U.S. Patent No 7,263,378 Claim 1 v. Shopkick
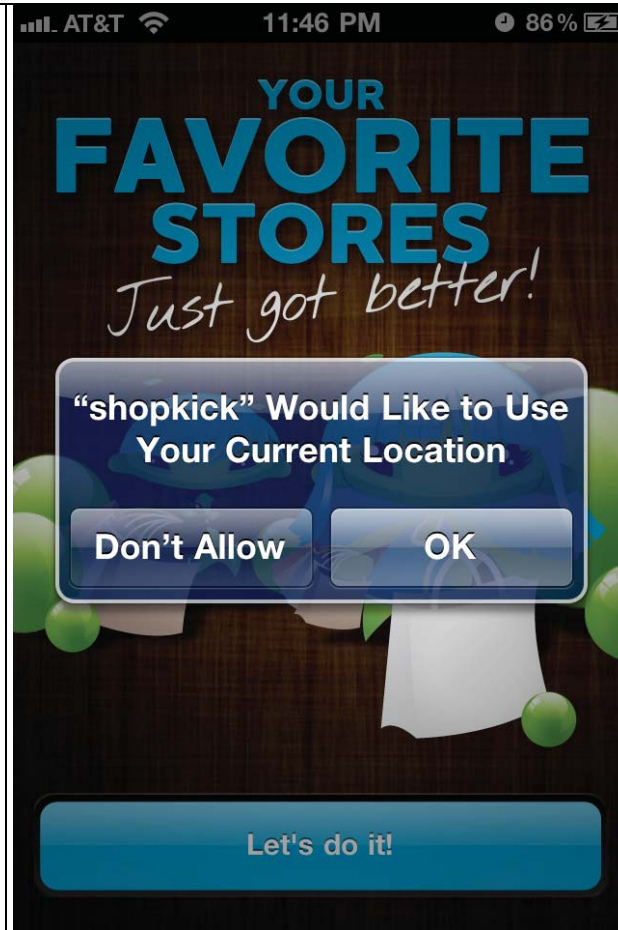
Claim 1		
A method for enabling interactive participation by enrolled participants during shopping activity occurring at a shopping venue patronized by a plurality of persons,	Shopkick is a mobile platform designed to provide a method for interactive audience participation by enrolled participants during shopping activity at a shopping venue, such as shopping in a department store, attended by a plurality of persons. Specifically, Shopkick allows users to "walk-in" at shopping venues and interactively participate in the live shopping by sharing photos and scanning products for rewards, all via the user's mobile device.	**About | Here is the story of shopkick.** Love shopping? Don't love shopping? We believe that shopping in the real world can be done a *lot* better for both of you. Why does no one reward you for visiting their stores, only for buying something? Why does nobody make shopping more personal? Where are the offers that really matter to you, especially if you don't read the Sunday paper? And why is there no fun sharing with friends and other entertaining surprises happening when you go to your favorite stores? So... what if you could flip on a switch and turn offline real-world stores into interactive worlds, using your smartphone? That's shopkick. We founded shopkick in the summer of 2009. Many of us have built mobile apps, mobile companies and e-commerce companies before, or worked at internet or design companies, like Google, Palm, IDEO, CBS Mobile, Loopt, TellMe/Microsoft, Mozilla, Cisco, SixApart, GoldPocket Wireless and 12snap. And all of us believe that shopping can be a much better experience than it is today. So we all came together to improve shopping for you in the real world. http://www.shopkick.com/about **shopkick gives you awesome deals and rewards simply for walking into your favorite stores. You can collect your kicks™ rewards at millions of stores in America, and great deals at many of the top national retailers. Crazy, but true.** **Walk in:** Have you ever gotten rewarded simply for *walking* into stores – yes, just for visiting? Now you can collect boatloads of kicks™ in the kicks Reward Program and unlock awesome exclusive deals at your favorite stores. **WALK INTO** Target, Best Buy, Macy's, American Eagle, Sports Authority, Crate&Barrel, West Elm, Wet Seal and the largest Simon malls. Open the shopkick app on your iPhone or Android phone in the entrance area, and wait for a few seconds. That's it! Your shopkick app will reward you instantly. It's fun. You can get rewards at all 1,300 Best Buy and Best Buy Mobile stores in the United States, and at all Crate&Barrel and West Elm stores! And in many major cities you will find more stores with walk-in rewards, like Target, Macy's, American Eagle, Sports Authority Wet Seal and Simon Malls. shopkick is adding more stores in more cities every month. **Check in:** You can also collect kicks™ for checking in to millions of stores and restaurants across America, that means in many places around you! Discover awesome deals at the same time, many of them are exclusively offered to shopkick users only. **Scan:** Collect additional kicks by scanning barcodes of featured products with your phone at 250,000 different stores in America. **Redeem your kicks™ for rewards!** Get cool rewards like iTunes gift cards, restaurant vouchers, Best Buy/Target/Macy's/American Eagle/Sports Authority gift cards, Facebook Credits, movie tickets, or if you go all out, True Religion jeans, a Coach handbag, or a 3D 55" Sony Bravia HDTV. And if you want to change the world, donate your kicks to 30 different causes! http://www.shopkick.com/app

said enrolled participants employing a wireless interactive device having a unique signature associated therewith and capability to:	Shopkick allows enrolled attendees to interactively participate on their interactive wireless mobile device, such as an iPhone. Mobile devices have a unique signature embedded within their SIM cards, which are used to identify the device.	
(i) receive and transmit messages;	Smartphones that Shopkick's service is desgined for, such as iPhones, have the capability to send messages, such as the location where the user is using the "Walk in" button, and receive messages, such as what deals are at that location through the "Deals" tab.	
(ii) accept input via a user input interface;	These devices typically accept user input via the touchscreen user interface.	
(iii) output messages to a user output interface, and	As shown to the right, a smartphone device's display screen acts as an output interface by displaying messages to its users.	
(iv) transmit said unique signature, the method comprising the steps of:	Shopkick's mobile app is configured so that users can automatically access their Shopkick accounts through their wireless devices. Log in is automatic because the device transmits its "identity," or unique signature, wirelessly.	Screenshot from personal iPhone

enrolling at least some of said persons as enrolled participants, each being equipped with one of said wireless interactive devices;	Shopkick enrolls attendees as participants by obtaining and accepting their transmitted location from their wireless interactive device. Once enrolled, participants are able to access and participate in Shopkick's location-specific activities via their wireless device. As seen in the image to the right, once a participant's location is obtained and accepted by Shopkick, the participant can see what location-specific activities are available to them. If a user chooses "Don't Allow," the user will be unable to access Shopkick's app.	 Screenshot from personal iPhone

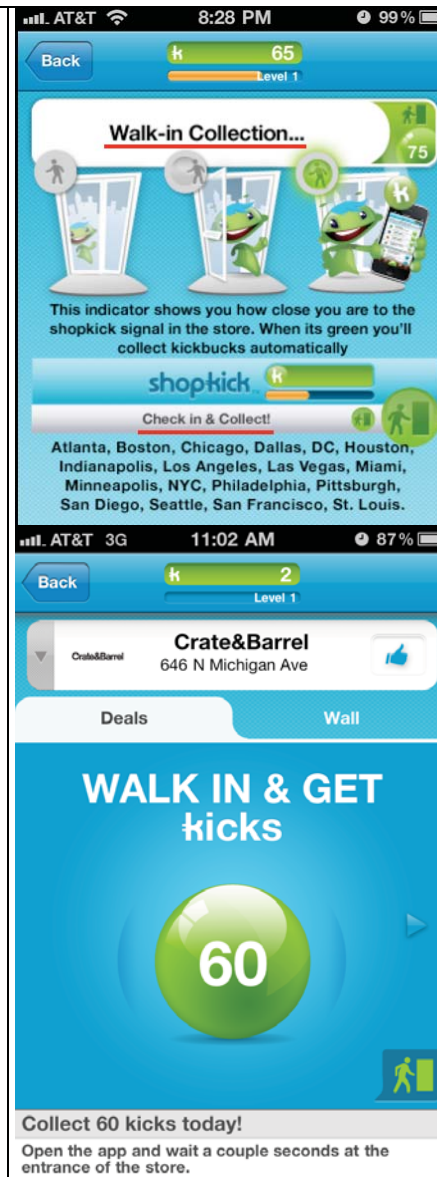|		
providing a wireless communication system for transmitting and receiving messages with said interactive device;	Upon information and belief, Shopkick has contractual agreements with various mobile service providers in order to provide a wireless communication system adapted to transmit to, and receive messages from, the user's mobile device when used in conjunction with the user's already existing mobile service network. As shown in the image to the right, the system can receive wireless messages from handsets running Shopkick's mobile app. The system can also send information to the same wireless handset running Shopkick's mobile app.	**android market** **Available on the App Store** **Walk in:** Have you ever gotten rewarded simply for *walking* into stores – yes, just for visiting? Now you can collect boatloads of kicks™ in the kicks Reward Program and unlock awesome exclusive deals at your favorite stores. **WALK INTO** Target, Best Buy, Macy's, American Eagle, Sports Authority, Crate&Barrel, West Elm, Wet Seal and the largest Simon malls. Open the shopkick app on your iPhone or Android phone in the entrance area, and wait for a few seconds. That's it! Your shopkick app will reward you instantly. It's fun. You can get rewards at all 1,300 Best Buy and Best Buy Mobile stores in the United States, and at all Crate&Barrel and West Elm stores! And in many major cities you will find more stores with walk-in rewards, like Target, Macy's, American Eagle, Sports Authority Wet Seal and Simon Malls. shopkick is adding more stores in more cities every month. **Check in:** You can also collect kicks™ for checking in to millions of stores and restaurants across America, that means in many places around you! Discover awesome deals at the same time, many of them are exclusively offered to shopkick users only. **Scan:** Collect additional kicks by scanning barcodes of featured products with your phone at 250,000 different stores in America. **Redeem your kicks™ for rewards!** Get cool rewards like iTunes gift cards, restaurant vouchers, Best Buy/Target/Macy's/American Eagle/Sports Authority gift cards, Facebook Credits, movie tickets, or if you go all out, True Religion jeans, a Coach handbag, or a 3D 55" Sony Bravia HDTV. And if you want to change the world, donate your kicks to 30 different causes! http://www.shopkick.com/app

querying said enrolled participants to respond to at least one query with an answer entered through said user input interface and transmitted by said interactive device; and	Shopkick provides a system for querying participating users to respond to at least one query, using the mobile device's input interface to enter and transmit the user's response. Once a user arrives at a location, Shopkick queries the user as to whether he or she wants to check in at that venue by walking in. The user responds using the user interface on their mobile device.	 Screenshot from personal iPhone

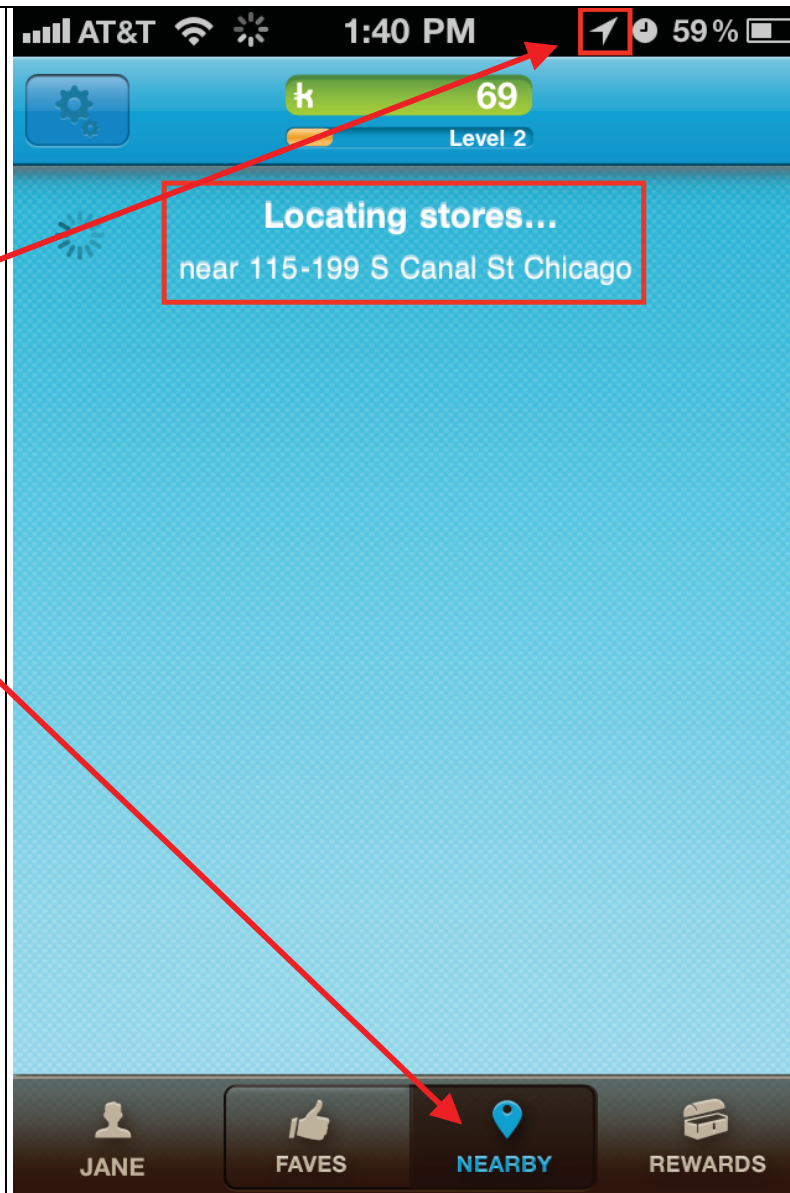|		
receiving answers entered by said enrolled participants;	Shown to the right is Shopkick's response to the user's query answer "walking-in." As shown in the image to the right, once a user submits a "walk-in," Shopkick confirms that the information has been received, as well as awarding points for participating. This response demonstrates that the wireless communication system receives the answer and distributes it to the Shopkick servers.

Screenshot from personal iPhone |

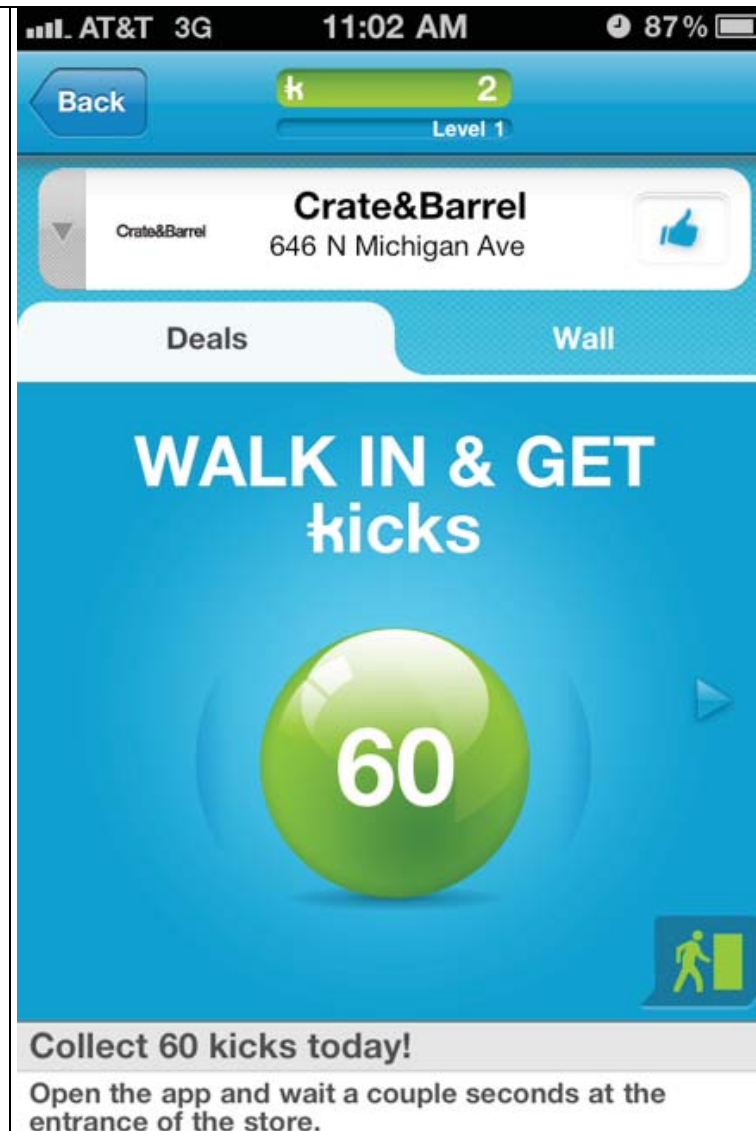|		
said wireless interactive device further comprising localization circuitry for transmitting a location signal indicative of a physical location of said device, said method further comprising the step of detecting said transmitted location signal	A user's wireless interactive device includes localization circuitry that transmits the physical location of the user to Shopkick. This symbol indicates that the localization circuitry in the wireless device is in use. The Shopkick application detects the transmitted location and automatically shows "Nearby" stores based on the user's location as transmitted by the user's mobile device.	 Screenshot from personal iPhone

and said querying being directed only to enrolled participants for whom said transmitted location signal is indicative of a physical location within said shopping venue.	Shopkick's "walk-in" query for a particular venue is directed only to enrolled participants whose transmitted location is within that particular shopping venue. The participant's physical location is determined by what is transmitted by the GPS localization circuitry in the mobile device. Shopkick accepts participation for a venue only from users that are at that particular physical location. For example, if a participant's transmitted location is not indicative of a specific shopping venue, the "walk-in" option is unavailable until the user is at the entrance of the venue. As shown in the image to the right, Shopick makes the "walk-in" response unavailable for users when their transmitted location is beyond the shopping venue's premises. The app will instruct the user to move to the entrance of the store at which point the user will be able to answer the "walk-in" query.	 Screenshot from personal iPhone