

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner.

Case CBM2015-00182
Patent No. 6,772,132

Before SALLY C. MEDLEY, MEREDITH C. PETRAVICK, and
JEREMY M. PLENZLER, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ORDER
Expunging Confidential Information
37 C.F.R. § 42.56

A Final Written Decision issued on February 28, 2017. Paper 129. On February 13, 2019, the Federal Circuit vacated¹ the Final Written Decision, and the mandate issued on May 7, 2019. *See* Paper 142, 2. The Supreme Court denied a petition for writ of certiorari on October 7, 2019. *Id.*

On October 10, 2019, Patent Owner filed an unopposed Motion to Expunge Papers 53, 61, and 66 and Exhibits 2169, 2172, 2224, 2225, 2232, 2247, 2270 2286, 2294, and 2295 from the record pursuant to 37 C.F.R. § 42.56. Paper 142. Papers 53, 61, and 66 and Exhibits 2169, 2172, 2224, 2225, 2232, 2247, 2270 2286, 2294, and 2295 contain confidential information and are sealed. *See* Papers 93, 130.

Rule 42.56 provides “after final judgement in a trial, a party may file a motion to expunge confidential information from the record.” Paper 53 is a Motion for Additional Discovery, and a version of the Motion for Additional Discovery with the confidential information redacted appears in the public record as Paper 51. Papers 61 and 66 are the Patent Owner’s Response and Corrected Patent Owner’s Response, respectively, and versions with the confidential information redacted appear in the public record as Papers 62 and 67. The public record also contains redacted versions of Exhibit 2169, a Declaration of Christopher Thomas, and Exhibit 2172, a Declaration of Jay Knobloch. Our Final Written Decision did not rely upon the redacted information from these Papers or Exhibits 2169 and 2172. It also does not rely upon Exhibits 2224, 2225, 2232, 2247, 2270, 2286, 2294, and 2295. Under these circumstances, Patent Owner’s Motion to Expunge is *granted*.

¹ The Motion to Expunge mistakenly states that the Federal Circuit affirmed the Final Written Decision.

ORDER

Accordingly, it is:

ORDERED that Patent Owner's Motion to Expunge (Paper 142) is *granted*; and

FURTHER ORDERED that Papers 53, 61, and 66 and Exhibits 2224, 2225, 2232, 2247, 2270, 2286, 2294, and 2295 shall be expunged from the record; and

FURTHER ORDERED that the confidential versions of Exhibits 2169 and 2172 shall be expunged from the record.

CBM2015-00182
Patent No. 6,772,132

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