

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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IBG LLC; INTERACTIVE BROKERS LLC;  
CQG, INC.; and CQGT, LLC

Petitioners

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

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Case CBM2016-00009  
U.S. Patent 7,685,055

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**JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED  
AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT  
SEPARATE UNDER 37 C.F.R § 42.74(c)**

## **I. Introduction**

In an email from Petitioners' counsel to the Board dated February 26, 2016, Petitioners CQG, Inc. and CQGT, LLC (collectively, "CQG") and Patent Owner Trading Technologies International, Inc. ("TT") informed the Board of their settlement. The Board responded via email on February 26, 2016, and authorized the parties to file a joint motion to terminate these proceedings with respect to CQG and a joint request that the Settlement Agreement be treated as business confidential information and kept separate. Thus, CQG and TT request that the Settlement Agreement be kept confidential from the public as well as all other petitioners. The Exhibit has been filed with the designation of "Board Only" via the Patent Review Processing System (PRPS), as the Board needs to review the settlement agreement and decide whether to grant the joint motion to terminate the proceeding with respect to CQG.

The rules permit the parties to have any filed settlement agreement treated as business confidential information and kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c). Indeed, the statute requires it at a party's request.

At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

35 U.S.C. § 327.

In a motion filed concurrently herewith, CQG and TT jointly request termination of these proceedings with respect to CQG. The parties also submit, as part of that joint request, a true copy of the agreement between them (the “Settlement Agreement”) as Exhibit 1035.

## II. Relief Requested

Because the Settlement Agreement contains confidential business information, CQG and TT jointly request that the Office treat the Settlement Agreement (Exhibit 1035) as business confidential information, that the Settlement Agreement be kept separate from the file of the involved patent, be kept confidential from the public as well as all other petitioners, and that the Agreement be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Respectfully submitted,

Dated: 2/29/16

/Robert Sokohl/

Robert E. Sokohl, Reg. No. 36,013  
Lead Counsel for Petitioners

Dated: 2/29/16

/Rachel L. Emsley/

Rachel L. Emsley, Reg. No. 63,558  
Back-Up Counsel for Patent Owner

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 1, 2016, the attached **JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT SEPARATE UNDER 37 C.F.R § 42.74(c)** was served electronically via e-mail upon the following counsel for Patent Owner, TT:

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