

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IBG LLC, INTERACTIVE BROKERS LLC,
TRADESTATION GROUP, INC., TRADESTATION SECURITIES, INC.,
TRADESTATION TECHNOLOGIES, INC., and IBFX, INC.,
Petitioner,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner.

CBM2015-00161 (Patent No. 6,766,304 B2)¹
CBM2015-00172 (Patent No. 7,783,556 B1)
CBM2015-00179 (Patent No. 7,533,056 B2)²
CBM2015-00181 (Patent No. 7,676,411 B2)
CBM2015-00182 (Patent No. 6,772,132 B1)

Before SALLY C. MEDLEY, MEREDITH C. PETRAVICK and JEREMY
M. PLENZLER, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ORDER

Authorizing the Filing of a Motion to Submit Supplemental Information
37 C.F.R. § 42.20 and 37 C.F.R. § 42.223(b)

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

² Case CBM2016-00040 has been joined with this proceeding.

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On August 10, 2016, a conference call was held between counsel for Patent Owner, counsel for Petitioners, and Judges Medley, Petravick, and Plenzler. Patent Owner requested the conference call to seek authorization to file a motion seeking to submit supplemental information and corresponding supplemental briefing. Petitioners opposed the request. A court reporter was present during the conference call, and the transcript should be filed into the record when it becomes available.

After consideration of the information presented during the call, we authorize Patent Owner to file a motion seeking to submit supplemental information and corresponding supplemental briefing. Pursuant to 37 C.F.R. § 42.223(b), the motion “must show why the supplemental information reasonably could not have been obtained earlier, and that consideration of the supplemental information would be in the interests-of-justice.” The motion is limited to 15 pages and must be filed no later than August 16, 2016. Patent Owner is not authorized to file any other listings, papers, or exhibits containing arguments that should be presented in the motion itself.

The information Patent Owner seeks to submit as supplemental information should not be filed into the record at this time. The information may be filed if and when the motion is granted. Patent Owner, however, may summarize the information in the motion itself to show that consideration of the information would be in the interests-of-justice.

During the call, Patent Owner indicated that it seeks to file approximately 97 documents as supplemental information. This number of documents is significant and likely more information than can be sufficiently

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addressed in any supplemental briefing should the motion be granted. In addition, Petitioners would be unduly burdened by having to address 97 new documents at this stage of the proceeding. The motion, thus, is limited to seeking submission of 10 documents as supplemental information.

Petitioners may file an opposition, limited to 15 pages, no later than August 22, 2016, and Patent Owner may file a reply, limited to 5 pages, no later than August 24, 2016.

It is so ORDERED.

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