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

Trading Technologies International Inc	)
Trading Technologies International, Inc.,	) Civil Action No. 05 C 4449
Plaintiff,	)
•	Judge William J. Hibbler
V.	)
	) Magistrate Judge Denlow
FFastFill Plc, FFastFill Inc.,	)
Future Dynamics Inc., FFastTrade LLC,	)
FFastFill Europe Ltd., and FFastFill FD Ltd.	)
Defendants.	) )

## **CONSENT JUDGMENT**

As a result of settlement of this action by virtue of a confidential settlement agreement between the parties dated August 3, 2005 which shall become effective upon entry of this Consent Judgment and upon consent of Plaintiff, Trading Technologies International, Inc. ("TT") and Defendants, FFastFill Plc, FFastFill Inc., Future Dynamics Inc., FFastTrade LLC, FFastFill Europe Ltd., and FFastFill FD Ltd. ("FFASTFILL"), judgment is hereby entered against FFASTFILL upon TT's Complaint, and it is hereby ORDERED, ADJUDGED, and DECREED that:

1. TT commenced this action for patent infringement against FFASTFILL on August 3, 2005. This action alleges that FFASTFILL infringes U.S. Patent Nos.



6,766,304 ("'304 patent") and 6,772,132 ("'132 patent"). FFASTFILL has received and reviewed a copy of the Complaint filed by TT in this action.

- 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. FFASTFILL 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 Future Dynamics Crossfire Quicktrade screen and the FFASTFILL Lefty Scalp Trading Window, screenshots and documentation of which are included in Exhibit 1.
- 6. Defendant FFASTFILL, 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 including, without limitation, for use in electronically trading any item (e.g., futures, options, equities, fixed-income products, etc.). This injunction shall not apply to any



claims of the '304 or '132 patents that are subsequently found invalid by a court of competent jurisdiction in a final and non-appealable judgment after the date of such judgment.

- 7. TT waives its rights to damages from FFASTFILL 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. The right to enforce this Consent Judgment shall transfer to any successor-ininterest to TT.
- 10. Each party shall bear its own costs and attorneys' fees.



SO ORDERED Dated: P/10/05

William T. Hibbler

United States District Court Judge

AGREED TO:

Dated: 8/8/280S

Leff R. Signaond, Jr. (ID No. 6204980) Matthew J. Sampson (ID No. 6207606)

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Dated: Aug 8, 2005

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FFASTTRADE LLC,
FFASTFILL EUROPE LTD., AND
FFASTFILL FD LTD.



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