

Paper No. _____
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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.

Petitioners

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

Case CBM2015-00181
U.S. Patent 7,676,411

PATENT OWNER'S RESPONSE

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Petitioners fail to establish that U.S. Patent No. 7,676,411 (“the ’411 patent,” Ex.1001) is eligible for covered business method (“CBM”) patent review. The ’411 patent is directed to statutory subject matter under 35 U.S.C. § 101. Finally, Petitioners fail to prove that the claims of the ’411 patent are obvious because TSE (Ex.1006) is not prior art, because the cited references do not render obvious all elements of the claims, and because the real-world evidence of secondary considerations demonstrates the nonobviousness of the invention.

I. OVERVIEW OF CLAIMED INVENTION

The electronic trading industry, both prior to the invention the ’411 patent and for a period thereafter, maintained a widely accepted conventional wisdom regarding the design of a graphical user interface tool (“GUI tool”) for order entry on electronic exchanges. Ex.2169, ¶47. Specifically, conventional GUIs provided the ability to enter and send orders to an electronic exchange using order entry tickets or dynamic order entry screens. Ex.2169, ¶48. Order tickets were known to be accurate but slow. *Id.* Figure 2 of the ’411 patent (with annotations below) exemplifies another GUI tool where users entered and sent orders by directly interfacing with displayed prices (e.g., using a mouse). Like the overwhelming majority of GUI tools for rapid entry, it was constructed with designated locations for displaying the best bid/ask prices. *See* Ex.1001; Ex.2169, ¶49.

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