

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.

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

Before SALLY C. MEDLEY, MEREDITH C. PETRAVICK, and
PHILIP J. HOFFMANN, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

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

On January 5, 2015, the initial conference call¹ was held between counsel for the respective parties and Judges Medley, Petravick, and Hoffmann.

Motions

Neither party seeks authorization to file a motion at this time. If Patent Owner determines that it will file a motion to amend, Patent Owner must arrange a conference call with the Board and opposing counsel to discuss the proposed motion to amend. *See* 37 C.F.R. § 42.121(a).

In addition, a party seeking authorization to file a motion not contemplated per the Scheduling Order must arrange a conference call with opposing counsel and the Board.

Discovery

Petitioner requested certain documents from Patent Owner per rule 37 C.F.R. § 42.51(b)(1)(i) (routine discovery). Patent Owner disagreed that the requested documents are routine discovery, but rather are additional discovery. As discussed, the parties may agree to additional discovery between themselves. 37 C.F.R. § 42.51(b)(2). The parties agreed to discuss Petitioner's requests further in an attempt to come to an agreement regarding the sought after documents. The parties shall arrange a conference call with the Board if there remains any dispute regarding discovery.

Schedule

Petitioner sought authorization to move DUE DATE 7 (oral argument date), but withdrew the request based upon discussion. Accordingly, there

¹ The initial conference call is held to discuss the Scheduling Order and any motions that the parties anticipate filing during the trial. Office Patent Trial Practice Guide, 77 *Fed. Reg.* 48756, 48765 (Aug. 14, 2012).

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are no current issues with the Scheduling Order.

To the extent issues arise with DATES 1-5 identified in the Scheduling Order, the parties are reminded that, without obtaining prior authorization from the Board, they may stipulate to different dates for DATES 1-5, as provided in the Scheduling Order, by filing an appropriate notice with the Board. The parties may not stipulate to any other changes to the Scheduling Order.

Related Matters

The parties believe that a motion to stay the related district court case has been contemplated. Patent Owner shall file an updated notice regarding any decision of a motion to stay. 37 C.F.R. § 42.8.

Settlement

The parties have nothing to report with respect to settlement.

Order

It is

ORDERED that no motions are authorized at this time.

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