

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IBG LLC,
INTERACTIVE BROKERS LLC,
TRADESTATION GROUP, INC.,
TRADESTATION SECURITIES, INC.,
TRADESTATION TECHNOLOGIES, INC., AND
IBFX, INC.,
Petitioners

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.
Patent Owner

Patent No. 6,772,132

**DECLARATION OF KENDYL A. ROMÁN
IN SUPPORT OF PETITION FOR
COVERED BUSINESS METHOD REVIEW OF U.S. PATENT 6,772,132**

IBC-1007

I, Kendyl A. Román, declare as follows:

1. I have been engaged by Sterne, Kessler, Goldstein & Fox P.L.L.C. on behalf of IBG LLC, Interactive Brokers LLC, TradeStation Group, Inc., TradeStation Securities, Inc., TradeStation Technologies, Inc., and IBFX, Inc., (“Petitioners”) for the above-captioned covered business method review proceeding. I understand that this proceeding involves United States Patent 6,772,132, entitled “Click based trading with intuitive grid display of market depth,” by Gary Allan Kemp, II, filed June 9, 2000 and issued August 3, 2004 (the “’132 Patent”). I understand that the ’132 Patent is currently assigned to Trading Technologies International, Inc. (“TT”).

2. I understand the ’132 Patent claims benefit from U.S. provisional application 60/186,322. For purposes of the covered business method review, I assume the earliest possible priority date of the ’132 Patent is the March 2, 2000 filing date of U.S. provisional application 60/186,322.

3. I have reviewed and am familiar with the specification of the ’132 Patent. I understand that the ’132 Patent has been provided as Exhibit 1001. I will cite to the specification using the following format (’132 Patent, 1:1-10). This example citation points to the ’132 Patent specification at column 1, lines 1-10.

4. I have reviewed and am familiar with the file history of the '132 Patent. I understand that the file history has been provided as Exhibits 1002-1005.

5. I have also reviewed and am familiar with the following prior art used in the Petition for Covered Business Method Review of the '132 Patent:

- U.S. Patent No. 5,077,665 to Silverman et al. (“Silverman”). I understand that Silverman has been provided as Exhibit 1010.
- U.S. Patent No. 5,297,031 to Gutterman et al. (“Gutterman”). I understand that Gutterman has been provided as Exhibit 1011.
- WO 90/11571 to Belden et al. (“Belden”). I understand that Belden has been provided as Exhibit 1012.
- CA Publication No. CA 2,305,736 to May (“May”). I understand that May has been provided as Exhibit 1013.
- U.S. Patent No. 5,263,134 to Paal et al. (“Paal”). I understand that Paal has been provided as Exhibit 1014.
- A certified translation of “Futures/ Option Purchasing System Trading Terminal Operation Guide” (“TSE”). I understand that the original Japanese language document was provided as Exhibit 1016, the

certified translation provided as Exhibit 1017, and the certification of translation provided as Exhibit 1018.

- U.S. Patent No. 5,960,411 to Hartman *et al.* (“Hartman”). I understand that Hartman has been provided as Exhibit 1015.

6. I have also reviewed and am familiar with:

- The Board’s Decision to Institute CBM review of the ’132 Patent in CBM2014-00135 (“’135 Ins. Dec.”). I understand that the ’135 Inst. Dec. has been provided as Exhibit 1032.
- TT’s Patent Owner Response in CBM2014-00135 (“’135 POR”). I understand that the ’135 POR has been provided as Exhibit 1034.

7. A complete listing of additional materials considered and relied upon in preparation of my declaration is provided as Exhibit 1026. I have relied on these materials to varying degrees. Citations to these materials that appear below are meant to be exemplary but not exhaustive.

8. The ’132 Patent describes electronic trading, using a graphical user interface (“GUI”) “for displaying the market depth of a commodity” and placing orders on an electronic exchange. (’132 Patent, 3:11-16.) I am familiar with the

technology described in the '132 Patent as of the earliest possible priority date of the '132 Patent (March 2, 2000).

9. I have been asked to provide my technical review, analysis, insights and opinions regarding the '132 Patent and the above-noted references that form the basis for the grounds of rejection set forth in the petition for Covered Business Method Review of the '132 Patent.

I. QUALIFICATIONS

10. See my Curriculum Vitae, provided as Exhibit 1025, for a listing of my qualifications. This includes a list of publications for the past 10 years or more.

11. My expertise qualifies me to do the type of analysis required in this case. Of particular relevance, I have been involved in the design, implementation, testing, and analysis of computer software, firmware, and hardware for over thirty years, including software architecture, graphical user interfaces, trading systems, and other networked, data-driven, client-server systems. My work has included analysis of trading systems including source code and user interfaces. In addition, I have practical experience in the design and programming of a variety of computer systems ranging from handheld devices, to laptops and desktop computers, to large multi-layer networked database systems.

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