

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TD AMERITRADE HOLDING CORP., TD AMERITRADE, INC., AND
TD AMERITRADE ONLINE HOLDINGS CORP.,
Petitioner,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner.

CBM 2014-00131 (Patent 7,533,056)
CBM2014-00133 (Patent 7,676,411)
CBM2014-00135 (Patent 6,772,132)
CBM2014-00136 (Patent 6,766,304)
CBM2014-00137 (Patent 7,685,055)

Before SALLY C. MEDLEY, *Administrative Patent Judge*.

ORDER
Conduct of the Proceedings
37 C.F.R. § 42.20

On May 19, 2014, Petitioner filed a petition in each proceeding. In support of the petitions, Petitioner filed several exhibits including an exhibit styled “Memorandum from James M. Hilmert to eSpeed file regarding direct examination of TSE’s 30(b)(6) witness” (“the Hilmert memorandum

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exhibit”). Paper 4, iii; Ex. 1006.¹ On August 22, 2014, Petitioner contacted the Board, seeking authorization to file a motion to expunge the Hilmert memorandum exhibit from the record in each of the proceedings, as the Petitioner no longer seeks to rely on the exhibit. The Patent Owner opposes the removal of the Hilmert memorandum exhibit from the record.

Upon consideration of the record,

It is

ORDERED that Petitioner is authorized to file, no later than August 25, 2014, a motion to expunge the Hilmert memorandum exhibit from the record in each of the proceedings, limited to three pages; and

FURTHER ORDERED that Patent Owner is authorized to file, later than August 28, 2014, an opposition to the motion to expunge, limited to three pages.

¹ Citations are to CBM2014-00131.

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PETITIONER:

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