3) value, and time bar **1625** identifies a portion of a sound file of disinterest because of the (−3) value.

In an embodiment, a portion of a sound/video file represented by time bars in FIG. **16***b* would be evaluated for their key word/key phrase total value using the Media file Key Word Valuation Method illustrated in FIG. **14**. Each portion of a sound/video file would be evaluated using the Media File Key Word and Valuation Method. The output of logic block **1317** would then be used to indicate the interest/disinterest of a user corresponding to a portion of the sound/video file.

IX. Profile Object Distance Value Change Based on Media Progression

The interest level a user has regarding a segment of a media file can be determined by the speed and/or rate of media progression or perusal.

FIGS. **17** and **18** illustrate the Method for changing Profile Object distance values based on rate of media progression, as illustrated in logic block **210** in FIG. **2**. FIG. **17** illustrates

a bell-shaped curve **1700** which is a normal distribution curve having a mean media progression rate value **1701** adjusted for the current user and the current media file being absorbed by the user. The curve **1700** for a current user is obtained by taking the media acceptance index value, as illustrated in logic block **1206** in FIG. **12**, and multiplying it times an associated scaling value to adjust a predetermined standard population reading bell-shaped curve to the current user and current media file.

In an embodiment, the predetermined scaling value will be based on the user's Text Comprehension parameter.

In another embodiment, curve **1700** will be derived from measured reading rates for the user on a previously accessed media file with similar media acceptance index values, as illustrated in FIG. **11**.

In the current example, the rate of media progression for a standard media segment assumes an approximate normal distribution. While in this example a standard distribution is used, the same statistical techniques could be applied to any distribution that is obtained. As one skilled in the art would know, simple statistical tests would detect and negate the use of extremely skewed distributions.

A media rate of progression value for a media file can be obtained by measuring the rate of cursor movement or scroll bar movement down the selected media file. For example, media rate of progression may equal the number of scrolled pages per minute. The media file is also presented to a user with a predetermined font and page size and review screen resolution in order to obtain accurate measurements.

Also, eye-tracking information from eye-tracking device **103** can be used as well to determine in particular, the speed of reading the media file. In an embodiment, pupil dilation information and head position orientation values can be used to adjust the media rate of progression value illustrated in FIG. **17**.

In this example, there are several regions that are demarcated by standard deviation measurements on the bell-shaped curve **1700**. The region up to one standard deviation above the mean **1701** is represented by region **1703** and the region one standard deviation (σ) below the mean **1701** is represented by region **1702**. The region between one standard deviation (σ) and two standard deviations above and below mean **1701** is represented by regions **1705** and **1704**, respectively. The region above two standard deviations above mean **1701** is region **1707** and the region two standard deviations below mean **1701** is region **1706**.

The curve represents possible rates of media progression by a user. The media progression rate of the selected media file is used to determine the degree of interest a user has in a media file. Regions **1702**, **1703**, **1704**, **1705**, **1706**, and **1707** designate media progression rate ranges and are used to assign scaling factors used to change the Distance values and Activation values in Profile Objects.

If a media progression rate value falls in region **1703** or **1702**, the reader is probably reading the material. Thus, that portion of the media file is probably within normal interest of the user.

If a media progression rate value falls in the region **1705**, the reader is most likely skimming this portion of the media file. Thus, this portion of the media file is most likely not of significant interest to the user.

If a media progression rate value falls in region **1707**, the reader appears to be skipping over this portion of the media file. Thus, this portion of the media file is not of interest to the user.

If a media progression rate value falls in region **1704**, the user is most likely reading this portion of the media file very carefully. Thus, this portion of the media file is probably of great interest to the user.

If a media progression rate value falls in region **1706**, the user is either studying the material very carefully or is neglecting the material.

FIG. **18** illustrates a Method of Adjusting Profile Object Distance values based on rate of media progression values, as shown by logic block **210** in FIG. **2**. Logic block **1800** loads all positive weighted key words/key phrases from all Profile Objects in a Personal Profile database **107** data set (both active and inactive Profile Objects). Logic block **1801** then loads the media file acceptance rating to adjust the mean rate of progression for the file and then searches through the media file segment to locate corresponding positive weighted key words/key phrases. Logic block **1850** determines if the media file is being absorbed within the normal rate of progression by determining if the rate of progression is within one standard deviation of the mean reading speed **1701**. If yes, control is transferred to logic block **1802**. If no, control is transferred to logic block **1804**. Logic block **1802** determines if the selected media file is being skimmed or skipped by determining if the media progression rate value is above the mean reading speed **1701**, as illustrated in FIG. **17**. If yes, control is transferred to logic block **1803**. If no, control is transferred to logic block **1805**.

Logic block **1803** adjusts the Distance value for the associated Profile Objects of positive weighted key word/key phrases found in the media file segment by a non-negative value. The positive weighted key word/key phrase weight values for a Profile Object are summed and multiplied by a scaling function related to the current measured media progression value. For example, if two key words, Sports (+3) and Athletes (+2) in a football profile as seen in FIG. **7***b* were found in a media file which is being skipped, the key word values (+3) and (+2) would be summed and multiplied by+2 as follows: ((3+2)×2=10). The (+2) value corresponds to a media progression value of two standard deviations from the mean. In an embodiment, the value 10 would then would be scaled by (0.1) to adjust the Distance value by (+1) in the Profile Object to a new distance value. Thus, the media progression rate would have the effect of moving the football Profile Object further from the Self Object and therefore have less impact in selecting further media files. Control is then transferred to logic block **1804**.

Logic block **1805** determines if the selected media file is in the studied or neglected region **1706** if the rate of media progression is equal to or less than 2 standard deviations below the mean reading speed **1701**. If yes, control is transferred to logic block **1807**. If no, then control is transferred to logic block **1806**.

Logic block **1806** then adjusted the Distance values for the associated Profile Objects of positive weighted key words/key phrases found in the media file segment by a non-positive value. The positive weighted key word/key phrase weight values for a Profile Object are summed and multiplied by a number corresponding to the current measured media progression rate. This number would be negative, unlike the positive number used in logic block **1803**. The value is then used to adjust the Distance values of the Profile Objects. Since this value is negative, the Profile Object would be moved closer to the Self Object, causing the Profile Object to have more impact in rating media files.

Logic block **1807** determines whether or not the user is studying ia or neglecting the media file by analyzing the media file for active Profile Object positive weighted key word/key phrases in a Personal Profile Database **107** data

set. The found positive key word weight values are then summed and divided by the number of words in the media segment. If the summed value is above a predetermined threshold value, control is transferred to logic block **1809**. Otherwise, a determination is made that the user is neglecting the media file and nothing is done to Profile Objects by transferring control to logic block **1804**.

If the summed value exceeds the threshold, a determination is made that the user is studying the media file. Logic block **1809** then adjusts the Distance value for associated Profile Objects of positive weighted key words/key phrases found in the media file segment by a non positive value. The key word/key phrase weight values for a Profile Object are summed and multiplied by a number corresponding to the current measured media progression rate. This number would be a negative value, thereby moving the Profile Object closer to the Self Object.

Logic block **1804** determines if there is another segment to be examined, if yes control is transferred to logic block **1801**. If no, control is transferred to logic bock **1880** where the function ends.

X. Profile Object Activation Value Adjustment Based on Rate of Media Progression

FIG. **19** illustrates adjusting activation values for Profile Objects based on rate of media progression as shown in logic block **215** in FIG. **2**.

Logic block **2500** loads all positive weighted key words/key phrases from all Profile Objects in Personal Profile Database **107** data set (both active or inactive Profile Objects) and transfers control to logic block **2501**. Logic block **2501** extracts positive weighted key words in a media file segment being absorbed and retrieves a media file acceptance rating for the file to adjust the mean rate of progression **1701**. The media file acceptance value is used, as above, to adjust a predetermined normal distribution media progression curve to obtain a curve, as illustrated in FIG. **17**. Control is then transferred to logic block **2550**.

Logic block **2550** determines if the media file being absorbed is above or below one standard deviation of the mean rate of progression **1701**. If no, control is transferred to logic block **2515**. If yes, control is transferred to logic block **2503**.

In logic block **2503**, a determination is made whether or not the reader is skipping by determining if the rate of progression is above the mean rate of progression **1701**. If yes, control is transferred to logic block **2504**. If no, then control is transferred to logic block **2505**.

Logic block **2504** calculates a non-positive Delta value associated with each active or inactive Profile Object having positive weighted key words identified in the media file. The Delta value is calculated by summing the positive weighted key word weights in the Profile Object times the number of instances the key words occur in the media file segment. This sum is then multiplied by a negative adjustment value scaled by the measured user media progression rate value.

Logic block **2505** determines whether or not the user is studying the media or neglecting the media file segment by determining if the rate of progression is equal to or less than 2 standard deviations below the mean rate of progression **1701**. If yes, control is transferred to logic block **2508**. If no, then control is transferred to logic block **2506**.

Logic block **2506** creates a non-negative Delta value associated with each active or inactive Profile Object having positive weighted key words identified in the media file. The Delta value is calculated by summing the positive weighted key word/key phrase weights found in the Profile Object times the number of instances the positive weighted key words/key phrases occur within a media file segment. This sum is then multiplied by a positive adjustment value scaled by the corresponding measured user media progression rate value.

In logic block **2508**, a determination is made whether or not the user is studying or neglecting the media file by analyzing the media file for active Profile Object positive weighted key word and key phrases. The found positive key word weight values are then summed and divided by the number of words in the media segment. If the summed value is above a predetermined threshold value, control is transferred to logic block **2510**. Otherwise, a determination is made that the user is neglecting the media file and nothing is done to Profile Object(s) by transferring control to logic block **2509**.

Logic block **2509** sets the Delta value equal to zero, thereby causing no change in Profile Object activation values.

Logic block **2510** creates a non-negative Delta value that is the sum of found positive key word/key phrase weights in a Profile Object times the number of instances the positive weighted key words occur in the media file segment. This sum is then multiplied by a positive adjustment value scaled by the corresponding measured user media progression rate value.

Logic block **2511** segregates active Profile Objects from inactive Profile Objects by transferring active Profile Objects to logic block **2512** and transferring inactive Profile Objects to logic block **2516**.

In logic block **2512**, the Delta values associated with each Profile Object are added to the corresponding active Profile Objects' Activation values. In logic block **2513**, a determination whether or not the Profile Object's Activation value is below the Profile Object's Threshold Activation value is made. If yes, control is transferred to logic block **2514**. If no, then control is transferred to logic block **2515**.

In logic block **2514**, an active Profile Object is deactivated and control is transferred to logic block **2515**.

In logic block **2516**, a determination is made whether the sum of a Profile Object's Activation value and the corresponding Delta value is greater than the inactive Profile Object's Threshold Activation value. If yes, control is transferred to logic block **2518**. If no, then control is transferred to logic block **2517**.

In logic block **2518**, the Profile Object is activated by adding the corresponding Delta value. Thus the Activation value now exceeds the Activation Threshold value. If the Profile Object doesn't have a Distance value, then distance value is set to 1.0 from Self Object. Control is then transferred to logic block **2515**.

In logic block **2517**, the associated Delta value is multiplied by a predetermined adjustment value and the product is added to Profile Object's Activation value. Control is then transferred to logic block **2515**.

In logic block **2515**, a determination is made whether or not there is another media segment that needs to be analyzed. If yes, control is transferred to logic block **2501**. If no, control is transferred to logic block **2519** where the method ends.

In an embodiment, all profile object Activation values decay over time and/or have positive and negative limits.

In another embodiment, Profile Objects Activation values decay if Profile Object key words/key phrase are not found in a media file during a period of time.

In an embodiment, Profile Objects may be deactivated if the Profile Object reaches a predetermined distance away from the User Object.

XI. Media File to Text File

FIG. **20** illustrates a method for translating a media file, such as a sound file, to a text file. In an embodiment, the method is used in logic block **1302**, as illustrated in FIG. **13**, logic block **1202**, as illustrated in FIG. **12** and logic block **1600**, as illustrated in FIG. **16***a*.

Logic block **2001** loads a media file into memory and then transfers control to logic block **2002** where a determination is made whether the media file contains sound. If yes, control is transferred to logic block **2004**. If no, control is transferred to logic block **2050** where the method ends.

Logic block **2004** makes a determination if there is a text file containing a transcript or key words of the voice data associated with the sound file. If yes, control is transferred to logic block **2005**. If no, control is transferred to logic block **2006**.

Logic block **2005** opens the text file containing the transcript or key words of the media file and uses this data for media evaluation of the media file containing sound. Control then transfers to logic block **2050** where the method ends.

Logic block **2006** activates voice recognition software **155**, as seen in FIG. **1**. Logic block **2007** then loads a voice recognition vocabulary into RAM **106** and then transfers control to logic block **2008**.

Logic block **2008** determines if the user has set time splicing to be used in voice-to-text translation. If yes control is transferred to logic block **2012**. If no, control is transferred to logic block **2009**. Time splicing generates sound pauses between predetermined points of a sound track played in a media file to facilitate voice recognition. The splicing is used in order to obtain possible utterances.

Logic block **2009** plays a sound file on sound card **150**, as shown in FIG. **1**. The output of sound card **150** (voice/analog signal) is then inputted to sound card **151** on line **152**. In logic block **2010**, sound card **151** generates a digital signal representing utterances or voice segments. Voice recognition software **155** then translates the utterances (voice segment) to a phrase or word in a text file using a voice recognition vocabulary. Voice recognition software **155** may include an active speech and language model.

Logic block **2011** saves the text file and transfers control to logic block **2050** where the method ends.

Logic block **2012** sets the number of recognition attempts variable for the media file to **0** and transfers control to logic block **2013**. The recognition attempts variable is used to control the number of times voice recognition software **155** attempts to translate the sound file to text.

Logic block **2013** sets the time splice variable to a predetermined value and transfers control to logic block **2014** where the sound file is played on sound card **150** with time slices or pauses between utterances or sound segments. Thus, sound card **151** receives an analog voice signal with predetermined pauses.

Logic block **2015** uses sound card **151**, as in logic block **2010**, to generate digitalized signals representing utterances. Voice recognition software **155** then attempts to translate the utterances to an appropriate phrase or word in a text file using a voice recognition vocabulary.

A recognition ratio value is determined in logic block **2016**. The recognition ratio value is the number of utterances recognized by voice recognition software **155**, divided by the number of time slices used in the sound file. The recognition ratio value is used to indicate how successful voice recognition software **155** and splicing is in translating the sound file splices to text. Control is then transferred to logic block **2017**.

Logic block **2017** increments the recognition attempt variable by **1**, indicating the number of times the sound file has been analyzed by voice recognition software **155**. Logic block **2019** determines if the recognition attempts variable is above a threshold. If yes, control is transferred to logic block **2018**. If no, control is transferred to logic block **2020**.

Logic block **2018** saves the text file with the greatest recognition ratio and deletes the others and transfers control to logic block **2050** where the method ends.

Logic block **2020** makes a determination if the recognition ratio value is above a threshold value. If yes, control is transferred to logic block **2018**. If no, control is transferred to logic block **2021**.

Logic block **2021** obtains another time slice value by random number generation or from RAM **106** and transfers control to logic block **2014**.

In an embodiment, time splicing is not used and logic block **2008** and **2012–2021** are not used.

In another embodiment, pauses and/or time slices used in a sound file may be created or increased based on volume changes. This increases the effectiveness of voice recognition software **155**.

In an embodiment, voice recognition software is DragonDictate® for Windows 2.5 and DragonXTool™ Custom Controls for Windows, which is available from Dragon Systems, Inc., located at 320 Nevada Street, Newton, Mass. 02160. The Dragon Dictate® User's Guide, DragonXTool™ Guide and Reference, Dragon Dictate® Macro Language Guide and Reference and DragonVoiceTools Programmer's Guide are all incorporated by reference.

In an embodiment, DragonDictate® is running under a Windows operating system, along with personal feedback browser **108**. Personal feedback browser **108** contains DragonXTools commands which link personal feedback browser **108** to a DragonDictate® speech recognition engine and vocabulary.

The foregoing description of the preferred embodiments of the present invention has been provided for the purposes of illustration and description. It is not intended to be exhaustive or to limit the invention to the precise forms disclosed. Obviously, many modifications and variations will be apparent to practitioners skilled in the art. The embodiments were chosen and described in order to best explain the principles of the invention and its practical applications, thereby enabling others skilled in the art to understand the invention for various embodiments and with the various modifications as are suited to the particular use contemplated. It is intended that the scope of the invention be defined by the following claims and their equivalents.

What is claimed is:

1. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes;

a profile builder software program for obtaining and storing personal profile data in the personal profile database; and,

wherein the profile builder software program uses of at least one question to adjust at least one parameter value in a profile object.

2. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes;

a media evaluation software program for evaluating the media file obtained from the computer based upon the personal profile database; and,

(f) wherein the media evaluation software program includes:

a sound file to text file software program for translating a sound file into a text file.

3. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes;

a media evaluation software program for evaluating the media file obtained from the computer based upon the personal profile database; and,

(f) wherein the media evaluation software program includes;

a sound file to text file software program for translating a sound file into a text file, wherein the sound file includes a sound utterance which is translated into a key word.

4. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer:

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database:

(e) wherein the personal feedback browser includes;

a media evaluation software program for evaluating the media file obtained from the computer based upon the personal profile database: and,

(f) wherein the media evaluation software program includes;

a sound file to text file software program for translating a sound file into a text file;

(g) wherein the personal feedback browser includes:

an adaptive software for modifying a personal profile database in response to a user's absorption of the media file.

5. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes;

an adaptive software for modifying a personal profile database in response to a user's absorption of the media file; and,

wherein the user's absorption of the media file is based on a media progression rate value.

6. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes;

an adaptive software for modifying a personal profile database in response to a user's absorption of the media file; and,

wherein the user's absorption of the media file is based on a media progression rate value; and

(f) a biometric device, coupled to the processor, for adjusting the media progression rate value.

7. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes:

a profile builder software program for obtaining and storing personal profile data in the personal profile database; and,

(f) wherein the profile builder software program includes:

a software program for providing a profile object and a self object, wherein a profile object's distance from a self object is adjustable by a user.

8. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the

means for presenting based on the personal profile database: and, wherein the personal profile database includes an identity/interest profile object which has at least one key word with an assigned weight value.

9. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user:

(b) input means for supplying input data in response to a user's input:

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database; and,

wherein the personal profile database includes a hero profile object which has at least one key word with an assigned weight value.

10. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database; and,

wherein the personal profile database includes a descriptor profile object which has at least one key word with an assigned weight value.

11. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database; and,

(e) wherein the personal profile database includes an attitude/aptitude profile object which has at least one key word with an assigned weight value.

12. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying inout data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes;

a profile builder software program for obtaining and storing personal profile data in the personal profile database; and,

(f) wherein the profile builder further includes:

a software program for determining a text media comprehension parameter for a user.

13. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes:

a media evaluation software program for evaluating the media file obtained from the computer based upon the Personal profile database; and,

(f) wherein the media evaluation software program includes:

a software program for extracting positive and negative assigned key words from 1) a user's personal profile database and 2) a media file in order to create a corresponding media file index value.

14. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database:

(c) wherein the personal feedback browser includes:

a media evaluation software program for evaluating the media file obtained from the computer based upon the personal profile database;

(f) wherein the media evaluation software program includes:

a software program for obtaining a text comprehension parameter for the media file;

a software program for obtaining a text comprehension parameter for a user; and,

a software program for obtaining a comprehension index value based on the media file's text comprehension parameter and the user's text comprehension parameter.

15. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database; and,

(e) wherein the personal feedback browser includes:

a mark-up software program for differentiating sections of a media file in response to summing a plurality of key words assigned values in the media file.

16. An article of manufacture, including computer readable medium having computer readable program code means embodied therein for obtaining a media file from a computer, comprising:

(a) computer-readable program code means for building a personal profile database responsive to a users input;

(b) computer-readable program code means for evaluating a media file obtained from the computer based upon the personal profile database;

(c) computer-readable program code means for adjusting the personal profile database responsive to a user selection of the media file; and,

(d) computer-readable program code means for adjusting the personal profile database in response to a user's absorption of the media file.

17. The article of manufacture of claim **16**, wherein the computer-readable program code means for building a personal profile database includes:

(a) computer-readable program code means for providing a profile object and a self object; and,

(b) computer-readable program code means for adjusting a parameter in a profile object in response to a user's positioning of a profile object relative to the self object.

18. The article of manufacture of claim **16**, wherein the computer-readable program code means further includes:

(a) computer-readable program code means for determine a text media comprehension parameter for the user.

19. The article of manufacture of claim **16**, wherein the computer-readable program code means for evaluating a media file includes:

(a) computer-readable program code means for obtaining a key word having an associated weight value from the personal profile database;

(b) computer-readable program code means for identifying the key word in a media file;

(c) computer-readable program code means for multiplying an occurrence of the key word in the media file by the associated key word weight value in order to obtain a product; and,

(d) computer-readable program code means for summing the products in order to provide a media indication value.

20. A method for obtaining a media file from a computer, the method comprising the steps of:

(a) building a personal profile database containing user-specific information;

(b) retrieving a plurality of media files from the computer;

(c) evaluating the plurality of media files obtained from the computer responsive to the personal profile database;

(d) adjusting the user's personal profile database in response to a selection of a media file from the plurality of media files obtained from the computer; and,

(e) adjusting the personal profile database based on a user's absorption of the media file obtained from the computer.

21. The method of claim **20**, wherein the step of building a personal profile database includes the steps of:

(a) selecting a profile object; and,

(b) adjusting at least one parameter of the profile object.

22. The method of claim **20**, wherein the building personal profile database includes the step of:

(a) obtaining a user text media comprehension parameter.

23. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value, wherein the numeric value is a negative numbers; and,

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database.

24. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value; and,

(d) a processor, coupled to the means for presenting the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes an adaptive software for modifying a personal profile database in response to a user's absorption of the media file, wherein the user's absorption of the media file is determined by a rate of progression.

25. A data processing apparatus for obtaining information from a computer, comprising;

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value; and,

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes an adaptive software for modifying a personal profile database in response to a user's absorption of the media file, wherein the user's absorption of the media file is determined by a rate of progression, wherein the user's absorption of the media file is based on the rate of media progression in relation to a statistical function.

26. A data processing apparatus for obtaining information from a computer, comprising;

(a) means for presenting data to a user:

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value; and,

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes an adaptive software for modifying a personal profile database in response to a user's absorption of the media file; wherein the user's absorption of the media file is based on the rate of media progression in relation to a statistical function; wherein the statistical function is a statistical distribution function.

27. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value; and,

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes an adaptive software for modifying a personal profile database in response to a user's absorption of the media file;

wherein the user's absorption of the media file is based on the rate of media progression in relation to a statistical function; wherein the statistical function is a statistical distribution function; wherein the statistical distribution function includes a mean which is adjustable.

28. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value; and,

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database:

(e) wherein the personal feedback browser includes an adaptive software for modifying a personal profile database in response to a user's absorption of the media file;

wherein the user's absorption of the media file is based on the rate of media progression in relation to a statistical function: wherein the statistical function is a statistical distribution function; wherein the statistical distribution function has a region identifying a user's interest.

29. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to means for presenting and input means, for storing a personal feedback browser and a personal profile database, wherein the personal profile database includes at least one key word having at least one numeric value; and,

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes an adaptive software for modifying a personal profile database in response to a user's absorption of the media file;

wherein the user's absorption of the media file is based on the rate of media progression in relation to a statistical function; wherein the statistical function is a statistical distribution function; wherein the statistical distribution function has a region identifying a user's disinterest.

30. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for providing data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a biometric device for obtaining a user's response value to a media file;

(e) a processor, coupled to the means for presenting, the input means, the biometric device, and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(f) wherein the personal feedback browser includes;

an adaptive software for modifying the personal profile database in response to the user's response value wherein the user's response value is a media progression rate value.

31. The article of manufacture of claim **16**, wherein the user interaction with the media file includes a user's selection of the media file.

32. A data processing apparatus for obtaining information from a computer, comprising:

(a) means for presenting data to a user;

(b) input means for supplying input data in response to a user's input;

(c) memory, coupled to the means for presenting and input means, for storing a personal feedback browser and a personal profile database;

(d) a processor, coupled to the means for presenting, the input means and memory, for controlling the memory, input means, and the means for presenting, in response to the stored personal feedback browser and personal profile database and input data to retrieve information from the computer;

wherein the personal feedback browser provides a media file to the means for presenting based on the personal profile database;

(e) wherein the personal feedback browser includes:

a profile builder software program for obtaining and storing personal profile data in the personal profile database; and,

(f) wherein the profile builder software program includes:

a software program for providing a profile object and a self object, wherein the user is able to adjust the influence of the profile object.

33. The apparatus of claim **1**, wherein the computer is in a network.

34. The apparatus of claim **2**, wherein the computer is in a network.

35. The apparatus of claim **5**, wherein the computer is in a network.

36. The apparatus of claim **7** wherein the computer is in a network.

37. The apparatus of claim **8** wherein the computer is in a network.

38. The apparatus of claim **9** wherein the computer is in a network.

39. The apparatus of claim **10** wherein the computer is in a network.

40. The apparatus of claim **11** wherein the computer is in a network.

41. The apparatus of claim **12** wherein the computer is in a network.

42. The apparatus of claim **13** wherein the computer is in a network.

43. The apparatus of claim **14** wherein the computer is in a network.

44. The apparatus of claim **15** wherein the computer is in a network.

45. The article of manufacture of claim **16** wherein the computer is in the internet.

46. The article of manufacture of claim **19**, wherein the computer is in the internet.

47. The apparatus of claim **32**, wherein the computer is in a network.

48. An article of manufacture, including computer readable medium having computer readable program code means embodied therein for obtaining a media file from a computer, comprising:

(a) computer-readable program code means for building a personal profile database responsive to user input;

(b) computer-readable program code means for evaluating a media file obtained from the computer based upon the personal profile database; and,

(c) computer-readable program code means for adjusting the personal profile database in response to a user's absorption of the media file.

49. A method for obtaining a media file from a computer, the method comprising the steps of:

(a) building a personal profile database containing user-specific information;

(b) retrieving a media file from the computer; and,

(c) adjusting the personal profile database based on a user's absorption of the media file obtained from the computer.

* * * * *

JS 44 (Rev. 2/08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) **NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.**

08-23543 CIV-JORDAN / McALILEY

I. (a) PLAINTIFFS

Quito Enterprises, LLC

DEFENDANTS

Netflix, Inc., Amazon.com, Inc., Yahoo!, Inc., Slacker, Inc., Pandora Media, Inc., Strands, Inc., Veoh Networks, Inc., (See Attachment A)

(b) County of Residence of First Listed Plaintiff New Castle, Delaware
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Santa Clara, California
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

FILED by D.C. INTAKE AJS DEC 26 2008 STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. MIAMI

(c) Attorney's (Firm Name, Address, and Telephone Number)

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Attorneys (If Known)

08-23543 - Jordan / McAliley

(d) Check County Where Action Arose: ☑ MIAMI- DADE ☐ MONROE ☐ BROWARD ☐ PALM BEACH ☐ MARTIN ☐ ST. LUCIE ☐ INDIAN RIVER ☐ OKEECHOBEE ☐ HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☑ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	☐ 610 Agriculture	☐ 422 Appeal 28 USC 158	☐ 400 State Reapportionment
☐ 120 Marine	☐ 310 Airplane	☐ 362 Personal Injury - Med. Malpractice	☐ 620 Other Food & Drug	☐ 423 Withdrawal 28 USC 157	☐ 410 Antitrust
☐ 130 Miller Act	☐ 315 Airplane Product Liability	☐ 365 Personal Injury - Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881		☐ 430 Banks and Banking
☐ 140 Negotiable Instrument	☐ 320 Assault, Libel & Slander	☐ 368 Asbestos Personal Injury Product Liability	☐ 630 Liquor Laws	PROPERTY RIGHTS	☐ 450 Commerce
☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 330 Federal Employers' Liability	PERSONAL PROPERTY	☐ 640 R.R. & Truck	☐ 820 Copyrights	☐ 460 Deportation
☐ 151 Medicare Act	☐ 340 Marine	☐ 370 Other Fraud	☐ 650 Airline Regs.	☒ 830 Patent	☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)	☐ 345 Marine Product Liability	☐ 371 Truth in Lending	☐ 660 Occupational Safety/Health	☐ 840 Trademark	☐ 480 Consumer Credit
☐ 153 Recovery of Overpayment of Veteran's Benefits	☐ 350 Motor Vehicle	☐ 380 Other Personal Property Damage	☐ 690 Other		☐ 490 Cable/Sat TV
☐ 160 Stockholders' Suits	☐ 355 Motor Vehicle Product Liability	☐ 385 Property Damage Product Liability	LABOR	SOCIAL SECURITY	☐ 810 Selective Service
☐ 190 Other Contract	☐ 360 Other Personal Injury		☐ 710 Fair Labor Standards Act	☐ 861 HIA (1395ff)	☐ 850 Securities/Commodities/ Exchange
☐ 195 Contract Product Liability			☐ 720 Labor/Mgmt. Relations	☐ 862 Black Lung (923)	☐ 875 Customer Challenge 12 USC 3410
☐ 196 Franchise			☐ 730 Labor/Mgmt.Reporting & Disclosure Act	☐ 863 DIWC/DIWW (405(g))	☐ 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	☐ 740 Railway Labor Act	☐ 864 SSID Title XVI	☐ 891 Agricultural Acts
☐ 210 Land Condemnation	☐ 441 Voting	☐ 510 Motions to Vacate Sentence	☐ 790 Other Labor Litigation	☐ 865 RSI (405(g))	☐ 892 Economic Stabilization Act
☐ 220 Foreclosure	☐ 442 Employment	Habeas Corpus:	☐ 791 Empl. Ret. Inc. Security Act	FEDERAL TAX SUITS	☐ 893 Environmental Matters
☐ 230 Rent Lease & Ejectment	☐ 443 Housing/ Accommodations	☐ 530 General		☐ 870 Taxes (U.S. Plaintiff or Defendant)	☐ 894 Energy Allocation Act
☐ 240 Torts to Land	☐ 444 Welfare	☐ 535 Death Penalty	IMMIGRATION	☐ 871 IRS– Third Party 26 USC 7609	☐ 895 Freedom of Information Act
☐ 245 Tort Product Liability	☐ 445 Amer. w/Disabilities - Employment	☐ 540 Mandamus & Other	☐ 462 Naturalization Application		☐ 900 Appeal of Fee Determination Under Equal Access to Justice
☐ 290 All Other Real Property	☐ 446 Amer. w/Disabilities - Other	☐ 550 Civil Rights	☐ 463 Habeas Corpus-Alien Detainee		
	☐ 440 Other Civil Rights	☐ 555 Prison Condition	☐ 465 Other Immigration Actions		☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

☑ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Re-filed- (see VI below) ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S). (See instructions second page): a) Re-filed Case ☐ YES ☑ NO b) Related Cases ☐ YES ☑ NO

JUDGE DOCKET NUMBER

VII. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause **(Do not cite jurisdictional statutes unless diversity)**:

Title 35 U.S.C. Section 1 et seq., including 271, 281, 282, 283, 284, and 285, patent infringement

LENGTH OF TRIAL via _____ days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND $** CHECK YES only if demanded in complaint: **JURY DEMAND:** ☑ Yes ☐ No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE SIGNATURE OF ATTORNEY OF RECORD DATE 12/24/08

FOR OFFICE USE ONLY AMOUNT $350.00 RECEIPT # 99255 IFP

ATTACHMENT A

DEFENDANTS (cont.)

RealNetworks, Inc., Hulu, LLC, NBC Universal, Inc., News Corp., Last.fm, Ltd., and CBS Corp.