

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Trading Technologies International, Inc.,)	
)	
Plaintiff,)	Civil Action No. 05 C 3953
)	
v.)	Judge Der-Yeghiayan
)	
Ninja Trader, LLC,)	Magistrate Judge Keys
)	
Defendant.)	
)	

CONSENT JUDGMENT

As a result of settlement of this action by virtue of a confidential settlement agreement between the parties dated July 7, 2005 which shall become effective upon entry of this Consent Judgment and upon consent of Plaintiff, Trading Technologies International, Inc. ("TT") and Defendant, Ninja Trader LLC ("NINJATRADER"), judgment is hereby entered against NINJATRADER upon TT's Complaint, and it is hereby ORDERED, ADJUDGED, and DECREED that:

1. TT commenced this action for patent infringement against NINJATRADER on July 7, 2005. This action alleges that NINJATRADER infringes U.S. Patent Nos. 6,766,304 ("304 patent") and 6,772,132 ("132 patent"). NINJATRADER has received and reviewed a copy of the Complaint filed by TT in this action.

2. This Court has jurisdiction over the parties to this action and over the subject matter of the Complaint.
3. TT is the sole and exclusive owner of the '304 patent and the '132 patent, and has the right to sue upon, and recover damages for past infringement and enjoin future infringement of the '304 and '132 patents.
4. All claims of the '304 and '132 patents are valid and enforceable.
5. NINJATRADER has infringed the '304 and '132 patents under 35 U.S.C. Section 271 by making, using, selling, offering for sale, importing, and/or otherwise distributing electronic trading software incorporating the NINJATRADER SuperDOM screen, screenshots and documentation of which are included in Exhibit 1.
6. Defendant NINJATRADER, its officers, directors, partners, members, affiliates, subsidiaries, assigns, and successors-in-interest are hereby permanently enjoined (unless expressly permitted by TT) during the terms of the '304 and '132 patents from infringing the '304 and '132 patents, including, without limitation, by the making, using, selling, offering for sale, importing, facilitating connectivity for and otherwise distributing in the United States the electronic trading software products referred to in paragraph 5 above (and substantially similar products) including, without limitation, for use in electronically trading any item (e.g., futures, options, equities, fixed-income products, etc.).
7. TT waives its rights to damages from NINJATRADER arising from the manufacture, use, sale or offers to sell, importation and/or other distribution of the

electronic trading software products referred to in paragraph 5 above prior to entry of this Judgment.

8. This Court shall retain jurisdiction over this case for purposes of enforcing the Consent Judgment and the confidential Settlement Agreement between the parties pursuant to which the Consent Judgment is filed.

9. Each party shall bear its own costs and attorneys' fees.

SO ORDERED


Dated: June 14, 2005



Samuel Der-Yeghiayan
United States District Court Judge

AGREED TO:


Dated: 7/8/05



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