

13. Jan. 2006

To the
European Patent Office


Notice of Opposition to a European Patent



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|---|--|--|----------|
| I. Patent opposed | | for EPO use only | |
| <p style="text-align: center; font-size: 1.2em;"><i>Zur Kasse u 6610r</i></p> <p style="text-align: right;">Patent No. Application No. Date of mention of the grant in the European Patent Bulletin (Art. 97(4), 99(1) EPC)</p> | | Opp. No. | OPPO (1) |
| | | EP 1,319,211B1 | |
| | | 01920183.9 | |
| | | 13 April 2005 | |
| Title of the invention: Click Based Trading with Intuitive Grid Display of Market Depth | | | |
| II. Proprietor of the Patent Trading Technologies International, Inc first named in the patent specification | | | |
| III. Opponent | | Opponent's or representative's reference (max. 15 spaces) OREF | |
| Name | Eccoware Limited One America Square London EC3N 2LS | | |
| Address | United Kingdom | | |
| State of residence or of principal place of business | United Kingdom | | |
| Telephone/Telex/Fax | | | |
| Multiple opponents | <input type="checkbox"/> further opponents see additional sheet | | |
| IV. Authorisation | | OPPO (9) | |
| 1. Representative (Name only one representative to whom notification is to be made) | | Perkins, David Charles Langrigge Milbank, Tweed, Hadley & McCloy LLP Dashwood House 69 Old Broad Street London EC2M 1QS United Kingdom | |
| Name | | | |
| Address of place of business | | | |
| Telephone/Telex/Fax | +44 207 448 3000 | +44 207 448 3029 | |
| Additional representative(s) | <input type="checkbox"/> (on additional sheet/see authorisation) | | OPPO (5) |
| 2. Employee(s) of the opponent authorised for these opposition proceedings under Art. 133(3) EPC | | Name(s): | |
| Authorisation(s) | | <input type="checkbox"/> not considered necessary | |
| To 1./2. | | <input type="checkbox"/> has/have been registered under No. | |
| | | <input checked="" type="checkbox"/> is/are enclosed | |

| | |
|---|-------------------------------------|
| <p>V. Opposition is filed against</p> <p>— the patent as a whole <input checked="" type="checkbox"/></p> <p>— claim(s) No(s). <input type="text"/></p> | <p>for EPO use only</p> |
| <p>VI. Grounds for opposition:</p> <p>Opposition is based on the following grounds:</p> <p>(a) the subject-matter of the European patent opposed is not patentable (Art. 100(a) EPC) because:</p> <p>— it is not new (Art. 52(1); 54 EPC) <input checked="" type="checkbox"/></p> <p>— it does not involve an inventive step (Art. 52(1); 56 EPC) <input checked="" type="checkbox"/></p> <p>— patentability is excluded on other grounds, i. e. Art. 52(2)(c) and (d) <input checked="" type="checkbox"/></p> <p>(b) the patent opposed does not disclose the invention in a manner sufficiently clear and complete for it to be carried out by a person skilled in the art (Art. 100(b) EPC; see Art. 83 EPC). <input type="checkbox"/></p> <p>(c) the subject-matter of the patent opposed extends beyond the content of the application/ of the earlier application as filed (Art. 100(c) EPC, see Art. 123(2) EPC). <input checked="" type="checkbox"/></p> | |
| <p>VII. Facts and arguments (Rule 55(c) EPC) presented in support of the opposition are submitted herewith on a separate sheet (annex 1)</p> | <input checked="" type="checkbox"/> |
| <p>VIII. Other requests:</p> | |

| | |
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| IX. Evidence presented Enclosed = <input checked="" type="checkbox"/> will be filed at a later date = <input type="checkbox"/> | for EPO use only |
| A. Publications: 1 Particular relevance (page, column, line, fig.): 2 Particular relevance (page, column, line, fig.): 3 Particular relevance (page, column, line, fig.): 4 Particular relevance (page, column, line, fig.): 5 Particular relevance (page, column, line, fig.): 6 Particular relevance (page, column, line, fig.): 7 Particular relevance (page, column, line, fig.): Continued on additional sheet <input type="checkbox"/> | Publication date |
| B. Other evidence Continued on additional sheet <input type="checkbox"/> | |

| <p>X. Payment of the opposition fee is made</p> <p><input type="checkbox"/> as indicated in the enclosed voucher for payment of fees and costs (EPO Form 1010)</p> <p><input checked="" type="checkbox"/> Already paid (see enclosed bank transfer form)</p> | <p>for EPO use only</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>XI. List of documents</p> <table border="0"> <thead> <tr> <th style="text-align: left;">Enclosure No.</th> <th></th> <th style="text-align: left;">No. of copies</th> </tr> </thead> <tbody> <tr> <td>0</td> <td><input checked="" type="checkbox"/> Form for notice of opposition</td> <td><input type="text" value="2"/> (min. 2)</td> </tr> <tr> <td>1</td> <td><input checked="" type="checkbox"/> Facts and arguments (see VII.)</td> <td><input type="text" value="2"/> (min. 2)</td> </tr> <tr> <td>2</td> <td colspan="2">Copies of documents presented as evidence (see IX.)</td> </tr> <tr> <td>2a</td> <td><input checked="" type="checkbox"/> — Publications</td> <td><input type="text" value="2"/> (min. 2 of each)</td> </tr> <tr> <td>2b</td> <td><input type="checkbox"/> — Other documents</td> <td><input type="text"/> (min. 2 of each)</td> </tr> <tr> <td>3</td> <td><input checked="" type="checkbox"/> Signed authorisation(s) (see IV.)</td> <td><input type="text"/></td> </tr> <tr> <td>4</td> <td><input type="checkbox"/> Voucher for payment of fees and costs (see X.)</td> <td><input type="text"/></td> </tr> <tr> <td>5</td> <td><input type="checkbox"/> Cheque</td> <td><input type="text"/></td> </tr> <tr> <td>6</td> <td><input type="checkbox"/> Additional sheet(s)</td> <td><input type="text"/> (min. 2 of each)</td> </tr> <tr> <td>7</td> <td><input checked="" type="checkbox"/> Other (please specify here):</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td colspan="2">Additional representatives</td> </tr> </tbody> </table> | Enclosure No. | | No. of copies | 0 | <input checked="" type="checkbox"/> Form for notice of opposition | <input type="text" value="2"/> (min. 2) | 1 | <input checked="" type="checkbox"/> Facts and arguments (see VII.) | <input type="text" value="2"/> (min. 2) | 2 | Copies of documents presented as evidence (see IX.) | | 2a | <input checked="" type="checkbox"/> — Publications | <input type="text" value="2"/> (min. 2 of each) | 2b | <input type="checkbox"/> — Other documents | <input type="text"/> (min. 2 of each) | 3 | <input checked="" type="checkbox"/> Signed authorisation(s) (see IV.) | <input type="text"/> | 4 | <input type="checkbox"/> Voucher for payment of fees and costs (see X.) | <input type="text"/> | 5 | <input type="checkbox"/> Cheque | <input type="text"/> | 6 | <input type="checkbox"/> Additional sheet(s) | <input type="text"/> (min. 2 of each) | 7 | <input checked="" type="checkbox"/> Other (please specify here): | <input type="text"/> | | Additional representatives | | |
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| 1 | <input checked="" type="checkbox"/> Facts and arguments (see VII.) | <input type="text" value="2"/> (min. 2) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Copies of documents presented as evidence (see IX.) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2a | <input checked="" type="checkbox"/> — Publications | <input type="text" value="2"/> (min. 2 of each) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2b | <input type="checkbox"/> — Other documents | <input type="text"/> (min. 2 of each) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | <input checked="" type="checkbox"/> Signed authorisation(s) (see IV.) | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | Additional representatives | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>XII. Signature of opponent or representative</p> <div style="text-align: center;">  </div> <p>Place London, UK</p> <p>Date 13 January 2006</p> <p>Perkins, David Charles Langrigge Solicitor of the Supreme Court of England and Wales (Reg. No. 155960) Authorised Representative of the Opponent</p> <p><small>Please type name under signature. In the case of legal persons, the position which the person signing holds within the company should also be typed.</small></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

European Patent No. 1,319,211 B1 (Trading Technologies International, Inc.)

Opposition thereto by Eccoware Limited

GROUNDS OF OPPOSITION

I. Request

The Opponent requests that the Patent is revoked in full. In the event that the Opposition Division is not prepared to revoke the Patent in its entirety, oral proceedings under Art 116 EPC are requested.

II. Grounds For Opposition

This Opposition is made on the following grounds:

- Art 100(c) EPC (added subject-matter); and
- Art 100(a) EPC (non-patentable subject-matter, including Art 52(2)(c) and (d); Art 54; and Art 56 EPC

III. The Opposed Patent

III.1 The invention claimed is directed to the electronic trading of commodities [0001] and is said to overcome drawbacks in the existing trading systems and to dramatically reduce the time it takes for a trader to place a trade when electronically trading on an exchange [0010].

III.2 The claims are directed to

- A device for receiving commands relating to a commodity being traded on an electronic exchange (claims 1 to 28);
- A method of operating such a device (claims 29 to 52); and
- A computer program product with program code adapted for execution of the claimed method (claim 53).

III.3 The commercial embodiment of the claimed invention is the "Mercury" display and trading method [0013]. Specifically the Patent is directed to a graphical user interface ["GUI"] for displaying the market depth of the commodity being traded, including a plurality of bids and a plurality of asks along with their corresponding prices [0014].

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