

Filed: _____

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.,

Petitioner

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

Case CBM2014-00131

Patent No. 7,533,056

DECLARATION OF CHRISTOPHER THOMAS

I, Christopher Thomas, declare as follows:

1. I have been retained by the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP on behalf of Trading Technologies International, Inc. as an independent expert consultant in the above-referenced proceeding. Although I am being compensated at my usual hourly rate for the time I spend on this matter, no part of my compensation depends on the outcome of this proceeding, and I have no other interest in this proceeding.

2. I understand this proceeding involves U.S. Patent No. 7,533,056 (“the ’056 patent”) (Ex. 1001). I understand that the ’056 patent is assigned to Trading Technologies.

3. I have significant experience in the relevant technologies, as shown in my attached curriculum vitae (Exhibit A).

4. I have been asked to provide expert testimony on certain topics relevant in this case. In particular, I have been informed that my prior opinions set forth in paragraphs 19-31 of Ex. 2201—the “Corrected Expert Report of Christopher Thomas” dated and signed on November 25, 2013¹—were relied upon in the Patent Owner’s Response in this proceeding.

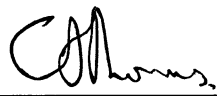
¹ Prepared in connection with Civil Action No. 05-C-4811 (N.D. Ill.)

5. I adopt my prior testimony provided in paragraphs 19-31 of Ex. 2201, as my testimony in this proceeding.

6. I declare under penalty of perjury under the laws of the United States of America that all statements made herein and in Ex. 2201 of my knowledge are true, and that all statements made herein and in Ex. 2201 on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

7. I also understand that I will be subject to cross-examination based on my testimony set forth in Ex. 2201.

Date: 03/24/2015.

By: 
Christopher Thomas

APPENDIX A

CHRISTOPHER H. THOMAS

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Tel: (312) 316 9467 Email: cthomas@thomasconsultingservices.com

EXPERIENCE:

THOMAS CONSULTING SERVICES, Chicago IL (Feb 2007 to Present)

Sole Proprietor. Provide Expert Witness Services in Federal Patent Infringement and Validity cases in the field of Financial Trading Software. Provided Expert Witness report, consulting services and testimony at trial in *Trading Technologies, International Inc. v. eSpeed, et al.* Northern District of Illinois Case No. 04-CV-5312. Currently retained as an expert witness and consultant in *Trading Technologies, International Inc. v. GL Consultants, Inc., et al.* Northern District of Illinois Case No. 05-C-4120 and *Trading Technologies, International Inc. v. CQG et al.* Northern District of Illinois Case No. 05-C-4811.

MARIDUNUM CAPITAL LLC, Chicago IL (May 2011 to Present)

Founder and Partner. Maridunum Capital LLC is a Proprietary Trading Firm specializing in Automated Algorithmic trading strategies in the Regulated Futures markets. Designed and Developed all algorithms, strategies and software used by the company.

PEMBROKE TRADING LLC Chicago IL (October 2008 to May 2011)

Partner. Pembroke Trading LLC is a Proprietary Trading Firm specializing in the Regulated Futures markets. Designed the proprietary trading and backtesting platform, database and order management server applications used by the company. The name of the company was changed to FT Trading LLC in May 2011.

TD SECURITIES (TD OPTIONS LLC), Chicago, IL (March 2002 to October 2008)

Positions Held:

January 2007 to October 2008 - Managing Director, ERF Trading Group. Responsible for a \$50 million Long/Short Equity / Index Futures trading portfolio. Developed the trading model for the portfolio, worked with developers to implement the trading model, performed backtests of the trading model with historical data, obtained internal Bank approvals for this new business initiative, managed a small operational staff to run the trading book.

August 2003 to December 2006 - Managing Director. Responsible for business development for TD Options and Global Equity Derivatives at TD Securities.

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