

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TRADESTATION GROUP, INC. AND
TRADESTATION SECURITIES, INC.
Petitioner

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.
Patent Owner

Case CBM2015-00161
Patent No. 6,766,304

**PETITIONER'S
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION
UNDER 37 C.F.R. § 42.10(c)**

EXHIBITS

TS 1001	U.S. Patent No. 6,766,304
TS 1002	File History, U.S. Patent No. 6,766,304
TS 1003	TD Ameritrade Holding Corp. v. Trading Tech. Int'l, Inc., Case CBM2014-00136, Decision Denying Institution (Paper No. 19), at pp. 7–12 (P.T.A.B. Dec. 2, 2014)
TS 1004	Memorandum Opinion and Order, Dkt. #735, Trading Tech. Int'l, Inc. v. CQGT, LLC, et al., 05-cv-4811, U.S. District Court for the Northern District of Illinois, Eastern Division
TS 1005	TD Ameritrade Holding Corp. v. Trading Tech. Int'l, Inc., Case CBM2014-00136, Petition (Paper No. 4) (P.T.A.B. May 20, 2014)
TS 1006	TD Ameritrade, Patent Owner's Preliminary Response (Paper No. 18), at pp. 6-7 (P.T.A.B. Sept. 3, 2014)
TS 1007	TD Ameritrade Holding Corp. v. Trading Tech. Int'l, Inc., CBM2014-00131, Decision to Institute (Paper No. 19), at p. 15 (P.T.A.B. Dec. 2, 2014)
TS 1008	TD Ameritrade Holding Corp. v. Trading Tech. Int'l, Inc., CBM2014-00133, Decision to Institute (Paper No. 19), at p. 14 (P.T.A.B. Dec. 2, 2014)
TS 1009	TD Ameritrade Holding Corp. v. Trading Tech. Int'l, Inc., CBM2014-00137, Decision to Institute (Paper No. 19), at p. 14 (P.T.A.B. Dec. 2, 2014)
TS 1010	TD Ameritrade Holding Corp. v. Trading Tech. Int'l, Inc., CBM2014-00135, Decision to Institute (Paper No. 19), at p. 14 (P.T.A.B. Dec. 2, 2014)
TS 1011	Kemp II, et al. US 6,772,132
TS 1012	Statement of Reasons for Allowance in the '304 patent
TS 1013	Declaration of Dr. John Phillips Mellor ("Mellor decl.")
TS 1014	Excerpts of Appendices for Mellor Declaration
TS 1015	Lodewijk Petram, "The World's First Stock Exchange"
TS 1016	"Futures/ Option Purchasing System Trading Terminal Operation Guide", Tokyo Stock Exchange Operation System Division
TS 1017	Translation of "Futures/ Option Purchasing System Trading Terminal Operation Guide", Tokyo Stock Exchange Operation System Division

TS 1018	Certificate of Translation of “Futures/ Option Purchasing System Trading Terminal Operation Guide”, Tokyo Stock Exchange Operation System Division
TS 1019	Gutterman, et al. US Patent No. 5,297,031
TS 1020	Ellen Terrell, “History of the American and NASDAQ Stock Exchanges”, September, 2006 (Updated October, 2012)
TS 1021	Declaration in support of Unopposed Motion for <i>Pro Hac Vice</i> Admission of Adam Kessel

Pursuant to 37 C.F.R. § 42.10(c), the Petitioner (“TradeStation Group, Inc. and TradeStation Securities Inc.”) respectfully requests that the Board recognize Adam J. Kessel as counsel *pro hac vice* in this proceeding. Petitioner seeks the counsel of Adam J. Kessel due to his experience in representing Petitioner in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on August 21, 2015.

Statement of Facts

Mr. Kessel is a patent litigation attorney with more than a decade of experience representing clients in cases involving computer software. Mr. Kessel regularly litigates cases before the United States Court of Appeals for the Federal Circuit, various federal district courts, and the International Trade Commission. Through his practice in such cases, Mr. Kessel has gained substantial experience in jury trials, discovery, *Markman* hearings, and appeals. In addition to his legal experience, Mr. Kessel had many years of software development experience prior to entering the practice of law. Mr. Kessel also has a degree in chemistry from Princeton University. TradeStation Group, Inc and TradeStation Securities, Inc. provides Exhibit A, as evidence, Adam Kessel’s biography.

Mr. Kessel also has particular experience and familiarity with the substantive and technical issues involved in this Covered Business Method review proceeding. Mr. Kessel has been involved in co-pending patent litigation brought by Patent Owner against Petitioner since its inception in June 2010. Over the past five years, Mr. Kessel has invested substantial time on Petitioner's behalf on motion practice, discovery, appeals, and analysis of the twelve patents-in-suit, including the patent for which review is sought in the instant proceeding. Petitioner has thus invested significant financial resources in this related matter in which Mr. Kessel served as Petitioner's counsel. Moreover, through his representation in the related matter, Petitioner has developed a particular relationship with Mr. Kessel such that Petitioner desires to continue the relationship with Mr. Kessel for the purpose of this proceeding.

1. Affidavit of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration by Mr. Kessel as required by the Order Authorizing Motion for *Pro Hac Vice* mailed August 21, 2015.

Accordingly, TradeStation Group, Inc. and TradeStation Securities, Inc. submit that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Mr. Kessel as counsel *pro hac vice* during this proceeding.

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