

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

1 APPEARANCES:

2

3 ON BEHALF OF THE PETITIONER:

4

STERNE KESSLER GOLDSTEIN FOX

5

BY: ROBERT SOKOHL, ESQ.

RICHARD M. BEMBEN, ESQ.

6

1100 New York Avenue, NW

Washington, DC 20005

7

202.371.2600

rsokohl@skgf.com

8

rbemben@skgf.com

9

10 ON BEHALF OF THE PATENT OWNER:

11

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP

12

BY: MICHAEL D. GANNON, ESQ.

300 South Wacker Drive

13

Chicago, Illinois 60606-6709

312.913.2139

14

gannon@mbhb.com

15

16

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER LLP

17

BY: RACHEL L. EMSLEY, ESQ.

Two Seaport Lane

18

Boston, Massachusetts 02210-2001

617.646.1600

19

rachel.emsley@finnegan.com

20

21

22

	INDEX	
		PAGE
1		
2		
3	CHRISTOPHER H. THOMAS	
4	Examination by Mr. Sokohl	4, 337
	Examination 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 Declaration of Kendyl A.	110
	Roman	
20		
	THOMAS	
21		
	Exhibit 1 Sheet 3 of 11 from	147
22	'056 Patent indicating gaps	

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.

7 A. Good morning.

8 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.

13 Q. How many times?

14 A. Several.

15 Q. Do you recall how many?

16 A. Maybe three times. This would be the
17 fourth. Maybe, yeah.

18 Q. So you understand the process here,
19 but I'll explain a few things to you now anyway.

20 We can take a break at any time.

21 All you need to do is ask. I just ask that you
22 answer the question that's pending.

1 I'm going to try to take a break
2 every hour, but if you need to take one, let's
3 take one.

4 A. Okay.

5 Q. Are you on any medications today?

6 A. No.

7 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.

13 Q. Donna here can only take down verbal
14 responses.

15 A. Yes.

16 Q. Let's try not to speak over each
17 other, all counsel included. Once again, the
18 court reporter can't take down if we talk over one
19 another.

20 A. Okay.

21 Q. Let me know if you don't understand a
22 question I'm asking. I'll try to rephrase it. If

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.