

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**In re: TRADING TECHNOLOGIES
INTERNATIONAL, INC.,**
Petitioner

2016-120

On Petition for Writ of Mandamus to the United States Patent and Trademark Office in No. CBM2015-00161.

ON PETITION

Before LOURIE, BRYSON, and MOORE, *Circuit Judges*.
MOORE, *Circuit Judge*.

O R D E R

At TradeStation Group, Inc. and TradeStation Securities, Inc.'s request, the Patent Trial and Appeal Board instituted covered business method review proceedings for a patent owned by Trading Technologies International, Inc. Trading Technologies now seeks a writ of mandamus directing the Board to vacate its institution decision and terminate proceedings. Having considered the papers, we deny the petition without prejudice to Trading Technologies raising its arguments on appeal after the Board

issues its final written decision. *See Versata Dev. Group, Inc. v. SAP Am., Inc.*, 793 F.3d 1306, 1323 (Fed. Cir. 2015) (holding that this court has authority to address whether patent is a covered business method patent on appeal after issuance of final written decision).

Accordingly,

IT IS ORDERED THAT:

The petition is denied.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court