Page 1

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.

Petitioner

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.

Patent Owner

CBM2015-00179 (Patent No. 7,533,056 B2)

Deposition of CHRISTOPHER H. THOMAS, taken at McDonnell Boehnen Hulbert & Berghoff LLP, before Donna M. Kazaitis, CSR, RPR, CLR, and CRR, commencing at the hour of 9:05 a.m. on Wednesday, August 17, 2016.

DIGITAL EVIDENCE GROUP

1730 M Street, NW, Suite 812

Washington, D.C. 20036

(202) 232-0646

IBG 1047 IBG v. TT CBM2016-00032

www.DigitalEvidenceGroup.com

Digital Evidence Group C'rt 2016

202-232-0646



		Page	2
1 APPEARANCES	APPEARANCES:		
2			
3 ON BEHALF O	F THE PETITIONER:		
4			
STERNE	KESSLER GOLDSTEIN FOX		
5 BY: RO	OBERT SOKOHL, ESQ.		
R:	ICHARD M. BEMBEN, ESQ.		
6 1.	100 New York Avenue, NW		
Wa	ashington, DC 20005		
7 20	02.371.2600		
r	sokohl@skgf.com		
8 rl	bemben@skgf.com		
9			
10 ON BEHALF O	F THE PATENT OWNER:		
11			
MCDONN	ELL BOEHNEN HULBERT & BERGHOFF LLP		
12 BY: M	ICHAEL D. GANNON, ESQ.		
30	00 South Wacker Drive		
13 Cl	hicago, Illinois 60606-6709		
3:	12.913.2139		
14 ga	annon@mbhb.com		
15			
16 FINNEGA	AN, HENDERSON, FARABOW,		
GARRET'	T & DUNNER LLP		
17 BY: R	ACHEL L. EMSLEY, ESQ.		
TT	wo Seaport Lane		
18 Bo	oston, Massachusetts 02210-2001		
6:	17.646.1600		
19 ra	achel.emsley@finnegan.com		
20			
21			
22			



			Page 3
1		INDEX	
2			PAGE
3	CHRISTOPHER H.	THOMAS	
4	Examinatio	on by Mr. Sokohl 4,	337
	Examinatio	on by Mr. Gannon	324
5			
6		EXHIBITS	
7	TRADING TECH		PAGE
8	Exhibit 2116	U.S. Patent 6,772,132	58
		(Exhibit C)	
9			
	Exhibit 2169	Declaration of Christopher	18
10		H. Thomas	
11	Exhibit 2201	Corrected Expert Report of	204
		Christopher Thomas	
12		(TT v. CQG)	
13	Exhibit 2327	Exhibit DD, excerpt of	
		11/15/11 deposition	
14			
	IBG		
15			
	Exhibit 1001	U.S. Patent 7,533,056 B2	18
16		(CBM2015-00179)	
17	Exhibit 1004	TSE Operation Guide	120
18	Exhibit 1010	U.S. Patent 5,136,501	296
19	Exhibit 1032	-	110
20		Roman	
20	THE ONE A		
21	THOMAS		
71		Oboot 2 of 11 form	1 4 7
22	Exhibit 1	Sheet 3 of 11 from	147
44		'056 Patent indicating gaps	



Page 4

- 1 CHRISTOPHER H. THOMAS,
- 2 having been first duly sworn, was examined and
- 3 testified as follows:
- 4 EXAMINATION
- 5 BY MR. SOKOHL:
- 6 Q. Good morning.
- A. Good morning.
- Q. Can you state your name for the
- 9 record, please.
- 10 A. Christopher Thomas.
- 11 Q. Have you been deposed before?
- 12 A. Yes.
- Q. How many times?
- A. Several.
- Q. Do you recall how many?
- A. Maybe three times. This would be the
- <sup>17</sup> fourth. Maybe, yeah.
- Q. So you understand the process here,
- but I'll explain a few things to you now anyway.
- We can take a break at any time.
- 21 All you need to do is ask. I just ask that you
- answer the question that's pending.



Page 5

- I'm going to try to take a break
- every hour, but if you need to take one, let's
- $^{3}$  take one.
- <sup>4</sup> A. Okay.
- <sup>5</sup> Q. Are you on any medications today?
- 6 A. No.
- <sup>7</sup> Q. Any reason you can't give truthful
- 8 answers?
- 9 A. No.
- 10 Q. You have to give verbal responses, as
- 11 you've been doing.
- 12 A. Correct.
- Q. Donna here can only take down verbal
- 14 responses.
- 15 A. Yes.
- Q. Let's try not to speak over each
- other, all counsel included. Once again, the
- court reporter can't take down if we talk over one
- <sup>19</sup> another.
- 20 A. Okay.
- Q. Let me know if you don't understand a
- question I'm asking. I'll try to rephrase it. If



# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

