

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.,
Petitioner,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner.

Case CBM2015-00172¹
Patent No. 7,783,556 B1

PETITIONER'S OBJECTIONS TO EVIDENCE

¹ Case CBM2016-00040 has been joined with this proceeding.

IBG LLC, Interactive Brokers LLC, TradeStation Group, Inc., TradeStation Securities, Inc., TradeStation Technologies, Inc., and IBFX, Inc. (collectively, “Petitioners”) object to the admissibility of the following evidence Trading Technologies International, Inc. (“TT” or “Patent Owner”) filed and served on June 16, 2016. 37 C.F.R. § 42.64. Petitioners ask the Patent Trial and Appeal Board to deny the admission and consideration of the following documents on the following basis:

1. TT Exhibit 2142 – *Trading Techs. Int’l v. BGC Partners, Inc.*, Case No. 10-C-715 (N.D. Ill.), Transcript of Proceedings (May 12, 2016)

Petitioners object to this document as untimely because it was filed and served after the June 15, 2016 due date set by the Board during the June 13, 2016 conference call. (Exhibit 2040, 32:5-13.)

Petitioners object to this document as irrelevant under FRE 401 and thus inadmissible under FRE 402, or as confusing or a waste of time under FRE 403, because cited portions are not relevant to any issue remaining in this proceeding, such as patentability of the subject matter, broadest reasonable interpretation of the claims, obviousness of the claims in view of the prior art, or any secondary considerations of non-obviousness.

To the extent Patent Owner relies on the contents of this document for the truth of the matter asserted, Petitioners object to such contents as inadmissible

hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805 or 807.

2. TT Exhibit 2143 – TS0028765

Petitioners object to this document as untimely because it was filed and served after the June 15, 2016 due date set by the Board during the June 13, 2016 conference call. (Exhibit 2040, 32:5-13.)

Petitioners object to this document as irrelevant under FRE 401 and thus inadmissible under FRE 402, or as confusing or a waste of time under FRE 403, because cited portions are not relevant to any issue remaining in this proceeding, such as patentability of the subject matter, broadest reasonable interpretation of the claims, obviousness of the claims in view of the prior art, or any secondary considerations of non-obviousness.

To the extent Patent Owner relies on the contents of this document for the truth of the matter asserted, Petitioners object to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805 or 807.

3. TT Exhibit 2144 – TS0107054

Petitioners object to this document as untimely because it was filed and served after the June 15, 2016 due date set by the Board during the June 13, 2016 conference call. (Exhibit 2040, 32:5-13.)

Petitioners object to this document as irrelevant under FRE 401 and thus inadmissible under FRE 402, or as confusing or a waste of time under FRE 403, because cited portions are not relevant to any issue remaining in this proceeding, such as patentability of the subject matter, broadest reasonable interpretation of the claims, obviousness of the claims in view of the prior art, or any secondary considerations of non-obviousness.

To the extent Patent Owner relies on the contents of this document for the truth of the matter asserted, Petitioners object to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805 or 807.

4. TT Exhibit 2145 – TS0024612

Petitioners object to this document as untimely because it was filed and served after the June 15, 2016 due date set by the Board during the June 13, 2016 conference call. (Exhibit 2040, 32:5-13.)

Petitioners object to this document as irrelevant under FRE 401 and thus inadmissible under FRE 402, or as confusing or a waste of time under FRE 403, because cited portions are not relevant to any issue remaining in this proceeding, such as patentability of the subject matter, broadest reasonable interpretation of the claims, obviousness of the claims in view of the prior art, or any secondary considerations of non-obviousness.

To the extent Patent Owner relies on the contents of this document for the truth of the matter asserted, Petitioners object to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805 or 807.

5. TT Exhibit 2146 – TS1261405

Petitioners object to this document as untimely because it was filed and served after the June 15, 2016 due date set by the Board during the June 13, 2016 conference call. (Exhibit 2040, 32:5-13.)

Petitioners object to this document as irrelevant under FRE 401 and thus inadmissible under FRE 402, or as confusing or a waste of time under FRE 403, because cited portions are not relevant to any issue remaining in this proceeding, such as patentability of the subject matter, broadest reasonable interpretation of the claims, obviousness of the claims in view of the prior art, or any secondary considerations of non-obviousness.

To the extent Patent Owner relies on the contents of this document for the truth of the matter asserted, Petitioners object to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805 or 807.

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