

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
OBJECTIONS TO EVIDENCE**

Pursuant to 37 C.F.R. § 42.64, Patent Owner Markets-Alert Pty. Ltd. (“Markets-Alert”) hereby notices its objections to the October 2, 2013 submission by Petitioners of new evidence in Exhibit Nos. 1036 (U.S. Patent No. 7,873,555); 1037 (PCT Pub. No. WO00/28487); 1038 (PCT Pub. No. WO98/58356); 1039 (PCT Pub. No. WO00/33217); 1040 (U.S. Patent No. 5,938,732); 1041 (U.S. Patent No. 4,554,418); and 1043 (Second Declaration of Steven R. Kursh (“Kursh Declaration”)).

Markets-Alert objects to Exhibit Nos. 1036-1041 and 1043 because they are untimely and/or unauthorized, cumulative, prejudicial, and outside the proper scope of these proceedings. Markets-Alert also objects to Exhibit No. 1043 as lacking foundation and constituting an improper circumvention of the page limits (37 C.F.R. § 42.24 (b) and (c)) on Petitioners’ briefs filed on October 2, 2013. Exhibit No. 1043 contains a lengthy claim chart for U.S. Patent No. 4,554,418, which was pointed to but not included in Petitioners’ briefs.

Dated: October 08, 2013

Respectfully submitted,

/s/ Andrew Choung

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **PATENT OWNER MARKETS-ALERT OBJECTIONS TO EVIDENCE** was served on October 08, 2013 to counsel of record for Petitioners via electronic mail:

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