

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**TD AMERITRADE HOLDING CORPORATION, TD AMERITRADE, INC., and
TD AMERITRADE ONLINE HOLDINGS CORP.,**

Petitioners

v.

TRADE TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

Patent No. 7,533,056

**PETITION FOR COVERED BUSINESS METHOD REVIEW UNDER 35
U.S.C. § 321 and § 18 of the LEAHY-SMITH AMERICA INVENTS ACT**

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E. receiving a user input indicating a desired price for an order . . . by selection of one of a plurality of locations . . . along the price axis....16

VII. Grounds for challenging claims 1-15 of the '056 patent.....17

A. All applied references are prior art to the '056 patent, which claims an earliest priority date of April 9, 199917

B. Claims 1-15 are unpatentable under § 101 because they claim the abstract idea of presenting graphed data and accepting user inputs ...18

C. Claim 1 and dependent claims 2-15 lack written description for the receiving a default quantity step recited in claim 120

D. Claim 7 is indefinite because “default quantity working at the electronic exchange” is ambiguous25

E. TSE and Togher render obvious Claims 1-5, 7, and 9-14.....27

F. TSE, Togher, and Schott render obvious claims 1-1543

G. Silverman, Togher, and Hogan render obvious claims 1-15.....54

VIII. Conclusion.....76

Petitioner's Exhibit List

Exh. No.	Description
1001	U.S. Patent No. 7,533,056 to Friesen et al. ("056 patent")
1002	File History of Application Ser. No. 11/417,544, which became the '056 patent, as filed and obtained from PAIR ("056 Patent File History")
1003	"Futures/Option Purchasing System Trading Terminal Operation Guide," Tokyo Stock Exchange ("TSE JP")
1004	Certified Translation of "Futures/Option Purchasing System Trading Terminal Operation Guide" ("TSE")
1005	Certificate of Translation for "Futures/Option Purchasing System Trading Terminal Operation Guide" ("TSE Certificate")
1006	Memorandum from James M. Hilmert to eSpeed file regarding direct examination of TSE's 30(b)(6) witness, dated December 5, 2005 ("Depo. Letter")
1007	Deposition Transcript of Atsushi Kawashima, <i>Trading Technologies International, Inc., v. eSPEED, Inc.</i> , Case No. 04-cv-5312, United States District Court, Northern District of Illinois, Eastern Division, dated November 21, 2005 ("Depo. Transcript")
1008	U.S. Patent No. 5,375,055 to Togher et al. ("Togher")
1009	U.S. Patent No. 5,619,631 to Schott ("Schott")
1010	U.S. Patent No. 5,136,501 to Silverman et al. ("Silverman")
1011	U.S. Patent No. 5,414,809 to Hogan et al. ("Hogan")
1012	U.S. Patent No. 5,297,031 to Gutterman et al. ("Gutterman")
1013	U.S. Patent No. 5,454,104 to Steidlmayer et al. ("Steidlmayer")
1014	Reuters Globex User Guide, June 1995 ("Globex")
1015	Alan Cooper, "About Face: The Essentials of User Interface Design," First Edition, 1995. ("Cooper")
1016	Edward R. Tufte, "The Visual Display of Quantitative Information," 1983 ("Tufte VDQI")
1017	Edward R. Tufte, "Envisioning Information," Third Edition, December 1992 ("Tufte EI")

1018	Ben Shneiderman, "Designing the User Interface: Strategies for Effective Human-Computer Interaction," Third Edition, 1998 ("Shneiderman")
1019	Sunny J. Harris, "Trading 101 – How to Trade Like a Pro," 1996 ("Harris")
1020	Robert Deel, "The Strategic Electronic Day Trader," 2000 ("Deel")
1021	Sun Microsystems, Inc., "Open Look™ Graphical User Interface Functional Specification," November 1989 ("Open Look")
1022	Valerie Quercia et al., "X Window System User's Guide," OSF/Motif 1.2 Edition, The Definitive Guides to the X Window System, Vol. 3, August 1993 ("Quercia")
1023	Richard W. Arms Jr., "Profits in Volume - Equivolume Charting," 1975 ("Arms")
1024	Definition of "default," The Computer Glossary, Fifth Edition, 1991 page 175. ("Computer Glossary")
1025	Definition of "default," The Illustrated Dictionary of Microcomputers, Third Edition, 1990, page 90. ("Illustrated Dictionary")
1026	Definition of "default," Webster's New World College Dictionary, Fourth Edition, 2007, page 378. ("Webster's")
1027	Microsoft Computer Dictionary, Fifth Edition, 2002, pages 102, 150, 174, 176, and 348 ("Microsoft Computer Dictionary")
1028	Defendants' Memorandum of Law In Support of Joint Motion for Summary Judgment That the '056 Patent is Invalid Under 35 U.S.C. § 112 ¶ 1 for Lack of Written Description, <i>Trading Technologies International, Inc. v. BCG Partners, Inc.</i> , Case No. 1:10-cv-00715, United States District Court for the Northern District of Illinois, Eastern Division, filed August 15, 2011 ("SJ Motion")
1029	Trading Technologies International Inc.'s (1) Opposition to Defendants' Joint Motion for Summary Judgment That the '056 Patent is Invalid Under 35 U.S.C. § 112 ¶ 1 for Lack of Written Description and (2) Cross Motion for Summary Judgment That the '056 Patent Meets the Written Description Requirement Set Forth in 35 U.S.C. § 112 ¶ 1, <i>Trading Technologies International, Inc. v. BCG Partners, Inc.</i> , Case No. 1:10-cv-00715, United States District

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