

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

CBM2014-00133 (Patent 7,676,411)¹

**JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED
AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT
SEPARATE UNDER 37 C.F.R § 42.74(c)**

¹ An identical paper has also been filed in the following proceedings:

CBM2014-00131 (Patent 7,533,056)

CBM2014-00135 (Patent 6,772,132)

CBM2014-00137 (Patent 7,685,055)

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

INTRODUCTION

During a telephone conference on June 30, 2015, when the parties informed the Board of their settlement, the Board authorized the parties to file a joint motion to terminate these proceedings and a joint request that the settlement agreement be treated as business confidential information and kept separate. The rules permit the parties to have any filed settlement agreement treated as business confidential information and kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c). Indeed, the statute requires it at a party's request.

At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

35 U.S.C. § 327.

In a motion filed concurrently herewith, Petitioner and Patent Owner jointly request termination of these proceedings. The parties also submit, as part of that joint request, a true copy of the agreement between them (the "Agreement") as Exhibit 2300.

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

RELIEF REQUESTED

Because the Agreement contains confidential business information, Petitioner and Patent Owner jointly request that the Office treat the Agreement (Exhibit 2300) as business confidential information, that the Agreement be kept separate from the file of the involved patent, and that the Agreement be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Respectfully submitted,

Date: July 5, 2015

/Lori Gordon/
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Registration No. 50,633
Lead Counsel for Petitioner

Date: July 5, 2015

/Erika H. Arner/
Erika H. Arner
Registration No. 57,540
Lead Counsel for 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)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT SEPARATE UNDER 37 C.F.R § 42.74(c)**, was served on July 5, 2015, via email directed to counsel of record for the Petitioner at the following:

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