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

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

**TRADING TECHNOLOGIES' CROSS-MOTION FOR PARTIAL SUMMARY
JUDGMENT THAT THE THAT THE "STATIC" LIMITATIONS MEET THE
<u>WRITTEN DESCRIPTION REQUIREMENT</u>**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Trading Technologies,

International, Inc., hereby cross-moves for partial summary judgment that:

1. The term "static display of prices" as set forth in the claims of U.S. Patent

    Nos. 6,772,132 ("'132") meets the written description requirement of 35 U.S.C.

    § 112; and

2. The term "common static price axis" as set forth in the claims of U.S. Patent

    No. 6,776,304 ("'304") meets the written description requirement of 35

    U.S.C. § 112.

In support of its motion, TT is submitting a memorandum, a statement of undisputed material

facts under Local Rule 56.1, and exhibits. TT's undisputed facts, set forth in TT's Additional

Statement of Undisputed Material Facts in support of its Cross Motion for Summary

Judgment, establish that there is more than enough written description support for the "static

display of prices" and "common static price axis" terms in the provisional application

(which is mirrored by the specification of the patents-in-suit).

WHEREFORE, TT respectfully requests the entry of partial summary judgment

finding that the terms "common static price axis" and "static display of prices" as found in the

claims of the patents-in-suit meet the written description requirement.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **TRADING TECHNOLOGIES' CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT THAT THE "STATIC" LIMITATIONS MEET THE WRITTEN DESCRIPTION REQUIREMENT** was served on May 16, 2014 as follows:

Via Filing Via this Court's CM-ECF System, which caused a copy to be served on all registered users by E-mail:

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<u>s/ Jennifer M. Kurcz</u>

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Plaintiff,	))	
v.	))	Magistrate Sidney I. Schenkier
	)	
CQG, INC. AND CQGT, LLC.	))	**FILED UNDER SEAL**
Defendants.	))	
	)	

TT'S COMBINED MEMORANDUM 1) IN OPPOSITION TO CQG'S MOTION FOR SUMMARY JUDGMENT THAT THE PATENTS-IN-SUIT ARE INVALID UNDER 35 U.S.C. §112 FOR LACK OF WRITTEN DESCRIPTION; AND 2) IN SUPPORT OF ITS CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT THAT THE "STATIC" LIMITATIONS MEET THE WRITTEN DESCRIPTION REQUIREMENT

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