

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IBG LLC,
INTERACTIVE BROKERS LLC, TRADESTATION GROUP, INC., and
TRADESTATION SECURITIES, INC.,
Petitioner,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner.

CBM2016-00031 (Patent 7,813,996 B2)
CBM2016-00032 (Patent 7,212,999 B2)
CBM2016-00051 (Patent 7,904,374 B2)¹

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

PETRAVICK, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

¹ This Order addresses the same or similar issue in the proceedings listed above. Therefore, we issue one Order to be filed in each proceeding. The parties, however, are not authorized to use this style of filing.

CBM2016-00031 (Patent 7,813,996 B2)
CBM2016-00032 (Patent 7,212,999 B2)
CBM2016-00051 (Patent 7,904,374 B2)

A conference call was held on March 9, 2017 between counsel for the parties and Judges Medley, Petravick, and Plenzler. Pursuant to 37 C.F.R. § 42.20(b), Patent Owner requested authorization to file additional submissions in each of these proceedings to address the decision in *Trading Technologies Int'l, Inc. v. CQG, Inc. et al*, 2017 WL 192716, (Fed. Cir. Jan 18, 2017). (“*CQG*”). *CQG* issued on January 18, 2017, after Patent Owner filed the Patent Owner Responses, and addresses eligibility of a related patent under 35 U.S.C. § 101. Petitioners did not oppose Patent Owner’s request and sought authorization to file a response to any additional submission.

After consideration of the information received during the call, we authorize Patent Owner to file additional submissions in each of these proceedings. The submissions are limited to addressing the issue of the impact of the Federal Circuit’s decision in *CQG* on these proceedings. The submissions are limited to 5 pages and should be filed no later than March 17, 2017. Petitioners are authorized to file responses to the additional submissions in each of these proceedings. As Petitioner’s Replies include some discussion of *CQG* (*E.g., see generally* CBM2016-00031, Paper 29), the responses are limited to 3 pages and should be filed no later than March 24, 2017.

It is:

ORDERED that Patent Owner may file an additional submission limited to 5 pages, no later than March 17, 2017 in each proceeding; and

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CBM2016-00051 (Patent 7,904,374 B2)

FURTHER ORDERED that Petitioner may file a response to the additional submission, limited to 3 pages, no later than March 24, 2017 in each proceeding.

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