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March 19, 2021

**VIA CM/ECF**

Honorable Brian R. Martinotti  
U.S. District Court for the District of New Jersey  
Clarkson S. Fisher Bldg. & U.S. Courthouse  
402 East State Street Room 2020  
Trenton, New Jersey 08608

**Re: *OANDA Corporation v. GAIN Capital Holdings, Inc. et al.*,  
Civil Action No. 3:20-cv-05784-BRM-DEA**

Dear Judge Martinotti:

We represent Plaintiff OANDA Corporation (“OANDA”) in the above matter. We write to apprise the Court of recent developments in this matter.

On July 17, 2020, Defendants GAIN Capital Holdings, Inc., and GAIN Capital Group, LLC (collectively “GAIN”) filed a motion to dismiss OANDA’s complaint pursuant to Rule 12(b)(6). That motion is currently pending before this court. (Dkt. No. 24.)

On September 14, 2021, and September 15, 2020, GAIN filed petitions for covered business method review before the U.S. Patent and Trademark Office Patent Trial and Appeal Board (“PTAB”) for the two U.S. patents that are at issue in this case. On September 17, 2020, GAIN filed an opposed Motion to Stay Pending Covered Business Method Reviews which is currently pending before this court. (Dkt. No. 34.)

On March 18, 2021, the PTAB denied institution of the petitions for covered business methods review rendering GAIN’s motion to stay moot. Copies of the decisions denying review are attached to this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erik Dykema', is written over a light blue horizontal line.

Erik Dykema  
Counsel for OANDA, Corporation