

Paper No. ____
Filed: March 7, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TRADESTATION GROUP, INC.,
TRADESTATION SECURITIES, INC.,
IBG LLC, and INTERACTIVE BROKERS LLC,

Petitioners

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

Case CBM2015-00161¹
U.S. Patent 6,766,304 B2

PATENT OWNER'S NOTICE OF CROSS-APPEAL

via E2E
Patent Trial and Appeal Board

via First Class Mail
Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

via CM/ECF
United States Court of Appeals for the Federal Circuit

¹ Case CBM2016-00035 has been joined with this proceeding.

Pursuant to 35 U.S.C. §§ 141 and 142, and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner, Trading Technologies International, Inc. (TT), hereby provides notice that it cross-appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision (Paper 129) entered on February 17, 2017, and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent 6,766,304 (“the ’304 patent”) at issue in Covered Business Method No. CBM2015-00161. This cross appeal is timely because it is filed within 14 days of Petitioners’ notice of appeal, which has been docketed as Federal Circuit appeal no. 17-1732.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the issues on cross-appeal include the Board’s determination that it had jurisdiction to issue the Final Written Decision because the ’304 patent is a covered business method patent under § 18 of the American Invents Act. *See Granite Mgmt. Corp. v. United States*, 416 F.3d 1373, 1379 (Fed. Cir. 2005) (regarding jurisdictional issue and cross-appeal). The remedy sought on cross-appeal is vacation of the Final Written Decision. *See Secure Access, LLC v. PNC Bank Nat’l Ass’n*, No. 2016-1353, 2017 WL 676601, at *9 (Fed. Cir. Feb. 21, 2017).

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office, and a copy of this Notice is being concurrently filed with the Patent Trial and Appeal

Board. In addition, a copy of this Notice along with the required docketing fees are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via CM/ECF.

Respectfully submitted,

Dated: March 7, 2017

By: /Cory C. Bell/
Cory C. Bell, Back-up Counsel
Reg. No. 75,096

*Counsel for Patent Owner
Trading Technologies International, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 2017, a true and correct copy of the foregoing “**PATENT OWNER’S NOTICE OF CROSS-APPEAL**” was filed by First Class mail with the Director of the United States Patent and Trademark Office, at the following address:

Director of the United States Patent and
Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I also herby certify that on this 7th day of March, 2017, a true and correct copy of the foregoing “**PATENT OWNER’S NOTICE OF CROSS-APPEAL,**” and the filing fee, were filed with the Clerk’s Office of the United States Court of Appeals for the Federal Circuit, via CM/ECF.

I also herby certify that a true and correct copy of the foregoing “**PATENT OWNER’S NOTICE OF CROSS-APPEAL,**” was served by electronic mail on this 7th day of March, 2017 on counsel of record for the petitioners as follows :

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Date: March 7, 2017

/Valencia Daniel/
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