

Richard M. Bemben

From: Vignone, Maria <Maria.Vignone@USPTO.GOV> on behalf of Trials <Trials@USPTO.GOV>
Sent: Tuesday, April 05, 2016 3:51 PM
To: Emsley, Rachel; Trials
Cc: Lori Gordon; Rob Sokohl; Jon Strang; Richard M. Bemben; Trading-Tech-CBM; tt-patent-cbm@tradingtechnologies.com; PTAB Account; PTAB Account
Subject: RE: CBM2015-00179; CBM2015-00182; and CBM2015-00181: Requesting Conference with Board

Counsel,

No conference call is necessary. The Patent Owner may include such arguments in its Patent Owner Response. Therefore, the request to file a separate motion on this issue is dismissed as moot since the issue may be addressed in the PO Response.

Thank you,

Maria Vignone
Paralegal Operations Manager
Patent Trial and Appeal Board
703-756-1288

From: Emsley, Rachel [<mailto:Rachel.Emsley@finnegan.com>]
Sent: Tuesday, April 05, 2016 1:46 PM
To: Trials <Trials@USPTO.GOV>
Cc: Lori Gordon (LGORDON@skgf.com) <LGORDON@skgf.com>; Rob Sokohl <RSOKOHL@skgf.com>; Jon Strang (JSTRANG@skgf.com) <JSTRANG@skgf.com>; rbemben@skgf.com; Trading-Tech-CBM <Trading-Tech-CBM@finnegan.com>; tt-patent-cbm@tradingtechnologies.com; PTAB@skgf.com
Subject: CBM2015-00179; CBM2015-00182; and CBM2015-00181: Requesting Conference with Board

Your Honors,

Patent Owners have requested to depose Mr. Kawashima, whose prior testimony Petitioners submitted (Ex. 1007) to allege that the TSE reference is prior art. *See, e.g.*, CBM2015-00179, Paper 9 at 21-22. In response to Patent Owner's request, Petitioners have represented to Patent Owners that they have "reached out to TSE and Mr. Kawashima . . . and re-confirmed that he is unwilling to come to the United States for a deposition." Accordingly, Patent Owners would like to request authorization for a motion to dismiss grounds relying on the TSE reference from the above-referenced proceedings. Counsel for Petitioners has indicated that Petitioners would oppose such a motion. Counsel for both Petitioners and Patent Owners are available for a telephone conference on Thursday from 10 AM until 1:30 PM.

Thank you,
Rachel Emsley
Counsel for Patent Owner, Trading Technologies

Rachel L. Emsley
Attorney at Law

IBG 1039

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