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 CBM2015-00172 Patent No. 7,783,556 B1

PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE SERVED ON NOVEMBER 21, 2015 Pursuant to 37 C.F.R. § 42.64(b), Petitioner objects as follows to the

admissibility of the evidence served by Patent Owner on November 21, 2015:

Evidence	Objections
Trading Tech Int'l v	FRE 402 (Relevance): To the extent that the district
CQG, Inc. and CQGT,	court opinion is relied upon as a basis for determining
LLC, Case No. 05-cv-	whether the instituted claims are directed to patent
4811 (N.D. Ill.), Dkt.	eligible subject matter, the opinion is not relevant to
1073, Memorandum	proceedings in front of the PTAB as the decision is not
Opinion and Order	binding on the PTAB, the Petitioner was not a party to
denying Motion for	the CQG litigation, and the PTAB applies a different
Summary Judgment (35	standard than the district court when construing the
U.S.C. § 101) (Feb. 24,	claims.
2015) (Exhibit 2001)	
Trading Tech Int'l v	FRE 402 (Relevance): To the extent that Patent
BGC Partners, Inc.,	Owner relies on this document to argue that Petitioner
Case No. 10-C- 715	is abusing the CBM Review process, the document is
(N.D. Ill.), Dkt. 609,	irrelevant as it has no bearing on whether the patent
Response of Certain	under review is valid.
Defendants to Trading	
Technologies'	
"Emergency" Motion	
(July 15, 2015)	
(Exhibit 2004)	
Trading Tech Int'l v	FRE 402 (Relevance): To the extent that Patent
BGC Partners, Inc.,	Owner relies on this document to argue that Petitioner
Case No. 10-C- 715	is abusing the CBM Review process, the document is
(N.D.Ill.), Dkt. 613,	irrelevant as it has no bearing on whether the patent
Supplemental Response	under review is valid.
of Certain Defendants	
to TT's Emergency	
Motion (July 20, 2015)	
(Exhibit 2005)	
Trading Tech Int'l v	FRE 402 (Relevance): To the extent that Patent
BGC Partners, Inc.,	Owner relies on this document to argue that Petitioner
Case No. 10-C- 715	is abusing the CBM Review process, the document is
(N.D.Ill.), Dkt. 176,	irrelevant as it has no bearing on whether the patent
Defendants' Case	under review is valid.

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Management Statement	
for May 5, 2011 Status	
Hearing (May 30, 2011)	
(Exhibit 2006)	
Decision in OEC and	FRE 402 (Relevance): To the extent that Patent
How this Case Should	Owner relies on this document to argue that Petitioner
Proceed (Feb. 20, 2014)	is abusing the CBM Review process, the document is
(Exhibit 2007)	irrelevant as it has no bearing on whether the patent
()	under review is valid.
Transcript of	FRE 402 (Relevance): To the extent that Patent
Teleconference Call	Owner relies on this document to argue that Petitioner
with the Board, dated	is abusing the CBM Review process, the document is
September 10, 2015	irrelevant as it has no bearing on whether the patent
(Exhibit 2008)	under review is valid.
Trading Tech Int'l v	FRE 402 (Relevance): To the extent that Patent
BGC Partners, Inc.,	Owner relies on this document to argue that Petitioner
Case No. 10-C- 715	is abusing the CBM Review process, the document is
(N.D. Ill.), Dkt. 546,	irrelevant as it has no bearing on whether the patent
Memorandum in	under review is valid.
Support of the TD	
Ameritrade Defendants'	
Motion to Stay	
Proceedings Pursuant to	
Section 18(b) of the	
America Invents Act	
(May 22, 2014)	
(Nuly 22, 2014) (Exhibit 2009)	
Trading Tech Int'l v	FRE 402 (Relevance): To the extent that Patent
BGC Partners, Inc.,	Owner relies on this document to argue that Petitioner
Case No. 10-C- 715	is abusing the CBM Review process, the document is
(N.D. Ill.), Dkt. 558,	irrelevant as it has no bearing on whether the patent
TradeStation	under review is valid.
Defendants' Joinder In	
and Motion for Stay	
(June 11, 2014)	
(Exhibit 2010)	
Trading Technologies	FRE 402 (Relevance): To the extent that Patent
International, Inc. v.	Owner relies on this document to argue that Petitioner
BCG Partners, Inc.,	is abusing the CBM Review process, the document is
Case No. 1:10-CV-	is usually the epith review process, the document is

Case CBM2015-00172 Attorney Docket No. 41919-0002CP1

00715 (N.D. Ill.),	irrelevant as it has no bearing on whether the patent
Docket No. 562, Reply	under review is valid.
Memorandum in	
Support of the IBG	
Defendants' Motion to	
Stay Proceedings	
Pursuant to Section	
18(b) of the America	
Invents Act (Jun. 18,	
2014) (Exhibit 2016)	
Transcript of	FRE 402 (Relevance): To the extent that Patent
Teleconference Call	Owner relies on this document to argue that Petitioner
with the Board, dated	is abusing the CBM Review process, the document is
November 23, 2015	irrelevant as it has no bearing on whether the patent
(Exhibit 2027)	under review is valid.

Dated: February 29, 2016

Respectfully submitted,

By: <u>/John C. Phillips/</u> John C. Phillips, Reg. No. 35,322 Fish & Richardson, P.C. Attorney for Petitioners

Case CBM2015-00172 Attorney Docket No. 41919-0002CP1 CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies

that on February 29, 2016, a complete and entire copy of this Petitioner's

Objections to Admissibility of Evidence was provided via email to the Patent

Owner by serving the correspondence address of record as follows:

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