IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Jeffery Bruce McGeorge	§	Attorney Docket No.: PGR-2012-111
United States Patent No.: 7,941,357	§	
Formerly Application No.: 10/451022	§	
Issue Date: January 25, 2011	§	
PCT Filing Date: October 26, 2001	§	Case No: CBM2013-00005
Former Examiner: Ella Colbert	§	Patent Owner: Market-Alerts Pty Ltd

For: Trading System

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PATENT-OWNER'S PRELIMINARY RESPONSE TO THE PETITION FOR POST-GRANT REVIEW OF A COVERED BUSINESS METHOD UNDER 35 U.S.C. § 321 AND § 18

On June 20, 2012, Patent-Owner Markets-Alert Pty. Ltd. ("Markets-Alert") filed complaints in the United States District Court for the District of Delaware ("Lawsuits") against various defendants for infringement of U.S. Patent No. 7,941,357, entitled "Trading System" ("'357 Patent"). The Lawsuits are: *Markets-Alert Pty. Ltd. v. Bloomberg Finance L.P. et al.*, No. 12-CV-00780-GMS (D. Del. filed June 20, 2012) ("Bloomberg Case"); *Markets-Alert Pty. Ltd. v. The Charles Schwab Corporation, et al.*, No. 12-781-GMS (D. Del. filed Jun. 20, 2012)("Schwab Case") ; *Markets-Alert Pty. Ltd. v. E*TRADE CLEARING LLC et*

al., No. 12-CV-00782-GMS (D. Del. Filed June 20, 2012) ("ETrade Case")*;* *Markets-Alert Pty. Ltd. v. TD Ameritrade Holding Corp. et al.*, No. 12-CV-00783-GMS (D. Del. filed June 20, 2012) ("TDA Case")*; Markets-Alert Pty. Ltd. v. OM Securities, LLC, et al.*, No. 12-784-GMS (D. Del. filed Jun. 20, 2012) ("TradeMonster Case")*;* and *Markets-Alert Pty. Ltd. v. eSignal.com, Inc., et al.*, No. 12-785-GMS (D. Del. Filed Jun. 20, 2012) ("Esignal Case").

On October 15, 2012, Petitioners filed a Petition for Post-Grant Review of a Covered Business Method ("CBM") ("CBM Review") under 35 U.S.C. § 321 and § 18 ("Petition") with respect to the '357 Patent. The Petitioners are: Bloomberg Inc., Bloomberg L.P., and Bloomberg Finance L.P. ("Bloomberg"), The Charles Schwab Corporation and Charles Schwab & Co., Inc. ("Schwab"), E*TRADE Financial Corporation, E*TRADE Securities LLC, and E*TRADE Clearing LLC ("ETrade"), optionsXpress Holdings Inc. and optionsXpress, Inc. ("OXH"), and TD Ameritrade Holding Corp., TD Ameritrade, Inc., TD Ameritrade IP Company, Inc., and thinkorswim Group Inc. ("TDA").

Markets-Alert hereby submits its Preliminary Response to the Petition ("Response").

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