

17712 U.S. PTO  
102506

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

113013 U.S. PTO  
11/585907  
102506

**Applicant:** Gary Allan KEMP et al.  
**Title:** CLICK BASED TRADING WITH INTUITIVE GRID  
DISPLAY OF MARKET DEPTH  
**Prior Appl. No.:** 11/415,163  
**Prior Appl. Filing Date:** May 2, 2006  
**Examiner:** Unassigned  
**Art Unit:** Unassigned

**CONTINUING PATENT APPLICATION  
TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

Continuation                       Division                       Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

Applicant claims small entity status under 37 C.F.R. § 1.27.

ENCLOSED ARE:

- Description, Claim(s), and Abstract (22 pages).
- Informal drawings (6 sheets, Figures 1-6).
- Declaration and Power of Attorney (4 pages).

- Assignment of the invention to Trading Technologies International, Inc..
- Assignment Recordation Cover Sheet.
- Small Entity statement.
- Request for application not to be published with certification under 35 U.S.C. § 122(b)(2)(B)(i).
- Information Disclosure Statement.
- Form SB/08 with copies of \_\_\_\_ listed reference(s).
- Preliminary Amendment.
- Application Data Sheet (37 C.F.R. § 1.76).

The filing fee is calculated below:

	NUMBER FILED	INCLUDED IN BASIC FEE	EXTRA	RATE	FEE TOTALS
Basic Filing Fee				\$300.00 =	\$300.00
Search Fee				\$500.00 =	\$500.00
Examination Fee				\$200.00 =	\$200.00
Size Fee	28	- 100	= 0	x \$250.00 =	\$0.00
Total Claims:	1	- 20	= 0	x \$50.00 =	\$0.00
Independents:	1	- 3	= 0	x \$200.00 =	\$0.00
If any Multiple Dependent Claim(s) present:				+ \$360.00 =	\$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration or late payment of filing fee				+ \$130.00 =	\$0.00
				<b>SUBTOTAL:</b> =	<b>\$1000.00</b>
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):				=	0
				<b>TOTAL FILING FEE:</b> =	<b>\$1000.00</b>
Assignment Recordation Fee:				+ \$40.00 =	\$0.00
Processing Fee under 37 CFR 1.17(i) for Late Filing of English Translation of Application:				+ \$130.00 =	\$0.00
<b>TOTAL FEE</b>				=	<b>\$1000.00</b>

A credit card payment form in the amount of \$1000.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10/25/06

By 

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# CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH

## Priority

5 The present application claims priority to a U.S. Provisional Patent Application entitled "Market Depth Display Click Based Trading and Mercury Display" filed March 2, 2000, the contents of which are incorporated herein by reference.

## Field of Invention

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The present invention is directed to the electronic trading of commodities. Specifically, the invention provides a trader with a versatile and efficient tool for executing trades. It facilitates the display of and the rapid placement of trade orders within the market trading depth of a commodity, where a commodity includes anything that can be traded with quantities and/or prices.

15

## Background Of The Invention

20

At least 60 exchanges throughout the world utilize electronic trading in varying degrees to trade stocks, bonds, futures, options and other products. These electronic exchanges are based on three components: mainframe computers (host), communications servers, and the exchange participants' computers (client). The host forms the electronic heart of the fully computerized electronic trading system. The system's operations cover order-

25

matching, maintaining order books and positions, price information, and

managing and updating the database for the online trading day as well as nightly batch runs. The host is also equipped with external interfaces that maintain uninterrupted online contact to quote vendors and other price information systems.

5

Traders can link to the host through three types of structures: high speed data lines, high speed communications servers and the Internet. High speed data lines establish direct connections between the client and the host. Another connection can be established by configuring high speed networks or communications servers at strategic access points worldwide in locations where traders physically are located. Data is transmitted in both directions between traders and exchanges via dedicated high speed communication lines. Most exchange participants install two lines between the exchange and the client site or between the communication server and the client site as a safety measure against potential failures: An exchange's internal computer system is also often installed with backups as a redundant measure to secure system availability. The third connection utilizes the Internet. Here, the exchange and the traders communicate back and forth through high speed data lines, which are connected to the Internet. This allows traders to be located anywhere they can establish a connection to the Internet.

20

Irrespective of the way in which a connection is established, the exchange participants' computers allow traders to participate in the market. They use software that creates specialized interactive trading screens on the traders' desktops. The trading screens enable traders to enter and execute orders, obtain market quotes, and monitor positions. The range and quality of features available to traders on their screens varies according to the specific software application being run. The installation of open interfaces in the development of an exchange's electronic strategy means users can choose, depending on their trading style and internal requirements, the means by which they will access the exchange.

30

The world's stock, bond, futures and options exchanges have volatile products with prices that move rapidly. To profit in these markets, traders must be able to react quickly. A skilled trader with the quickest software, the fastest communications, and the most sophisticated analytics can significantly  
5 improve his own or his firm's bottom line. The slightest speed advantage can generate significant returns in a fast moving market. In today's securities markets, a trader lacking a technologically advanced interface is at a severe competitive disadvantage.

10 Irrespective of what interface a trader uses to enter orders in the market, each market supplies and requires the same information to and from every trader. The bids and asks in the market make up the market data and everyone logged on to trade can receive this information if the exchange provides it. Similarly, every exchange requires that certain information be included in each  
15 order. For example, traders must supply information like the name of the commodity, quantity, restrictions, price and multiple other variables. Without all of this information, the market will not accept the order. This input and output of information is the same for every trader.

20 With these variables being constant, a competitive speed advantage must come from other aspects of the trading cycle. When analyzing the time it takes to place a trade order for a given commodity, various steps contribute in different amounts to the total time required. Approximately 8% of the total time it takes to enter an order elapses between the moment the host generates  
25 the price for the commodity and the moment the client receives the price. The time it takes for the client application to display the price to the trader amounts to approximately 4%. The time it takes for a trade order to be transmitted to the host amounts to approximately 8%. The remainder of the total time it takes to place an order, approximately 80%, is attributable to the time required for  
30 the trader to read the prices displayed and to enter a trade order. The present invention provides a significant advantage during the slowest portion of the trading cycle -- while the trader manually enters his order. Traders recognize

that the value of time savings in this portion may amount to millions of dollars annually.

5 In existing systems, multiple elements of an order must be entered prior to an order being sent to market, which is time consuming for the trader. Such elements include the commodity symbol, the desired price, the quantity and whether a buy or a sell order is desired. The more time a trader takes entering an order, the more likely the price on which he wanted to bid or offer will change or not be available in the market. The market is fluid as many traders  
10 are sending orders to the market simultaneously. In fact, successful markets strive to have such a high volume of trading that any trader who wishes to enter an order will find a match and have the order filled quickly, if not immediately. In such liquid markets, the prices of the commodities fluctuate rapidly. On a trading screen, this results in rapid changes in the price and quantity fields  
15 within the market grid. If a trader intends to enter an order at a particular price, but misses the price because the market prices moved before he could enter the order, he may lose hundreds, thousands, even millions of dollars. The faster a trader can trade, the less likely it will be that he will miss his price and the more likely he will make money.

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#### Summary Of The Invention

The inventors have developed the present invention which overcomes the drawbacks of the existing trading systems and dramatically reduces the time  
25 it takes for a trader to place a trade when electronically trading on an exchange. This, in turn, increases the likelihood that the trader will have orders filled at desirable prices and quantities.

The "Mercury" display and trading method of the present invention  
30 ensure fast and accurate execution of trades by displaying market depth on a vertical or horizontal plane, which fluctuates logically up or down, left or right

across the plane as the market prices fluctuates. This allows the trader to trade quickly and efficiently.

Specifically, the present invention is directed to a graphical user interface for displaying the market depth of a commodity traded in a market, including a dynamic display for a plurality of bids and for a plurality of asks in the market for the commodity and a static display of prices corresponding to the plurality of bids and asks. In this embodiment the pluralities of bids and asks are dynamically displayed in alignment with the prices corresponding thereto. Also described herein is a method and system for placing trade orders using such displays.

These embodiments, and others described in greater detail herein, provide the trader with improved efficiency and versatility in placing, and thus executing, trade orders for commodities in an electronic exchange. Other features and advantages of the present invention will become apparent to those skilled in the art from the following detailed description. It should be understood, however, that the detailed description and specific examples, while indicating preferred embodiments of the present invention, are given by way of illustration and not limitation. Many changes and modifications within the scope of the present invention may be made without departing from the spirit thereof, and the invention includes all such modifications.

#### Brief Description Of The Drawings

Figure 1 illustrates the network connections between multiple exchanges and client sites;

Figure 2 illustrates screen display showing the inside market and the market depth of a given commodity being traded;

Figure 3 illustrates the Mercury display of the present invention;

Figure 4 illustrates the Mercury display at a later time showing the movement of values when compared to Figure 3;

Figure 5 illustrates a Mercury display with parameters set in order to exemplify the Mercury trading method; and

Figure 6 is a flowchart illustrating the process for Mercury display and trading.

5

### Detailed Description Of The Preferred Embodiments

As described with reference to the accompanying figures, the present invention provides a display and trading method to ensure fast and accurate execution of trades by displaying market depth on a vertical or horizontal plane, which fluctuates logically up or down, left or right across the plane as the market prices fluctuates. This allows the trader to place trade orders quickly and efficiently. A commodity's market depth is the current bid and ask prices and quantities in the market. The display and trading method of the invention increase the likelihood that the trader will be able to execute orders at desirable prices and quantities.

In the preferred embodiment, the present invention is implemented on a computer or electronic terminal. The computer is able to communicate either directly or indirectly (using intermediate devices) with the exchange to receive and transmit market, commodity, and trading order information. It is able to interact with the trader and to generate contents and characteristics of a trade order to be sent to the exchange. It is envisioned that the system of the present invention can be implemented on any existing or future terminal or device with the processing capability to perform the functions described herein. The scope of the present invention is not limited by the type of terminal or device used. Further, the specification refers to a single click of a mouse as a means for user input and interaction with the terminal display as an example of a single action of the user. While this describes a preferred mode of interaction, the scope of the present invention is not limited to the use of a mouse as the input device or to the click of a mouse button as the user's single action. Rather, any action by a user within a short period of time, whether comprising one or more clicks of a

mouse button or other input device, is considered a single action of the user for the purposes of the present invention.

The system can be configured to allow for trading in a single or in  
5 multiple exchanges simultaneously. Connection of the system of the present invention with multiple exchanges is illustrated in Figure 1. This figure shows multiple host exchanges 101-103 connected through routers 104-106 to gateways 107-109. Multiple client terminals 110-116 for use as trading stations can then trade in the multiple exchanges through their connection to the  
10 gateways 107-109. When the system is configured to receive data from multiple exchanges, then the preferred implementation is to translate the data from various exchanges into a simple format. This "translation" function is described below with reference to Figure 1. An applications program interface ("TT API" as depicted in the figure) translates the incoming data formats from  
15 the different exchanges to a simple preferred data format. This translation function may be disposed anywhere in the network, for example, at the gateway server, at the individual workstations or at both. In addition, the storage at gateway servers and at the client workstations, and/or other external storage cache historical data such as order books which list the client's active orders in  
20 the market; that is, those orders that have neither been filled nor cancelled. Information from different exchanges can be displayed at one or in multiple windows at the client workstation. Accordingly, while reference is made through the remainder of the specification to a single exchange to which a trading terminal is connected, the scope of the invention includes the ability to  
25 trade, in accordance with the trading methods described herein, in multiple exchanges using a single trading terminal.

The preferred embodiments of the present invention include the display of "Market Depth" and allow traders to view the market depth of a commodity  
30 and to execute trades within the market depth with a single click of a computer mouse button. Market Depth represents the order book with the current bid and ask prices and quantities in the market. In other words, Market Depth is each

bid and ask that was entered into the market, subject to the limits noted below, in addition to the inside market. For a commodity being traded, the "inside market" is the highest bid price and the lowest ask price.

5           The exchange sends the price, order and fill information to each trader on the exchange. The present invention processes this information and maps it through simple algorithms and mapping tables to positions in a theoretical grid program or any other comparable mapping technique for mapping data to a screen. The physical mapping of such information to a screen grid can be done  
10 by any technique known to those skilled in the art. The present invention is not limited by the method used to map the data to the screen display.

          How far into the market depth the present invention can display depends on how much of the market depth the exchange provides. Some exchanges  
15 supply an infinite market depth, while others provide no market depth or only a few orders away from the inside market. The user of the present invention can also chose how far into the market depth to display on his screen.

          Figure 2 illustrates a screen display of an invention described in a  
20 commonly owned co-pending application entitled "Click Based Trading with Market Depth Display" serial no. \_\_\_\_\_, filed on \_\_\_\_\_, the contents of which are incorporated herein by reference. This display shows the inside market and the market depth of a given commodity being traded. Row 1 represents the  
25 "inside market" for the commodity being traded which is the best (highest) bid price and quantity and the best (lowest) ask price and quantity. Rows 2-5 represent the "market depth" for the commodity being traded. In the preferred embodiment of the present invention, the display of market depth (rows 2-5) lists the available next-best bids, in column 203, and asks, in column 204. The working bid and ask quantity for each price level is also displayed in columns  
30 202 and 205 respectively (inside market - row 1). Prices and quantities for the inside market and market depth update dynamically on a real time basis as such information is relayed from the market.

In the screen display shown in Figure 2, the commodity (contract) being traded is represented in row 1 by the character string "CDH0". The Depth column 208 will inform the trader of a status by displaying different colors. Yellow indicates that the program application is waiting for data. Red indicates that the Market Depth has failed to receive the data from the server and has "timed out." Green indicates that the data has just been updated. The other column headings in this and all of the other figures, are defined as follows. *BidQty (Bid Quantity)*: the quantity for each working bid, *BidPrc (Bid Price)*: the price for each working bid, *AskPrc (Ask Price)*: the price for each working ask, *AskQty (Ask Quantity)*: the quantity for each working ask, *LastPrc (Last Price)*: the price for the last bid and ask that were matched in the market and *LastQty (Last Quantity)*: the quantity traded at the last price. *Total* represents the total quantity traded of the given commodity.

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The configuration of the screen display itself informs the user in a more convenient and efficient manner than existing systems. Traders gain a significant advantage by seeing the market depth because they can see trends in the orders in the market. The market depth display shows the trader the interest the market has in a given commodity at different price levels. If a large amount of bids or asks are in the market near the trader's position, he may feel he should sell or buy before the inside market reaches the morass of orders. A lack of orders above or below the inside market might prompt a trader to enter orders near the inside market. Without seeing the market depth, no such strategies could be utilized. Having the dynamic market depth, including the bid and ask quantities and prices of a traded commodity aligned with and displayed below the current inside market of the commodity conveys the information to the user in a more intuitive and easily understandable manner. Trends in the trading of the commodity and other relevant characteristics are more easily identifiable by the user through the use of the present invention.

30

Various abbreviations are used in the screen displays, and specifically, in the column headings of the screen displays reproduced herein. Some abbreviations have been discussed above. A list of common abbreviations and their meanings is provided in Table 1.

**Table I - Abbreviations**

COLUMN	DESCRIPTION	COLUMN	DESCRIPTION
Month	Expiration Month/Year	TheoBid	Theoretical Bid Price
Bid Mbr(1)	Bid Member ID	TheoAsk	Theoretical Ask Price
WrkBuys(2)	Working Buys for entire Group ID	QAct	Quote Action (Sends individual quotes)
BidQty	Bid Quantity	BQQ	Test Bid Quote Quantity
ThrshBid(6)	Threshold Bid Price	BQP	Test Bid Quote Price
BidPrc	Bid Price	Mkt BQQ	Market Bid Quote Quantity
Bid Qty Accum	Accumulated Bid Quantity	Mkt BQP	Market Bid Quote Price
BidPrc Avg	Bid Price Average	Quote	Checkbox activates / deactivates contract for quoting
AskPrc Avg	Ask Price Average	Mkt AQQ	Market Ask Quote Quantity
AskQty Accum	Accumulated Ask Quantity	Mkt AQP	Market Ask Quote Price
AskPrc	Ask Price	AQP	Ask Quote Price
ThrshAsk(6)	Threshold Ask Price	AQQ	Ask Quote Quantity
AskQty	Ask Quantity	Imp BidQty(5)	Implied Bid Quantity
WrkSells(2)	Working Sells for entire Group ID	Imp BidPrc(5)	Implied Bid Price
Ask Mbr(1)	Ask Member ID	Imp AskQty(5)	Implied Ask Quantity
NetPos	Net Position	Imp AskPrc(5)	Implied Ask Price
FFNetPos	Fast Fill Net Position	Gamma(3)	Change in Delta given 1 pt change in underlying
LastPrc	Last Price	Delta(3)	Change in price given 1 pt change in underlying
LastQty	Last Quantity	Vola(3)	Percent volatility
Total	Total Traded Quantity	Vega(3)	Price change given 1% change in Vola
High	High Price	Rho(3)	Price change given 1% change in interest rate
Low	Low Price	Theta(3)	Price change for every day that elapses
Open	Opening Price	Click Trd	Activate / deactivate click trading by contract
Close	Closing Price	S (Status)	Auction, Closed, FastMkt, Not Tradable, Pre-trading, Tradable, S = post-trading
Chng	Last Price-Last Close	Expiry	Expiration Month/Year
TheoPrc	Theoretical Price		

As described herein, the display and trading method of the present invention provide the user with certain advantages over systems in which a display of market depth, as shown in Figure 2, is used. The Mercury display and trading method of the present invention ensure fast and accurate execution of trades by displaying market depth on a vertical or horizontal plane, which fluctuates logically up or down, left or right across the plane as the market prices fluctuates. This allows the trader to trade quickly and efficiently. An example of such a Mercury display is illustrated in the screen display of Figure 3.

The display of market depth and the manner in which traders trade within the market depth can be effected in different manners, which many traders will find materially better, faster and more accurate. In addition, some traders may find the display of market depth to be difficult to follow. In the display shown in Figure 2, the market depth is displayed vertically so that both Bid and Ask prices descend the grid. The Bid prices descend the market grid as the prices decrease. Ask prices also descend the market grid as these prices actually increase. This combination may be considered counterintuitive and difficult to follow by some traders.

The Mercury display overcomes this problem in an innovative and logical manner. Mercury also provides an order entry system, market grid, fill window and summary of market orders in one simple window. Such a condensed display materially simplifies the trading system by entering and tracking trades in an extremely efficient manner. Mercury displays market depth in a logical, vertical fashion or horizontally or at some other convenient angle or configuration. A vertical field is shown in the figures and described for convenience, but the field could be horizontal or at an angle. In turn, Mercury further increases the speed of trading and the likelihood of entering orders at desired prices with desired quantities. In the preferred embodiment of the invention, the Mercury display is a static vertical column of prices with the

bid and ask quantities displayed in vertical columns to the side of the price column and aligned with the corresponding bid and ask prices. An example of this display is shown in Figure 3.

5 Bid quantities are in the column 1003 labeled BidQ and ask quantities are in column 1004 labeled AskQ. The representative ticks from prices for the given commodity are shown in column 1005. The column does not list the whole prices (e.g. 95.89), but rather, just the last two digits (e.g. 89). In the example shown, the inside market, cells 1020, is 18 (best bid quantity) at 89  
10 (best bid price) and 20 (best ask quantity) at 90 (best ask price). In the preferred embodiment of the invention, these three columns are shown in different colors so that the trader can quickly distinguish between them.

The values in the price column are static; that is, they do not normally  
15 change positions unless a re-centering command is received (discussed in detail later). The values in the Bid and Ask columns however, are dynamic; that is, they move up and down (in the vertical example) to reflect the market depth for the given commodity. The LTQ column 1006 shows the last traded quantity of the commodity. The relative position of the quantity value with respect to the  
20 Price values reflects the price at which that quantity was traded. Column 1001 labeled E/W (entered/working) displays the current status of the trader's orders. The status of each order is displayed in the price row where it was entered. For example, in cells 1007, the number next to S indicates the number of the trader's ordered lots that have been sold at the price in the specific row. The  
25 number next to W indicates the number of the trader's ordered lots that are in the market, but have not been filled—i.e. the system is working on filling the order. Blanks in this column indicate that orders are entered or working at that price. In cells 1008, the number next to B indicates the number of the trader's ordered lots that have been bought at the price in the specific row. The number  
30 next to W indicates the number of the trader's ordered lots that are in the market, but have not been filled—i.e. the system is working on filling the order.

Various parameters are set and information is provided in column 1002. For example, "10:48:44" in cell 1009 shows the actual time of day. The L and R fields in cell 1010 indicate a quantity value, which may be added to the order quantity entered. This process is explained below with respect to trading under Mercury. Below the L and R fields, in cell 1011, a number appears which represents the current market volume. This is the number of lots that have been traded for the chosen contract. Cell 1012, "X 10", displays the Net Quantity, the current position of the trader on the chosen contract. The number "10" represents the trader's buys minus sells. Cell 1013 is the "Current Quantity"; this field represents the quantity for the next order that the trader will send to market. This can be adjusted with right and left clicks (up and down) or by clicking the buttons which appear below the Current Quantity in cells 1014. These buttons increase the current quantity by the indicated amount; for example, "10" will increase it by 10; "1H" will increase it by 100; "1K" will increase it by 1000. Cell 1015 is the Clear button; clicking this button will clear the Current Quantity field. Cell 1016 is the Quantity Description; this is a pull down menu allowing the trader to chose from three Quantity Descriptions. The pull down menu is displayed when the arrow button in the window is clicked. The window includes NetPos, Offset and a field allowing the trader to enter numbers. Placing a number in this field will set a default buy or sell quantity. Choosing "Offset" in this field will enable the L/R buttons of cell 1010. Choosing "NetPos" in this field will set the current Net Quantity (trader's net position) as the trader's quantity for his next trade. Cell 1017 are +/- buttons; these buttons will alter the size of the screen—either larger (+) or smaller (-). Cell 1018 is used to invoke Net 0; clicking this button will reset the Net Quantity (cell 1011) to zero. Cell 1019 is used to invoke Net Real; clicking this button will reset the Net Quantity (cell 1011) to its actual position.

The inside market and market depth ascend and descend as prices in the market increase and decrease. For example, Figure 4 shows a screen displaying the same market as that of Figure 3 but at a later interval where the inside market, cells 1101, has risen three ticks. Here, the inside market for the

commodity is 43 (best bid quantity) at 92 (best bid price) and 63 (best ask quantity) at 93 (best ask price). In comparing Figures 3 and 4, it can be seen that the price column remained static, but the corresponding bids and asks rose up the price column. Market Depth similarly ascends and descends the price column, leaving a vertical history of the market.

As the market ascends or descends the price column, the inside market might go above or below the price column displayed on a trader's screen. Usually a trader will want to be able to see the inside market to assess future trades. The system of the present invention addresses this problem with a one click centering feature. With a single click at any point within the gray area, 1021, below the "Net Real" button, the system will re-center the inside market on the trader's screen. Also, when using a three-button mouse, a click of the middle mouse button, irrespective of the location of the mouse pointer, will re-center the inside market on the trader's screen.

The same information and features can be displayed and enabled in a horizontal fashion. Just as the market ascends and descends the vertical Mercury display shown in Figures 3 and 4, the market will move left and right in the horizontal Mercury display. The same data and the same information gleaned from the dynamical display of the data is provided. It is envisioned that other orientations can be used to dynamically display the data and such orientations are intended to come within the scope of the present invention.

Next, trading commodities, and specifically, the placement of trade orders using the Mercury display is described. Using the Mercury display and trading method, a trader would first designate the desired commodity and, if applicable, the default quantities. Then he can trade with single clicks of the right or left mouse button. The following equations are used by the system to generate trade orders and to determine the quantity and price to be associated with the trade order. The following abbreviations are used in these formulas: P = Price value of row clicked, R = Value in R field, L = Value in L field, Q

= Current Quantity,  $Q_a$  = Total of all quantities in AskQ column at an equal or better price than P,  $Q_b$  = Total of all quantities in BidQ column at an equal or better price than P, N = Current Net Position, Bo = Buy order sent to market and So = Sell order sent to market.

5

Any order entered using right mouse button

$Bo = (Q_a + R)P$  (Eq. 1) If BidQ field clicked.

$So = (Q_b + R)P$  (Eq. 2) If AskQ field clicked.

10

Orders entered using the left mouse button

If "Offset" mode chosen in Quantity Description field then:

$Bo = (Q_a + L)P$  (Eq. 3) If BidQ field clicked.

$So = (Q_b + L)P$  (Eq. 4) If AskQ field clicked.

If "number" mode chosen in Quantity Description field then:

15

$Bo = QP$  (Eq. 5)

$So = QP$  (Eq. 6)

If "NetPos" mode chosen in Quantity Description field then:

$Bo = NP$  (Eq. 7)

$So = NP$  (Eq. 8)

20

Orders can also be sent to market for quantities that vary according to the quantities available in the market; quantities preset by the trader; and which mouse button the trader clicks. Using this feature, a trader can buy or sell all of the bids or asks in the market at or better than a chosen price with one click.

25

The trader could also add or subtract a preset quantity from the quantities outstanding in the market. If the trader clicks in a trading cell—i.e. in the BidQ or AskQ column, he will enter an order in the market. The parameters of the order depend on which mouse button he clicks and what preset values he set.

30

Using the screen display and values from Figure 5, the placement of trade orders using the Mercury display and trading method is now described using examples. A left click on the 18 in the BidQ column 1201 will send an

order to market to sell 17 lots (quantity # chosen on the Quantity Description pull down menu cell 1204) of the commodity at a price of 89 (the corresponding price in the Prc column 1203). Similarly, a left click on the 20 in the AskQ column 1202 will send an order to market to buy 17 lots at a price of 90.

5

Using the right mouse button, an order would be sent to market at the price that corresponds to the row clicked for the total quantity of orders in the market that equal or better the price in that row plus the quantity in the R field 1205. Thus, a right click in the AskQ column 1202 in the 87 price row will send a sell order to market at a price of 87 and a quantity of 150. 150 is the sum of all the quantities 30, 97, 18 and 5. 30, 97 and 18 are all of the quantities in the market that would meet or better the trader's sell order price of 87. These quantities are displayed in the BidQ column 1201 because this column represents the orders outstanding in the market to purchase the commodity at each corresponding price. The quantity 5 is the quantity pre-set in the R field 1205.

Similarly, a right click in the BidQ column 1201 at the same price level of 87 would send a buy limit order to market for a quantity of 5 at a price of 87. The quantity is determined in the same manner as above. In this example, though, there are no orders in the market that equal or better the chosen price - there are no quantities in the AskQ column 1202 that equal or better this price. Therefore, the sum of the equal or better quantities is zero ("0"). The total order entered by the trader will be the value in the R field, which is 5.

25

An order entered with the left mouse button and the "Offset" option chosen in the quantity description field 1204 will be calculated in the same way as above, but the quantity in the L field 1206 will be added instead of the quantity in the R field 1205. Thus, a left click in the BidQ column 1201 in the 92 price row will send a buy order to market at a price of 92 and a quantity of 96. 96 is the sum of all the quantities 45, 28, 20 and 3. 45, 28 and 20 are all quantities in the market that would meet or better the trader's buy order price of

92. These quantities are displayed in the AskQ column 1202 because this column represents the orders outstanding in the market to sell the commodity at each corresponding price. The quantity 3 is the quantity pre-set in the L field 1206.

5

The values in the L or R fields may be negative numbers. This would effectively decrease the total quantity sent to market. In other words, in the example of a right click in the AskQ column 1202 in the 87 price row, if the R field was -5, the total quantity sent to market would be 140 (30 + 97 + 18 +  
10 (-5)).

If a trader chose the "NetPos" option in the quantity description field 1204, a right click would still work as explained above. A left click would enter an order with a price corresponding to the price row clicked and a  
15 quantity equal to the current Net position of the trader. The Net position of the trader is the the trader's current position on the chosen contract. In other words, if the trader has bought 10 more contracts than he has sold, this value would be 10. NetPos would not affect the quantity of an order sent with a right  
20 click.

20

If the trader chose a number value in the quantity description, a left click would send an order to market for the current quantity chosen by the trader. The default value of the current quantity will be the number entered in the quantity description field, but it could be changed by adjusting the figure in the  
25 current quantity field 1204.

This embodiment of the invention also allows a trader to delete all of his working trades with a single click of either the right or left mouse button anywhere in the last traded quantity (LTQ) column 1207. This allows a trader  
30 to exit the market immediately. Traders will use this feature when they are losing money and want to stop the losses from piling up. Traders may also use this feature to quickly exit the market upon making a desired profit. The

invention also allows a trader to delete all of his orders from the market at a particular price level. A click with either mouse button in the Entered/Working (E/W) column 1208 will delete all working orders in the cell that was clicked. Thus, if a trader believes that previously sent orders at a particular price that have not been filled would be poor trades, he can delete these orders with a single click.

The process for placing trade orders using the Mercury display and trading method of the present invention as described above is shown in the flowchart of Figure 6. First, in step 1301, the trader has the Mercury display on the trading terminal screen showing the market for a given commodity. In step 1302, the parameters are set in the appropriate fields, such as the L and R fields and the Current Quantity, NetPos or Offset fields from the pull down menu. In step 1303, the mouse pointer is positioned and clicked over a cell in the Mercury display by the trader. In step 1304, the system determines whether the cell clicked is a tradeable cell (i.e. in the AskQ column or BidQ column). If not, then in step 1305, no trade order is created or sent and, rather, other quantities are adjusted or functions are performed based upon the cell selected. Otherwise, in step 1306, the system determines whether it was the left or the right button of the mouse that was clicked. If it was the right, then in step 1307, the system will use the quantity in the R field when it determines the total quantity of the order in step 1310. If the left button was clicked, then in step 1308, the system determines which quantity description was chosen: Offset, NetPos or an actual number.

If Offset was chosen, then the system, in step 1309, will use the quantity in the L field when it determines the total quantity of the order in step 1310. If NetPos was chosen, then the system, in step 1312, will determine that the total quantity for the trade order will be current NetPos value, i.e. the net position of the trader in the given commodity. If an actual number was used as the quantity description, then, in step 1311, the system will determine that the total quantity for the trade order will be the current quantity entered. In step 1310,

the system will determine that the total quantity for the trade order will be the value of the R field (if step 1307 was taken) or the value of the L field (if step 1309 was taken) plus all quantities in the market for prices better than or equal to the price in the row clicked. This will add up the quantities for each order in  
5 the market that will fill the order being entered by the trader (plus the L or R value).

After either steps 1310, 1311 or 1312, the system, in step 1313, determines which column was clicked, BidQ or AskQ. If AskQ was clicked,  
10 then, in step 1314, the system sends a sell limit order to the market at the price corresponding to the row for the total quantity as already determined. If BidQ was clicked, then, in step 1315, the system sends a buy limit order to the market at the price corresponding to the row for the total quantity as already determined.

15

It should be understood that the above description of the invention and specific examples, while indicating preferred embodiments of the present invention, are given by way of illustration and not limitation. Many changes and modifications within the scope of the present invention may be made  
20 without departing from the spirit thereof, and the present invention includes all such changes and modifications.

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We Claim:

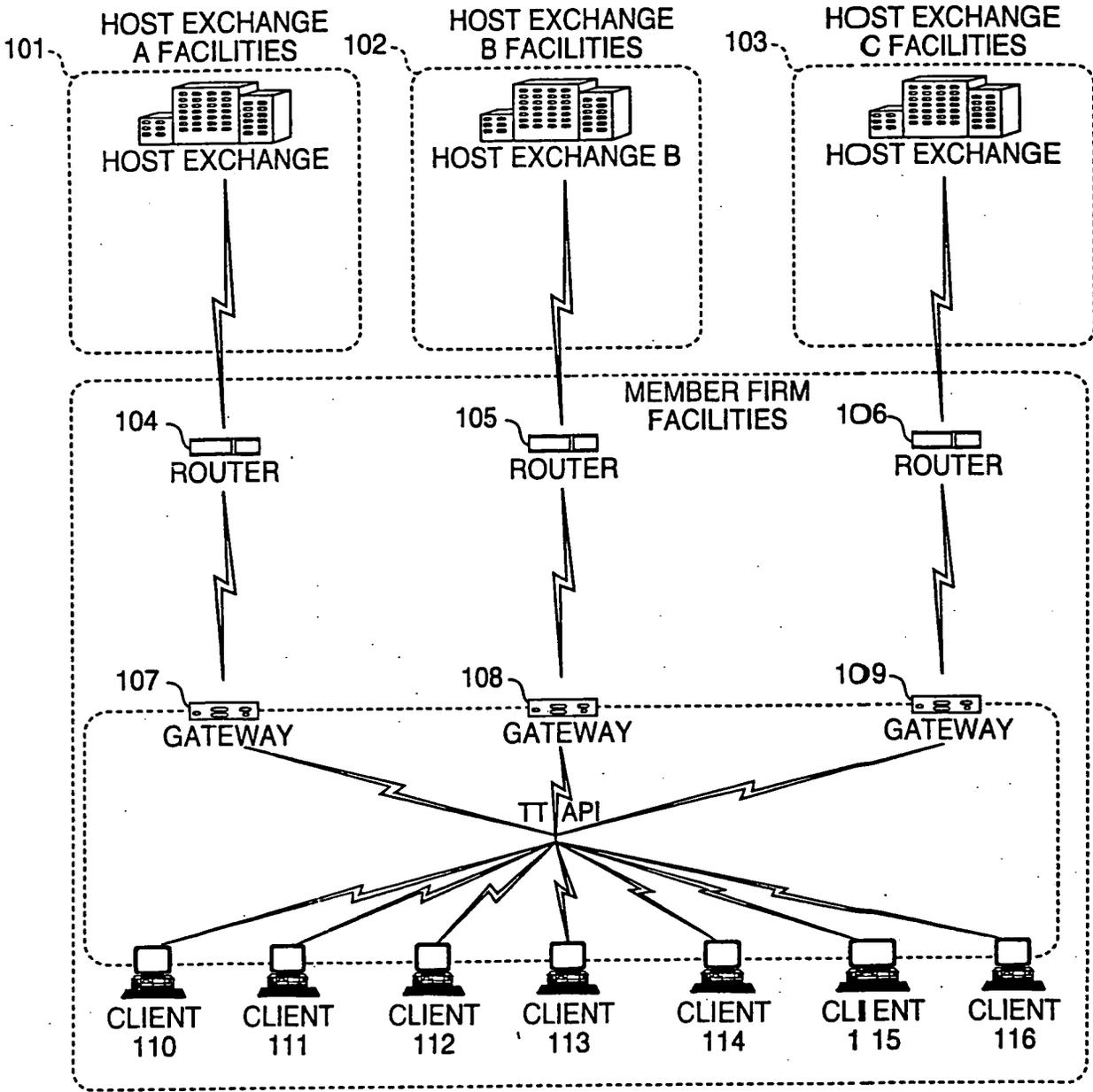
1. A method of displaying, on an electronic display device, the market depth of a commodity traded in a market, said method comprising:
  - dynamically displaying a plurality of bids in the market for said commodity;
  - dynamically displaying of a plurality of asks in the market for said commodity; and
  - statically displaying prices corresponding to said plurality of bids and asks;wherein said pluralities of bids and asks are dynamically displayed in alignment with the prices corresponding thereto.

Abstract of the Invention

A method and system for reducing the time it takes for a trader to place a trade when electronically trading on an exchange, thus increasing the  
5 likelihood that the trader will have orders filled at desirable prices and quantities. The "Mercury" display and trading method of the present invention ensure fast and accurate execution of trades by displaying market depth on a vertical or horizontal plane, which fluctuates logically up or down, left or right across the plane as the market prices fluctuates. This allows the trader to trade  
10 quickly and efficiently.

FIG. 1

CONNECTION TO MULTIPLE EXCHANGES



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FIG. 2

	201	202	203	204	205				
	Contract	Depth	BidQty	BidPrc	AskPrc	AskQty	LastPrc	LastQty	Total
1	CDHO	•	785	7626	7627	21	7627	489	8230
2			626	7625	7629	815			
3			500	7624	7630	600			
4			500	7623	7631	2456			
5			200	7622	7632	800			

FIG. 3

SYCOM FGBL DEC99						
E/W	10:48:44		BidQ	AskQ	Prc	LtQ
1009	L	3		104	99	
1010	R	5		24	98	
1011	720			33	97	
1012	X	10		115	96	
1013	0			32	95	
1014	10	1H		27	94	
	50	3H		63	93	
1007	S 0 W 24	1K 5H		45	92	
	S 0 W 7	CLR		28	91	
1015	X	10		20	90	10
1016	17			18	89	
1008	B 0 W 15	CXL	18		88	
	B 0 W 13	+ -	97		87	
1017	NET 0		30		86	
1018	B 0 W 17	NET REAL	43		85	
1019			110		84	
			23		83	
			31		82	
1021			125		81	
			21			

**FIG. 4**

SYCOM FGBL DEC99						-	□	×
E/W	10:48:44		BidQ	AskQ	Prc	LTQ		
	L	3		104	99			
	R	5		24	98			
	720			33	97			
	×	10		115	96			
	0			32	95			
	10	1H		27	94			
	50	3H		63	93	10		
S 10 W 14	1K	5H		43	92			
	CLR		43		91			
	×	10	125		90			
	17	▼	97		89			
B 0 W 15	CXL		18		88			
B 0 W 13	+	-	97		87			
	NET 0		30		86			
			43		85			
B 0 W 17	NET REAL		110		84			
			23		83			
			31		82			
			125		81			
			21					

1101



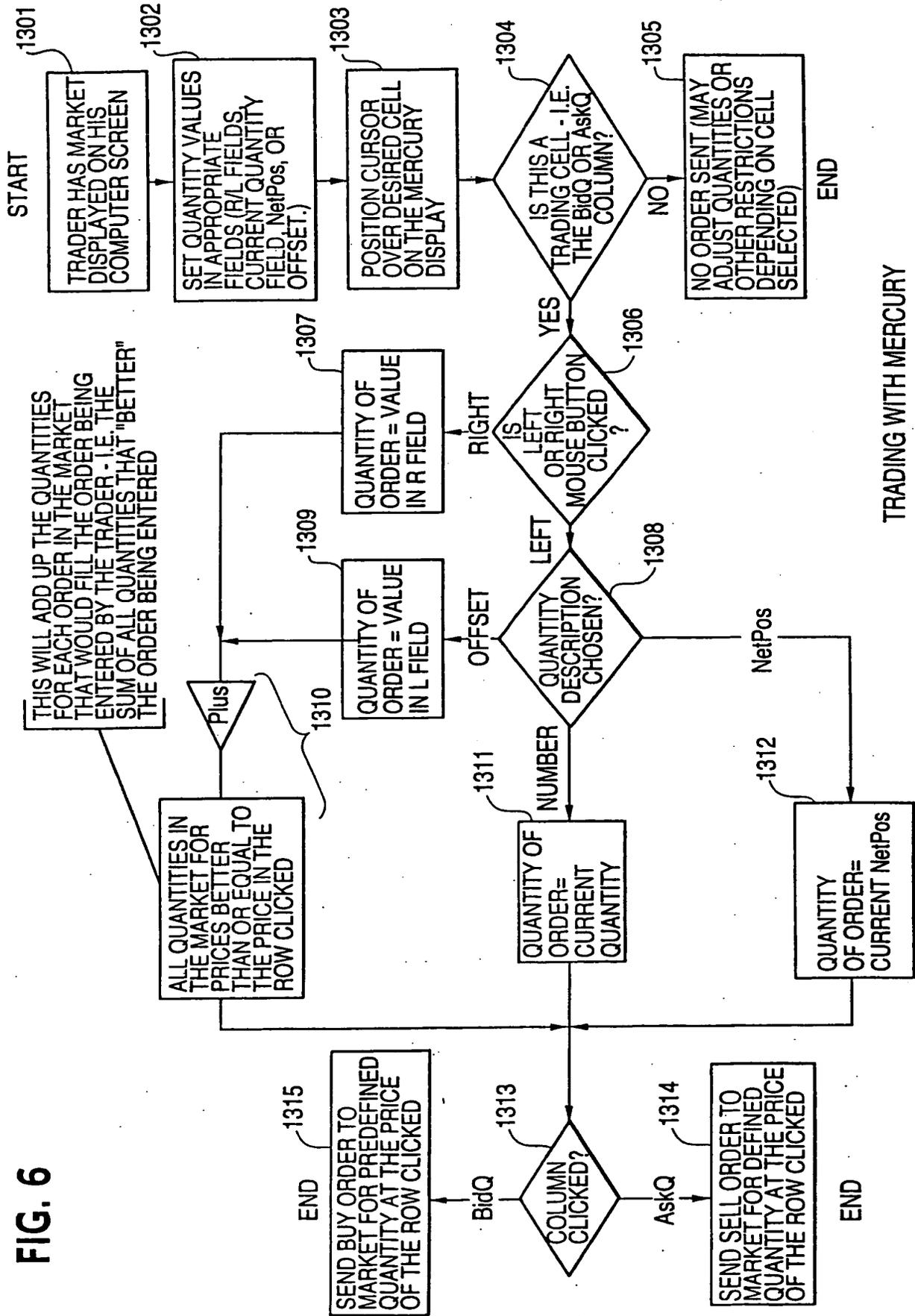


FIG. 6

TRADING WITH MERCURY

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH

(Attorney Docket No. 024051/0135)

the specification of which (check one)

     is attached hereto.

  X   was filed on   June 9, 2000   as United States Application Number or PCT International Application Number   09/590692   and was amended on          (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/186,322	March 2, 2000

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,874
JOHN J. FELDHAUS	Reg. No. 28,822
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JOHN P. ISACSON	Reg. No. 33,715
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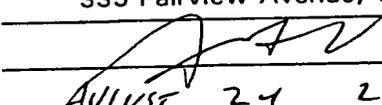
and I request that all correspondence be directed to:

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Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Date	AUGUST 24, 2000

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Date

August 125 / 2000

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Inventor's signature

*H Brumfield*

Date

8/19/00

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875 Effective December 8, 2004

Application or Docket Number

11585907

**APPLICATION AS FILED - PART I**

FOR	NUMBER FILED (Column 1)	NUMBER EXTRA (Column 2)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(d), (e), or (j))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(i))	1	minus 20 = 4
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1	minus 3 = 9
APPLICATION SIZE FEE (37 CFR 1.16(e))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

SMALL ENTITY

RATE (\$)	FEE (\$)
N/A	150.00
N/A	\$250
N/A	\$100
X\$ 25 =	
X100 =	
+180=	
TOTAL	

OR OTHER THAN SMALL ENTITY

RATE (\$)	FEE (\$)
N/A	300.00
N/A	\$500
N/A	\$200
X\$50 =	
X200 =	
+360=	
TOTAL	1000

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED - PART II**

AMENDMENT A

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)		HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)
Total (37 CFR 1.16(j))		Minus	**	=
Independent (37 CFR 1.16(k))		Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

AMENDMENT B

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)		HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)
Total (37 CFR 1.16(j))		Minus	**	=
Independent (37 CFR 1.16(k))		Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

- \* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

10/26/2006 BABRAHA1 00000008 11585907

01 FC:1011	300.00 DP
02 FC:1111	500.00 DP
03 FC:1311	200.00 DP

PTO-1556  
(5/87)

U.S. Government Printing Office: 2002 — 489-267/89033

**Application Data Sheet**

**Application Information**

**Application Type::** Continuation  
**Subject Matter::** Utility  
**Suggested classification::**  
**Suggested Group Art Unit::** 3624  
**CD-ROM or CD-R?::** None  
**Computer Readable Form (CRF)?::** No  
**Title::** CLICK BASED TRADING WITH INTUITIVE  
GRID DISPLAY OF MARKET DEPTH  
**Attorney Docket Number::** 024051-0228  
**Request for Early Publication?::** No  
**Request for Non-Publication?::** No  
**Suggested Drawing Figure::** 1  
**Total Drawing Sheets::** 6  
**Small Entity?::** No  
**Petition included?::** No  
**Secrecy Order in Parent Appl.?::** No

**Applicant Information**

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**Family Name::** BRUMFIELD  
**City of Residence::** Chicago  
**State or Province of Residence::** IL  
**Country of Residence::** US  
**Street of mailing address::** 1840 Cleveland Avenue

**City of mailing address::** Chicago  
**State or Province of mailing address::** IL  
**Postal or Zip Code of mailing address::** 60614-5206

**Correspondence Information**

**Correspondence Customer Number::** 22428  
**E-Mail address::** PTOMailWashington@foley.com

**Representative Information**

<b>Representative Customer Number::</b>	22428	
---	-------	--

**Domestic Priority Information**

<b>Application::</b>	<b>Continuity Type::</b>	<b>Parent Application::</b>	<b>Parent Filing Date::</b>
This Application	Continuation of	11/415,163	5/2/2006
11/415,163	Continuation of	10/237,131	9/9/2002
10/237,131	Continuation of	09/590,692	6/9/2000
09/590,692	An application claiming the benefit under 35 USC 119(e)	60/186,322	3/2/2000

**Foreign Priority Information**

<b>Country::</b>	<b>Application number::</b>	<b>Filing Date::</b>	<b>Priority Claimed::</b>

**Assignee Information**

**Assignee Name::**

Trading Technologies International, Inc.

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Gary Allan KEMP et al.  
Title: CLICK BASED TRADING  
WITH INTUITIVE GRID  
DISPLAY OF MARKET DEPTH  
Appl. No.: Unassigned  
Filing Date: 10/25/2006  
Examiner: Unassigned  
Art Unit: Unassigned  
Confirmation Number: Unassigned

**PRELIMINARY AMENDMENT UNDER 37 CFR 1.115**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination of the present Continuing Application, Applicant respectfully requests that the application be amended as follows:

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Remarks/Arguments** begin on page 4 of this document.

Please amend the application as follows:

**Amendments to the Specification:**

Please amend the specification as follows:

Please replace paragraph starting at page 1, line 4, with the following rewritten paragraph:

The present application is a continuation of 11/415,163, filed May 2, 2006, which is a continuation of 10/237,131, filed September 9, 2002, which is a continuation of 09/590,692, filed June 9, 2000, which is now U.S. patent no. 6,772,132, issued August 3, 2004, which claims priority to a U.S. provisional application 60/186,322, filed March 2, 2000, the contents of which are incorporated herein by reference.

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1. (Original) A method of displaying, on an electronic display device, the market depth of a commodity traded in a market, said method comprising:

dynamically displaying a plurality of bids in the market for said commodity;

dynamically displaying of a plurality of asks in the market for said commodity; and

statically displaying prices corresponding to said plurality of bids and asks;

wherein said pluralities of bids and asks are dynamically displayed in alignment with the prices corresponding thereto.

Claims 2-40. (Cancelled)

**REMARKS**

Applicant respectfully requests that the foregoing amendments be made prior to examination of the present application.

In the specification, paragraphs have been amended on pages 1 to incorporate the cross-reference information.

Claims 2-40 are requested to be cancelled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Applicant believes that the present application is now in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 10/25/06

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6002  
Facsimile: (202) 672-5399

Marc K. Weinstein  
Attorney for Applicant  
Registration No. 43,250

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875 Effective December 8, 2004

Application or Docket Number

11585907

**APPLICATION AS FILED - PART I**

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.18(a), (b), or (c))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(d), (e), or (f))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(g))	1 minus 20 =	4
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 =	9
APPLICATION SIZE FEE (37 CFR 1.16(i))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**SMALL ENTITY**

OR

**OTHER THAN SMALL ENTITY**

RATE (\$)	FEE (\$)
N/A	150.00
N/A	\$250
N/A	\$100
X\$ 25 =	
X100 =	
+180=	
TOTAL	

OR

RATE (\$)	FEE (\$)
N/A	300.00
N/A	\$500
N/A	\$200
X\$50 =	
X200 =	
+360=	
TOTAL	1000

**APPLICATION AS AMENDED - PART II**

10/25/06 (Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	1	Minus	20
Independent (37 CFR 1.16(k))	1	Minus	3	= 0
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

**SMALL ENTITY**

OR

**OTHER THAN SMALL ENTITY**

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

OR

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))		Minus	
Independent (37 CFR 1.16(k))		Minus		=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

OR

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

- If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments regarding the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 8 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY.DOCKET.NO, DRAWINGS, TOT CLAIMS, IND CLAIMS. Row 1: 11/585,907, 10/25/2006, 3624, 1000, 024051-0228, 6, 1, 1

CONFIRMATION NO. 8200

FILING RECEIPT

22428
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC20007

Date Mailed: 11/09/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gary Allan Kemp II, Winnetka, IL;
Jens-Uwe Schluetter, Evanston, IL;
Harris Brumfield, Chicago, IL;

Assignment For Published Patent Application

Trading Technologies International, Inc.

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 11/415,163 05/02/2006
which is a CON of 10/237,131 09/09/2002 ABN
which is a CON of 09/590,692 06/09/2000 PAT 6,772,132
which claims benefit of 60/186,322 03/02/2000

Foreign Applications

If Required, Foreign Filing License Granted: 11/09/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US11/585,907

Projected Publication Date: 02/15/2007

Non-Publication Request: No

Early Publication Request: No

**Title**

Click based trading with intuitive grid display of market depth

**Preliminary Class**

705

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under

37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

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Dfw

Atty. Dkt. No. 024051-0228

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gary Allan KEMP et al.  
Title: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH  
Appl. No.: 11/585,907  
Filing Date: October 25, 2006  
Examiner: Unassigned  
Art Unit: 3624  
Confirmation No.: 8200

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 11/415,163, filed May 2, 2006. As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

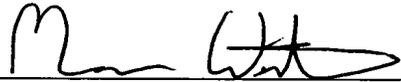
All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

Although Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: February 7, 2007

By 

FOLEY & LARDNER LLP

**Customer Number: 22428**

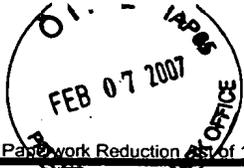
Telephone: (202) 945-6002

Facsimile: (202) 672-5399

Marc K. Weinstein

Attorney for Applicants

Registration No. 43,250



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<p style="text-align: center;"><b>Information for form 1449/PTO</b></p> <p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p style="text-align: center;">Date Submitted: February 7, 2007</p> <p style="text-align: center;">(use as many sheets as necessary)</p>	<p><b>Complete if Known</b></p>												
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Application Number</td> <td>11/585,907</td> </tr> <tr> <td>Filing Date</td> <td>10/25/2006</td> </tr> <tr> <td>First Named Inventor</td> <td>Gary Allan KEMP II et al.</td> </tr> <tr> <td>Art Unit</td> <td>3624</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>024051-0228</td> </tr> </table>	Application Number	11/585,907	Filing Date	10/25/2006	First Named Inventor	Gary Allan KEMP II et al.	Art Unit	3624	Examiner Name	Unassigned	Attorney Docket Number	024051-0228
Application Number	11/585,907												
Filing Date	10/25/2006												
First Named Inventor	Gary Allan KEMP II et al.												
Art Unit	3624												
Examiner Name	Unassigned												
Attorney Docket Number	024051-0228												
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Sheet</td> <td style="width:10%; text-align: center;">1</td> <td style="width:10%; text-align: center;">of</td> <td style="width:10%; text-align: center;">4</td> </tr> </table>	Sheet	1	of	4									
Sheet	1	of	4										

U.S. PATENT DOCUMENTS					
EXAMINER INITIALS*	CITE NO. <sup>1</sup>	DOCUMENT NUMBER	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
		NUMBER-KIND CODE <sup>2</sup> (IF KNOWN)			
	A1	2002/0055899	05-09-2002	Williams	
	A2	2002/0023038	02-21-2002	Fritsch et al.	
	A3	2002/0138401	09-26-2002	Allen et al.	
	A4	5,038,284	08-06-1991	Kramer	
	A5	5,297,031	03-22-1994	Gutterman et al.	
	A6	5,689,651	11-18-1997	Lozman	
	A7	5,774,877	06-30-1998	Patterson, Jr. et al.	
	A8	5,793,301	08-11-1998	Patterson, Jr. et al.	
	A9	5,797,002	08-18-1998	Patterson, Jr. et al.	
	A10	5,845,266	12-01-1998	Lupien et al.	
	A11	5,915,245	06-22-1999	Patterson, Jr. et al.	
	A12	5,924,082	07-13-1999	Silverman et al.	
	A13	5,963,923	10-05-1999	Garber	
	A14	6,012,046	01-04-2000	Lupien et al.	
	A15	6,014,643	01-11-2000	Minton	
	A16	6,098,051	08-01-2000	Lupien et al.	
	A17	6,131,087	10-10-2000	Luke et al.	
	A18	6,134,535	10-17-2000	Belzberg	
	A19	6,195,647	02-27-2001	Martyn et al.	
	A20	6,272,474	08-07-2001	Garcia	
	A21	6,278,982	08-21-2001	Korhammer et al.	
	A22	6,282,521	08-28-2001	Howorka	
	A23	4,674,044	06-16-1987	Kalmus et al.	
	A24	4,750,135	06-07-1988	Boilen	
	A25	5,270,922	12-14-1993	Higgins	
	A26	5,297,032	03-22-1994	Trojan et al.	
	A27	5,924,083	07-13-1999	Silverman et al.	
	A28	6,014,643	01-11-2000	Minton	
	A29	4,903,201	02-20-1990	Wagner	
	A30	5,297,032	03-22-1994	Trojan et al.	
	A31	5,077,665	12-31-1991	Silverman et al.	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>  Date Submitted: February 7, 2007 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	11/585,907
Sheet      2      of      4				Filing Date	10/25/2006
				First Named Inventor	Gary Allan KEMP II et al.
				Art Unit	3624
				Examiner Name	Unassigned
				Attorney Docket Number	024051-0228

U.S. PATENT DOCUMENTS					
EXAMINER INITIALS*	CITE No. <sup>1</sup>	DOCUMENT NUMBER	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
		NUMBER-KIND CODE <sup>2</sup> (IF KNOWN)			
	A32	5,101,353	03-31-1992	Lupien et al.	
	A33	5,136,501	08-04-1992	Silverman et al.	
	A34	5,946,667	08-31-1999	Tull, Jr. et al.	
	A35	6,035,287	03-07-2000	Stallaert et al.	
	A36	6,408,282	06-18-2002	Buist	

FOREIGN PATENT DOCUMENTS						
EXAMINER INITIALS*	CITE No. <sup>1</sup>	FOREIGN PATENT DOCUMENT	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENTS	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T <sup>6</sup>
		COUNTRY CODE <sup>3</sup> -NUMBER <sup>2</sup> -KIND CODE <sup>5</sup> (IF KNOWN)				
	A37	WO 99/30259	06-17-1999	Nippon Steel Corporation		
	A38	WO 00/65510	11-02-2000	Disraeli		
	A39	WO 01/16830	03-08-2001	Hausman		
	A40	WO 01/16852	03-08-2001	Friesen		
	A41	WO 01/22315	03-29-2001	Zeigler et al.		
	A42	WO 01/88808	11-22-2001	Peterson et al.		
	A43	WO 95/26005	09-28-1995	Belzberg		
	A44	WO 98/49639	11-05-1998	Lawrie		
	A45	WO 99/19821	04-22-1999	Derivatives Net, Inc.		
	A46	WO 99/53424	10-21-1999	Impink		
	A47	WO 00/52619	09-08-2000	WIT Capital Corporation		
	A48	WO 00/62187	10-19-2000	Epit Inc.		

NON PATENT LITERATURE DOCUMENTS						
EXAMINER INITIALS*	CITE No. <sup>1</sup>	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS), TITLE OF THE ARTICLE (WHEN APPROPRIATE), TITLE OF THE ITEM (BOOK, MAGAZINE, JOURNAL, SERIAL, SYMPOSIUM, CATALOG, ETC.) DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, CITY AND/OR COUNTRY WHERE PUBLISHED.				T <sup>6</sup>
			A49	www.tradingtechnologies.com/products/xtrade_full.html (viewed 5/22/2001).		
	A50	KHAROUF, "A trading room with a view," <i>Fututes</i> , 27, 11, 11/1998.				
	A51	USPTO Presentation, NASDAQ, November 8, 2001, enclosed pages 1-13.				
	A52	Tokyo Stock Exchange, Publication 1, "Next-Generation Futures Options Trading System" (participants seminar materials), September 1997				

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: February 7, 2007 (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	11/585,907	
			Filing Date	10/25/2006	
			First Named Inventor	Gary Allan KEMP II et al.	
			Art Unit	3624	
			Examiner Name	Unassigned	
Sheet	3	of	4	Attorney Docket Number	024051-0228

NON PATENT LITERATURE DOCUMENTS			
EXAMINER INITIALS*	CITE No. <sup>1</sup>	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS), TITLE OF THE ARTICLE (WHEN APPROPRIATE), TITLE OF THE ITEM (BOOK, MAGAZINE, JOURNAL, SERIAL, SYMPOSIUM, CATALOG, ETC.) DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, CITY AND/OR COUNTRY WHERE PUBLISHED.	T <sup>6</sup>
	A53	English Translation of Tokyo Stock Exchange, Publication 1, "Next-Generation Futures Options Trading System" (participants seminar materials), September 1997	
	A54	REFCO English Translation of Tokyo Stock Exchange, Publication 1, "Next-Generation Futures Options Trading System" (participants seminar materials), September 1997	
	A55	Tokyo Stock Exchange, Publication 2, "Futures/Options Trading System Guidelines for Operating the Trading Terminals", August 1998	
	A56	English Translation of Tokyo Stock Exchange, Publication 2, "Futures/Options Trading System Guidelines for Operating the Trading Terminals", August 1998	
	A57	REFCO English Translation of Tokyo Stock Exchange, Publication 2, "Futures/Options Trading System Guidelines for Operating the Trading Terminals", August 1998	
	A58	Tokyo Stock Exchange, Document 1, "Downloading the Terminal Program and Sending the Replacement for the Guidelines for Operating the Trading Terminals", January 2000	
	A59	English Translation of Tokyo Stock Exchange, Document 1, "Downloading the Terminal Program and Sending the Replacement for the Guidelines for Operating the Trading Terminals", January 2000	
	A60	Tokyo Stock Exchange, Publication 3, "Tokyo Stock Exchange 50 <sup>th</sup> Anniversary Book of Materials", July 31, 2000	
	A61	English Translation of Tokyo Stock Exchange, Publication 3, "Tokyo Stock Exchange 50 <sup>th</sup> Anniversary Book of Materials", July 31, 2000	
	A62	REFCO English Translation Tokyo Stock Exchange, Publication 3, "Tokyo Stock Exchange 50 <sup>th</sup> Anniversary Book of Materials", July 31, 2000	
	A63	English Translation of Tokyo Stock Exchange Offer Form, April 18, 2005	
	A64	Information Offer Form, April 18, 2005	
	A65	Notification of Information Offer Form, June 3, 2005	
	A66	"APT: A trading system for the future," The London International Financial Futures Exchange (LIFFE), 1990, 11 pages.	
	A67	Trading Screen, INTEX of Bermuda, 1984, one page.	
	A68	B.W. WEBER, "Information Technology in the Major International Financial Markets," Stern School of Business, New York University, April 7, 1993, pp. 1-43.	
	A69	Trading Screen, TIFFE Exchange, circa 1989-1990, one page.	
	A70	Trading Screen, MEFF Exchange, 1990, one page.	
	A71	C. CAVALETTI, "Order Routing.," FUTURES MAGAZINE, February 1997, pp. 68-70.	
	A72	"AURORA: The most technologically advanced trading system available today," Chicago Board of Trade, 1989, 11 pages.	
	A73	"One Click Trading Options," Trading Technologies, Inc., 1998, one page.	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: February 7, 2007 (use as many sheets as necessary)			<b>Complete if Known</b>	
			Application Number	11/585,907
Sheet			Filing Date	10/25/2006
			First Named Inventor	Gary Allan KEMP II et al.
			Art Unit	3624
			Examiner Name	Unassigned
			Attorney Docket Number	024051-0228
4	of	4		

NON PATENT LITERATURE DOCUMENTS			
EXAMINER INITIALS*	CITE NO. <sup>1</sup>	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS), TITLE OF THE ARTICLE (WHEN APPROPRIATE), TITLE OF THE ITEM (BOOK, MAGAZINE, JOURNAL, SERIAL, SYMPOSIUM, CATALOG, ETC.) DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, CITY AND/OR COUNTRY WHERE PUBLISHED.	T <sup>6</sup>
	A74	Trading Screen, SWX Exchange, 1990, two pages.	
	A75	"Expanding futures and options trading around the world, around the clock," GLOBEX, 1989, 48 pages.	
	A76	S. HANSELL, "The computer that ate Chicago," INSTITUTIONAL INVESTOR, February 1989, 5 pages.	
	A77	"Sydney Futures Exchange Announces Plans to Join GLOBEX," GLOBEX REPORT: An Update on the CME global electronic exchange, Vol. II, No. 2, February 10, 1989, 4 pages.	
	A78	New York Mercantile Exchange (NYMEX) Access Documents, February 28, 1992, 413 pages.	
	A79	The Computer Assisted Trading System (CATS) Traders' Manual, Toronto Stock Exchange, September 30, 1977, 142 pages.	
	A80	Market Watch trading screen, date not available, 1 page.	
	A81	GRUMMER et al., "Preliminary Feasibility Study," Bermudex Ltd., November 1980, 100 pages.	
	A82	PEAKE et al., Appendix C of Preliminary Feasibility Study, "The ABCs of trading on a national market system," Bermudex Ltd., September 1997, 16 pages.	
	A83	J.W. PEAKE, Appendix E of Preliminary Feasibility Study, "The last fifteen meters," Bermudex Ltd., June 15, 1997, 18 pages.	
	A84	Declaration of Brendan Bradley in Case No. 04 C 5312, November 18, 2004, 27 pages.	
	A85	Memorandum Opinion and Order of Judge James B. Moran in Case No. 04 C 5312, February 9, 2005, 22 pages.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/585,907	10/25/2006	Gary Allan Kemp II	024051-0228

**CONFIRMATION NO. 8200**

22428  
FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC20007

**Title:** Click based trading with intuitive grid display of market depth

**Publication No.** US-2007-0038556-A1

**Publication Date:** 02/15/2007

### NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 703-305-3028.

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Pre-Grant Publication Division, 703-605-4283



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary Allan KEMP II et al.
Title: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH
Appl. No.: 11/585,907
Filing Date: 10/25/2006
Examiner: Unassigned
Art Unit: 3624
Confirmation No.: 8200

AMENDMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
[ ] Assertion of Small Entity status is enclosed.
[ X ] The fee required for additional claims is calculated below:

Table with 5 columns: Claims As Amended, Previously Paid For, Extra Claims Present, Rate, Additional Claims Fee. Rows include Total Claims, Independent Claims, and CLAIMS FEE TOTAL.

- [ ] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

Table with 3 columns: Description, Amount, Fee. Rows include Extension for response filed within the first month through fifth month, Statutory Disclaimer Fee, and TOTAL FEE.

A credit card payment form in the amount of \$700.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 13, 2007

By Phillip J. Articola

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5300  
Facsimile: (202) 672-5399

William T. Ellis  
Registration No. 26,874  
Phillip J. Articola  
Registration No. 38,819



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gary Allan KEMP et al.  
Title: CLICK BASED TRADING WITH INTUITIVE GRID  
DISPLAY OF MARKET DEPTH  
Appl. No.: 11/585,907  
Filing Date: 10/25/2006  
Examiner: Unassigned  
Art Unit: 3624  
Confirmation No.: 8200

**SECOND PRELIMINARY AMENDMENT UNDER 37 C.F.R. 1.115**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination of the present Continuing Application, Applicant respectfully requests that the application be amended as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 9 of this document.

Please amend the application as follows:

07/16/2007 DEMMANU1 00000061 11585907

01 FC:1202

700.00 0P

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-40. (Cancelled).

41. (New) A method of displaying market information relating to and facilitating trading of a commodity being traded on an electronic exchange, the method comprising:

receiving market information for a commodity from an electronic exchange, the market information comprising an inside market with a current highest bid price and a current lowest ask price;

displaying a bid display region comprising a plurality of locations, each location in the bid display region corresponding to a different price level of the plurality of price levels;

displaying an ask display region comprising a plurality of locations, each location in the ask display region corresponding to a different price level of the plurality of price levels;

dynamically displaying a first indicator representing quantity associated with at least one trade order to buy the commodity at the current highest bid price in a first location of the plurality of locations in the bid display region, the first location corresponding to a price level associated with the current highest bid price;

upon receipt of market information comprising a new highest bid price, displaying the first indicator at a second location of the plurality of locations in the bid display region, the second location corresponding to a price level of the plurality of price levels associated with the new highest bid price;

dynamically displaying a second indicator representing quantity associated with at least one trade order to sell the commodity at the current lowest ask price in a first location of the plurality of locations in the ask display region, the second location corresponding to a price level associated with the current lowest ask price;

upon receipt of market information comprising a new lowest ask price, displaying the second indicator at a second location of the plurality of locations in the ask display region, the second location corresponding to a price level of the plurality of price levels associated with the new lowest ask price;

displaying an order entry region comprising a plurality of areas for receiving single click commands to set trade order prices and send trade orders, each area corresponding to a different price level of the plurality of price levels; and

with a single click of a user input device, selecting a particular area in the order entry region corresponding to a desired price level with a cursor of the user input device, such that the single click sets a price for the trade order and sends the trade order having a default quantity to the electronic exchange.

42. (New) The method of claim 41, wherein the order entry region further comprises:

a bid order entry region comprising a plurality of locations for receiving single click commands to send trade orders to buy, each location corresponding to a different price level of the plurality of price levels; and

an ask order entry region comprising a plurality of locations for receiving commands to send trade orders to sell, each location corresponding to a different price level of the plurality of price levels.

43. (New) The method of claim 42, wherein the single click further sets whether the trade order is an order to buy or sell the commodity.

44. (New) The method of claim 42, wherein the bid order entry region overlaps with the bid display region and the ask order entry region overlaps with the ask display region.

45. (New) The method of claim 44, wherein the overlapping of the bid order entry region with the bid display region allows the user to send trade orders to buy the commodity by positioning the cursor over the first indicator and selecting an area corresponding to the current highest bid price, and wherein overlapping of the ask order entry region with the ask display region allows the user to send trade orders to sell the commodity by positioning the cursor over the second indicator and selecting an area corresponding to the current lowest ask price.

46. (New) The method of claim 41, wherein the trade order is an order to buy the commodity if the position of the cursor at the time of the single click is within a bid order entry region and wherein the trade order is an order to sell the commodity if the position of the cursor at the time of the single click is within an ask order entry region.

47. (New) The method of claim 41, wherein the default quantity is designated to be used for a single trade order.

48. (New) The method of claim 41, wherein the default quantity is designated to be used for a plurality of trade orders.

49. (New) The method of claim 41, further comprising dynamically displaying an entered order indicator in association with a price level of the plurality of price levels.

50. (New) The method of claim 49, further comprising canceling the trade order in response to single click of the user input device with the cursor of the user input device positioned over the entered order indicator.

51. (New) The method of claim 41, further comprising receiving a re-centering command to center the inside market in a window of a graphical user interface.

52. (New) The method of claim 41, wherein the bid display region, the ask display region, and the order entry region are displayed vertically or horizontally.

53. (New) The method of claim 41, wherein the bid and ask display regions are displayed separately.

54. (New) The method of claim 41, wherein the plurality of price levels are displayed along an axis.

55. (New) The method of claim 54, wherein the axis is static such that the plurality of price levels do not change positions in response to a change in the inside market.

56. (New) The method of claim 41, further comprising receiving an input from a user that designates a default quantity to be used for a plurality of trade orders, and receiving a plurality of consecutive single click commands from a user input device, each single click command sending a trade order to the electronic exchange, each trade order having an order quantity based on the default quantity without the user designating the default quantity between the single click commands.

57. (New) The method of claim 56, wherein the plurality of trades comprises the combination of trade orders to buy and sell the commodity.

58. (New) A method of displaying market information relating to and facilitating trading of a commodity being traded on an electronic exchange, the method comprising:

receiving market information for a commodity from an electronic exchange, the market information comprising an inside market with a current highest bid price and a current lowest ask price;

displaying a bid display region comprising a plurality of locations, each location in the bid display region corresponding to a different price level of the plurality of price levels;

displaying an ask display region comprising a plurality of locations, each location in the ask display region corresponding to a different price level of the plurality of price levels;

dynamically displaying a first indicator representing quantity associated with at least one trade order to buy the commodity at the current highest bid price in a first location of the plurality of locations in the bid display region, the first location corresponding to a price level associated with the current highest bid price;

upon receipt of market information comprising a new highest bid price, displaying the first indicator at a second location of the plurality of locations in the bid display region, the second location corresponding to a price level of the plurality of price levels associated with the new highest bid price;

dynamically displaying a second indicator representing quantity associated with at least one trade order to sell the commodity at the current lowest ask price in a first location of the plurality of locations in the ask display region, the second location corresponding to a price level associated with the current lowest ask price;

upon receipt of market information comprising a new lowest ask price, displaying the second indicator at a second location of the plurality of locations in the ask display region, the second location corresponding to a price level of the plurality of price levels associated with the new lowest ask price;

displaying an order entry region comprising a plurality of areas for receiving double click commands to set trade orders prices and send trade orders, each area corresponding to a different price level of the plurality of price levels; and

with a double click of a button of a user input device, selecting a particular area in the order entry region corresponding to a desired price level with a cursor of the user input device, such that the double click sets a price for the trade order and sends the trade order having a default quantity to the electronic exchange.

59. (New) The method of claim 58, wherein the order entry region further comprises:

a bid order entry region comprising a plurality of locations for receiving the double click command to send trade orders to buy, each location corresponding to a different price level of the plurality of price levels; and

an ask order entry region comprising a plurality of locations for receiving the double click command to send trade orders to sell, each location corresponding to a different price level of the plurality of price levels.

60. (New) The method of claim 58, wherein the double click further sets whether the trade order is an order to buy or sell the commodity.

61. (New) The method of claim 58, wherein the bid order entry region overlaps with the bid display region and the ask order entry region overlaps with the ask display region.

62. (New) The method of claim 61, wherein the overlapping of the bid order entry region with the bid display region allows the user to send trade orders to buy the commodity by positioning the cursor over the first indicator and selecting an area corresponding to the current highest bid price, and wherein overlapping of the ask order entry region with the ask

display region allows the user to send trade orders to sell the commodity by positioning the cursor over the second indicator and selecting an area corresponding to the current lowest ask price.

63. (New) The method of claim 58, wherein the trade order is an order to buy the commodity if the position of the cursor at the time of the double click is within a bid order entry region and wherein the trade order is an order to sell the commodity if the position of the cursor at the time of the double click is within an ask order entry region.

64. (New) The method of claim 58, wherein the default quantity is designated to be used for a single trade order.

65. (New) The method of claim 58, wherein the default quantity is designated to be used for a plurality of trade orders.

66. (New) The method of claim 58, further comprising dynamically displaying an entered order indicator in association with a price level of the plurality of price levels.

67. (New) The method of claim 66, further comprising canceling the trade order in response to single click of the user input device with the cursor of the user input device positioned over the entered order indicator.

68. (New) The method of claim 58, further comprising receiving a re-centering command to center the inside market in a window of a graphical user interface.

69. (New) The method of claim 58, wherein the bid display region, the ask display region, and the order entry region are displayed vertically or horizontally.

70. (New) The method of claim 58, wherein the bid and ask display regions are displayed separately.

71. (New) The method of claim 58, wherein the plurality of price levels are displayed along an axis.

72. (New) The method of claim 61, wherein the axis is static such that the plurality of price levels do not change positions in response to a change in the inside market.

73. (New) The method of claim 58, further comprising receiving an input from a user that designates a default quantity to be used for a plurality of trade orders, and receiving a plurality of consecutive double click commands from a user, each double click sending a trade order to the electronic exchange, each trade order having an order quantity based on the default quantity without the user designating the default quantity between the double click commands.

74. (New) The method of claim 58, wherein the plurality of trades comprises the combination of trade orders to buy and sell the commodity.

**REMARKS**

Applicants respectfully request that the foregoing amendments be made prior to examination of the present application.

Claims 41-74 are currently being added.

Claim 1 is currently being canceled.

This preliminary amendment adds and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 41-74 are now pending in this application.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date July 13, 2007

By Phillip J. Articola

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5535  
Facsimile: (202) 672-5399

William T. Ellis  
Registration No. 26,874  
Phillip J. Articola  
Registration No. 38,819

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875, Effective December 8, 2004

Application or Docket Number

11685907

**APPLICATION AS FILED - PART I**

FOR	NUMBER FILED (Column 1)	NUMBER EXTRA (Column 2)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(b), (d), or (e))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(c), (d), or (e))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(f))	1	minus 20 = 4
INDEPENDENT CLAIMS (37 CFR 1.16(g))	1	minus 3 = 9
APPLICATION SIZE FEE (37 CFR 1.16(h))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i))		

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE (\$)	FEE (\$)
N/A	150.00
N/A	\$250
N/A	\$100
X\$ 25 =	
X100 =	
+180 =	
TOTAL	

OTHER THAN SMALL ENTITY

RATE (\$)	FEE (\$)
N/A	300.00
N/A	\$500
N/A	\$200
X\$50 =	
X200 =	
+360 =	
TOTAL	1000

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED - PART II**

10/25/06

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(j))	1	minus 20 = 20	0
Independent (37 CFR 1.16(k))	1	minus 3 = 3	0
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180 =	
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360 =	
TOTAL ADD'L FEE	

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(j))	34	minus 20 = 20	14
Independent (37 CFR 1.16(k))	2	minus 3 = 3	0
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180 =	
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	700
X200 =	
+360 =	
TOTAL ADD'L FEE	700

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments, the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



*DFW*

Atty. Dkt. No. 024051-0228

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gary Allan KEMP et al.  
Title: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH  
Appl. No.: 11/585,907  
Filing Date: October 25, 2006  
Examiner: Unassigned  
Art Unit: 3624  
Confirmation No.: 8200

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of the first Office action.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English. These documents describe a trading product of GL Trade, and include users guides for several different versions of a LIFFE Connect for Futures product, and user information notes for a CAC and Stoxx Futures product.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By Phillip J. Articola

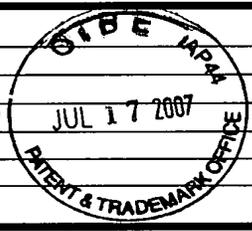
Phillip J. Articola  
Attorney for Applicant  
Registration No. 38,819

Date: July 17, 2007

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5300  
Facsimile: (202) 672-5399

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: July 17, 2007 (use as many sheets as necessary)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: right;">Complete if Known</th> </tr> <tr> <td style="width:30%;">Application Number</td> <td>11/585,907</td> </tr> <tr> <td>Filing Date</td> <td>10/25/2006</td> </tr> <tr> <td>First Named Inventor</td> <td>Gary Allan KEMP</td> </tr> <tr> <td>Group Art Unit</td> <td>3624</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>024051-0228</td> </tr> </table>	Complete if Known		Application Number	11/585,907	Filing Date	10/25/2006	First Named Inventor	Gary Allan KEMP	Group Art Unit	3624	Examiner Name	Unassigned	Attorney Docket Number	024051-0228
Complete if Known															
Application Number	11/585,907														
Filing Date	10/25/2006														
First Named Inventor	Gary Allan KEMP														
Group Art Unit	3624														
Examiner Name	Unassigned														
Attorney Docket Number	024051-0228														



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B1	GL Trade, CAC and Stoxx Futures on MATIF NSC VF, User Information Notes, pages 1-14, published by GL Trade, London, England, March 15, 1999.	
	B2	GL Trade, LIFFE Connect for Futures, User Guide, V4.50 Beta, pages 1-24, published by GL Trade, London, England, January, 1999.	
	B3	GL Trade, LIFFE Connect for Futures, User Guide, V4.50, pages 1-39, published by GL Trade, London, England, February, 1999.	
	B4	GL Trade, LIFFE Connect for Futures, User Guide, V4.50, pages 1-39, published by GL Trade, London, England, March, 1999.	
	B5	GL Trade, LIFFE Connect for Futures, User Guide, V4.51, pages 1-57, published by GL Trade, London, England, June, 1999.	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	11/585,907
	Filing Date	10/25/06
	First Named Inventor	Kemp
	Art Unit	3624
	Examiner Name	TBA
	Attorney Docket Number	024051-0228

<b>ENCLOSURES (Check all that apply)</b>				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Statement Under 37 CFR 3.73(b)		
<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;"><b>Remarks</b></td> <td>No fee is believed due. However, please charge any underpayments to Deposit Account No. 13-2490.</td> </tr> </table>			<b>Remarks</b>	No fee is believed due. However, please charge any underpayments to Deposit Account No. 13-2490.
<b>Remarks</b>	No fee is believed due. However, please charge any underpayments to Deposit Account No. 13-2490.			

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm Name	McDonnell Boehnen Hulbert & Berghoff LLP		
Signature	/Joseph A. Herndon/		
Printed name	Joseph A. Herndon		
Date	November 2, 2007	Reg. No.	50,469

<b>CERTIFICATE OF TRANSMISSION/MAILING</b>			
I hereby certify that this correspondence is being electronically transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	/Joseph A. Herndon/		
Typed or printed name	Joseph A. Herndon	Date	November 2, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	11/585,907
	Filing Date	10/25/06
	First Named Inventor	Kemp
	Art Unit	3624
	Examiner Name	Unassigned
	Attorney Docket Number	024051-0228

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number:

39310
-------

Please change the correspondence address for the above-identified application to:

The address associated with Customer Number:

39310
-------

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
City	State	Zip		
Country				
Telephone	Email			

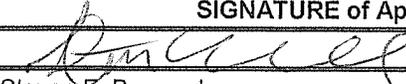
I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature			
Name	Steven F. Borsand		
Date	10/30/07	Telephone	312-476-1000

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc  
www.FormsWorkflow.com

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Trading Technologies International, Inc.

Application No./Patent No.: 11/585,907 Filed/Issue Date: 10/25/06

Entitled: Click Based Trading With Intuitive Grid Display of Market Depth

Trading Technologies International, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or  
2.  an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Gary Allan Kemp et al. To: Trading Technologies International, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 011188, Frame 0355, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

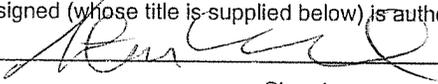
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

10/30/07

Steven F. Borsand

Date

Printed or Typed Name

312-476-1000

Telephone Number

Executive Vice President, Intellectual Property

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	2417602
<b>Application Number:</b>	11585907
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	8200
<b>Title of Invention:</b>	Click based trading with intuitive grid display of market depth
<b>First Named Inventor/Applicant Name:</b>	Gary Allan Kemp
<b>Customer Number:</b>	22428
<b>Filer:</b>	Joseph Allen Herndon
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	024051-0228
<b>Receipt Date:</b>	02-NOV-2007
<b>Filing Date:</b>	25-OCT-2006
<b>Time Stamp:</b>	17:50:32
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	11585907_Trans.pdf	112697 <small>9970a2053eb9d8372a5e381c068218d41425e4a</small>	no	1

### Warnings:

<b>Information:</b>					
2	Power of Attorney	11585907_Revocation_POA.pdf	129739	no	1
			ac52d8fd4b509065f2a7758f8182fda1bd6acb72		

**Warnings:**

<b>Information:</b>					
3	Assignee showing of ownership per 37 CFR 3.73(b).	11585907_373_Statement.pdf	94164	no	1
			3122c426a20107cd056722f3935866384b2aa505		

**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>			336600		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

*IFW*

Atty. Dkt. No. 024051-0228



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gary Allan KEMP II et al.  
Title: CLICK BASED TRADING WITH  
INTUITIVE GRID DISPLAY OF  
MARKET DEPTH  
Appl. No.: 11/585,907  
Filing Date: 10/25/2006  
Examiner: Unassigned  
Art Unit: 3624  
Confirmation Number: 8200

**WITHDRAWAL OF ATTORNEY OF RECORD AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Effective immediately, Foley & Lardner LLP attorneys associated with CUSTOMER NUMBER: 22428, withdraw as Attorney of Record for the captioned application, due to Applicant's request to transfer all files to McDonnell, Boehnen, Hulbert & Berghoff LLP, dated June 2, 2007.

The undersigned is signing this withdrawal on behalf of himself and all the aforementioned attorneys.

All further correspondence should be sent to:

Joe Herndon  
McDonnell, Boehnen, Hulbert, & Berghoff LLP  
300 South Wacker Drive  
Chicago, IL 60606-6709

Respectfully submitted,

Date 11/28/07

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5485  
Facsimile: (202) 672-5399

William T. Ellis  
Attorney for Applicant  
Registration No. 26,874



**FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007**

**COPY MAILED**

**JAN 25 2008**

**OFFICE OF PETITIONS**

In re Application of	:	
Gary Allan KEMP II, et al	:	
Application No. 11/585,907	:	DECISION ON PETITION
Filed: October 25, 2006	:	TO WITHDRAW
Attorney Docket No. 024051-0228	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed November 28, 2007.

The request is **DISMISSED** as moot.

A review of the file record indicates that the power of attorney to Foley and Lardner, LLP, has been revoked by the assignee of the patent application on November 6, 2007. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

The correspondence address of record has been changed and the new correspondence address is the address indicated below.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272- 6735.

Diane Goodwyn  
Petitions Examiner  
Office of Petitions

cc: **JOE HERNDON  
MCDONNELL, BOEHNEN,  
HULBERT & BERGHOFF LLP  
300 SOUTH WACKER DRIVE  
CHICAGO, IL 60606-6709**



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/585,907	10/25/2006	Gary Allan Kemp II	024051-0228	8200
39310	7590	10/06/2008	EXAMINER	
MBHB/TRADING TECHNOLOGIES 300 SOUTH WACKER DRIVE SUITE 3200 CHICAGO, IL 60606			WEISBERGER, RICHARD C	
			ART UNIT	PAPER NUMBER
			3693	
			MAIL DATE	DELIVERY MODE
			10/06/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 11/585,907	<b>Applicant(s)</b> KEMP ET AL.	
	<b>Examiner</b> Richard C. Weisberger	<b>Art Unit</b> 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on \_\_\_\_.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 41-74 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_ is/are allowed.
- 6)  Claim(s) 41-74 is/are rejected.
- 7)  Claim(s) \_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on 01 October 2006 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:
1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 41-74 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The method claims fail to be sufficiently tied to a statutory apparatus and transformation of the underlying subject matter.

***Claim Rejections - 35 USC § 112***

Claim 44 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Overlapping regions are indefinite with respect to how the bid/ask regions are displayed.

***Double Patenting***

Claims 41-74 are provisionally rejected on the ground of nonstatutory double patenting over claims 1-56 of copending Application No. 11585907. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

The two sets of claims are commensurate in scope.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending

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application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 41-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokyo Stock Exchange, Next Generation Futures Options Trading System (September 1997).

As shown in section 4(d)(a) the reference teaches a method of displaying market information relating to and facilitating trading of a commodity being traded on an electronic exchange, the method comprising:

receiving market information for a commodity from an electronic exchange, the market information comprising an inside market with a current highest bid price and a current lowest ask price;

displaying a bid display region comprising a plurality of locations, each location in the bid display region corresponding to a different price level of the plurality of price levels;

displaying an ask display region comprising a plurality of locations, each location in the ask display region corresponding to a different price level of the plurality of price levels;

dynamically displaying a first indicator representing quantity associated with at least one trade order to buy the commodity at the current highest bid price in a first location of the plurality of locations in the bid display region, the first location corresponding to a price level associated with the current highest bid price;

displaying an order entry region comprising a plurality of areas for receiving single click commands to set trade order prices and send trade orders, each area corresponding to a different price level of the plurality of price levels; and

with a single click of a user input device, selecting a particular area in the order entry region corresponding to a desired price level with a cursor of the user input device, such that the single click sets a price for the trade Order and sends the trade order having a default quantity to the electronic exchange .

The reference also teaches the recentering feature set forth in the claims.

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The reference fails to teach the updating features including the following;

upon receipt of market information comprising a new highest bid price, displaying the first indicator at a second location of the plurality of locations in the bid display region, the second location corresponding to a price level of the plurality of price levels associated with the new highest bid price;

dynamically displaying a second indicator representing quantity associated with at least one trade order to sell the commodity at the current lowest ask price in a first location of the plurality of locations in the ask display region, the second location corresponding to a price level associated with the current lowest ask price;

upon receipt of market information comprising a new lowest ask price, displaying the second indicator at a second location of the plurality of locations in the ask display region, the second location corresponding to a price level of the plurality of price levels associated with the new lowest ask price.

It would have been obvious for one skilled in the art at the time to have updated the screen to reflect current market condition as motivated by the need to trade on latest trade spreads.

With respect to claims 44, the overlapping regions fail to further limit the claimed method.

With respect to claim 50, it would have been obvious for one skilled in the art at the time to have added a feature to cancel the orders as motivated by the needs of the trader.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard C. Weisberger whose telephone number is 571 272 6753.

The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571 272 6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 11/585,907

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Art Unit: 3693

/Richard C Weisberger/  
Primary Examiner, Art Unit 3693

Richard C Weisberger  
Primary Examiner  
Art Unit 3693

<b>Search Notes</b>  	<b>Application/Control No.</b>  11585907	<b>Applicant(s)/Patent Under Reexamination</b>  KEMP ET AL.
	<b>Examiner</b>  Richard C Weisberger	<b>Art Unit</b>  3693

<b>SEARCHED</b>			
<b>Class</b>	<b>Subclass</b>	<b>Date</b>	<b>Examiner</b>
705	35-45	09/2008	rw

<b>SEARCH NOTES</b>		
<b>Search Notes</b>	<b>Date</b>	<b>Examiner</b>
Dialog East	09/2008	rw

<b>INTERFERENCE SEARCH</b>			
<b>Class</b>	<b>Subclass</b>	<b>Date</b>	<b>Examiner</b>

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	11/585,907
		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
Sheet	1	of	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	eSpeed's Supplemental Invalidity Contentions, 5/25/2007	
	2	eSpeed's Disclosure of Invalidity Contentions Pursuant to 35 USC 282, 5/25/2007	
	3	Invalidity Contentions Re: TradePad Module (Letter Dated 5/25/2007)	
	4	Supplemental Invalidity Contentions Pursuant to 35 U.S.C. 282, 8/10/2007	
	5	eSpeed's and Ecco's Answers to Plaintiff's Eighth Set of Interrogatories, 8/4/2006	
	6	eSpeed and Ecco's Supplemental Answers to Plaintiff's First, Third, Seventh, Eighth, and Ninth Set of Interrogatories, 5/25/2007	
	7	Defendant GL Trade Americas, Inc's Supplemental Responses and Objections to Interrogatory Nos. 5, 17, and 18, 7/24/2006	
	8	eSpeed's Objections and Answers to Plaintiff's Third Set of Interrogatories to Defendant eSpeed, 5/12/2005	
	12	GL WIN Version 4.50, 03/03/99, DX 538, G 107459-G 107480, DTX 538	
	13	Trading Pad User Manual, 08/10/99, DX 539, G 112123-G 112131, DTX 539	

Examiner Signature	Date Considered
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		Art Unit	3693
		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
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	14	Email from WATTIER to M. Cartier attaching Matif VF: V4.50 manual, 3/30/1998, DX 592, MC000046-MC000116, DTX 592	
	18	User Guide V4.60 LIFFE Connect for Futures by GL Trade, 06/00/99, DX 605, G 123548-G 123603, DTX 605	
	21	"A System and Method for Conducting Security Transactions Over a Computer Network", MAURO & BUIST, 03/01/99, DX 196, eS 066150-eS 066229, DTX 196	
	22	RCG's Presentation re WitCapital, 4/22/2004, DX 208, RCG 000635-RCG 000663, DTX 208	
	23	MAURO, Certified Patent Application No. 09/292,552, 4/15/1999, DX 209, eS 065994-eS 066149,	
	24	Various declarations Re: Patent Application No. 09/292,552, 11/3/2003, DX 284, TT 099877-TT 099907, DTX 284	
	25	EVENSTREET Presentation prepared for National Discount Brokers, 00/00/1999, DX 301, CM 006787-CM 006817, DTX 301	
	26	WIT DSM user interface instructions, 08/06/98, DX 427, CM 006591-CM 006632, DTX 427	
	27	Presentation re WIT DSM user interface Trade4.ppt, 10/12/98, DX 430, CM 008265-CM 008330, DTX 430	
	28	WIT DSM Presentation re Information display and decision variables, 12/20/98, DX 431, CM 004334-CM 004347, DTX 431	

Examiner Signature	Date Considered
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	29	EVENSTREET Presentation prepared for Flatiron Partners, 00/00/1999, DX 437, CM 007139-CM 007172, DTX 437	
	30	WIT Capital digital trading facility presentation to Goldman Sachs, DX 438, CM 004523-CM 004547, DTX 438	
	31	WIT Capital Digital trading facility presentation to PaineWebber, Inc., DX 439, DTX 439	
	32	WIT Capital after hours trading system, MAURO, 3/19/1999, DX 440, CM 009028-CM 009059, DTX 440	
	33	WIT Capital Corporation digital trading facility presentation, 03/00/99, DX 441, DTX 441	
	34	WIT Capital pdf operator manual for Digital trading facility, 00/00/1999, DX 442, CM 006510-CM 006513, DTX 442	
	35	Overview re Digital trading facility, DX 443, CM 006315-CM 006344, DTX 443	
	36	Utility Patent Application Transmittal Re: Computer Trading System, Method and Interface, 4/15/1999, MAURO, KLEIA, and BUIST, PX368	
	37	Photocopy of Disks containing exhibits A and B to declaration of W. Buist, PX366	
	38	SISS Functional specifications version 2.1, 02/16/88, DX 445, DTX 445	

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		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
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	39	Overview re SPATS; the Electronic Broker, DX 446, DTX 446	
	40	Status review specialist support system study NYSE, 04/10/86, DX 447, DTX 447	
	41	Declaration of W. BUIST re: WIT DSM System, 04/26/06, PX 365, DTX 1777	
	43	Sample screens of APT system, DX 150, DTX 150	
	44	Photo of trader w/ APT screen, DX 151, LIFFE 00167-LIFFE 00168, DTX 151	
	45	APT User Guide, 01/00/94, DX 152, LIFFE 000262-LIFFE 000363, DTX 152	
	46	LIFFE guide/pamphlet, DX 148, DTX 148	
	47	Release Notes - Market Trader V5.2a, 03/18/99, DX 617, G 118137-G 118152, DTX 617	
	48	Market Trader - Nikkel 225 & Nikkel 300 Index options and Index futures trading users guide, 03/20/98, DX 618, G100444-G100462, DTX 618	
	49	MIDAS KAPITI Delivery Note and Release Note- Market Trader V5.2b, 03/31/1999, DX 619, G 096511-G 096527, DTX 619	

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		First Named Inventor	Kemp
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		Examiner Name	Richard C. Weisberger
Sheet	5	of	32
		Attorney Docket Number	07-1021-US-CON6

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	50	MIDAS KAPITI Release Notes - Market Trader V5.2e, 04/12/1999, DX 620, G 096694- G 096711, DTX 620	
	51	MIDAS KAPITI Release Notes - Market Trader V5.2, DX 621, G 096712 -G 096727, DTX 621, 05/26/99	
	52	MIDAS KAPITI Release Notes - Market Trader V5.2e, DX 622, G 096728- G 096754, DTX 622, 06/01/99	
	53	MIDAS KAPITI Delivery Note and Release Note- Market Trader V5.2e, DX 623, G 105641- G 105667, DTX 623, 5/26/99	
	54	Drawing of 1997 TSE terminal by H. KIDA, DX 624, DTX 624	
	55	Directory of Software Solutions for LIFFE Connect, 02/0099, DX 156, DTX 156	
	56	ScreenShots: Patsystem "Canned" Demo, 02/00/97, DX 120, PATS 00545- PATS 00559, DTX 120	
	57	PTS Client Version 2.1F, DX 119, PATS 00067-PATS 00082, DTX 119	
	58	PTS trading application Version 1.1 Beta H.1, 03/31/1998, DX 118, PATS 00560 -PATS 00560, DTX 118	

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		Filing Date	10/25/2006
		First Named Inventor	Kemp
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Sheet	6	of	32

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	59	Directory of Software Solutions for LIFFE Connect, Issue 1, 10/00/1998, DX 155, DTX 155	
	60	Directory of Software Solutions for LIFFE Connect, Issue 3, 6/10/1999, DX 157, DTX 157	
	61	Trading Technologies Trader System User Documentation, 04/01/98, Release 3.10, DX 3, TT 015867-TT 015955, DTX 3	
	62	Aurora Chicago Board of Trade Brochure, 1990, ES0021230-ES0021241	
	63	Ecco Consulting Study Report MEFF Software Systems, 3/17/1999, ES0060578-ES0060591	
	64	Osaka Stock Exchange Manual (Japanese Document), 4/1996 REFCO0009773-REFCO0009826	
	65	TSE Manual (Japanese Document), 11/15/05, DX179, TSE647-995, w/certified translation eS62258-62366 [TSE609-647,694-711,714-721,735-736,749-756,759-760,779-782,784-810,982-995]	✓
	66	TIFFE Manual (Japanese Document), 1/1996, REFCO0010861-REFCO0011210, (translation included as cite no. 175)	
	67	Final Detailed Design Document NYMEX ACCESS, 5/5/1992, eS0003127-eS0003541	
	68	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 3.0, 9/1998, DDX 159, DTX 159, eS00060055-eS00060145	

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	11/585,907
		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
Sheet	7	of	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	69	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 3.2, 12/1998, DDX 161, DTX 161, eS00060239-eS00060331	
	70	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 3.3, 1/1999, DDX 162, DTX 162, eS00059959-eS00060054	
	71	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 2.7, 9/1998, DDX 163, DTX 163, eS00059868-eS00059958	
	72	OM CLICK Trade User's Guide for Windows NT, 10/00/1998, eS00064671-eS00064773	
	74	GLOBEX Members Handbook, 6/00/1992, DX632, DTX632, eS006974-eS0069818	
	77	The Complete GLOBEX2 Handbook, 5/00/1998, DX635, DTX635, CME-E0010679-0010891	
	78	The Complete GLOBEX2 Handbook, 7/00/1998, DX637, DTX637, CME-E 014048- CME-E 014286	
	79	MINEX Service Outline User Test/Orientation, 9/1992, eS0064647-eS0064670	
	80	ORC Instructions for Use Version 2.2.8., 0/0/1999, eS0064775-eS0032572	
	81	INTERACTIVE BROKERS, "Trade Futures Online with Interactive Brokers", 5/9/2005, eS0032571- eS0032572	

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		First Named Inventor	Kemp		
		Art Unit	3693		
		Examiner Name	Richard C. Weisberger		
Sheet	8	of	32	Attorney Docket Number	07-1021-US-CON6

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	82	NICHOLAS ECONOMIDES, "Electronic Call Market Trading", Journal of Portfolio Management, 2/00/1995, eS0069585-eS0069610	
	84	GL Trading Pad Manual, G0020819-G0020826	
	86	TradePad Instructions (French), G0025748-G0025749	
	87	TradePad.vsd Document, 2/9/1999, G011169-G0111670	
	88	Trading pad.doc Document, 1/26/1999, G0111671-G0111672	
	90	GL WIN et Logiciels complementaires (French), 10//00/99, G009121-G009486	
	91	GL WIN et Logiciels complementaires (French), 7/00/99, G009875-G010238	
	92	Memo re: Dual ACCESS Version 4.5 release, 3/21/99, G0022956-G0022959:	
	93	tradepad.txt (French), 3/8/2000, G0025616-G0025618	
	96	GL Enhancements Software Version 4.11f, 10/29/1998, G0060853-G0060854	

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	97	GL Enhancements Update, 01/27/99, G0101682-G0101688	
	98	LIFFE Connect Futures Release Note 050399.doc, 3/3/1998, G0111402-G0111407	
	99	TradingPad.doc, 4/30/1999, G0112117-G0112122	
	100	TradingPadUserManual.doc, 8/10/1999, G0112123-G0112131	
	102	GL WIN Version 4.51, G0118856-G0118865	
	103	GL Trade Presentation (French), 4/25/1999, G0118989-G0119044	
	104	LIFFE CONNECT FUTURES Functional Technical Issues to Resolve, 4/12/2007, G0119049-G0119050	
	105	LIFFE CONNECT for Equity Options User Guide v4.30, 11/1998, G0119052-G0119086	
	106	Member Participation in the Futures Market, 04/12/1999, G0119196-G0119197	
	107	Email from PATRICIA GAUTHIER to Sam Page, 1/25/1999, G0119377-G0119380	

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		Examiner Name	Richard C. Weisberger
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	108	LIFFE CONNECT ISV CIRCULAR NO: 001.99, 1/8/1999, G0119566-G0119568	
	109	LIFFE CONNECT ISV CIRCULAR NO: 14.99, 3/2/1999, G0119583-G0119590	
	110	LIFFE CONNECT ISV CIRCULAR NO: 004.99, 1/15/1999, G119615-G0119616	
	111	LIFFE CONNECT ISV CIRCULAR NO: 001.99, 1/15/1999, G0119617-G0119618	
	112	LIFFE CONNECT ISV CIRCULAR NO: 008.98, 12/28/1998, G0119631-G0119632	
	113	Screenshot of GL TradePad, G0119660	
	114	LIFFE CONNECT for Futures Schedule for Project Deliverables, 2/4/1999, G0119681-G0119682	
	115	LIFFE CONNECT for Futures-Project Update #1, Meeting of 1/11/99, G0119691-G0119697	
	116	LIFFE CONNECT for FUTURES: Project Update 2, Meeting of 2/10/99, G0119698-G0119704	
	117	LIFFE CONNECT for FUTURES: Project Summary: 4/19/99, G0119705-G0119717	

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	118	Functional Enhancements for LIFEE CONNECT for FUTURES Project, 4/12/1999, G0119718-G0119724	
	119	Functional Enhancements for LIFEE CONNECT for FUTURES Project, 4/12/99, G0119725-G0119745	
	120	Functional Enhancements for LIFEE CONNECT for FUTURES Project, 3/3/99	
	121	Installation, Market Entry Test, and Technical Dress Rehearsal Summary, 2/23/99	
	122	GL Trade Checklist-Installation Requirements for FUTURES, Jan. 1999, G0119795-G0119798	
	123	Cahier de charges.doc, 2/9/1999, G0111752-G0111758	
	124	Keyboard example, 2/3/2006, G007308-G007310	
	125	GL Brochure, G0021652-21658	
	126	GL Cost and Services, 00/00/1998, G0108876	
	127	GL Win Summary (French), 6/00/1998, G0091004-G0091046	

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	129	Swiss Exchange SWX - TS User Manual, 12/31/1998, DTX 2215, eS0032293-eS0032547	
	130	Screen No. 100-Order Book & Order Entry 1 (Single View), eS060637-eS060639	
	131	GLOBEX User Guide, 01/00/97, DDX 633, DTX 633, eS069819-eS070081	
	136	QuickTrade Document and Brochure, G021027-21031	
	138	"LIFFE CONNECT for Futures User Guide v4.5, 6/00/1999, G0025751-25806	
	139	GL Version 4.70 (French Version), 1/5/2000, G0026505-26533	
	140	GL Version 4.70 (English Version), 1/5/2000, G0020593-20621	
	142	GL WIN and Related Software Manual, 9/11/2000, 1) G0025251-25615	
	143	GL WIN and Related Software Manual, 2) G0025942-26267	
	144	GL WIN and Related Software Manual, 3) G010239-10610	

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	145	GL WIN et Logiciels complementaires (French), G0009495-9874	
	147	Internal Product News doc on QuickTrade, G0020468-20471	
	148	"Introducing the Company: GL Trade" product offerings and slide presentation (to Reuters), G0026534-26559	
	149	GL Product Leaflet Re: Mosaic, G0022529-22530	
	150	THOMSON FINANCIAL leaflet, 09/00/2003, G0022445-22450	
	151	LIFFE CONNECT for Futures leaflet, G0023885-23888	

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	160	TSE Japanese Document, pgs 4-15	
	161	TSE Japanese Document, pgs 6-15	
	162	Megumi MIYOSHI, Japanese Patent Application No. 2001-564025, 4/18/200	
	165	"Amazon.com Catapults Electronic Commerce to Next Level with Powerful New Features," Amazon.com Press Release, 9/23/97, DTX1034, Dez melyk000012-13	
	166	Apple Advertisement, Scientific American, September 1984, Scientific American Inc. NY, NY Dez melyk000014-33	
	167	Memo Re: Downloading the Terminal Program, 8/18/2005	
	169	"Specialist vs Saitori: Market-Making in New York and Tokyo", Richard LINDSAY and Ulrike Schaeede, DTX 1170, 7-8/00/1992, Silverman000494-Silverman000506	
	170	"Building for Excellence", MINEX Brochure, DTX 1153, Silverman000330-Silverman000334	
	171	Chicago Mercantile Exchange (CME) Brochure, DTX1163, Silverman000406-Silverman000407	
	172	MEFF Renta Fija Manual, DTX 1165, 10/00/1997, Silverman000410-Silverman000473	

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	173	O'HARA and OLDFIELD, "The Microeconomics of Market Making", Journal of Financial and Quantitative Analysis, 12/00/86, DTX 1169 Silverman000478- Silverman000493	
	174	B. WEBER, "Information Technology in the Major International Financial Markets", 4/7/1993, DX 79	
	175	Terminal Use Manual - Windows NT Version, Tokyo International Financial Futures Exchange (TIFFE), 0/0/1994, Silverman002552-Silverman002616, DTX 1226	
	176	USPTO Press Release, "Electronic Patent Application Records Replace Paper Files at USPTO", DTX 2285, 9/19/2007	
	177	Memorandum Opinion and Order Re: '132 and '304 Claim Construction [425], 10/31/2006	
	178	Memorandum Opinion and Order Re: TT's Motion for Clarification [475], 2/21/2007	
	179	Memorandum Opinion and Order Re: Non-Infringement [708], 6/20/2007	
	180	Memorandum Opinion and Order Re: Motions for Reconsideration [875], 8/27/2007	
	181	Memorandum Opinion and Order Re: "Single Action" Ruling [963], 9/12/2007	
	182	Memorandum Opinion and Order Re: Preliminary Injunction [83], 2/9/2005	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	11/585,907
		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
Sheet	17	of	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	183	Memorandum Opinion and Order Re: eSpeed's Motion for Summary Judgment of Invalidity Denied [845], 8/21/2007	
	184	Memorandum Opinion and Order Re: TT's Motion to Preclude Prior Sale Defense Denied [873], 8/27/2007	
	185	Memorandum Opinion and Order Re: GL's Motion for Reconsideration Denied [994], 9/19/2007	
	186	Memorandum Opinion and Order Re: Priority Date [769], 7/12/2007	
	187	Memorandum Opinion and Order Re: Priority Date [1013], 9/25/2007	
	188	Memorandum Opinion and Order Re: Prior Public Use [835], 8/16/2007	
	189	Memorandum Opinion and Order Re: Defendant's Motion for Judgment as a Matter of Law on Indefiniteness [1141], 01/02/2008	
	190	Notification of Docket Entry Re: Defendants eSpeed's Motion for Judgment as a Matter of Law on Invalidity is denied [1140], 01/03/2008	
	191	Notification of Docket Entry Re: Defendant eSpeed's Motion for a New Trial is denied [1142], 01/03/2008	
	192	Memorandum Opinion and Order Re: Defendant's Motion for Judgment as a Matter of Law on Willfulness [1144], 01/03/2008	

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		<b>Art Unit</b>	3693
		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
<b>Sheet</b>	18	<b>of</b>	32

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	193	Deposition testimony of Hiroyuki Kida dated May 17, 2007 and May 18, 2007 with DDX 617-624, PDX 519-524 and PDX 531	
	194	Trial testimony of Hiroyuki Kida dated September 28, 2007 and October 1, 2007 with DTX 617	
	195	Deposition testimony of Atsushi Kawashima dated November 21, 2005 with DDX 178-185	
	196	Trial testimony of Atsushi Kawashima dated September 26, 2007 with DTX 183	
	197	Deposition testimony of Philip Carre dated 6/22/07, 9/6/07 & 9/13/07 with DDX 384-385; 473;494; 527;537-541; 592; 593A; 595-598; 605; 626; 629; 719-723; 728-732; 897-898; 896	
	198	Deposition testimony of Michael Cartier dated May 9, 2007 with DDX 587-588; DDX 592-593A and PDX 498-500	
	199	Deposition testimony of Cristina Dobson dated May 18, 2007 with DDX 625-635; DDX 637; PDX 533 and PDX 535	
	200	Deposition testimony of Nicholas Garrow dated June 14, 2007 with DDX 116 and DDX 592	
	201	Trial testimony of Nicholas Garrow (via expert witness) dated October 2, 2007	

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		Attorney Docket Number	07-1021-US-CON6
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	202	Deposition testimony of Michael Glista dated February 20, 2007 with DDX 382-386	
	203	Trial testimony of Michael Glista dated Sept. 24, 2007 and Sept. 25, 2007 with DTX 382-386; DTX 524; DTX 570; DTX 579; DTX 592; DTX 3020; DTX 3050; DTX 3057; DTX 3110;	
		PTX 1993; PTX 2065; PTX 2092; PTX 2094	
	204	Deposition testimony of Laurent Havard dated April 24-26, 2007, May 12, 2007, June 21, 2007 and September 5, 2007 with DDX 506; DDX 508; DDX 517; DDX 539; DDX 551-568;	
		DDX 570-573; DDX 575; DDX 603; PDX 462; PDX 464-483; PDX 767-769; PDX 771-774; PDX 875-877; PDX 882-888 and PDX 893	
	205	Trial Testimony of Laurent Havard dated September 21, 2007 with DTX 384; DTX 520; DTX 561-62; DTX 570; DTX 573; DTX 575; DTX 593; DTX 750-52; DTX 3011; DTX 3017-18; DTX 3050;	
		PTX 575; PTX 2064; PTX 2074; PTX 2077; PTX 2079	
	206	Deposition testimony of Jean Cedric Jollant dated April 26, 2007 and June 13, 2007 with DDX 384; DDX 517; DDX 520; DDX 551-568; DDX 575-577; PDX 465-483	
	207	Trial testimony of Jean Cedric Jollant dated September 20, 2007 with DTX 157; DTX 473; DTX 719; DTX 551-64; DTX 598; DTX 722; DTX 1903; DTX 3009-10; DTX 3014; DTX 3016-18	
		DTX 3020; DTX 3023; DTX 3025; PTX 166; PTX 520; PTX 526; PTX 539; PTX 573; PTX 575; PTX 579; PTX 2065	

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		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
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	208	Deposition testimony of Marc Lorin dated September 5, 2007 with DDX 385; DDX 721-722; DDX 730	
	209	Deposition testimony of Christopher Malo dated May 23, 2007 with DDX 524	
	210	Deposition testimony of Fred Mastro dated May 21, 2007 with DDX 638; PDX 538; PDX 540-543	
	211	Trial testimony of Fred Mastro dated September 25, 2007 with DTX 592	
	212	Deposition testimony of William McHarris dated April 10, 2007 with PDX 416-417	
	213	Deposition testimony of Josephine Sheng dated June 26, 2007 with DDX 520; DDX 522; DDX 536; DDX 575; PDX 493; PDX 683-683a; PDX 775	
	214	Deposition testimony of Bruno Spada dated April 30, 2007 and May 2, 2007 with DDX 384-385; DDX 519-21; DDX 537-38; DDX 579-580; DDX 522; DDX 538; PDX 493-495; PDX 519-522	
	215	Trial testimony of Bruno Spada dated September 24, 2007 with DTX 306; DTX 384; DTX 518-522; DTX 524; DTX 575; DTX 579-580; DTX 593; DTX 626; DTX 628; DTX 646; DTX 1899	
		DTX 2086; DTX 3020-3021; DTX 3058-3059; DTX 3061; DTX 3085; PTX 737; PTX 840; PTX 2083; PTX 2087; PTX 2099; PTX 2101	

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		Attorney Docket Number	07-1021-US-CON6

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	216	Deposition testimony of Marcel Tchitchiama dated May 10, 2007-May 11, 2007 with DDX 156-157; DDX 168; DDX 384-85; DDX 538; DDX 592-93A; DDX 595-98; DDX 602-06; DDX 608-11	
		DTX 494; PDX 503; PDX 506; PDX 612	
	217	Deposition testimony of Neil Treloar dated June 19, 2007 with DDX 384; DDX 539-39A; DDX 724; DDX 726; PDX 492; PDX 750-752	
	218	Trial testimony of Neil Treloar dated September 21, 2007 and September 24, 2007 with DTX 2040-2042	
	219	Trial testimony of Gerard Varjacques dated September 28, 2007 with PTX 509-510 and PTX 513	
	220	Deposition testimony of Amy Watson dated June 12, 2007 with DDX 626A; DDX 700 and PDX 636	
	221	Deposition testimony of Barbara Wattiez dated June 16, 2007 with DDX 719-723	
	222	Trial testimony of Barbara Wattiez dated September 28, 2007 with DTX 592-593A; DTX 597-598; DTX 718-719; DTX 722	
	223	Deposition testimony of Christopher Buist dated June 22, 2006 with PDX 358-364 and DDX 283-284	
	224	Deposition testimony of Walter Buist dated June 23, 2006 with DDX 315; PDX 310-315; PDX 365 and PDX 368-370	

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	225	Digital trading facility weekly operations meeting outline, DX 444, DTX 444, CM 006661-CM 006661, 05/10/99	
	226	Chart re DSM QA Test Plain - project plan in progress, DX 432, DTX 432, 11/04/98	
	227	User interface design specification for WIT capital digital stock market, DX 433, DTX 433 CM 008441-CM 008478, 01/18/99	
	228	Updated negotiations design to E. Lang from C. Mauro for review and approval prior to patent application, DX 434, CM 008410-CM 008414, DTX 434, 01/18/99	
	229	Notes re final additions/revisions, DX 435, CM 007949-CM 007955, DTX 435, 04/02/99	
	230	Position paper: On-line training and customer acquisition; WIT Capital DSM product launch and related schedule to E. Lang, DX 436, DTX 436, CM 006580-CM 006590, 02/22/99	
	231	Meeting outline, DX 428, CM 00750-CM 007501, DTX 428, 09/11/98	
	232	Presentation re WIT Capital Digital stock market Phase 1 usability and customer response testing: Preliminary report of findings, DX 429, CM 007446-CM 007466, 05/01/06	
	233	WIT Capital limit order book to L. Forrest from C. Mauro, DX 425, CM 007382-CM 007411, DTX 425, 04/20/98	
	234	User Interface Design for display options design, DX 426, CM 000249-CM 000287, DTX 426, 07/08/98	

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	236	Letter from EPO to TT Re: Five Recently Filed European Patent Oppositions, 2/21/2006	
	237	Notice of Opposition to a European Patent EP 1319211 B1, ANITRA Medienprojekte GmbH, 1/13/2006	
	238	Notice of Opposition to a European Patent by DEUTSCHE BORSE AG, 1/12/2006	
	239	Notice of Opposition to a European Patent by EccoWare Ltd., 1/13/2006	
	240	Notice of Opposition to a European Patent by Rosenthal Collins Group LLC, 1/12/2006	
	241	Notice of Opposition to a European Patent by Tick-It GmbH, 1/13/2006	
	242	Declaration of Walter Buist, Exhibit 17, 4/26/2007; with Faxed Signature Page	
	243	Letter from J. WALASKI to the EPO Re: Change of Address, 12/19/2006	
	244	A. KLEIN, WallStreet.com- Fat Cat Investing at the Click of a Mouse, Chapt. 14 "Finding Gold in Tribeca", 1998; Exhibit 16	
	245	A. KLEIN, WallStreet.com- Fat Cat Investing at the Click of a Mouse, Chapt. 14-16, 18, 23, 1998; Exhibit 16 (Cont'd)	

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Sheet	24	of	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	246	WIT Digital Stock Market, User Interface Rev. 9, Exhibit 15	
	247	Opposition Trading Technologies, Inc. Application No. 01920183.9 EP 1319211B1, Exhibit 4 (Japanese and English Versions), 9/00/1997	✓
	248	System for Buying and Selling Futures and Options Transaction Terminal Operational Guidelines, TSE Business Systems Dept., TSE647-995, eS062297-eS062380	
	249	Letter from EPO to TT Re: Further European Patent Opposition, 2/23/2006	
	250	Letter from EPO to TT Re: Five Recently Filed European Patent Oppositions, 2/21/2006	
	251	Letter from EPO to TT Enclosing European Patent Oppositions, 1/25/2006	
	253	Opposition TT, EP 1 319 211 B1, Copy set 1, Annex One- Grounds of Opposition, 1/19/2006	
	254	Deposition Transcript of Atsushi Kawashima, 11/21/2005, Opposition EP 1 319 211 B1 Exhibit 3	
	257	The Application Program Interface (API) Reference Manual for LIFFE Connect, 9/00/1998, release 3.1, EP 1 319 211 B1 Exhibit 7A, eS0060146-eS0060237	
	260	Deposition Transcript of Paul MacGregor, 11/1/2005, Opposition EP 1 319 211 B1 Exhibit 9A	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:**

**Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	11/585,907
		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
Sheet	25	of	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	261	APT Trading Procedures (ATOM Version) of LIFFE, 4/3/2001, Opposition EP 1 319 211 B1 Exhibit 9B	
	263	APTplus Trading Procedures, 12/28/1995, Opposition EP 1 319 211 B1 Exhibit 9D	
	264	IRIS Investment Support Systems Window Ad, Opposition EP 1 319 211 B1 Exhibit 10	
	267	Fig.2 Substitute Sheet (Rule 26), Opposition EP 1 319 211 B1 Exhibit 13A	
	268	Provisional Application No. 60/186,322, Opposition EP 1 319 211 B1 Exhibit 13B	
	273	LIFFE's New Electronic Trading Platform for Futures, LIFFE 202-261, Opposition EP 1 319 211 B1 Exhibit 8D	
	274	TIFFE Internet Article, "New On-Screen Trading Terminals", E2	
	276	System for Buying and Selling Futures and Options Transaction Terminal Operational Guidelines, TSE Business Systems Dept, TSE00647-810, eS0622977-eS062366, D1(2)	✓
	277	ORC Instructions for Use, Version 2.2.8., 1999	
	278	Futures/Options Trading System Guidelines for Operating the Trading Terminals, TSE Business Systems Dept, TSE00628-643, eS062278-eS062293, D1(3)	

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	11/585,907
		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
Sheet	26	of	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	280	Securities Industries News, "TT Upgrades Software Platform", 8/28/2000 (D6)	
	281	Letter to EPO from Karl Barnfather Enclosing Notice of Opposition (form 2300.1) and Grounds of Opposition (Annex 1), 1/12/2006	
	282	Dow Jones & Reuters Factiva, "Firms Rush to Make LIFFE Connect Decision", 12/4/1998, E6	
	283	Dow Jones & Reuters Factiva, "Date Broadcasting Partners with Alltech Investment to Provide Customers with Online Trading", 2/25/1999, E8	
	285	Trading Pad Document (E3)	
	287	Japanese Document, TSE00609-627, 12/1/2006 (E5), with Translation	✓
	288	TT X-Trader Brochure, 12/1/2006 (E7)	
	290	Letter to J. Walanski from EPO Re: Payment, 4/20/2005	
	291	Letter to J. Walanski from EPO Re: Decision to Grant TT Patent, 3/3/2005	
	292	German Document from Tick-IT GmbH Filing New European Opposition, 1/14/2006	

Examiner Signature	Date Considered
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Substitute for form 1449/PTO  <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; margin: 0;"><i>(Use as many sheets as necessary)</i></p>	<h3 style="text-align: center; margin: 0;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>11/585,907</td> </tr> <tr> <td>Filing Date</td> <td>10/25/2006</td> </tr> <tr> <td>First Named Inventor</td> <td>Kemp</td> </tr> <tr> <td>Art Unit</td> <td>3693</td> </tr> <tr> <td>Examiner Name</td> <td>Richard C. Weisberger</td> </tr> <tr> <td>Attorney Docket Number</td> <td>07-1021-US-CON6</td> </tr> </table>	Application Number	11/585,907	Filing Date	10/25/2006	First Named Inventor	Kemp	Art Unit	3693	Examiner Name	Richard C. Weisberger	Attorney Docket Number	07-1021-US-CON6
Application Number	11/585,907												
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First Named Inventor	Kemp												
Art Unit	3693												
Examiner Name	Richard C. Weisberger												
Attorney Docket Number	07-1021-US-CON6												
Sheet <b>31</b> of <b>32</b>													

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	320	US- 6,938,011	08-30-2005	Gary Allen Kemp II	
	321	US- 2006/0195389	08-31-2006	Gary Allen Kemp II	
	322	US- 2005/0149429	07-07-2005	Gary Allen Kemp II	
	323	US- 6,772,132	08-03-2004	Gary Allen Kemp II	
	324	US- 6,766,304	05-15-2002	Gary Allen Kemp II	
	325	US- 2007/0038554	02-15-2007	Gary Allen Kemp II	
	326	US- 2007/0038555	02-15-2007	Gary Allen Kemp II	
	327	US- 2007/0038556	02-15-2007	Gary Allen Kemp II	
	328	US- 2007/0038557	02-15-2007	Gary Allen Kemp II	
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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		<b>Application Number</b>	11/585,907
		<b>Filing Date</b>	10/25/2006
		<b>First Named Inventor</b>	Kemp
		<b>Art Unit</b>	3693
		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
<b>Sheet</b>	32	<b>of</b>	32

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	332	Court's ruling on no prior sale	
	333	Memorandum Opinion and Order Re: No prior use	
	334	Memorandum Opinion and Order Re: Inequitable Conduct	
	335	Memorandum Opinion and Order Re: Court Reaffirming Priority	

<b>Examiner Signature</b>	<b>Date Considered</b>	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 07-1021-US-CON6)

In re Application of: )  
Gary Allan Kemp II ) Group Art Unit: 3693  
Serial No.: 11/585,907 ) Examiner: Richard C. Weisberger  
Filed: October 25, 2006 ) Confirmation No.: 8200  
For: Click Based Trading with Intuitive Grid )  
Display of Market Depth )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REMARKS ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

Dear Examiner:

Applicant herewith submits an Information Disclosure Statement (IDS) listing numerous references, including a few foreign-patent references and many non-patent-literature references. Applicant would like to point out to the Examiner that copies of the foreign-patent and non-patent-literature references listed in the IDS are not being submitted herewith. Applicant respectfully submits that, for the reasons listed below, this approach is permissible.

To aid the Examiner in processing the IDS being submitted herewith, Applicant points out that these references themselves were numbered to correspond with the "Cite No." column in the IDS prior to their uploading in the parent application on 5/20/2008. In particular, Applicant has assigned each reference a number between 1 and 335. Note that certain numbers between 1 and 335 are not used, and thus there are less than 335 references listed. Thus, if the Examiner navigates in the Image-File-Wrapper system to the parent application (11/415,163) and clicks on references that were uploaded in that application on 5/20/2008, the Examiner will note that those references have been marked on each and every page with a document number that corresponds with the "Cite No." column on the IDS being submitted herewith. This correlation should aid the Examiner in tracking which references have been considered.

Applicant respectfully submits that this approach is permissible because the present application is a continuation of U.S. Patent Application Serial No. 11/415,163, filed May 2, 2006 in the name of Kemp et al., entitled “Click Based Trading with Intuitive Grid Display of Market Depth,” Attorney Docket No. 07-1021-US-CON3. The foreign-patent and non-patent-literature references listed in the IDS being filed herewith were uploaded in connection with this parent application on May 20, 2008. Applicant respectfully points out that 37 C.F.R. § 1.98(d) permits this approach, providing an exception to the general requirement to submit copies of foreign-patent and non-patent-literature references in applications where those references were submitted in a parent application.

Applicant respectfully submits that this situation satisfies the conditions of 37 C.F.R. § 1.98(d), in that (1) Application 11/415,163 is (a) properly identified in these remarks and (b) is being relied on in this application for an earlier effective filing date under 35 U.S.C. § 120 and (2) the IDS being filed herewith complies with paragraphs (a) through (c) of 37 C.F.R. § 1.98. Thus, Applicant respectfully requests that, based on the reasons given above, the Examiner consider the references in the IDS being filed herewith.

Applicant recognizes that the IDS being filed herewith lists a large number of references. For the facts and circumstances leading to the uploading and disclosure of so many references in the parent application, the Examiner is invited to review the remarks submitted in the parent application on May 20, 2008.

Thus, Applicant respectfully requests consideration of each listed reference and, pursuant to MPEP § 609.02(A)(2), it is requested that each of the references in the PTO/SB/08a and PTO/SB/08b forms enclosed herewith appear on the face of the patent issuing from the present application. No representation is intended as to the relative importance of any portion of the references. In addition, these remarks are not a representation that the cited references have effective dates early enough to be “prior art” within the meaning of 35 U.S.C. §§ 102 or 103, nor as an admission that the information is considered to be material to patentability. Applicant makes no representation regarding the importance or accuracy of the dates associated with documents provided by third parties. Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the application under examination.

With respect to foreign-language references listed on the IDS being filed herewith, for the Examiner's convenience, Applicant in the following seven paragraphs excerpts the remarks submitted on 5/20/2008 in the parent application:

The document entitled "TradePad Instructions (French), G0025748-49", document citation no. 86, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document, it purportedly relates to the alleged GL prior art, and the Defendants characterized this document as prior art on which they intended to rely in a correspondence dated May 25, 2007.

The document entitled "GL WIN et Logiciels complementaires (French), 10/00/99, G009121-G009486", document citation no. 90, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document, it purportedly relates to the alleged GL prior art, and the Defendants characterized this document in the Supplemental Disclosures Pursuant to 35 U.S.C. § 282, dated August 10, 2007.

The document entitled "GL WIN et Logiciels complementaires (French), 7/00/99, G009875-G010238", document citation no. 91, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document, it purportedly relates to the alleged GL prior art, and the Defendants characterized this document in the Supplemental Disclosures Pursuant to 35 U.S.C. § 282, dated August 10, 2007.

The document entitled "tradepad.txt (French), 3/8/2000, G0025616-G0025618" document citation no. 93, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document and it purportedly relates to the alleged GL prior art.

The document entitled "GL Trade Presentation (French), 4/25/1999, G0118989-G0119044", document citation no. 103, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document and it purportedly relates to the alleged GL prior art.

The document entitled “GL WIN Summary (French), 6/00/1998, G0091004-G0091046”, document citation no. 127, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document, it purportedly relates to the alleged GL prior art, and the Defendants characterized this document in the Supplemental Disclosures Pursuant to 35 U.S.C. § 282, dated August 10, 2007.

The document entitled “GL WIN et Logiciels complementaires (French), G0009495-9874”, document citation no. 145, is not in the English language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit that the relevance of the document is that, in litigation, a party to the joint defense agreement with the Defendants produced this document, it purportedly relates to the alleged GL prior art, and the Defendants characterized this document in the Supplemental Disclosures Pursuant to 35 U.S.C. § 282, dated August 10, 2007.

To the extent that the Examiner would like more information about how these foreign-language documents have been characterized in the litigation or the context of their production therein, if in fact any such information exists, or if the Examiner feels that further discussion on any particular point would be helpful, the Examiner is encouraged to call Mr. Mark Triplett at 312-476-1151. Lastly, Applicant certifies that the fee set forth in 37 CFR § 1.17(p) has been submitted herewith, and authorizes the charging of any underpayment and the crediting of any overpayment to Deposit Account No. 132490.

Respectfully submitted,  
**MCDONNELL BOEHNEN**  
**HULBERT & BERGHOFF LLP**

Date: December 8, 2008

By: /Daniel P. Williams/  
Daniel P. Williams  
Reg. No. 58,704

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	11585907			
<b>Filing Date:</b>	25-Oct-2006			
<b>Title of Invention:</b>	Click based trading with intuitive grid display of market depth			
<b>First Named Inventor/Applicant Name:</b>	Gary Allan Kemp			
<b>Filer:</b>	Daniel P. Williams			
<b>Attorney Docket Number:</b>	07-1021-US-CON6			
Filed as Large Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Submission- Information Disclosure Stmt	1806	1	180	180
<b>Total in USD (\$)</b>				<b>180</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	4410697
<b>Application Number:</b>	11585907
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	8200
<b>Title of Invention:</b>	Click based trading with intuitive grid display of market depth
<b>First Named Inventor/Applicant Name:</b>	Gary Allan Kemp
<b>Customer Number:</b>	39310
<b>Filer:</b>	Daniel P. Williams
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	07-1021-US-CON6
<b>Receipt Date:</b>	08-DEC-2008
<b>Filing Date:</b>	25-OCT-2006
<b>Time Stamp:</b>	13:21:52
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$180
RAM confirmation Number	7182
Deposit Account	132490
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

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Charge any Additional Fees required under 37 C.F.R. Section 1.129 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Filed (SB/08)	07_1021_US_CON6_IDS.pdf	669492 176e4851651140a510196b1f819ef19020146f5d	no	32

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### Information:

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2	Information Disclosure Statement Letter	07_1021_US_CON6_remarks.pdf	137820 c8f3a6e38024db2f7fe2f441ff4c1b68dc884fe2	no	4
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### Warnings:

### Information:

3	Fee Worksheet (PTO-06)	fee-info.pdf	30279 b7135fbfafa73085a0d11f1f31f886ec584ef19fc	no	2
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#### New Applications Under 35 U.S.C. 111

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

#### National Stage of an International Application under 35 U.S.C. 371

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

#### New International Application Filed with the USPTO as a Receiving Office

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(MBHB Docket No. 07-1021-US-CON6)

Appl. No. : 11/585,907 Confirmation No. 8200  
Applicant : Kemp *et al.*  
Filed : 10/25/2006  
TC/A.U. : 3693  
Examiner : Richard C. Weisberger

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO THE OFFICE ACTION**  
**MAILED OCTOBER 6, 2008**

Dear Examiner,

In response to the Office Action of October 6, 2008, Applicants hereby submit the following:

**Amendment to the Claims** begins on page **2**; and  
**Remarks** begin on page **10** of this paper.

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims

1-40. (cancelled)

41. (currently amended) A method of displaying market information relating to and facilitating trading of a commodity being traded on an electronic exchange, the method comprising:

receiving, by a computing device, market information for a commodity from an electronic exchange, the market information comprising an inside market with a current highest bid price and a current lowest ask price;

displaying, via the computing device, a bid display region comprising a plurality of graphical locations, each graphical location in the bid display region corresponding to a different price level of ~~the~~ a plurality of price levels along a price axis;

displaying, via the computing device, an ask display region comprising a plurality of graphical locations, each graphical location in the ask display region corresponding to a different price level of the plurality of price levels along the price axis;

dynamically displaying, via the computing device, a first indicator representing quantity associated with at least one trade order to buy the commodity at the current highest bid price in a first graphical location of the plurality of graphical locations in the bid display region, the first graphical location in the bid display region corresponding to a price level associated with the current highest bid price;

upon receipt of market information comprising a new highest bid price, moving ~~displaying~~ the first indicator relative to the price axis to ~~at~~ a second graphical location of the plurality of graphical locations in the bid display region, the second graphical location corresponding to a price level of the plurality of price levels associated with the new

highest bid price, wherein the second graphical location is different from the first graphical location in the bid display region;

dynamically displaying, via the computing device, a second indicator representing quantity associated with at least one trade order to sell the commodity at the current lowest ask price in a first graphical location of the plurality of graphical locations in the ask display region, the first graphical second location in the ask display region corresponding to a price level associated with the current lowest ask price;

upon receipt of market information comprising a new lowest ask price, moving displaying the second indicator relative to the price axis to at a second graphical location of the plurality of graphical locations in the ask display region, the second graphical location corresponding to a price level of the plurality of price levels associated with the new lowest ask price, wherein the second graphical location is different from the first graphical location in the ask display region;

displaying, via the computing device, an order entry region comprising a plurality of graphical areas for receiving single action ~~single-click~~ commands to set trade order prices and send trade orders, each graphical area corresponding to a different price level along the price axis of the plurality of price levels; and

~~with a single-click of a user input device;~~ selecting a particular graphical area in the order entry region through a single action of the user input device to both set corresponding to a desired price level ~~with a cursor of the user input device,~~ such that the ~~single-click sets~~ a price for the trade order and sends ~~sends~~ the trade order having a default quantity to the electronic exchange.

42. (currently amended) The method of claim 41, wherein the order entry region further comprises:

a bid order entry region comprising a plurality of graphical areas ~~locations~~ for receiving single action ~~single-click~~ commands to send trade orders to buy, each graphical area ~~location~~ corresponding to a different price level of the plurality of price levels along the price axis; and

an ask order entry region comprising a plurality of graphical areas ~~locations~~ for receiving single action commands to send trade orders to sell, each graphical area ~~location~~ corresponding to a different price level of the plurality of price levels along the price axis.

43. (currently amended) The method of claim 42, wherein the single action ~~single click~~ further sets whether the trade order is an order to buy or sell the commodity.

44. (currently amended) The method of claim 42, wherein the bid order entry region overlaps with the bid display region, and wherein the ask order entry region overlaps with the ask display region.

45. (currently amended) The method of claim 44, wherein the overlapping of the bid order entry region with the bid display region allows the user to send trade orders to buy the commodity by positioning the cursor over the first indicator and selecting a graphical ~~an~~ area corresponding to the current highest bid price, and wherein overlapping of the ask order entry region with the ask display region allows the user to send trade orders to sell the commodity by positioning the cursor over the second indicator and selecting a graphical ~~an~~ area corresponding to the current lowest ask price.

46. (currently amended) The method of claim 41, wherein the trade order is an order to buy the commodity if the position of the cursor at the time of the single action ~~single click~~ is within a bid order entry region and wherein the trade order is an order to sell the commodity if the position of the cursor at the time of the single action ~~single click~~ is within an ask order entry region.

47. (previously presented) The method of claim 41, wherein the default quantity is designated to be used for a single trade order.

48. (previously presented) The method of claim 41, wherein the default quantity is designated to be used for a plurality of trade orders.

49. (currently amended) The method of claim 41, further comprising dynamically displaying an entered order indicator at a graphical location aligned in association with a price level of the plurality of price levels, wherein the entered order indicator represents a user's trade order working at the price level aligned with the entered order indicator.

50. (currently amended) The method of claim 49, further comprising canceling the user's trade order represented by the entered order indicator in response to a single action single-click of the user input device with the cursor of the user input device positioned over the entered order indicator.

51. (previously presented) The method of claim 41, further comprising receiving a re-centering command to center the inside market in a window of a graphical user interface.

52. (previously presented) The method of claim 41, wherein the bid display region, the ask display region, and the order entry region are displayed vertically or horizontally.

53. (previously presented) The method of claim 41, wherein the bid and ask display regions are displayed separately.

54. (currently amended) The method of claim 41, wherein the plurality of price levels are displayed along the price [[an]] axis.

55. (currently amended) The method of claim 41 ~~claim 54~~, wherein the ~~axis is static such that the~~ plurality of price levels do not move except as a result of a manual repositioning command ~~change positions in response to a change in the inside market.~~

56. (currently amended) The method of claim 41, further comprising receiving an input from a user that designates a default quantity to be used for a plurality of trade orders, and receiving a plurality of consecutive single action ~~single click~~ commands from a user input device, each single action ~~single click~~ command sending a trade order to the electronic exchange, each trade order having an order quantity based on the default quantity without the user designating the default quantity between the single action ~~single click~~ commands.

57. (currently amended) The method of claim 56, wherein the plurality of trade orders ~~trades~~ comprises a [[the]] combination of trade orders to buy and sell the commodity.

58-74. (canceled)

75. (new) The method of claim 41, wherein the single action of the user input device consists of a single click of the user input device.

76. (new) The method of claim 41, wherein the single action of the user input device consists of a double-click of the user input device.

77. (new) The method of claim 42, wherein the single action of the user input device consists of a single click of the user input device.

78. (new) The method of claim 42, wherein the single action of the user input device consists of a double-click of the user input device.

79. (new) The method of claim 50, wherein the single action of the user input device to cancel the trade order consists of a single click of the user input device.

80. (new) The method of claim 50, wherein the single action of the user input device to cancel the trade order consists of a double-click of the user input device.

81. (new) The method of claim 56, wherein the single action command consists of a single click of the user input device.

82. (new) The method of claim 56, wherein the single action command consists of a double-click of the user input device.

83. (new) A computer readable medium having stored therein instructions for execution by a computer to perform the following method steps:

receiving, by a computing device, market information for a commodity from an electronic exchange, the market information comprising an inside market with a current highest bid price and a current lowest ask price;

displaying, via the computing device, a bid display region comprising a plurality of graphical locations, each graphical location in the bid display region corresponding to a different price level of a plurality of price levels along a price axis;

displaying, via the computing device, an ask display region comprising a plurality of graphical locations, each graphical location in the ask display region corresponding to a different price level of the plurality of price levels along the price axis;

dynamically displaying, via the computing device, a first indicator representing quantity associated with at least one trade order to buy the commodity at the current highest bid price in a first graphical location of the plurality of graphical locations in the bid display region, the first graphical location in the bid display region corresponding to a price level associated with the current highest bid price;

upon receipt of market information comprising a new highest bid price, moving the first indicator relative to the price axis to a second graphical location of the plurality of graphical locations in the bid display region, the second graphical location corresponding to a price level of the plurality of price levels associated with the new highest bid price, wherein the second graphical location is different from the first graphical location in the bid display region;

dynamically displaying, via the computing device, a second indicator representing quantity associated with at least one trade order to sell the commodity at the current lowest ask price in a first graphical location of the plurality of graphical locations in the ask display region, the first graphical location in the ask display region corresponding to a price level associated with the current lowest ask price;

upon receipt of market information comprising a new lowest ask price, moving the second indicator relative to the price axis to a second graphical location of the plurality of graphical locations in the ask display region, the second graphical location corresponding to a price level of the plurality of price levels associated with the new

lowest ask price, wherein the second graphical location is different from the first graphical location in the ask display region;

displaying, via the computing device, an order entry region comprising a plurality of graphical areas for receiving single action commands to set trade order prices and send trade orders, each graphical area corresponding to a different price level along the price axis; and

selecting a particular graphical area in the order entry region through a single action of the user input device to both set a price for the trade order and send the trade order having a default quantity to the electronic exchange.

84. (new) The computer readable method of claim 83, wherein the single action of the user input device consists of a single click of the user input device.

85. (new) The computer readable method of claim 83, wherein the single action of the user input device consists of a double-click of the user input device.

## **REMARKS**

### **I. Status of the Claims**

By this response, the present application includes claims 41-57 and 75-85. Claims 41-46, 49-50, and 54-57 are currently amended, and new claims 75-85 are added. Among the added claims, only claim 83 is independent, and it is directed to a computer readable medium having stored therein instructions for execution by a computer to perform the method of independent claim 41. Support for these amendments can be found throughout the application and therefore no new matter is added in this response.

### **II. Interview Summary**

Applicants thank Examiner Weisberger for the telephonic interview on December 19, 2008 (“the Interview”) with Applicants’ representative Mark Triplett. Applicants appreciate the Examiner’s time in discussing the present application, including potential amendments that are presented in the claim listing of this response, the current rejections, and the cited art. During the interview, Examiner Weisberger tentatively agreed that the claims with the presented amendments are allowable over the art. The substance of the Interview is reflected herein.

### **III. Related Applications**

Applicants understand that Examiner Weisberger reviews the claims and prosecution history of related applications as they contain common subject matter. To this end, Applicants remind the Examiner that the present application is related through a common claim of priority to U.S. Patents 6,772,132 and 6,766,304, Patent Application Serial Nos. 11/415,163, 11/585,905, 11/585,906, and 11/585,966. For the convenience of the Examiner, Applicants respectfully submit the latest Office Actions for the above pending cases in an IDS submitted herewith.

### **IV. Double Patenting**

To expedite prosecution, Applicants respectfully submit terminal disclaimers with respect to U.S. Patent Nos. 6,772,132 and 6,766,304.

## V. Claim Rejections

The claims have been amended, and therefore obviate the rejections previously made under 35 U.S.C. 101 and 35 U.S.C. 112. Specifically, claims 41-74 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Applicants respectfully disagree that the claims as previously written were directed to non-statutory subject matter. However, in the interest of expediting prosecution, Applicants amended independent claim 41 (from which the other rejected claims depend) to make more clear the recitation of statutory subject matter. Claim 44 was rejected under 35 U.S.C. 112, second paragraph. Again, in the interest of expediting prosecution, Applicants amended claim 44 accordingly. Applicants respectfully submit that the claims, as presented, clearly satisfy 35 U.S.C. 101 and 35 U.S.C. 112.

Claims 41-74 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tokyo Stock Exchange, Next Generation Futures Options Trading System (“TSE”). First, as always, Applicants do not concede that the cited reference is “prior art” under 35 U.S.C. 103(a). Second, during the interview and upon further consideration, the Examiner tentatively agreed that the discussed claims are patentable over the cited art when making the assumption that it is prior art.

For the record, Applicants note that the present claims contain a similar type of claim language that has been found patentable in related patents, U.S. Patent Nos. 6,772,132 and 6,766,304, which both have been confirmed in reexamination (US 6,772,132 C1 and 6,766,304 C1). Applicants respectfully submit that the TSE reference is at most cumulative to what was previously used in the thorough examination of the similar, issued patents (e.g., Friesen, WO 00/62187, was considered in the examination of the issued patents among other art). Additionally, the TSE reference, along with many other references (that have been cited in an IDS in this case on or around December 8, 2008), were fully considered during the reexamination of the two issued patents (before a separate Central Reexamination Unit and examiner); Applicants respectfully point out that the reexamination resulted in a confirmation being granted in both patents with no claim amendments. Likewise, Applicants respectfully submit that claims 41-57 and 75-85 are also patentable over the art of record, including the TSE reference.

**VI. Conclusion**

In general, the Office Action made various statements regarding the pending claims and the cited art that are now moot in light of the above. Thus, Applicants will not address such statements at the present time. However, Applicants expressly reserve the right to challenge such statements in the future should the need arise (for example, if such statements should become relevant by appearing in a rejection of any current or future claim).

All the stated grounds of objection and rejection have been respectfully traversed, accommodated, or rendered moot. Applicants therefore submit that the present application is in condition for allowance. If the Examiner believes that further dialog would expedite consideration of the application, the Examiner is invited to contact Trading Technologies in-house Patent Counsel Mark Triplett at 312-476-1151, or the undersigned attorney or agent.

Respectfully submitted,

**McDONNELL BOEHNEN  
HULBERT & BERGHOFF LLP**

Date: April 6, 2009

By:           /Daniel P. Williams/            
Daniel P. Williams  
Registration No. 58,704  
(312) 913-0001

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11585907	
	Filing Date		2006-10-25	
	First Named Inventor	Kemp		
	Art Unit		3693	
	Examiner Name	Richard C. Weisberger		
	Attorney Docket Number		07-1021-US-CON6	

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number		11585907
Filing Date		2006-10-25
First Named Inventor	Kemp	
Art Unit	3693	
Examiner Name	Richard C. Weisberger	
Attorney Docket Number	07-1021-US-CON6	

1	Re-exam Certificate for U.S. Patent No. 6,766,304, issued March 31, 2009.	<input type="checkbox"/>
2	Re-exam Certificate for U.S. Patent No. 6,772,132, issued March 31, 2009.	<input type="checkbox"/>
3	Non-final Office Action mailed October 17, 2008 for U.S. Patent Application Serial No. 11/415,163, Attorney Docket No. 07-1021-US-CON3.	<input type="checkbox"/>
4	Non-final Office Action mailed March 17, 2009 for U.S. Patent Application Serial No. 11/585,905, Attorney Docket No. 07-1021-US-CON4.	<input type="checkbox"/>
5	Non-final Office Action mailed November 19, 2008 for U.S. Patent Application Serial No. 11/585,906, Attorney Docket No. 07-1021-US-CON5.	<input type="checkbox"/>
6	Final Office Action mailed January 23, 2009 for U.S. Patent Application Serial No. 11/585,966, Attorney Docket No. 07-1021-US-CON7.	<input type="checkbox"/>

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**EXAMINER SIGNATURE**

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11585907		
Filing Date	2006-10-25		
First Named Inventor	Kemp		
Art Unit	3693		
Examiner Name	Richard C. Weisberger		
Attorney Docket Number	07-1021-US-CON6		

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Daniel P. Williams/	Date (YYYY-MM-DD)	2009-04-06
Name/Print	Daniel P. Williams	Registration Number	58704

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The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
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**TERMINAL DISCLAIMER TO OBIVATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

07-1021-US-CON6

In re Application of: Kemp et al.

Application No.: 11/585,907

Filed: October 25, 2006

For: Click Based Trading with Intuitive Grid Display of Market Depth

The owner\*, Trading Technologies, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,766,304 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record. Reg. No. 58,704

\_\_\_\_\_  
/Daniel P. Williams/  
Signature

\_\_\_\_\_  
April 6, 2009  
Date

\_\_\_\_\_  
Daniel P. Williams  
Typed or printed name

\_\_\_\_\_  
312-913-0001  
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**TERMINAL DISCLAIMER TO OBIVATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

07-1021-US-CON6

In re Application of: Kemp et al.

Application No.: 11/585,907

Filed: October 25, 2006

For: Click Based Trading with Intuitive Grid Display of Market Depth

The owner\*, Trading Technologies, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,772,132 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record. Reg. No. 58,704

\_\_\_\_\_  
/Daniel P. Williams/  
Signature

\_\_\_\_\_  
April 6, 2009  
Date

\_\_\_\_\_  
Daniel P. Williams  
Typed or printed name

\_\_\_\_\_  
312-913-0001  
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2009</b> <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional)  07-1021-US-CON6	
Application Number 11/585,907		Filed October 25, 2006	
For Click Based Trading with Intuitive Grid Display of Market Depth			
Art Unit 3693		Examiner Richard C. Weisberger	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$130	\$65	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$490	\$245	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1110	\$555	\$ <u>1110.00</u>
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1730	\$865	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2350	\$1175	\$ _____
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>132490</u> .			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>58,704</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
_____ /Daniel P. Williams/ Signature		_____ April 6, 2009 Date	
_____ Daniel P. Williams Typed or printed name		_____ 312-913-0001 Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	11585907
<b>Filing Date:</b>	25-Oct-2006
<b>Title of Invention:</b>	Click based trading with intuitive grid display of market depth
<b>First Named Inventor/Applicant Name:</b>	Gary Allan Kemp
<b>Filer:</b>	Daniel P. Williams
<b>Attorney Docket Number:</b>	07-1021-US-CON6

Filed as Large Entity

### Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 3 months with \$0 paid	0150 1253	1	1110	1110

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Submission- Information Disclosure Stmt	1806	1	180	180
Statutory disclaimer	1814	2	140	280
<b>Total in USD (\$)</b>				<b>1570</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	5104834
<b>Application Number:</b>	11585907
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	8200
<b>Title of Invention:</b>	Click based trading with intuitive grid display of market depth
<b>First Named Inventor/Applicant Name:</b>	Gary Allan Kemp
<b>Customer Number:</b>	39310
<b>Filer:</b>	Daniel P. Williams
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	07-1021-US-CON6
<b>Receipt Date:</b>	06-APR-2009
<b>Filing Date:</b>	25-OCT-2006
<b>Time Stamp:</b>	17:07:14
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1570
RAM confirmation Number	3504
Deposit Account	132490
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 0152 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	07-1021-US-CON6_01_Response.pdf	169729 8de20dff087f602197c62af855e4471c712408e	no	12

### Warnings:

### Information:

2	Information Disclosure Statement (IDS) Filed (SB/08)	07-1021-US-CON6_02_IDS.pdf	838849 93f3ceab5692f6e81e9fe8d861e3cd434695cbe2	no	4
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### Warnings:

### Information:

A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.

3	Terminal Disclaimer Filed	07-1021-US-CON6_03_TD_304.pdf	54210 f8d5793728bc1b3ed72238f03d78453941f36ab0	no	1
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### Warnings:

### Information:

4	Terminal Disclaimer Filed	07-1021-US-CON6_04_TD_132.pdf	54210 f6d47f543b156fde83f0beacde20f9a68392c151	no	1
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### Warnings:

### Information:

5	NPL Documents	07-1021-US-CON6_05_Reexam_Certificate_6_766_304_C1.pdf	261150 1ccd8c96fd98f186a553adebdaff0612d986027d	no	5
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### Warnings:

### Information:

6	NPL Documents	07-1021-US-CON6_06_Reexam_Certificate_6_772_132_C1.pdf	537549 e32c4aa272daed11d627c2900fa99d463b4898ca	no	8
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### Warnings:

### Information:

7	NPL Documents	07-1021-US-CON6_07_Office_Action_CON3.pdf	125401 1ba9e3378c54986ebb473409169ac5dbcd5ca0e5	no	4
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### Warnings:

Information:					
8	NPL Documents	07-1021-US- CON6_08_Office_Action_CON4 .pdf	865536  301aa6f021aeed94fd4798b5235a7735e31 bcfc5	no	18
Warnings:					
Information:					
9	NPL Documents	07-1021-US- CON6_09_Office_Action_CON5 .pdf	232135  5507baeffacbf8cae5568ee6bc1e6683bee 7a45	no	6
Warnings:					
Information:					
10	NPL Documents	07-1021-US- CON6_10_Office_Action_CON7 .pdf	3955164  2e4543a02b7cb434f27e78da82436cf7441 163a	no	36
Warnings:					
Information:					
11	Extension of Time	07-1021-US- CON6_11_Extension_of_Time. .pdf	49791  21b191be2db2d4d8ff703be5579dedffb17 d8b8c	no	1
Warnings:					
Information:					
12	Fee Worksheet (PTO-06)	fee-info.pdf	33580  3582e95132439e3a08cebad7255c1fd707f4 e9fa	no	2
Warnings:					
Information:					
<b>Total Files Size (in bytes):</b>			7177304		
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>					

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>11/585,907</b>	Filing Date <b>10/25/2006</b>	<input type="checkbox"/> To be Mailed
---	---	----------------------------------	---------------------------------------

APPLICATION AS FILED – PART I			OTHER THAN SMALL ENTITY				
	(Column 1)	(Column 2)	SMALL ENTITY <input type="checkbox"/>	OR			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A		OR	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A		OR	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A		OR	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =		OR	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =		OR	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				OR		
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>					OR		
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		OR	TOTAL	

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY				
	(Column 1)	(Column 2)	(Column 3)						
AMENDMENT	DATE	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	<b>04/06/2009</b>						OR		
	Total (37 CFR 1.16(i))	* 28	Minus ** 34	= 0	X \$ =		OR	X \$52=	0
	Independent (37 CFR 1.16(h))	* 2	Minus ***3	= 0	X \$ =		OR	X \$220=	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR		
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	<b>0</b>

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY				
	(Column 1)	(Column 2)	(Column 3)						
AMENDMENT	DATE	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
							OR		
	Total (37 CFR 1.16(i))	*	Minus **	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus ***	=	X \$ =		OR	X \$ =	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR		
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:  
 /ROZENIA HARMON/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**  
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<b>Application Number</b> 	<b>Application/Control No.</b> 11/585,907	<b>Applicant(s)/Patent under Reexamination</b> KEMP ET AL.

<b>Document Code - DISQ</b>	<b>Internal Document – DO NOT MAIL</b>
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<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
Date Filed : 4/2/09	<b>This patent is subject to a Terminal Disclaimer</b>	

<b>Approved/Disapproved by:</b>
2 td's j.proctor



NOTICE OF ALLOWANCE AND FEE(S) DUE

39310 7590 09/21/2009

MBHB/TRADING TECHNOLOGIES
300 SOUTH WACKER DRIVE
SUITE 3200
CHICAGO, IL 60606

EXAMINER: WEISBERGER, RICHARD C
ART UNIT: 3693 PAPER NUMBER:
DATE MAILED: 09/21/2009

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

11/585,907 10/25/2006 Gary Allan Kemp II 07-1021-US-CON6 8200

TITLE OF INVENTION: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

nonprovisional NO \$1510 \$300 \$0 \$1810 12/21/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

39310                      7590                      09/21/2009

**MBHB/TRADING TECHNOLOGIES**  
 300 SOUTH WACKER DRIVE  
 SUITE 3200  
 CHICAGO, IL 60606

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/585,907	10/25/2006	Gary Allan Kemp II	07-1021-US-CON6	8200

TITLE OF INVENTION: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/21/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
WEISBERGER, RICHARD C	3693	705-035000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY AND STATE OR COUNTRY) \_\_\_\_\_

Please check the appropriate assignee category or categories (will not be printed on the patent) :  Individual  Corporation or other private group entity  Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.       b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER. Includes application details for MBHB/TRADING TECHNOLOGIES and examiner information.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 242 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 242 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

<b>Application No.</b> 11/585,907	<b>Applicant(s)</b> KEMP ET AL.	
<b>Examiner</b> Richard C. Weisberger	<b>Art Unit</b> 3693	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1.  This communication is responsive to 04/96/2009.
- 2.  The allowed claim(s) is/are 41-57 and 75-85.
- 3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All   b)  Some\*   c)  None   of the:
    - 1.  Certified copies of the priority documents have been received.
    - 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
    - 3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- 4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - 5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5.  Notice of Informal Patent Application
- 6.  Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_ .
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

/Richard C Weisberger/  
Primary Examiner, Art Unit 3693



<b>Issue Classification</b> 	<b>Application/Control No.</b> 11/585,907	<b>Applicant(s)/Patent under Reexamination</b> KEMP ET AL.	
	<b>Examiner</b> Richard C. Weisberger	<b>Art Unit</b> 3693	

ISSUE CLASSIFICATION												
ORIGINAL					CROSS REFERENCE(S)							
CLASS		SUBCLASS			CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)						
705		35										
INTERNATIONAL CLASSIFICATION												
g	0	6	q	40/00								
				/								
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				/								
				/								
					/Richard Weisberger/ 09/11/2009					<b>Total Claims Allowed: 28</b>		
(Assistant Examiner) (Date)										O.G. Print Claim(s) 1		O.G. Print Fig. 1
(Legal Instruments Examiner) (Date)					(Primary Examiner) (Date)							

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant												<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original		
	1		31		61		91		121		151		181				
	2		32		62		92		122		152		182				
	3		33		63		93		123		153		183				
	4		34		64		94		124		154		184				
	5		35		65		95		125		155		185				
	6		36		66		96		126		156		186				
	7		37		67		97		127		157		187				
	8		38		68		98		128		158		188				
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	28		58		88		118		148		178		208				
	29		59		89		119		149		179		209				
	30		60		90		120		150		180		210				

**Application Number**



**Application/Control No.**

11/585,907

**Applicant(s)/Patent under Reexamination**

KEMP ET AL.

**Examiner**

Richard C. Weisberger

**Art Unit**

3693

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number	11585907
	Filing Date	2006-10-25
	First Named Inventor	Kemp
	Art Unit	3693
	Examiner Name	Richard C. Weisberger
	Attorney Docket Number	07-1021-US-CON6

U.S. PATENTS							Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	
	1						/Richard Weisber

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>5</sup>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number		11585907
Filing Date		2006-10-25
First Named Inventor	Kemp	
Art Unit	3693	
Examiner Name	Richard C. Weisberger	
Attorney Docket Number	07-1021-US-CON6	

1	Re-exam Certificate for U.S. Patent No. 6,766,304, issued March 31, 2009.	<input type="checkbox"/>
2	Re-exam Certificate for U.S. Patent No. 6,772,132, issued March 31, 2009.	<input type="checkbox"/>
3	Non-final Office Action mailed October 17, 2008 for U.S. Patent Application Serial No. 11/415,163, Attorney Docket No. 07-1021-US-CON3.	<input type="checkbox"/>
4	Non-final Office Action mailed March 17, 2009 for U.S. Patent Application Serial No. 11/585,905, Attorney Docket No. 07-1021-US-CON4.	<input type="checkbox"/>
5	Non-final Office Action mailed November 19, 2008 for U.S. Patent Application Serial No. 11/585,906, Attorney Docket No. 07-1021-US-CON5.	<input type="checkbox"/>
6	Final Office Action mailed January 23, 2009 for U.S. Patent Application Serial No. 11/585,966, Attorney Docket No. 07-1021-US-CON7.	<input type="checkbox"/>

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**EXAMINER SIGNATURE**

Examiner Signature	/Richard Weisberger/	Date Considered	06/20/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.



Dfw

Atty. Dkt. No. 024051-0228

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gary Allan KEMP et al.  
Title: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH  
Appl. No.: 11/585,907  
Filing Date: October 25, 2006  
Examiner: Unassigned  
Art Unit: 3624  
Confirmation No.: 8200

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 11/415,163, filed May 2, 2006. As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

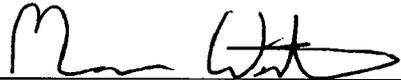
All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

Although Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: February 7, 2007

By 

FOLEY & LARDNER LLP

**Customer Number: 22428**

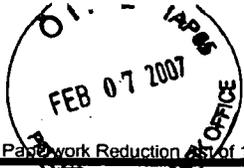
Telephone: (202) 945-6002

Facsimile: (202) 672-5399

Marc K. Weinstein

Attorney for Applicants

Registration No. 43,250



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<p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p style="text-align: center;">Date Submitted: February 7, 2007</p> <p style="text-align: center;">(use as many sheets as necessary)</p>	<p><b>Complete if Known</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Application Number</td> <td>11/585,907</td> </tr> <tr> <td>Filing Date</td> <td>10/25/2006</td> </tr> <tr> <td>First Named Inventor</td> <td>Gary Allan KEMP II et al.</td> </tr> <tr> <td>Art Unit</td> <td>3624</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>024051-0228</td> </tr> </table>	Application Number	11/585,907	Filing Date	10/25/2006	First Named Inventor	Gary Allan KEMP II et al.	Art Unit	3624	Examiner Name	Unassigned	Attorney Docket Number	024051-0228
Application Number	11/585,907												
Filing Date	10/25/2006												
First Named Inventor	Gary Allan KEMP II et al.												
Art Unit	3624												
Examiner Name	Unassigned												
Attorney Docket Number	024051-0228												
Sheet 1 of 4													

U.S. PATENT DOCUMENTS					
EXAMINER INITIALS*	CITE NO. <sup>1</sup>	DOCUMENT NUMBER	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
		NUMBER-KIND CODE <sup>2</sup> (IF KNOWN)			
	A1	2002/0055899	05-09-2002	Williams	
	A2	2002/0023038	02-21-2002	Fritsch et al.	
	A3	2002/0138401	09-26-2002	Allen et al.	
	A4	5,038,284	08-06-1991	Kramer	
	A5	5,297,031	03-22-1994	Gutterman et al.	
	A6	5,689,651	11-18-1997	Lozman	
	A7	5,774,877	06-30-1998	Patterson, Jr. et al.	
	A8	5,793,301	08-11-1998	Patterson, Jr. et al.	
	A9	5,797,002	08-18-1998	Patterson, Jr. et al.	
	A10	5,845,266	12-01-1998	Lupien et al.	
	A11	5,915,245	06-22-1999	Patterson, Jr. et al.	
	A12	5,924,082	07-13-1999	Silverman et al.	
	A13	5,963,923	10-05-1999	Garber	
	A14	6,012,046	01-04-2000	Lupien et al.	
	A15	6,014,643	01-11-2000	Minton	
	A16	6,098,051	08-01-2000	Lupien et al.	
	A17	6,131,087	10-10-2000	Luke et al.	
	A18	6,134,535	10-17-2000	Belzberg	
	A19	6,195,647	02-27-2001	Martyn et al.	
	A20	6,272,474	08-07-2001	Garcia	
	A21	6,278,982	08-21-2001	Korhammer et al.	
	A22	6,282,521	08-28-2001	Howorka	
	A23	4,674,044	06-16-1987	Kalmus et al.	
	A24	4,750,135	06-07-1988	Boilen	
	A25	5,270,922	12-14-1993	Higgins	
	A26	5,297,032	03-22-1994	Trojan et al.	
	A27	5,924,083	07-13-1999	Silverman et al.	
	A28	6,014,643	01-11-2000	Minton	
	A29	4,903,201	02-20-1990	Wagner	
	A30	5,297,032	03-22-1994	Trojan et al.	
	A31	5,077,665	12-31-1991	Silverman et al.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>  Date Submitted: February 7, 2007 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number	11/585,907	
Sheet		2	of	4	Filing Date	10/25/2006
					First Named Inventor	Gary Allan KEMP II et al.
					Art Unit	3624
					Examiner Name	Unassigned
					Attorney Docket Number	024051-0228

U.S. PATENT DOCUMENTS					
EXAMINER INITIALS*	CITE No. <sup>1</sup>	DOCUMENT NUMBER	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
		NUMBER-KIND CODE <sup>2</sup> (IF KNOWN)			
	A32	5,101,353	03-31-1992	Lupien et al.	
	A33	5,136,501	08-04-1992	Silverman et al.	
	A34	5,946,667	08-31-1999	Tull, Jr. et al.	
	A35	6,035,287	03-07-2000	Stallaert et al.	
	A36	6,408,282	06-18-2002	Buist	

FOREIGN PATENT DOCUMENTS						
EXAMINER INITIALS*	CITE No. <sup>1</sup>	FOREIGN PATENT DOCUMENT	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENTS	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T <sup>6</sup>
		COUNTRY CODE <sup>3</sup> -NUMBER <sup>4</sup> -KIND CODE <sup>5</sup> (IF KNOWN)				
	A37	WO 99/30259	06-17-1999	Nippon Steel Corporation		
	A38	WO 00/65510	11-02-2000	Disraeli		
	A39	WO 01/16830	03-08-2001	Hausman		
	A40	WO 01/16852	03-08-2001	Friesen		
	A41	WO 01/22315	03-29-2001	Zeigler et al.		
	A42	WO 01/88808	11-22-2001	Peterson et al.		
	A43	WO 95/26005	09-28-1995	Belzberg		
	A44	WO 98/49639	11-05-1998	Lawrie		
	A45	WO 99/19821	04-22-1999	Derivatives Net, Inc.		
	A46	WO 99/53424	10-21-1999	Impink		
	A47	WO 00/52619	09-08-2000	WIT Capital Corporation		
	A48	WO 00/62187	10-19-2000	Epit Inc.		

NON PATENT LITERATURE DOCUMENTS						
EXAMINER INITIALS*	CITE No. <sup>1</sup>	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS), TITLE OF THE ARTICLE (WHEN APPROPRIATE), TITLE OF THE ITEM (BOOK, MAGAZINE, JOURNAL, SERIAL, SYMPOSIUM, CATALOG, ETC.) DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, CITY AND/OR COUNTRY WHERE PUBLISHED.				T <sup>6</sup>
			A49	www.tradingtechnologies.com/products/xtrade_full.html (viewed 5/22/2001).		
	A50	KHAROUF, "A trading room with a view," <i>Futures</i> , 27, 11, 11/1998.				
	A51	USPTO Presentation, NASDAQ, November 8, 2001, enclosed pages 1-13.				
	A52	Tokyo Stock Exchange, Publication 1, "Next-Generation Futures Options Trading System" (participants seminar materials), September 1997				

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: February 7, 2007 (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	11/585,907	
			Filing Date	10/25/2006	
			First Named Inventor	Gary Allan KEMP II et al.	
			Art Unit	3624	
			Examiner Name	Unassigned	
Sheet	3	of	4	Attorney Docket Number	024051-0228

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EXAMINER INITIALS*	CITE No. <sup>1</sup>	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS), TITLE OF THE ARTICLE (WHEN APPROPRIATE), TITLE OF THE ITEM (BOOK, MAGAZINE, JOURNAL, SERIAL, SYMPOSIUM, CATALOG, ETC.) DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, CITY AND/OR COUNTRY WHERE PUBLISHED.	T <sup>6</sup>
	A53	English Translation of Tokyo Stock Exchange, Publication 1, "Next-Generation Futures Options Trading System" (participants seminar materials), September 1997	
	A54	REFCO English Translation of Tokyo Stock Exchange, Publication 1, "Next-Generation Futures Options Trading System" (participants seminar materials), September 1997	
	A55	Tokyo Stock Exchange, Publication 2, "Futures/Options Trading System Guidelines for Operating the Trading Terminals", August 1998	
	A56	English Translation of Tokyo Stock Exchange, Publication 2, "Futures/Options Trading System Guidelines for Operating the Trading Terminals", August 1998	
	A57	REFCO English Translation of Tokyo Stock Exchange, Publication 2, "Futures/Options Trading System Guidelines for Operating the Trading Terminals", August 1998	
	A58	Tokyo Stock Exchange, Document 1, "Downloading the Terminal Program and Sending the Replacement for the Guidelines for Operating the Trading Terminals", January 2000	
	A59	English Translation of Tokyo Stock Exchange, Document 1, "Downloading the Terminal Program and Sending the Replacement for the Guidelines for Operating the Trading Terminals", January 2000	
	A60	Tokyo Stock Exchange, Publication 3, "Tokyo Stock Exchange 50 <sup>th</sup> Anniversary Book of Materials", July 31, 2000	
	A61	English Translation of Tokyo Stock Exchange, Publication 3, "Tokyo Stock Exchange 50 <sup>th</sup> Anniversary Book of Materials", July 31, 2000	
	A62	REFCO English Translation Tokyo Stock Exchange, Publication 3, "Tokyo Stock Exchange 50 <sup>th</sup> Anniversary Book of Materials", July 31, 2000	
	A63	English Translation of Tokyo Stock Exchange Offer Form, April 18, 2005	
	A64	Information Offer Form, April 18, 2005	
	A65	Notification of Information Offer Form, June 3, 2005	
	A66	"APT: A trading system for the future," The London International Financial Futures Exchange (LIFFE), 1990, 11 pages.	
	A67	Trading Screen, INTEX of Bermuda, 1984, one page.	
	A68	B.W. WEBER, "Information Technology in the Major International Financial Markets," Stern School of Business, New York University, April 7, 1993, pp. 1-43.	
	A69	Trading Screen, TIFFE Exchange, circa 1989-1990, one page.	
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	A71	C. CAVALETTI, "Order Routing,," FUTURES MAGAZINE, February 1997, pp. 68-70.	
	A72	"AURORA: The most technologically advanced trading system available today," Chicago Board of Trade, 1989, 11 pages.	
	A73	"One Click Trading Options," Trading Technologies, Inc., 1998, one page.	

Examiner Signature	Date Considered
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			Application Number	11/585,907	
Sheet			Filing Date	10/25/2006	
			First Named Inventor	Gary Allan KEMP II et al.	
			Art Unit	3624	
			Examiner Name	Unassigned	
			Attorney Docket Number	024051-0228	
4	of	4			

NON PATENT LITERATURE DOCUMENTS			
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	A74	Trading Screen, SWX Exchange, 1990, two pages.	
	A75	"Expanding futures and options trading around the world, around the clock," GLOBEX, 1989, 48 pages.	
	A76	S. HANSELL, "The computer that ate Chicago," INSTITUTIONAL INVESTOR, February 1989, 5 pages.	
	A77	"Sydney Futures Exchange Announces Plans to Join GLOBEX," GLOBEX REPORT: An Update on the CME global electronic exchange, Vol. II, No. 2, February 10, 1989, 4 pages.	
	A78	New York Mercantile Exchange (NYMEX) Access Documents, February 28, 1992, 413 pages.	
	A79	The Computer Assisted Trading System (CATS) Traders' Manual, Toronto Stock Exchange, September 30, 1977, 142 pages.	
	A80	Market Watch trading screen, date not available, 1 page.	
	A81	GRUMMER et al., "Preliminary Feasibility Study," Bermudex Ltd., November 1980, 100 pages.	
	A82	PEAKE et al., Appendix C of Preliminary Feasibility Study, "The ABCs of trading on a national market system," Bermudex Ltd., September 1997, 16 pages.	
	A83	J.W. PEAKE, Appendix E of Preliminary Feasibility Study, "The last fifteen meters," Bermudex Ltd., June 15, 1997, 18 pages.	
	A84	Declaration of Brendan Bradley in Case No. 04 C 5312, November 18, 2004, 27 pages.	
	A85	Memorandum Opinion and Order of Judge James B. Moran in Case No. 04 C 5312, February 9, 2005, 22 pages.	

Examiner Signature	/Richard Weisberger/	Date Considered	10/01/2008
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*[Handwritten signature]*

Atty. Dkt. No. 024051-0228

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gary Allan KEMP et al.  
Title: CLICK BASED TRADING WITH INTUITIVE GRID DISPLAY OF MARKET DEPTH  
Appl. No.: 11/585,907  
Filing Date: October 25, 2006  
Examiner: Unassigned  
Art Unit: 3624  
Confirmation No.: 8200

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of the first Office action.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English. These documents describe a trading product of GL Trade, and include users guides for several different versions of a LIFFE Connect for Futures product, and user information notes for a CAC and Stoxx Futures product.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By Phillip J. Articola

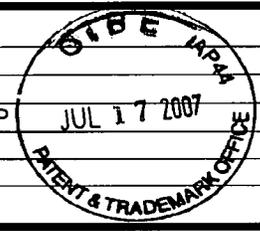
Phillip J. Articola  
Attorney for Applicant  
Registration No. 38,819

Date: July 17, 2007

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Facsimile: (202) 672-5399

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Application Number</b>	11/585,907
Date Submitted: July 17, 2007		<b>Filing Date</b>	10/25/2006
(use as many sheets as necessary)		<b>First Named Inventor</b>	Gary Allan KEMP
<b>Sheet</b>	1	<b>Group Art Unit</b>	3624
	of	<b>Examiner Name</b>	Unassigned
	1	<b>Attorney Docket Number</b>	024051-0228



**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B1	GL Trade, CAC and Stoxx Futures on MATIF NSC VF, User Information Notes, pages 1-14, published by GL Trade, London, England, March 15, 1999.	
	B2	GL Trade, LIFFE Connect for Futures, User Guide, V4.50 Beta, pages 1-24, published by GL Trade, London, England, January, 1999.	
	B3	GL Trade, LIFFE Connect for Futures, User Guide, V4.50, pages 1-39, published by GL Trade, London, England, February, 1999.	
	B4	GL Trade, LIFFE Connect for Futures, User Guide, V4.50, pages 1-39, published by GL Trade, London, England, March, 1999.	
	B5	GL Trade, LIFFE Connect for Futures, User Guide, V4.51, pages 1-57, published by GL Trade, London, England, June, 1999.	

<b>Examiner Signature</b>	/Richard Weisberger/	<b>Date Considered</b>	10/01/2008
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CONFIRMATION NO. 8200

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
11/585,907	10/25/2006	705	3693	07-1021-US-CON6
	<b>RULE</b>			

**APPLICANTS**

Gary Allan Kemp II, Winnetka, IL;  
 Jens-Uwe Schluetter, Evanston, IL;  
 Harris Brumfield, Chicago, IL;

**\*\* CONTINUING DATA \*\*\*\*\***

This application is a CON of 11/415,163 05/02/2006  
 which is a CON of 10/237,131 09/09/2002 ABN  
 which is a CON of 09/590,692 06/09/2000 PAT 6,772,132  
 which claims benefit of 60/186,322 03/02/2000

**\*\* FOREIGN APPLICATIONS \*\*\*\*\***

**\*\* IF REQUIRED, FOREIGN FILING LICENSE GRANTED \*\***  
 11/09/2006

Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Met after Allowance	<b>STATE OR COUNTRY</b>	<b>SHEETS DRAWINGS</b>	<b>TOTAL CLAIMS</b>	<b>INDEPENDENT CLAIMS</b>
35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IL	6	1	1
Verified and /RICHARD C WEISBERGER/	Initials				
Acknowledged	Examiner's Signature				

**ADDRESS**

MBHB/TRADING TECHNOLOGIES  
 300 SOUTH WACKER DRIVE  
 SUITE 3200  
 CHICAGO, IL 60606  
 UNITED STATES

**TITLE**

Click based trading with intuitive grid display of market depth

<b>FILING FEE RECEIVED</b> 1700	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees (Filing)
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		<input type="checkbox"/> 1.18 Fees (Issue)
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Application Number</b>	11/585,907
		<b>Filing Date</b>	10/25/2006
		<b>First Named Inventor</b>	Kemp
		<b>Art Unit</b>	3693
		<b>Examiner Name</b>	Richard C. Weisberger
<b>Sheet</b>	1	of	32
		<b>Attorney Docket Number</b>	07-1021-US-CON6

<b>NON PATENT LITERATURE DOCUMENTS</b>			
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	1	eSpeed's Supplemental Invalidity Contentions, 5/25/2007	
	2	eSpeed's Disclosure of Invalidity Contentions Pursuant to 35 USC 282, 5/25/2007	
	3	Invalidity Contentions Re: TradePad Module (Letter Dated 5/25/2007)	
	4	Supplemental Invalidity Contentions Pursuant to 35 U.S.C. 282, 8/10/2007	
	5	eSpeed's and Ecco's Answers to Plaintiff's Eighth Set of Interrogatories, 8/4/2006	
	6	eSpeed and Ecco's Supplemental Answers to Plaintiff's First, Third, Seventh, Eighth, and Ninth Set of Interrogatories, 5/25/2007	
	7	Defendant GL Trade Americas, Inc's Supplemental Responses and Objections to Interrogatory Nos. 5, 17, and 18, 7/24/2006	
	8	eSpeed's Objections and Answers to Plaintiff's Third Set of Interrogatories to Defendant eSpeed, 5/12/2005	
	12	GL WIN Version 4.50, 03/03/99, DX 538, G 107459-G 107480, DTX 538	
	13	Trading Pad User Manual, 08/10/99, DX 539, G 112123-G 112131, DTX 539	

<b>Examiner Signature</b>	<b>Date Considered</b>	
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		Application Number	11/585,907		
		Filing Date	10/25/2006		
		First Named Inventor	Kemp		
		Art Unit	3693		
		Examiner Name	Richard C. Weisberger		
Sheet	2	of	32	Attorney Docket Number	07-1021-US-CON6

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	14	Email from WATTIER to M. Cartier attaching Matif VF: V4.50 manual, 3/30/1998, DX 592, MC000046-MC000116, DTX 592	
	18	User Guide V4.60 LIFFE Connect for Futures by GL Trade, 06/00/99, DX 605, G 123548-G 123603, DTX 605	
	21	"A System and Method for Conducting Security Transactions Over a Computer Network", MAURO & BUIST, 03/01/99, DX 196, eS 066150-eS 066229, DTX 196	
	22	RCG's Presentation re WitCapital, 4/22/2004, DX 208, RCG 000635-RCG 000663, DTX 208	
	23	MAURO, Certified Patent Application No. 09/292,552, 4/15/1999, DX 209, eS 065994-eS 066149,	
	24	Various declarations Re: Patent Application No. 09/292,552, 11/3/2003, DX 284, TT 099877-TT 099907, DTX 284	
	25	EVENSTREET Presentation prepared for National Discount Brokers, 00/00/1999, DX 301, CM 006787-CM 006817, DTX 301	
	26	WIT DSM user interface instructions, 08/06/98, DX 427, CM 006591-CM 006632, DTX 427	
	27	Presentation re WIT DSM user interface Trade4.ppt, 10/12/98, DX 430, CM 008265-CM 008330, DTX 430	
	28	WIT DSM Presentation re Information display and decision variables, 12/20/98, DX 431, CM 004334-CM 004347, DTX 431	

Examiner Signature	Date Considered
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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Application Number</b>	11/585,907
		<b>Filing Date</b>	10/25/2006
		<b>First Named Inventor</b>	Kemp
		<b>Art Unit</b>	3693
		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
<b>Sheet</b>	3	<b>of</b>	32

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	29	EVENSTREET Presentation prepared for Flatiron Partners, 00/00/1999, DX 437, CM 007139-CM 007172, DTX 437	
	30	WIT Capital digital trading facility presentation to Goldman Sachs, DX 438, CM 004523-CM 004547, DTX 438 (06/99).	
	31	WIT Capital Digital trading facility presentation to PaineWebber, Inc., DX 439, DTX 439 (circa 1999).	
	32	WIT Capital after hours trading system, MAURO, 3/19/1999, DX 440, CM 009028-CM 009059, DTX 440	
	33	WIT Capital Corporation digital trading facility presentation, 03/00/99, DX 441, DTX 441	
	34	WIT Capital pdf operator manual for Digital trading facility, 00/00/1999, DX 442, CM 006510-CM 006513, DTX 442 (1999).	
	35	Overview re Digital trading facility, DX 443, CM 006315-CM 006344, DTX 443 (circa 1999).	
	36	Utility Patent Application Transmittal Re: Computer Trading System, Method and Interface, 4/15/1999, MAURO, KLEIA, and BUIST, PX368	
	37	Photocopy of Disks containing exhibits A and B to declaration of W. Buist, PX366 (4/26/06).	
	38	SISS Functional specifications version 2.1, 02/16/88, DX 445, DTX 445	

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		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
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	39	Overview re SPATS; the Electronic Broker, DX 446, DTX 446 (date unavailable).	
	40	Status review specialist support system study NYSE, 04/10/86, DX 447, DTX 447	
	41	Declaration of W. BUIST re: WIT DSM System, 04/26/06, PX 365, DTX 1777	
	43	Sample screens of APT system, DX 150, DTX 150 (circa 1989).	
	44	Photo of trader w/ APT screen, DX 151, LIFFE 00167-LIFFE 00168, DTX 151 (pre-1998).	
	45	APT User Guide, 01/00/94, DX 152, LIFFE 000262-LIFFE 000363, DTX 152	
	46	LIFFE guide/pamphlet, DX 148, DTX 148 (pre-1994).	
	47	Release Notes - Market Trader V5.2a, 03/18/99, DX 617, G 118137-G 118152, DTX 617	
	48	Market Trader - Nikkel 225 & Nikkel 300 Index options and Index futures trading users guide, 03/20/98, DX 618, G100444-G100462, DTX 618	
	49	MIDAS KAPITI Delivery Note and Release Note- Market Trader V5.2b, 03/31/1999, DX 619, G 096511-G 096527, DTX 619	

Examiner Signature	Date Considered	
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		<b>Art Unit</b>	3693
		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
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	50	MIDAS KAPITI Release Notes - Market Trader V5.2e, 04/12/1999, DX 620, G 096694- G 096711, DTX 620	
	51	MIDAS KAPITI Release Notes - Market Trader V5.2, DX 621, G 096712 -G 096727, DTX 621, 05/26/99	
	52	MIDAS KAPITI Release Notes - Market Trader V5.2e, DX 622, G 096728- G 096754, DTX 622, 06/01/99	
	53	MIDAS KAPITI Delivery Note and Release Note- Market Trader V5.2e, DX 623, G 105641- G 105667, DTX 623, 5/26/99	
	54	Drawing of 1997 TSE terminal by H. KIDA, DX 624, DTX 624	
	55	Directory of Software Solutions for LIFFE Connect, 02/0099, DX 156, DTX 156	
	56	ScreenShots: Patsystem "Canned" Demo, 02/00/97, DX 120, PATS 00545- PATS 00559, DTX 120	
	57	PTS Client Version 2.1F, DX 119, PATS 00067-PATS 00082, DTX 119 (1998).	
	58	PTS trading application Version 1.1 Beta H.1, 03/31/1998, DX 118, PATS 00560 -PATS 00560, DTX 118	

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		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
Sheet	6	of	32
		Attorney Docket Number	07-1021-US-CON6

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	59	Directory of Software Solutions for LIFFE Connect, Issue 1, 10/00/1998, DX 155, DTX 155	
	60	Directory of Software Solutions for LIFFE Connect, Issue 3, 6/10/1999, DX 157, DTX 157	
	61	Trading Technologies Trader System User Documentation, 04/01/98, Release 3.10, DX 3, TT 015867-TT 015955, DTX 3	
	62	Aurora Chicago Board of Trade Brochure, 1990, ES0021230-ES0021241	
	63	Ecco Consulting Study Report MEFF Software Systems, 3/17/1999, ES0060578-ES0060591	
	64	Osaka Stock Exchange Manual (Japanese Document), 4/1996 REFCO0009773-REFCO0009826	
	65	TSE Manual (Japanese Document), 11/15/05, DX179, TSE647-995, w/certified translation eS62258-62366 [TSE609-647,694-711,714-721,735-736,749-756,759-760,779-782,784-810,982-995]	✓
	66	TIFFE Manual (Japanese Document), 1/1996, REFCO0010861-REFCO0011210, (translation included as cite no. 175)	
	67	Final Detailed Design Document NYMEX ACCESS, 5/5/1992, eS0003127-eS0003541	
	68	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 3.0, 9/1998, DDX 159, DTX 159, eS00060055-eS00060145	

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		First Named Inventor	Kemp
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		Examiner Name	Richard C. Weisberger
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Sheet	7	of	32

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	69	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 3.2, 12/1998, DDX 161, DTX 161, eS00060239-eS00060331	
	70	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 3.3, 1/1999, DDX 162, DTX 162, eS00059959-eS00060054	
	71	The Application Program Interface (API) Reference Manual for LIFFE Connect, Release 2.7, 9/1998, DDX 163, DTX 163, eS00059868-eS00059958	
	72	OM CLICK Trade User's Guide for Windows NT, 10/00/1998, eS00064671-eS00064773	
	74	GLOBEX Members Handbook, 6/00/1992, DX632, DTX632, eS006974-eS0069818	
	77	The Complete GLOBEX2 Handbook, 5/00/1998, DX635, DTX635, CME-E0010679-0010891	
	78	The Complete GLOBEX2 Handbook, 7/00/1998, DX637, DTX637, CME-E 014048- CME-E 014286	
	79	MINEX Service Outline User Test/Orientation, 9/1992, eS0064647-eS0064670	
	80	ORC Instructions for Use Version 2.2.8., 0/0/1999, eS0064775-eS0032572	
	81	INTERACTIVE BROKERS, "Trade Futures Online with Interactive Brokers", 5/9/2005, eS0032571- eS0032572	

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		Filing Date	10/25/2006		
		First Named Inventor	Kemp		
		Art Unit	3693		
		Examiner Name	Richard C. Weisberger		
Sheet	8	of	32	Attorney Docket Number	07-1021-US-CON6

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	82	NICHOLAS ECONOMIDES, "Electronic Call Market Trading", Journal of Portfolio Management, 2/00/1995, eS0069585-eS0069610	
	84	GL Trading Pad Manual, G0020819-G0020826 (1999).	
	86	TradePad Instructions (French), G0025748-G0025749 (date unavailable).	
	87	TradePad.vsd Document, 2/9/1999, G011169-G0111670	
	88	Trading pad.doc Document, 1/26/1999, G0111671-G0111672	
	90	GL WIN et Logiciels complementaires (French), 10//00/99, G009121-G009486	
	91	GL WIN et Logiciels complementaires (French), 7/00/99, G009875-G010238	
	92	Memo re: Dual ACCESS Version 4.5 release, 3/21/99, G0022956-G0022959:	
	93	tradepad.txt (French), 3/8/2000, G0025616-G0025618	
	96	GL Enhancements Software Version 4.11f, 10/29/1998, G0060853-G0060854	

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<b>Sheet</b>	9	<b>of</b>	32
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	97	GL Enhancements Update, 01/27/99, G0101682-G0101688	
	98	LIFFE Connect Futures Release Note 050399.doc, 3/3/1998, G0111402-G0111407	
	99	TradingPad.doc, 4/30/1999, G0112117-G0112122	
	100	TradingPadUserManual.doc, 8/10/1999, G0112123-G0112131	
	102	GL WIN Version 4.51, G0118856-G0118865 (1999).	
	103	GL Trade Presentation (French), 4/25/1999, G0118989-G0119044	
	104	LIFFE CONNECT FUTURES Functional Technical Issues to Resolve, 4/12/2007, G0119049-G0119050	
	105	LIFFE CONNECT for Equity Options User Guide v4.30, 11/1998, G0119052-G0119086	
	106	Member Participation in the Futures Market, 04/12/1999, G0119196-G0119197	
	107	Email from PATRICIA GAUTHIER to Sam Page, 1/25/1999, G0119377-G0119380	

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	108	LIFFE CONNECT ISV CIRCULAR NO: 001.99, 1/8/1999, G0119566-G0119568	
	109	LIFFE CONNECT ISV CIRCULAR NO: 14.99, 3/2/1999, G0119583-G0119590	
	110	LIFFE CONNECT ISV CIRCULAR NO: 004.99, 1/15/1999, G119615-G0119616	
	111	LIFFE CONNECT ISV CIRCULAR NO: 001.99, 1/15/1999, G0119617-G0119618	
	112	LIFFE CONNECT ISV CIRCULAR NO: 008.98, 12/28/1998, G0119631-G0119632	
	113	Screenshot of GL TradePad, G0119660 (01/99).	
	114	LIFFE CONNECT for Futures Schedule for Project Deliverables, 2/4/1999, G0119681-G0119682	
	115	LIFFE CONNECT for Futures-Project Update #1, Meeting of 1/11/99, G0119691-G0119697	
	116	LIFFE CONNECT for FUTURES: Project Update 2, Meeting of 2/10/99, G0119698-G0119704	
	117	LIFFE CONNECT for FUTURES: Project Summary: 4/19/99, G0119705-G0119717	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	11/585,907
		Filing Date	10/25/2006
		First Named Inventor	Kemp
		Art Unit	3693
		Examiner Name	Richard C. Weisberger
Sheet	11	of	32
		Attorney Docket Number	07-1021-US-CON6

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	118	Functional Enhancements for LIFEE CONNECT for FUTURES Project, 4/12/1999, G0119718-G0119724	
	119	Functional Enhancements for LIFEE CONNECT for FUTURES Project, 4/12/99, G0119725-G0119745	
	120	Functional Enhancements for LIFEE CONNECT for FUTURES Project, 3/3/99	
	121	Installation, Market Entry Test, and Technical Dress Rehearsal Summary, 2/23/99	
	122	GL Trade Checklist-Installation Requirements for FUTURES, Jan. 1999, G0119795-G0119798	
	123	Cahier de charges.doc, 2/9/1999, G0111752-G0111758	
	124	Keyboard example, 2/3/2006, G007308-G007310	
	125	GL Brochure, G0021652-21658 (date unavailable).	
	126	GL Cost and Services, 00/00/1998, G0108876	
	127	GL Win Summary (French), 6/00/1998, G0091004-G0091046	

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		<b>Examiner Name</b>	Richard C. Weisberger
<b>Sheet</b>	12	<b>of</b>	32
		<b>Attorney Docket Number</b>	07-1021-US-CON6

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	129	Swiss Exchange SWX - TS User Manual, 12/31/1998, DTX 2215, eS0032293-eS0032547	
	130	Screen No. 100-Order Book & Order Entry 1 (Single View), eS060637-eS060639 (pre-1999).	
	131	GLOBEX User Guide, 01/00/97, DDX 633, DTX 633, eS069819-eS070081	
	136	QuickTrade Document and Brochure, G021027-21031 (date unavailable).	
	138	"LIFFE CONNECT for Futures User Guide v4.5, 6/00/1999, G0025751-25806	
	139	GL Version 4.70 (French Version), 1/5/2000, G0026505-26533	
	140	GL Version 4.70 (English Version), 1/5/2000, G0020593-20621	
	142	GL WIN and Related Software Manual, 9/11/2000, 1) G0025251-25615	
	143	GL WIN and Related Software Manual, 2) G0025942-26267 (date unavailable).	
	144	GL WIN and Related Software Manual, 3) G010239-10610 (date unavailable).	

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	145	GL WIN et Logiciels complementaires (French), G0009495-9874 (date unavailable)	
	147	Internal Product News doc on QuickTrade, G0020468-20471 (date unavailable)	
	148	"Introducing the Company: GL Trade" product offerings and slide presentation (to Reuters), G0026534-26559 (date unavailable)	
	149	GL Product Leaflet Re: Mosaic, G0022529-22530 (date unavailable)	
	150	THOMSON FINANCIAL leaflet, G0022445-22450 (09/2003)	
	151	LIFFE CONNECT for Futures leaflet, G0023885-23888 (01/1999)	

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	160	TSE Japanese Document, pgs 4-15 (09/97).	
	161	TSE Japanese Document, pgs 6-15 (08-98)	
	162	Megumi MIYOSHI, Japanese Patent Application No. 2001-564025, 4/18/200	
	165	"Amazon.com Catapults Electronic Commerce to Next Level with Powerful New Features," Amazon.com Press Release, 9/23/97, DTX1034, Dez melyk000012-13	
	166	Apple Advertisement, Scientific American, September 1984, Scientific American Inc. NY, NY Dez melyk000014-33	
	167	Memo Re: Downloading the Terminal Program, 8/18/2005	
	169	"Specialist vs Saitori: Market-Making in New York and Tokyo", Richard LINDSAY and Ulrike Schae de, DTX 1170, 7-8/00/1992, Silverman000494-Silverman000506	
	170	"Building for Excellence", MINEX Brochure, DTX 1153, Silverman000330-Silverman000334 (circa 1994)	
	171	Chicago Mercantile Exchange (CME) Brochure, DTX1163, Silverman000406-Silverman000407 (circa 1990)	
	172	MEFF Renta Fija Manual, DTX 1165, 10/00/1997, Silverman000410-Silverman000473	

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	173	O'HARA and OLDFIELD, "The Microeconomics of Market Making", Journal of Financial and Quantitative Analysis, 12/00/86, DTX 1169 Silverman000478- Silverman000493	
	174	B. WEBER, "Information Technology in the Major International Financial Markets", 4/7/1993, DX 79	
	175	Terminal Use Manual - Windows NT Version, Tokyo International Financial Futures Exchange (TIFFE), 0/0/1994, Silverman002552-Silverman002616, DTX 1226	
	176	USPTO Press Release, "Electronic Patent Application Records Replace Paper Files at USPTO", DTX 2285, 9/19/2007	
	177	Memorandum Opinion and Order Re: '132 and '304 Claim Construction [425], 10/31/2006	
	178	Memorandum Opinion and Order Re: TT's Motion for Clarification [475], 2/21/2007	
	179	Memorandum Opinion and Order Re: Non-Infringement [708], 6/20/2007	
	180	Memorandum Opinion and Order Re: Motions for Reconsideration [875], 8/27/2007	
	181	Memorandum Opinion and Order Re: "Single Action" Ruling [963], 9/12/2007	
	182	Memorandum Opinion and Order Re: Preliminary Injunction [83], 2/9/2005	

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	183	Memorandum Opinion and Order Re: eSpeed's Motion for Summary Judgment of Invalidity Denied [845], 8/21/2007	
	184	Memorandum Opinion and Order Re: TT's Motion to Preclude Prior Sale Defense Denied [873], 8/27/2007	
	185	Memorandum Opinion and Order Re: GL's Motion for Reconsideration Denied [994], 9/19/2007	
	186	Memorandum Opinion and Order Re: Priority Date [769], 7/12/2007	
	187	Memorandum Opinion and Order Re: Priority Date [1013], 9/25/2007	
	188	Memorandum Opinion and Order Re: Prior Public Use [835], 8/16/2007	
	189	Memorandum Opinion and Order Re: Defendant's Motion for Judgment as a Matter of Law on Indefiniteness [1141], 01/02/2008	
	190	Notification of Docket Entry Re: Defendants eSpeed's Motion for Judgment as a Matter of Law on Invalidity is denied [1140], 01/03/2008	
	191	Notification of Docket Entry Re: Defendant eSpeed's Motion for a New Trial is denied [1142], 01/03/2008	
	192	Memorandum Opinion and Order Re: Defendant's Motion for Judgment as a Matter of Law on Willfulness [1144], 01/03/2008	

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	193	Deposition testimony of Hiroyuki Kida dated May 17, 2007 and May 18, 2007 with DDX 617-624, PDX 519-524 and PDX 531	
	194	Trial testimony of Hiroyuki Kida dated September 28, 2007 and October 1, 2007 with DTX 617	
	195	Deposition testimony of Atsushi Kawashima dated November 21, 2005 with DDX 178-185	
	196	Trial testimony of Atsushi Kawashima dated September 26, 2007 with DTX 183	
	197	Deposition testimony of Philip Carre dated 6/22/07, 9/6/07 & 9/13/07 with DDX 384-385; 473;494; 527;537-541; 592; 593A; 595-598; 605; 626; 629; 719-723; 728-732; 897-898; 896	
	198	Deposition testimony of Michael Cartier dated May 9, 2007 with DDX 587-588; DDX 592-593A and PDX 498-500	
	199	Deposition testimony of Cristina Dobson dated May 18, 2007 with DDX 625-635; DDX 637; PDX 533 and PDX 535	
	200	Deposition testimony of Nicholas Garrow dated June 14, 2007 with DDX 116 and DDX 592	
	201	Trial testimony of Nicholas Garrow (via expert witness) dated October 2, 2007	

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	202	Deposition testimony of Michael Glista dated February 20, 2007 with DDX 382-386	
	203	Trial testimony of Michael Glista dated Sept. 24, 2007 and Sept. 25, 2007 with DTX 382-386; DTX 524; DTX 570; DTX 579; DTX 592; DTX 3020; DTX 3050; DTX 3057; DTX 3110;	
		PTX 1993; PTX 2065; PTX 2092; PTX 2094	
	204	Deposition testimony of Laurent Havard dated April 24-26, 2007, May 12, 2007, June 21, 2007 and September 5, 2007 with DDX 506; DDX 508; DDX 517; DDX 539; DDX 551-568;	
		DDX 570-573; DDX 575; DDX 603; PDX 462; PDX 464-483; PDX 767-769; PDX 771-774; PDX 875-877; PDX 882-888 and PDX 893	
	205	Trial Testimony of Laurent Havard dated September 21, 2007 with DTX 384; DTX 520; DTX 561-62; DTX 570; DTX 573; DTX 575; DTX 593; DTX 750-52; DTX 3011; DTX 3017-18; DTX 3050;	
		PTX 575; PTX 2064; PTX 2074; PTX 2077; PTX 2079	
	206	Deposition testimony of Jean Cedric Jollant dated April 26, 2007 and June 13, 2007 with DDX 384; DDX 517; DDX 520; DDX 551-568; DDX 575-577; PDX 465-483	
	207	Trial testimony of Jean Cedric Jollant dated September 20, 2007 with DTX 157; DTX 473; DTX 719; DTX 551-64; DTX 598; DTX 722; DTX 1903; DTX 3009-10; DTX 3014; DTX 3016-18	
		DTX 3020; DTX 3023; DTX 3025; PTX 166; PTX 520; PTX 526; PTX 539; PTX 573; PTX 575; PTX 579; PTX 2065	

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		<b>Filing Date</b>	10/25/2006
		<b>First Named Inventor</b>	Kemp
		<b>Art Unit</b>	3693
		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
<b>Sheet</b>	20	of	32

<b>NON PATENT LITERATURE DOCUMENTS</b>			
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	208	Deposition testimony of Marc Lorin dated September 5, 2007 with DDX 385; DDX 721-722; DDX 730	
	209	Deposition testimony of Christopher Malo dated May 23, 2007 with DDX 524	
	210	Deposition testimony of Fred Mastro dated May 21, 2007 with DDX 638; PDX 538; PDX 540-543	
	211	Trial testimony of Fred Mastro dated September 25, 2007 with DTX 592	
	212	Deposition testimony of William McHorris dated April 10, 2007 with PDX 416-417	
	213	Deposition testimony of Josephine Sheng dated June 26, 2007 with DDX 520; DDX 522; DDX 536; DDX 575; PDX 493; PDX 683-683a; PDX 775	
	214	Deposition testimony of Bruno Spada dated April 30, 2007 and May 2, 2007 with DDX 384-385; DDX 519-21; DDX 537-38; DDX 579-580; DDX 522; DDX 538; PDX 493-495; PDX 519-522	
	215	Trial testimony of Bruno Spada dated September 24, 2007 with DTX 306; DTX 384; DTX 518-522; DTX 524; DTX 575; DTX 579-580; DTX 593; DTX 626; DTX 628; DTX 646; DTX 1899	
		DTX 2086; DTX 3020-3021; DTX 3058-3059; DTX 3061; DTX 3085; PTX 737; PTX 840; PTX 2083; PTX 2087; PTX 2099; PTX 2101	

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		First Named Inventor	Kemp		
		Art Unit	3693		
		Examiner Name	Richard C. Weisberger		
Sheet	21	of	32	Attorney Docket Number	07-1021-US-CON6

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	216	Deposition testimony of Marcel Tchitchiama dated May 10, 2007-May 11, 2007 with DDX 156-157; DDX 168; DDX 384-85; DDX 538; DDX 592-93A; DDX 595-98; DDX 602-06; DDX 608-11	
		DTX 494; PDX 503; PDX 506; PDX 612	
	217	Deposition testimony of Neil Treloar dated June 19, 2007 with DDX 384; DDX 539-39A; DDX 724; DDX 726; PDX 492; PDX 750-752	
	218	Trial testimony of Neil Treloar dated September 21, 2007 and September 24, 2007 with DTX 2040-2042	
	219	Trial testimony of Gerard Varjacques dated September 28, 2007 with PTX 509-510 and PTX 513	
	220	Deposition testimony of Amy Watson dated June 12, 2007 with DDX 626A; DDX 700 and PDX 636	
	221	Deposition testimony of Barbara Wattiez dated June 16, 2007 with DDX 719-723	
	222	Trial testimony of Barbara Wattiez dated September 28, 2007 with DTX 592-593A; DTX 597-598; DTX 718-719; DTX 722	
	223	Deposition testimony of Christopher Buist dated June 22, 2006 with PDX 358-364 and DDX 283-284	
	224	Deposition testimony of Walter Buist dated June 23, 2006 with DDX 315; PDX 310-315; PDX 365 and PDX 368-370	

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		Examiner Name	Richard C. Weisberger
		Attorney Docket Number	07-1021-US-CON6
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	225	Digital trading facility weekly operations meeting outline, DX 444, DTX 444, CM 006661-CM 006661, 05/10/99	
	226	Chart re DSM QA Test Plain - project plan in progress, DX 432, DTX 432, 11/04/98	
	227	User interface design specification for WIT capital digital stock market, DX 433, DTX 433 CM 008441-CM 008478, 01/18/99	
	228	Updated negotiations design to E. Lang from C. Mauro for review and approval prior to patent application, DX 434, CM 008410-CM 008414, DTX 434, 01/18/99	
	229	Notes re final additions/revisions, DX 435, CM 007949-CM 007955, DTX 435, 04/02/99	
	230	Position paper: On-line training and customer acquisition; WIT Capital DSM product launch and related schedule to E. Lang, DX 436, DTX 436, CM 006580-CM 006590, 02/22/99	
	231	Meeting outline, DX 428, CM 00750-CM 007501, DTX 428, 09/11/98	
	232	Presentation re WIT Capital Digital stock market Phase 1 usability and customer response testing: Preliminary report of findings, DX 429, CM 007446-CM 007466, 05/01/06	
	233	WIT Capital limit order book to L. Forrest from C. Mauro, DX 425, CM 007382-CM 007411, DTX 425, 04/20/98	
	234	User Interface Design for display options design, DX 426, CM 000249-CM 000287, DTX 426, 07/08/98	

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		<b>Examiner Name</b>	Richard C. Weisberger
		<b>Attorney Docket Number</b>	07-1021-US-CON6
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	236	Letter from EPO to TT Re: Five Recently Filed European Patent Oppositions, 2/21/2006	
	237	Notice of Opposition to a European Patent EP 1319211 B1, ANITRA Medienprojekte GmbH, 1/13/2006	
	238	Notice of Opposition to a European Patent by DEUTSCHE BORSE AG, 1/12/2006	
	239	Notice of Opposition to a European Patent by EccoWare Ltd., 1/13/2006	
	240	Notice of Opposition to a European Patent by Rosenthal Collins Group LLC, 1/12/2006	
	241	Notice of Opposition to a European Patent by Tick-It GmbH, 1/13/2006	
	242	Declaration of Walter Buist, Exhibit 17, 4/26/2007; with Faxed Signature Page	
	243	Letter from J. WALASKI to the EPO Re: Change of Address, 12/19/2006	
	244	A. KLEIN, WallStreet.com- Fat Cat Investing at the Click of a Mouse, Chapt. 14 "Finding Gold in Tribeca", 1998; Exhibit 16	
	245	A. KLEIN, WallStreet.com- Fat Cat Investing at the Click of a Mouse, Chapt. 14-16, 18, 23, 1998; Exhibit 16 (Cont'd)	

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<b>Sheet</b>	24	of	32
		<b>Attorney Docket Number</b>	07-1021-US-CON6

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	246	WIT Digital Stock Market, User Interface Rev. 9, Exhibit 15 (circa 1999).	
	247	Opposition Trading Technologies, Inc. Application No. 01920183.9 EP 1319211B1, Exhibit 4 (Japanese and English Versions), 9/00/1997	✓
	248	System for Buying and Selling Futures and Options Transaction Terminal Operational Guidelines, TSE Business Systems Dept., TSE647-995, eS062297-eS062380 (4/18/2005)	
	249	Letter from EPO to TT Re: Further European Patent Opposition, 2/23/2006	
	250	Letter from EPO to TT Re: Five Recently Filed European Patent Oppositions, 2/21/2006	
	251	Letter from EPO to TT Enclosing European Patent Oppositions, 1/25/2006	
	253	Opposition TT, EP 1 319 211 B1, Copy set 1, Annex One- Grounds of Opposition, 1/19/2006	
	254	Deposition Transcript of Atsushi Kawashima, 11/21/2005, Opposition EP 1 319 211 B1 Exhibit 3	
	257	The Application Program Interface (API) Reference Manual for LIFFE Connect, 9/00/1998, release 3.1, EP 1 319 211 B1 Exhibit 7A, eS0060146-eS0060237	
	260	Deposition Transcript of Paul MacGregor, 11/1/2005, Opposition EP 1 319 211 B1 Exhibit 9A	

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	261	APT Trading Procedures (ATOM Version) of LIFFE, 4/3/2001, Opposition EP 1 319 211 B1 Exhibit 9B	
	263	APTplus Trading Procedures, 12/28/1995, Opposition EP 1 319 211 B1 Exhibit 9D	
	264	IRIS Investment Support Systems Window Ad, Opposition EP 1 319 211 B1 Exhibit 10 (06/99).	
	267	Fig.2 Substitute Sheet (Rule 26), Opposition EP 1 319 211 B1 Exhibit 13A (6/9/2000).	
	268	Provisional Application No. 60/186,322, Opposition EP 1 319 211 B1 Exhibit 13B (March 2, 2000)	
	273	LIFFE's New Electronic Trading Platform for Futures, LIFFE 202-261, Opposition EP 1 319 211 B1 Exhibit 8D (9/24/98).	
	274	TIFFE Internet Article, "New On-Screen Trading Terminals", E2 (circa 1998).	
	276	System for Buying and Selling Futures and Options Transaction Terminal Operational Guidelines, TSE Business Systems Dept, TSE00647-810, eS0622977-eS062366, D1(2) (08/98).	✓
	277	ORC Instructions for Use, Version 2.2.8., 1999	
	278	Futures/Options Trading System Guidelines for Operating the Trading Terminals, TSE Business Systems Dept, TSE00628-643, eS062278-eS062293, D1(3) (08/98).	

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