

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BLOOMBERG INC.; BLOOMBERG L.P.;
BLOOMBERG FINANCE L.P.;
THE CHARLES SCHWAB CORPORATION;
CHARLES SCHWAB & CO., INC.;
E*TRADE FINANCIAL CORPORATION; E*TRADE SECURITIES LLC;
E*TRADE CLEARING LLC; OPTIONSXPRESS HOLDINGS INC.;
OPTIONSXPRESS, INC.; TD AMERITRADE HOLDING CORP.;
TD AMERITRADE, INC.; TD AMERITRADE IP COMPANY, INC.; and
THINKORSWIM GROUP INC.
Petitioners,

v.

MARKETS-ALERT PTY LTD.
Patent Owner.

Case CBM2013-00005 (JYC)
Patent 7,941,357

Before JAMESON LEE, SALLY C. MEDLEY, and JONI Y. CHANG,
Administrative Patent Judges.

**PATENT OWNER MARKETS-ALERT
RESPONSE**

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35 U.S.C. §102	1
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37 C.F.R. §42.220	1
37 C.F.R. §42.221	1

NEW CLAIM LISTING

In order to more precisely and particularly point out the invention, and the distinctions over the prior art cited in the Decision, Markets-Alert respectfully submits its Motion To Amend the claims in conjunction with this Response.

Markets-Alert's Response is based upon the following claims.

5. (new – proposed substitute claim) A real-time method of providing technical analysis and notification of stock market events comprising the steps of:

receiving real-time stock market data on a provider's network of computers, which is server-based, scalable and redundant;

receiving watch data specified by a user on the provider's network of computers, from a user system in remote communication with the provider's network of computers, wherein the user-specified watch data comprises a request to apply more than one technical analysis formula for predicting price trends based on market action and defines a valid stock market event;

applying the watch data to the real-time stock market data as the real-time stock market data is received by the provider's network of computers to determine if the valid stock market event has occurred; and

generating a notification in real-time when the valid stock market event has been determined to have occurred by the provider's network of computers, wherein the notification is provided in real-time by the provider's network of computers to a remote communication device of the user.

6. (new – proposed substitute claim) The method of Claim 5 further comprising the steps of:

updating a cache of stock market data on a data server on the provider's network of computers in real time; applying the technical analysis formula to the cache of stock market data on the provider's network

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