

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

January 29, 2014

ERRATA

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

**MORGAN STANLEY, THE GOLDMAN SACHS
GROUP, INC., J.P. MORGAN CHASE & CO.,
MORGAN STANLEY & CO., INC., GOLDMAN
SACHS & CO., GOLDMAN SACHS EXECUTION &
CLEARING, LP, J.P. MORGAN SECURITIES, INC.,
AND J.P. MORGAN CLEARING CORP.**
(formerly known as Bear, Stearns Securities Corp.),
Defendants-Appellees,

AND

**CREDIT SUISSE HOLDINGS (USA), INC. AND
CREDIT SUISSE SECURITIES (USA), LLC,**
Defendants-Appellees,

AND

**HSBC BANK USA, N.A. AND
HSBC SECURITIES (USA), INC.,**
Defendants-Appellees,

AND

**BNY CONVERGEX GROUP, LLC AND
BNY CONVERGEX EXECUTION SOLUTIONS, LLC,**
Defendants.

2013-1092

Appeal from the United States District Court for the
Southern District of New York in No. 11-CV-6696, Judge
Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

**CME GROUP, INC., BOARD OF TRADE OF THE
CITY OF CHICAGO, INC., NEW YORK
MERCANTILE EXCHANGE, INC. (agent of Nymex),**
Defendants-Appellees,

AND

**BATS TRADING, INC., (also known as BATS Ex-
change, Inc.)**
Defendant-Appellee,

AND

INTERNATIONAL SECURITIES EXCHANGE,
Defendant-Appellee,

AND

**NASDAQ OMX GROUP, INC., AND
NASDAQ OMX PHLX, INC.,**
Defendants-Appellees,

**NYSE EURONEXT, OPTIONS PRICE REPORTING
AUTHORITY, NYSE ARCA, INC., NYSE MKT, LLC
(formerly known as NYSE Amex, LLC), AND
SECURITIES INDUSTRY AUTOMATION
CORPORATION,**
Defendants-Appellees.

2013-1093

Appeal from the United States District Court for the
Southern District of New York in No. 11-CV-6697, Judge
Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

THOMSON REUTERS CORPORATION,
Defendant-Appellee,

AND

BLOOMBERG L.P.,
Defendant-Appellee,

AND

FACTSET RESEARCH SYSTEMS, INC.,
Defendant-Appellee,

AND

INTERACTIVE DATA CORPORATION,
Defendant-Appellee.

2013-1095

Appeal from the United States District Court for the Southern District of New York in No. 11-CV-6698, Judge Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

**CME GROUP, INC., BOARD OF TRADE OF THE
CITY OF CHICAGO, INC., NEW YORK
MERCANTILE EXCHANGE, INC. (agent of Nymex),**
Defendants-Appellees,

AND

**BATS TRADING, INC., (also known as BATS Ex-
change, Inc.)**
Defendant-Appellee,

AND

INTERNATIONAL SECURITIES EXCHANGE,
Defendant-Appellee,

AND

NASDAQ OMX GROUP, INC., AND

NASDAQ OMX PHLX, INC.,
Defendants-Appellees,

**NYSE EURONEXT, OPTIONS PRICE REPORTING
AUTHORITY, NYSE ARCA, INC., NYSE MKT, LLC
(formerly known as NYSE Amex, LLC), AND
SECURITIES INDUSTRY AUTOMATION
CORPORATION,**
Defendants-Appellees.

2013-1097

Appeal from the United States District Court for the
Southern District of New York in No. 11-CV-6699, Judge
Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

THOMSON REUTERS CORPORATION,
Defendant-Appellee,

AND

BLOOMBERG L.P.,
Defendant-Appellee,

AND

FACTSET RESEARCH SYSTEMS, INC.,
Defendant-Appellee,

AND

INTERACTIVE DATA CORPORATION,
Defendant-Appellee.

2013-1098

Appeal from the United States District Court for the Southern District of New York in No. 11-CV-6700, Judge Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

MORGAN STANLEY, THE GOLDMAN SACHS GROUP, INC., J.P. MORGAN CHASE & CO., MORGAN STANLEY & CO., INC., GOLDMAN SACHS & CO., GOLDMAN SACHS EXECUTION & CLEARING, LP, J.P. MORGAN SECURITIES, INC., AND J.P. MORGAN CLEARING CORP.
(formerly known as Bear, Stearns Securities Corp.),
Defendants-Appellees,

AND

CREDIT SUISSE HOLDINGS (USA), INC. AND CREDIT SUISSE SECURITIES (USA), LLC,
Defendants-Appellees,

AND

HSBC BANK USA, N.A. AND HSBC SECURITIES (USA), INC.,
Defendants-Appellees,

AND

**BNY CONVERGEX GROUP, LLC, BNY
CONVERGEX EXECUTION SOLUTIONS, LLC, THE
BANK OF NEW YORK MELLON CORPORATION,
BANK OF AMERICA CORPORATION, BANC OF
AMERICA SECURITIES, LLC, MERRILL LYNCH &
CO., INC., AND MERRILL LYNCH, PIERCE,
FENNER & SMITH, INC.,**
Defendants.

2013-1099

Appeal from the United States District Court for the
Southern District of New York in No. 11-CV-6701, Judge
Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

**CME GROUP, INC., BOARD OF TRADE OF THE
CITY OF CHICAGO, INC., NEW YORK
MERCANTILE EXCHANGE, INC. (agent of Nymex),**
Defendants-Appellees,

AND

**BATS TRADING, INC., (also known as BATS Ex-
change, Inc.)**
Defendant-Appellee,

AND

INTERNATIONAL SECURITIES EXCHANGE,
Defendant-Appellee,

AND

**NASDAQ OMX GROUP, INC., AND
NASDAQ OMX PHLX, INC.,**
Defendants-Appellees,

**NYSE EURONEXT, OPTIONS PRICE REPORTING
AUTHORITY, NYSE ARCA, INC., NYSE MKT, LLC
(formerly known as NYSE Amex, LLC), AND
SECURITIES INDUSTRY AUTOMATION
CORPORATION,**
Defendants-Appellees.

2013-1100

Appeal from the United States District Court for the
Southern District of New York in No. 11-CV-6702, Judge
Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

THOMSON REUTERS CORPORATION,
Defendant-Appellee,

AND

BLOOMBERG L.P.,
Defendant-Appellee,

AND

FACTSET RESEARCH SYSTEMS, INC.,
Defendant-Appellee,

AND

INTERACTIVE DATA CORPORATION,
Defendant-Appellee.

2013-1101

Appeal from the United States District Court for the Southern District of New York in No. 11-CV-6703, Judge Katherine B. Forrest.

REALTIME DATA, LLC (doing business as IXO),
Plaintiff-Appellant,

v.

MORGAN STANLEY, THE GOLDMAN SACHS GROUP, INC., J.P. MORGAN CHASE & CO., MORGAN STANLEY & CO., INC., GOLDMAN SACHS & CO., GOLDMAN SACHS EXECUTION & CLEARING, LP, J.P. MORGAN SECURITIES, INC., AND J.P. MORGAN CLEARING CORP.
(formerly known as Bear, Stearns Securities Corp.),
Defendants-Appellees,

AND

CREDIT SUISSE HOLDINGS (USA), INC. AND CREDIT SUISSE SECURITIES (USA), LLC,

Defendants-Appellees,

AND

**HSBC BANK USA, N.A. AND
HSBC SECURITIES (USA), INC.,**
Defendants-Appellees,

AND

**BNY CONVERGEX GROUP, LLC, BNY
CONVERGEX EXECUTION SOLUTIONS, LLC, THE
BANK OF NEW YORK MELLON CORPORATION,
BANK OF AMERICA CORPORATION, BANC OF
AMERICA SECURITIES, LLC, MERRILL LYNCH &
CO., INC., AND MERRILL LYNCH, PIERCE,
FENNER & SMITH, INC.,**
Defendants.

2013-1103

Decided: January 27, 2014
Nonprecedential Opinion

Please make the following change to pages 10-12 of the opinion:

DIRK D. THOMAS, McKool Smith, P.C., of Washington, DC, argued for plaintiff-appellant. With him on the brief were JOEL L. THOLLANDER, of Austin, Texas; ROBERT A. COTE, BRETT E. COOPER, DANIEL J. MELMAN, LAURA A. HANDLEY, and LAUREN L. FORNAROTTO, of New York, New York; and J. MICHAEL HENNIGAN and RODERICK G. DORMAN, of Los Angeles, California.

WILLIAM F. LEE, Wilmer Cutler Pickering Hale and Dorr, LLP, of Boston, Massachusetts, argued for defendants-appellees. With him on the brief were MARK G. MATUSCHAK, MONICA GREWAL, and KEVIN PRUSSIA, of Boston, Massachusetts, and GREGORY H. LANTIER, of Washington, DC, for defendants-appellees Credit Suisse Holdings (USA) Inc., et al.; DANIEL A. DEVITO and STACEY L. COHEN, Skadden, Arps, Slate, Meagher & Flom, LLP, of New York, New York, and JAMES J. ELACQUA, GARETH DEWALT, and MICHAEL D. SAUNDERS, of Palo Alto, California, for defendants-appellees Morgan Stanley, et al.; ROY W. HARDIN and M. SCOTT FULLER, Locke Lord LLP, of Dallas, Texas, for defendants-appellees HSBC Bank USA, et al.; JOHN M. DIMATTEO, Willkie Farr & Gallagher LLP, of New York, New York, for defendant-appellee Bloomberg L.P.; CONSTANCE S. HUTTNER and STEPHANIE L. DONAHUE, Vinson & Elkins, LLP, of New York, New York, DAVID J. TOBIN, of Dallas, Texas, and SYED K. FAREED, of Austin, Texas, for defendant-appellee Thomson Reuters Corp.; BRIAN E. MORAN, Robinson & Cole, LLP, of Stamford Connecticut, for defendant-appellee FactSet Research Systems Inc.; and BENJAMIN W. HATTENBACH and ARKA D. CHATTERJEE, Irell & Manella LLP, of Los Angeles, California, for defendant-appellee Interactive Data Corporation.

JAMES H. SHALEK, Proskauer Rose, LLP, of New York, New York, argued for defendants-appellees NYSE Euronext, et al. With him on the brief were MARGARET A. DALE and NOLAN M. GOLDBERG. MICHAEL HAWES, Baker Botts, LLP, of Houston, Texas, argued for defendants-appellees CME Group, Inc., et al. With him on the brief were SCOTT PARTRIDGE and LISA C. KELLY. On the brief for defendant-appellee International Securities Exchange, LLC, were MICHAEL M. MURRAY, BRYAN N. DEMATTEO, and RACHEL H. KAUFMAN, Winston & Strawn, LLP, of New York, New York, and GEOFFREY P. EATON, of Washington, DC; JOHN M. CHALLIS and KEITH J. GRADY, Polsinelli, PC, of St.

Louis, Missouri, for defendant-appellee BATS Trading, Inc.; and LYNN E. RZONCA, Ballard Spahr LLP, of Philadelphia, Pennsylvania, for defendants-appellees NASDAQ OMX Group, Inc., et al.
