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December 18, 2014

Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

***Mail Stop PATENT BOARD***

**Re: Petitioners' Requests for Rehearing**  
U.S. Patent No. 7,676,411 // CBM2014-00133  
U.S. Patent No. 6,772,132 // CBM2014-00135  
U.S. Patent No. 7,685,055 // CBM2014-00137

Dear PTAB:

Due to the PRPS service outage on December 16, 2014, counsel for Petitioners in the above-captioned Covered Business Method Review proceedings were instructed by Maria Vignone, a paralegal at the USPTO, to submit filings (Requests for Rehearing) due on December 16, 2014, via e-mail to [trials@uspto.gov](mailto:trials@uspto.gov). Counsel for Petitioners filed and served the Requests for Rehearing in the above-captioned proceedings via email on December 16, 2014, as instructed. Ms. Vignone authorized Counsel via email to file the Requests for Rehearing via PRPS on December 17, 2014, once PRPS was operational.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in blue ink, appearing to be 'RS', written over a circular stamp or watermark.

Robert E. Sokohl (Reg. No. 36,013)  
*Attorney for Petitioners, TD Ameritrade Holding Corp., TD Ameritrade, Inc., and TD Ameritrade Online Holdings Corp.*

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**TD AMERITRADE HOLDING CORP.,  
TD AMERITRADE, INC.,  
TD AMERITRADE ONLINE HOLDINGS CORP.**  
Petitioners

v.

**TRADING TECHNOLOGIES INTERNATIONAL, INC.**  
Patent Owner

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Case CBM2014-00133  
Patent No. 7,676,411 B2

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**PETITIONERS' REQUEST FOR REHEARING**

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## I. Relief Requested

Petitioners and real parties-in-interest, TD Ameritrade Holding Corp., TD Ameritrade, Inc., and TD Ameritrade Online Holdings Corp., (“TD Ameritrade”) respectfully ask the Board to reconsider its decision to not institute review of U.S. Patent No. 7,676,411 B2 (“the ’411 patent”) (Ex. 1001), owned by Trading Technologies International, Inc. (“TTI”), on the ground that claims 1-28 are unpatentable under 35 U.S.C. § 103 over Silverman, Gutterman, and Togher.

## II. Introduction

TD Ameritrade petitioned (paper 1) (“Pet.”) the Board seeking CBM Review of the ’411 patent on the following grounds:

	Claims	Ground
1	1-28	§ 101
2	1-10, 12-28	§ 103 Silverman (Ex. 1003), Gutterman (Ex. 1004), Togher (Ex. 1005)
3	11	§ 103 Silverman, Gutterman, Togher, and Paal (Ex. 1018)
4	1-28	§ 103 TSE (Ex. 1006/1007) and Togher

Pet. at 7-9.

In its Decision (paper 19), the Board instituted review on the § 101 ground, but denied instituting review of all the § 103 grounds. Decision at 22. TD Ameritrade seeks rehearing of the Board’s decision to not institute review under § 103 based on the Silverman combinations (*i.e.*, grounds 2 and 3).

**III. The Board should have decided to institute review on the asserted grounds that claims 1-28 are obvious over the Silverman combinations.**

Independent claim 1 of the '411 patent requires,

displaying, via the computing device, an order entry region comprising a plurality of graphical areas for receiving single action commands to set trade order prices and send trade orders, each graphical area corresponding to a different price level along the price axis; and

selecting a particular graphical area in the order entry region through a single action of the user input device to both set a price for the trade order and send the trade order having a default quantity to the electronic exchange.

'411 patent 13:7-16.

Independent claim 26 requires similar limitations. *Id.* at 16:7-16. The Petition relied on Togher, combined with Silverman and Gutterman, to meet the “single action” limitations. Pet. 21-22, 40-44. The Board erred when it denied instituting review of claims 1-28 over the Silverman, Gutterman, and Togher combination because it misapprehended the Petition as relying on Gutterman *alone* to disclose the “single action” limitations, Decision 17, and overlooked key arguments in the Petition that Togher meets the “single action” limitations.

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