

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CQG, INC. and CQGT, LLC
Petitioner

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.
Patent Owner

Case CBM2015-00058
U.S. Patent No. 6,772,132

**PATENT OWNER'S MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Trading Technologies International, Inc. (“Trading Technologies”) hereby submits the following mandatory notices in connection with this proceeding.

I. TRADING TECHNOLOGIES’ POWER OF ATTORNEY

A Power of Attorney appointing lead and back-up counsel is being filed concurrently with these Notices.

II. TRADING TECHNOLOGIES’ MANDATORY NOTICES

(a) 37 C.F.R. § 42.8(b)(1): Real Party-in-Interest

The real party in interest for the Patent Owner is Trading Technologies International, Inc.

(b) 37 C.F.R. § 42.8(b)(2): Related Matters¹

(1) Status of litigations related to this proceeding

CQG filed a complaint for declaratory judgment action against TT challenging, *inter alia*, the validity of the ’132 patent in the U.S. District Court for the District of Colorado on August 17, 2005 (“Colorado DJ Action”). Ex. 1003. In response, TT sued CQG in the Northern District of Illinois (“Illinois Infringement Action”). Ex. 1004. CQG moved to dismiss the Illinois Infringement Action, but the Illinois court ruled that “the Colorado court should transfer the related case to

¹ To ensure completeness, Patent Owner has listed all proceedings relating to U.S. Patent No. 6,772,132 or a family member of U.S. Patent No. 6,772,132.

Illinois for consolidation with [the Illinois Infringement Action]” and denied CQG’s motion to dismiss. Ex. 2002, p. 7. The Colorado court transferred the Colorado DJ Action to the Northern District of Illinois (“Transferred Colorado DJ Action”). Ex. 1006. CQG proposed to consolidate the Transferred Colorado DJ Action with the Illinois Infringement Action by dismissing the Transferred Colorado DJ Action without prejudice and providing CQG with leave to file an Amended Answer, Affirmative Defenses, and Counterclaims in the Illinois Infringement Action. Ex. 1012, p. 3. The Illinois court dismissed the Transferred Colorado DJ Action without prejudice and granted CQG leave to file an Amended Answer, Affirmative Defenses, and Counterclaims in the Illinois Action, as requested. Ex. 1013.

In the Illinois Infringement Action, CQG moved to stay the proceeding in light of this CBM. The Court denied the stay, Ex. 2001, and CQG appealed that decision to the Federal Circuit. Ex. 2003.

The Court has scheduled argument on the issue of the validity of the ’304 patent under 35 U.S.C. § 101 for February 23, 2015. Ex. 2004.

(2) Other pending judicial matters that would affect, or be affected by, a decision in this proceeding

Trading Techs. Int’l, Inc. v. Open E Cry, LLC, Case No. 1:10-cv-00885 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Tradestation Sec., Inc., Case No. 1:10-cv-00884 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. thinkorswim Grp., Inc., Case No. 1:10-cv-00883 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. IBG LLC, Case No. 1:10-cv-00721 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. FuturePath Trading, LLC, Case No. 1:10-cv-00720 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. CQG, Inc., Case No. 1:10-cv-00718 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Sungard Data Sys., Inc., Case No. 1:10-cv-00716 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. FuturePath Trading, LLC, Case No. 1:05-cv-05164 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. GL Consultants, Inc., Case No. 1:05-cv-04120 (N.D. Ill.).

(3) Settled, terminated, or completed judicial matters related to this patent

GL Trade Ams., Inc. v. Trading Techs. Int'l, Inc., Case No. 1:11-cv-01558 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. TradeHelm, Inc., Case No. 1:10-cv-00931 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Rosenthal Collins Grp., LLC, Case No. 1:10-cv-00929 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Stellar Trading Sys., Ltd., Case No. 1:10-cv-00882 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Cunningham Trading Sys., LLC, Case No. 1:10-cv-00726 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. BCG Partners, Inc., Case No. 1:10-cv-00715 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Orc Software, Inc., Case No. 1:05-cv-06265 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Transmarket Grp., Case No. 1:05-cv-05161 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. FFastFill PLC, Case No. 1:05-cv-04449 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Strategy Runner, Ltd., Case No. 1:05-cv-04357 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. Rolfe and Nolan Sys. Inc., Case No. 1:05-cv-04354 (N.D. Ill.);

Trading Techs. Int'l, Inc. v. RTS Realtime Sys., Inc., et al. Case No. 1:05-cv-04332 (N.D. Ill.);

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