

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IBG LLC, and INTERACTIVE BROKERS LLC,
Petitioners

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.
Patent Owner

Case CBM2016-00009
Patent No. 7,685,055 B2

**PETITIONERS' OBJECTIONS TO PATENT OWNER'S
EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
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Alexandria, VA 22313-1450

IBG LLC and Interactive Brokers LLC (collectively, "Petitioners") object under 37 C.F.R. § 42.64 to the admissibility of the following evidence Trading Technologies International, Inc. ("TT" or "Patent Owner") filed and served on Thursday, July 21, 2016:

TT Ex. No.	Description
2015	<i>Versata Development Group, Inc. v. SAP America, Inc. and SAP AG</i> , Case No. 2014-1194 (CAFC), Docket No. 61, Brief for the Intervenor - Director of the United States Patent and Trademark Office (May 1, 2014)
2121	U.S. Patent Classification System – Classification Definitions – Class 705
2124	Class 345, Computer Graphics Processing and Selective Visual Display Systems, (January 2011): 1-8
2125	July 2015 Update Appendix 1: Examples, USPTO Examination Guidelines
2126	Senate Congressional Record, S5402-S5443 (Sept. 8, 2011)
2159	TSE-filed opposition document to Japanese Patent Application No. 2001-564025 (TSE0000000982-995)

TT Ex. No.	Description
2160	Certified Translation of TSE-filed opposition document to Japanese Patent Application No. 2001-564025 (TSE0000000982-995)
2161	Certification of Translation of TSE-filed opposition document to Japanese Patent Application No. 2001-564025 (TSE0000000982-995)
2162	JP Patent Application 2001-564025
2164	Deposition Transcript of David Rho, dated April 26, 2016
2165	Deposition Transcript of Kendyl A. Roman, dated May 3, 2016
2166	Deposition Transcript of Kendyl A. Roman, dated May 5, 2016
2168	Declaration of Eric Gould-Bear
2169	CONFIDENTIAL Declaration of Christopher Thomas
2175	Exhibit TSE1 from Kawashima 2005 Deposition (TSE0000000996-1016)
2176	Certified Translation of Exhibit TSE1 from Kawashima 2005 Deposition (TSE0000000996-1016)
2177	Certification of Translation of Exhibit TSE1 from Kawashima 2005 Deposition (TSE0000000996-1016)
2204	Microsoft DNA Case Study

TT Ex. No.	Description
2206	Excerpts from Interactive Brokers Group, Inc. Form 10-K Statement IBG_00000412-421
2207	Excerpts from TradeStation Group, Inc. Form 10-K Statement TS0005177-88
2292	Trading Techs. Int'l. Inc., v. CQG, Inc., et. al., Case No. 05-cv-4811, Excerpts from Steven Van Dusen Deposition (01/20/2015)
2293	Trading Techs. Int'l. Inc., v. eSpeed, Inc., Case No. 04-cv-5312, Excerpts from David Silverman Deposition (08/24/2007)
2294	CONFIDENTIAL Trading Techs. Int'l. Inc., v. CQG, Inc., et. al., Case No. 05-cv-4811, Excerpts from John Phillip Mellor Deposition (01/16/2015)
2295	CONFIDENTIAL Trading Techs. Int'l. Inc., v. eSpeed, Inc., Case No. 04-cv-5312, Excerpts from Richard Ferraro Deposition Vol. 2 (08/09/2007)
2296	Trading Techs. Int'l. Inc., v. eSpeed, Inc., Case No. 04-cv-5312, Excerpts from Robert Dezmelyk Deposition (08/17/2007)
2297	National Aeronautics and Space Administration Web Page Print out, Human Computer Interaction Group

TT Ex. No.	Description
2330	Annotated excerpt of Figure from Ex. 1008, p. 0068.
2332	Certified Translation of Ex. 1007, pp. 0068-0069
2333	Certification of Translation of Ex. 1007, pp. 0068-0069
2334	Declaration of Harold Abilock, dated July14, 2016
2339	Declaration of Harold Abilock, dated July 19, 2016
2340	Appx.2350-2353 from Trading Technologies International v. CQG, No. 16-1616 (Fed. Cir. 2016)
2341	Excerpts from Interactive Brokers 2015 Annual Report

Petitioners ask the Patent Trial and Appeal Board to deny the admission and consideration of the following documents on the following bases:

FRE ARTICLE IV – RELEVANCE AND ITS LIMITS

Petitioners object to Exhibit Nos. 2015, 2121, 2124, 2125, 2126, 2159, 2160, 2161, 2162, 2164, 2165, 2166, 2168, 2175, 2176, 2177, 2204, 2206, 2207, 2292, 2293, 2294, 2295, 2296, 2297, 2330, 2332, 2333, 2334, 2339, 2340, and 2341 as irrelevant under FRE 401 and thus inadmissible under FRE 402, or as confusing or a waste of time under FRE 403, because cited portions are not relevant to any issue remaining in this proceeding, such as patentability of the subject matter, broadest

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