

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Trading Technologies International, Inc.,)	
)	Civil Action No. 05-CV-4811
Plaintiff,)	
)	Judge Sharon Johnson Coleman
v.)	
)	Magistrate Judge Sidney I. Schenkier
CQG, Inc. and CQGT, LLC,)	
)	
Defendants.)	

CQG’S MOTION FOR SUMMARY JUDGMENT THAT THE ’304 AND ’132 PATENTS ARE INVALID UNDER 35 U.S.C. § 112, ¶ 1 FOR LACK OF WRITTEN DESCRIPTION

CQG moves for summary judgment under Fed. R. Civ. P. 56 for invalidity of U.S. Patent Nos. 6,766,304 (“the ’304 patent”) and 6,772,132 (“the ’132 patent”) for lack of written description under 35 U.S.C. § 112, ¶ 1.

The undisputed facts recited in CQG’s Statement of Material Facts under Local Rule 56.1 establish that the inventors were only in possession of a price column where *all* displayed prices are static. Because the specification fails to support TT’s assertion that the Static Limitation covers price column where only *some* of the displayed prices are static. The claims of the ’304 patent and the ’132 patent are invalid for failing to meeting the written description requirement under 35 U.S.C. § 112, ¶ 1.

WHEREFORE, CQG moves for summary judgment in its favor of invalidity of the ’304 and ’132 patents under 35 U.S.C. § 112, ¶ 1. The attached memorandum, statement of material facts, and exhibits, which are incorporated by reference and filed contemporaneously, provide a more detailed description of invalidity due to a lack of written description.

Dated: March 17, 2014

Respectfully submitted,

By: /s/ William J. Voller III

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CERTIFICATE OF SERVICE

I, William J. Voller III, certify that a copy of **CQG'S MOTION FOR SUMMARY JUDGMENT THAT THE '304 AND '132 PATENTS ARE INVALID UNDER 35 U.S.C. § 112, ¶ 1 FOR LACK OF WRITTEN DESCRIPTION** was served via the ECF filing system upon the following on the 17th day of March, 2014:

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