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

_____

CBM2015–00179
Patent 7,533,056

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**PETITIONERS' OBJECTIONS TO
PATENT OWNER'S DEMONSTRATIVES**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

On October 12, 2016, pursuant to the Board's September 28, 2016 Order (Paper 115), TT served 90 demonstrative slides on Petitioners for use at the oral argument in this proceeding. As set forth in Petitioners' detailed objections below, the majority of TT's slides rely on evidence never cited or specifically addressed in any paper before the Board, do not properly cite their evidence, and/or present new arguments. Petitioners meet and conferred with TT regarding Petitioners' objections on Monday, October 17, 2016.

Demonstrative Slides 3, 7-8, 11-18

Petitioners object to TT demonstrative slides 3, 7-8, 11-18, each in its entirety, because these slides do not cite to TT's POR or any other paper in which TT advanced these arguments, and TT is improperly attempting to use this slide as an additional opportunity for briefing.

Demonstrative Slide 30

Petitioners object to TT demonstrative slide 30 because of the first bullet.

Copy of the objected-to portions:

- Román admits a user cannot distinguish his orders in TSE's column 12

Petitioners object for the following reason: the first bullet mischaracterizes Mr. Román's testimony (i.e., mischaracterizes the record).

Demonstrative Slide 31

Petitioners object to TT demonstrative slide 31 because of the first bullet.

Copy of the objected-to portions:

- Román admits if displayed in TSE, user's orders would <u>not be</u> at the desired price level along the alleged price axis

Petitioners object for the following reason: the first bullet mischaracterizes Mr. Román's testimony (i.e., mischaracterizes the record).

Demonstrative Slide 37

Petitioners object to TT demonstrative slide 37, in its entirety, because this slide does not cite to TT's POR or any other paper in which TT advanced these arguments, and TT is improperly attempting to use this slide as an additional opportunity for briefing.

Demonstrative Slide 38

Petitioners object to TT demonstrative slide 38 because of the reproduction of ¶ 68 of Ex. 2169.

Copy of the objected-to portions:

> 68. It is only with the benefit of hindsight that one would have looked to Silverman's Figures 4, 5, 17 or 18, when designing an order entry GUI. In fact, even as late as 1998, Reuters, who was the assignee of the Silverman patent and implemented Silverman's Matching System in their GLOBEX system, did not implement the claimed combination and relied instead on a separate window for order entry: a conventional order entry ticket. *See infra* ¶¶ 80-89. In any event, as explained below, Silverman's Figures 4, 5, 13, 1[4]
>
> 84.
> only

Ex. 2169 [Decl. Christopher Thomas], ¶¶ 68

Petitioners object for the following reason: this slide does not cite to TT's POR or any other paper that cite ¶ 68 of Ex. 2169.

Demonstrative Slide 39

Petitioners object to TT demonstrative slide 39 because this slide does not cite to TT's POR or any other paper that cites Ex. 1014 at 6.

Demonstrative Slide 40

Petitioners object to TT demonstrative slide 40 because this slide does not cite to TT's POR or any other paper that cites Ex. 1014 at 29.

Demonstrative Slide 41

Petitioners object to TT demonstrative slide 41 because this slide does not cite to TT's POR or any other paper that cites Ex. 1014 at 30.

Demonstrative Slide 42

Petitioners object to TT demonstrative slide 42 because this slide does not cite to TT's POR or any other paper that cites Ex. 1014 at 10.

Demonstrative Slide 43

Petitioners object to TT demonstrative slide 43 because this slide does not

cite to TT's POR or any other paper that cites Ex. 1014 at 14.

Demonstrative Slide 44

Petitioners object to TT demonstrative slide 44 because this slide does not

cite to TT's POR or any other paper that cites Ex. 1014 at 298.

Demonstrative Slide 45

Petitioners object to TT demonstrative slide 45 because this slide does not

cite to TT's POR or any other paper that cites Ex. 1014 at 298.

Demonstrative Slide 53

Petitioners object to TT demonstrative slide 53 because of the annotated

version of Ex. 1010, Fig. 5.

Copy of the objected-to portions:

Ex. 1010, Fig. 5 (annotated)
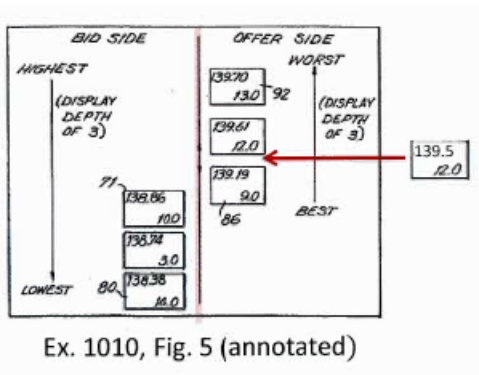
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