

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TD AMERITRADE HOLDING CORPORATION, TD AMERITRADE,
INC., and TD AMERITRADE ONLINE HOLDINGS CORP.,

Petitioners,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,

Patent Owner.

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Case CBM2014-00131

Patent 7,533,056

Case CBM2014-00133

Patent 7,676,411

Case CBM2014-00135

Patent 6,772,132

Case CBM2014-00137

Patent 7,685,055

CONFERENCE CALL

Thursday, April 16, 2015

3:30 p.m.

REPORTED BY: ROBIN LaFEMINA

JOB NO. 13985

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BEFORE:

SALLY C. MEDLEY

PHILIP J. HOFFMANN

1 Conference Call - 4/16/15

2 JUDGE MEDLEY: Good afternoon,
3 this is Judge Medley. I have on the
4 line with me Judge Hoffmann. This is
5 in regards to CBM 2014 00131, 133, 135
6 and 137. I would like to take a roll
7 call beginning with the Petitioner
8 first.

9 MR. STRANG: Yes. Good morning,
10 Your Honor, this is Jonathan Strang of
11 Sterne Kessler and with me on the line
12 I have Rob Sokohl and Lori Gordon.

13 JUDGE MEDLEY: Thank you.

14 And for Patent Owner?

15 MR. GOLDBERG: Good afternoon,
16 Your Honor, this is Joshua Goldberg and
17 I also have on the line Cory Bell for
18 Patent Owner, Trading Technologies.

19 JUDGE MEDLEY: Okay. Thanks.
20 And I understand that we have a court
21 reporter; is that correct?

22 THE REPORTER: Yes.

23 JUDGE MEDLEY: Okay. All right.
24 So we understand that Petitioner
25 requested the call, so we'd like for

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2 the Petitioner to sort of walk through
3 the issues -- actually we got the
4 e-mail that you sent and that wasn't
5 supremely clear on what all was going
6 on, and just to tell the parties,
7 really a 13 page e-mail is kind of over
8 the top for the purpose of conference
9 calls. We kind of want you to stay
10 high level to just sort of bullets on
11 what the issues are. We don't need the
12 back and forth between the parties and
13 all of that. So just for future
14 reference.

15 MR. STRANG: Yes, Your Honor.

16 JUDGE MEDLEY: So I'd like to
17 begin with the issue of Mr. Brumfield's
18 testimony, the timing on that, if you
19 could explain that, please.

20 MR. STRANG: Yes, Your Honor.

21 Trading Technologies has agreed to make
22 Mr. Brumfield available for cross, but
23 only for two hours and limited to the
24 scope of the testimony that they
25 actually cited in the PORs. Trading

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2 Technologies relied on Brumfield's
3 testimony in two different proceedings,
4 so under routine discovery, we are
5 entitled to 14 hours of cross. We
6 tried to reach an agreement with the
7 other side lowering our request to just
8 five hours. Trading Technologies
9 offered just two hours and we haven't
10 been able to close that gap between two
11 and five hours. So we, TD Ameritrade,
12 Petitioner, are asking the Board to
13 order up to five hours of cross as
14 routine discovery and, in the
15 alternative, if the Board decides that
16 this is not routine discovery for any
17 reason, permission to file a motion for
18 additional discovery so that -- of five
19 hours of cross, so it may fully address
20 Mr. Brumfield's testimony and our reply.

21 JUDGE MEDLEY: Okay. Patent
22 Owner?

23 MR. GOLDBERG: Yes. So a lot of
24 the issue I think is actually coming
25 down to whether this is routine

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