

patent”), 7,904,374 (“‘374 patent”), and 7,930,240 (“‘240 patent”). Stellar has received and reviewed a copy of the Complaint and Amended Complaints filed by TT in this action.

2. The claims relating to all patents-in-suit other than the ‘411, ‘768 and ‘374 patents were resolved in a Consent Judgment entered by this Court on January 24, 2013. At the time, there was an appeal pending of findings by this Court of invalidity of the asserted claims of the ‘411, ‘768 and ‘374 patents. On August 30, 2013, the U.S. Court of Appeals for the Federal Circuit reversed this Court’s findings of invalidity with respect to the ‘411, ‘768, and ‘374 patents and remanded for further proceedings.

3. This Court has jurisdiction over the parties to this action and over the subject matter of the Complaint with respect to the ‘411, ‘768, and ‘374 patents.

4. TT is the sole and exclusive owner of the patents-in-suit asserted by TT, and has the right to sue upon, and recover damages for past infringement and enjoin future infringement of the patents-in-suit.

5. All claims of the ‘411, ‘768, and ‘374 patents are valid and enforceable.

6. Stellar has infringed the ‘411, ‘768 and ‘374 patents under 35 U.S.C. Section 271 by making, using, selling, offering for sale, importing and/or otherwise distributing electronic trading software referred to as the Stellar front end software. Documentation describing the Stellar front end software is included in Exhibit 2.

7. Defendant Stellar, 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 ‘411, ‘768 and ‘374 patents) from infringing the ‘411, ‘768 and ‘374 patents respectively, including, without limitation, by

the making, using, selling, offering for sale, importing, and otherwise distributing in the United States the electronic trading software products referred to in paragraph 6 above including, without limitation, for use in electronically trading any item (e.g., futures, options, equities, fixed-income products, etc.).

8. The Settlement Agreement resolves all claims currently before this Court in this action.

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

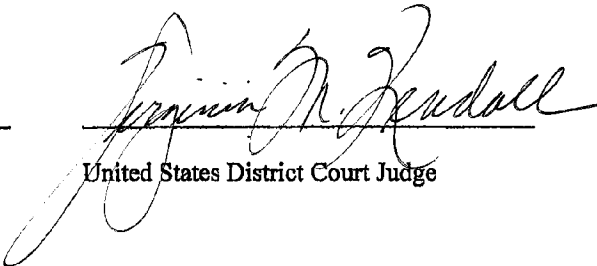
10. The right to enforce this Consent Judgment shall transfer to any successor-in-interest to TT.

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

[Signatures on Following Page]

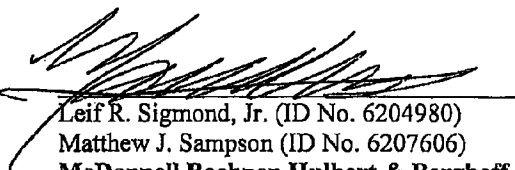
SO ORDERED

Dated: 2-4-14


United States District Court Judge


AGREED TO:

Dated: Jan. 16, 2014


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