

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.
Petitioners,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner.

Case CBM2015-00172¹
Patent No. 7,783,556 B1

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

PETRAVICK, *Administrative Patent Judge*.

DECISION
Denying Patent Owner's Request for Rehearing
37 C.F.R. § 42.71

¹ Case CBM2016-00040 has been joined with this proceeding.

INTRODUCTION

Trading Technologies International, Inc. (“Patent Owner”) filed a Request for Rehearing (Paper 88, “Req. Reh’g”) of our Final Decision (Paper 86, “Dec.”) determining that claims 1–22 of U.S. Patent No. 7,783,556 B1 (Ex. 1001, “the ’556 patent”) are unpatentable. For the reasons that follow, the Request for Rehearing is denied.

ANALYSIS

A party requesting rehearing bears the burden of showing that the decision should be modified. 37 C.F.R. § 42.71(d). The party must identify specifically all matters we misapprehended or overlooked, and the place where each matter was previously addressed in a motion, an opposition, or a reply. *Id.*

Patent Owner requests rehearing of our determination that claims 1–22 are not patent eligible under 35 U.S.C. § 101. Req. Reh’g 1–2. Patent Owner argues that we “misapprehended that the Federal Circuit’s analysis in *Trading Technologies Int’l, Inc., v. CQG, Inc.*, No. 2016-1616, 2017 WL 192716 (Fed. Cir. Jan. 18, 2017) (“*CQG*”) squarely applied here.” *Id.* at 1. Patent Owner’s arguments are not persuasive.

We did not misapprehend the Federal Circuit’s analysis in *CQG*. *See* Dec. 33–34. As discussed in our Final Decision, we considered *CQG* but determined that the claims of the ’556 patent were unlike the claims at issue in *CQG*. *Id.* at 34. “For example, the claims of the ’556 patent do not recite the static display of prices feature claimed by the [patent at issue in *CQG*].” *Id.* Considering the actual elements of the claims of the ’556 patent, we considered and discussed both Supreme Court and Federal Circuit guidance emanating from several decisions

relevant to the facts of this case. *See* Dec. 26–38. We determined that the claims of the ’556 patent are like those found ineligible by the Federal Circuit in, for example, *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1353 (Fed. Cir. 2016), because the claims of the ’556 patent do “not go beyond requiring the collection, analysis, and display of available information in a particular field, stating those functions in general terms, without limiting them to technical means for performing the functions that are arguably an advance over conventional computer and network technology.” *Id.* at 30–33 (quoting *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350, 1353 (Fed. Cir. 2016)). Patent Owner’s argument is not sufficient reason for us to modify the Final Decision, as mere disagreement with a decision is not a sufficient basis for requesting rehearing.

ORDER

Accordingly, it is:

ORDERED that Patent Owner’s Request for Rehearing is *denied*.

CBM2015-00172
Patent No. 7,783,556 B1

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