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UNITED STATES PATENT AND TRADEMARK OFFICE  
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BEFORE THE PATENT TRIAL AND APPEAL BOARD  
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IBG LLC, INTERACTIVE BROKERS LLC,  
TRADESTATION GROUP, INC., TRADESTATION SECURITIES,  
INC., TRADESTATION TECHNOLOGIES, INC., and IBFX,  
INC.,  
Petitioners,  
v.  
TRADING TECHNOLOGIES INTERNATIONAL, INC.,  
Patent Owner.

- - -  
CBM2015-00161 (Patent No. 6,766,304 B2)  
CBM2015-00172 (Patent No. 7,783,556)  
CBM2015-00179 (Patent No. 7,533,056 B2)  
CBM2015-00181 (Patent No. 7,676,411 B2)  
CBM2015-00182 (Patent No. 6,772,132 B1)

- - -  
July 15, 2016 - 9:00 a.m.

- - -  
TELECONFERENCE IN THE ABOVE MATTER  
BEFORE: JEREMY M. PLENZLER  
MEREDITH C. PETRAVICK  
SALLY C. MEDLEY  
Administrative Patent Judges

- - -  
VERITEXT NATIONAL COURT REPORTING COMPANY  
MID-ATLANTIC REGION  
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Representing the Patent Owner

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1 JUDGE PLENZLER: Good morning. This  
2 is Judge Plenzler at the Patent Trial and Appeal  
3 Board. This is the conference call for  
4 CBM2015-00161, '172, '179, '181, and '182. I'm  
5 joined on the call by Judges Medley and Petravick.

6 Do we have someone on the call for  
7 Petitioner?

8 MR. SOKOHL: Yes, Your Honor. This  
9 is Rob Sokohl and with me today is Lori Gordon,  
10 Richard Bemben, and Adam Kessel.

11 JUDGE PLENZLER: All right. Thank  
12 you.

13 And for Patent Owner?

14 MS. EMSLEY: For Patent Owner, this  
15 is Rachel Emsley, and with me on the call is Erica  
16 Arner.

17 JUDGE PLENZLER: All right. Thank  
18 you.

19 And is there a court reporter?

20 THE COURT REPORTER: There is, Your  
21 Honor.

22 JUDGE PLENZLER: All right.

23 And I assume that's Patent Owner's  
24 court reporter?

25 MS. EMSLEY: That's correct.

1 JUDGE PLENZLER: All right. And I'm  
2 sure by now you're familiar with the procedure for  
3 getting that in the record, so I won't go over the  
4 details.

5 Patent Owner requested this call, it  
6 looks like, to discuss a request to file an offer of  
7 proof, so we're going to hear from them first.

8 But before we do, I would just like a  
9 little background information, just to clarify the  
10 whole procedure for how this all came about,  
11 primarily with respect to the request and the grant  
12 of relief from the District Court for the protective  
13 order.

14 If you could just explain, just very  
15 briefly, the timeline as far as, you know, when you  
16 received the information that the District Court has  
17 now given you relief to use, when you requested  
18 permission to use it, and then when the District  
19 Court ultimately granted that relief, that would be  
20 appreciated.

21 MS. EMSLEY: Yes, Your Honor. This  
22 is Rachel Emsley. I need to look at the exact  
23 filings in the District Court. But when the Board  
24 denied TT's motion for additional discovery, the  
25 Board noted that the District Court could authorize

1 the Patent Owner to use the District Court discovery  
2 in these proceedings, that discovery being subject  
3 to the District Court's protective order, as you  
4 know.

5 So following that denial of  
6 additional discovery, Trading Technologies filed a  
7 motion with the District Court for relief from the  
8 protective order so that we could submit the  
9 documents themselves in an offer of proof, getting  
10 relief from the protective order.

11 So on July 13th the District Court  
12 entered an order that adopts the District Court's  
13 ruling as stated in open court in a hearing on  
14 July 7th. So both parties were represented at that  
15 hearing.

16 The District Court therefore granted  
17 permission for TT to submit the documents and  
18 transcripts identified in the motion for additional  
19 discovery, and that's the same discovery that the  
20 District Court previously granted despite the stay  
21 because of its potential relevance to this PTAB  
22 proceeding. And this was specific for the offer of  
23 proof in the PTAB.

24 So I'm not sure exactly the date that  
25 that was filed. I need to look back at that for a

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