

the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed in compliance with 37 C.F.R. §1.97(b) within three (3) months of the filing date of a request for continued examination (RCE) in the above-identified application.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

NOVEMBER 12, 2002

Date



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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees, and applicant(s) hereby petition for any needed extension of time.



TRADING TECHNOLOGIES™

FACSIMILE COVER SHEET

TO: Richard Weisberger
COMPANY: USPTO
PHONE NUMBER:
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FROM: Steve Borsand
COMPANY: Trading Technologies
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DATE: 12/19/03
OF PAGES:

NOTES:
RE: 09/590,692

Richard – Here are the documents that you requested: the Terminal Disclaimer and IDSs filed in October and November 2003. I have not included any Information Disclosure Statements that were filed before October 2003.

Thanks,
Steve Borsand

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary Alan KEMP II et al.
Title: CLICK BASED TRADING WITH
INTUITIVE GRID DISPLAY OF
MARKET DEPTH
Appl. No.: 09/590,692
Filing Date: 06/09/2000
Examiner: R. Weisberger
Art Unit: 3624

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, Trading Technologies Inc., having its principal place of business at 222 S. Riverside Plaza, Suite 1100, Chicago, IL 60606, hereinafter represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 09/590,692, filed 06/09/2000, by virtue of an Assignment filed and recorded on October 2, 2000 on Reel/Frame 011188/0355 in the U.S. Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 09/894,637, filed 06/27/2001, by virtue of an Assignment filed and recorded on October 2, 2000 on Reel/Frame 011188/0355 in the U.S. Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, Trading Technologies Inc., hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 09/590,692 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 09/894,637, and hereby agrees that any patent so granted on U.S. Patent Application 09/590,692 shall be enforceable only for and during such period that the

legal title to any patent granted on U.S. Patent Application 09/894,637 shall be the same as the legal title to any patent granted on U.S. Patent Application 09/590,692, this agreement to run with any patent granted on U.S. Patent Application 09/590,692 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 09/590,692, prior to the full statutory term of any patent granted on U.S. Patent Application 09/894,637 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 09/894,637 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 09/894,637 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 09/590,692 that would extend beyond the present termination of any patent granted on U.S. Patent Application 09/894,637, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 09/590,692 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 09/590,692, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application 09/590,692 and any patent granted on U.S. Patent Application 09/894,637 rests with Petitioner, Trading Technologies Inc. The undersigned declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

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