

US00RE43246E

(19) **United States**  
(12) **Reissued Patent**  
**Bent et al.**

(10) **Patent Number:** **US RE43,246 E**  
(45) **Date of Reissued Patent:** **Mar. 13, 2012**

(54) **MONEY FUND BANK SYSTEM**  
(75) Inventors: **Bruce Bent**, Manhasset, NY (US);  
**Bruce Bent, II**, Manhasset, NY (US)  
(73) Assignee: **Island Intellectual Property LLC**,  
Manhasset, NY (US)  
(21) Appl. No.: **10/825,440**  
(22) Filed: **Apr. 14, 2004**

5,235,507 A 8/1993 Sackler  
5,262,942 A \* 11/1993 Earle ..... 705/37  
5,270,922 A 12/1993 Higgins  
5,291,398 A 3/1994 Hagan  
5,297,032 A 3/1994 Trojan  
5,424,938 A 6/1995 Wagner et al.  
5,631,828 A 5/1997 Hagan  
5,644,727 A 7/1997 Atkins  
5,671,363 A 9/1997 Cristofich  
5,689,650 A \* 11/1997 McClelland et al. .... 705/36

(Continued)

**Related U.S. Patent Documents**

Reissue of:  
(64) Patent No.: **6,374,231**  
Issued: **Apr. 16, 2002**  
Appl. No.: **09/176,340**  
Filed: **Oct. 21, 1998**

(51) **Int. Cl.**  
**G06Q 40/00** (2006.01)  
(52) **U.S. Cl.** ..... **705/36 R; 705/37; 705/38**  
(58) **Field of Classification Search** ..... **705/35,**  
**705/36-40, 36 R**  
See application file for complete search history.

**References Cited**

**U.S. PATENT DOCUMENTS**

4,232,367 A \* 11/1980 Youden et al. .... 705/38  
4,346,442 A 8/1982 Musmanno  
4,376,978 A 3/1983 Musmanno  
4,597,046 A 6/1986 Musmanno  
4,674,044 A 6/1987 Kalmus  
4,694,397 A 9/1987 Grant  
4,700,297 A 10/1987 Hagel  
4,751,640 A \* 6/1988 Lucas et al. .... 705/36  
4,774,663 A 9/1988 Musmanno  
4,953,085 A 8/1990 Atkins  
4,985,833 A 1/1991 Oncken  
5,126,936 A 6/1992 Champion  
5,206,803 A 4/1993 Vitagliano  
5,220,501 A 6/1993 Lawlor et al.

**FOREIGN PATENT DOCUMENTS**

JP 10049590 \* 2/1998  
(Continued)

**OTHER PUBLICATIONS**

Capital Briefs: Corporate Checking Account Relief Sought, American Banker v162, p2 Jul. 28, 1997.\*

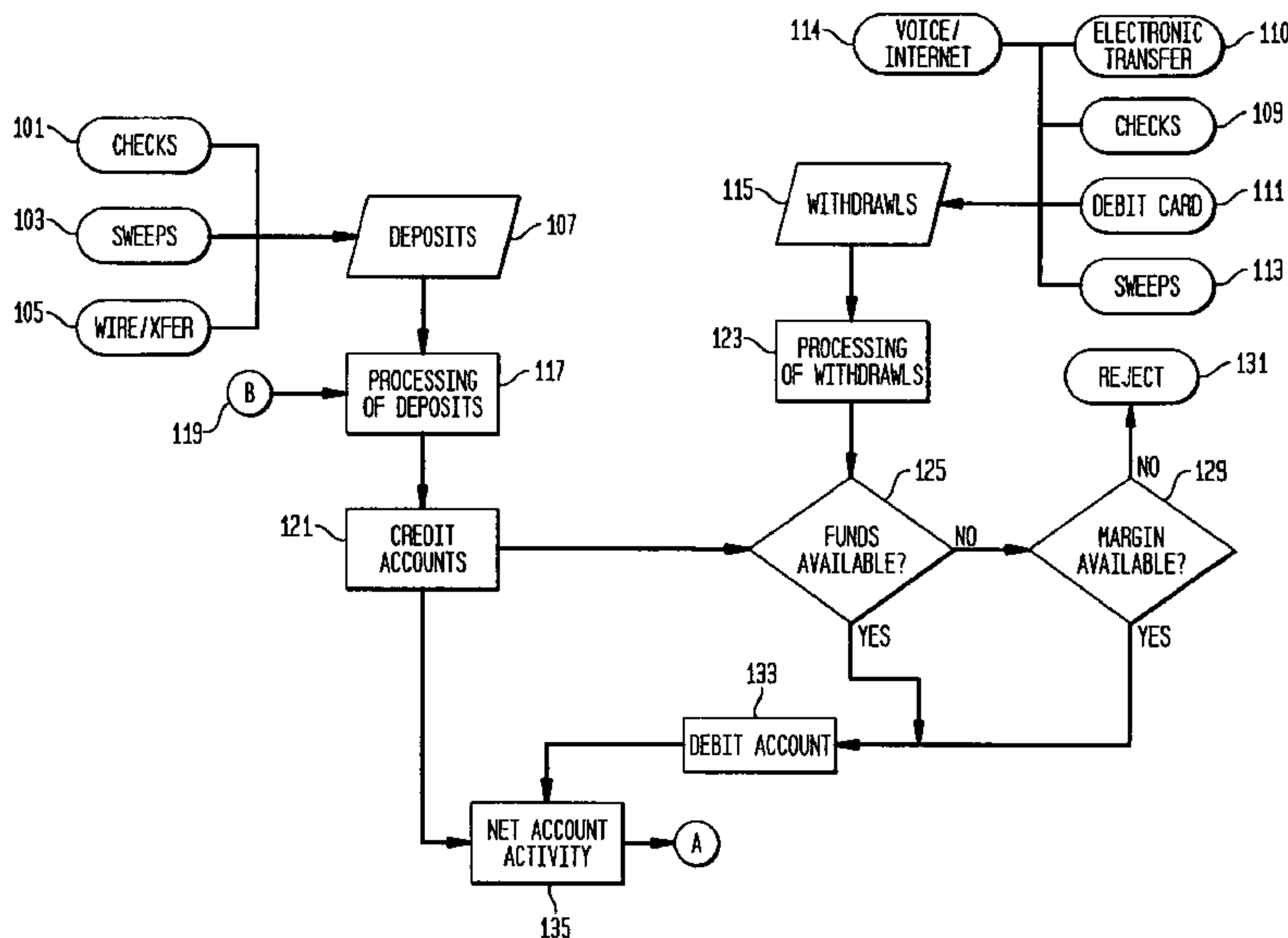
(Continued)

Primary Examiner — Jagdish Patel  
(74) Attorney, Agent, or Firm — Foley & Lardner LLP

**ABSTRACT**

(57) Providing interest to clients' deposited [funds] funds without the legal limitation on the number of demand withdrawals from deposit accounts is accomplished by an administration system that keeps all of the records for the clients' deposits and withdrawals, calculates the total of the deposits and withdrawals for all clients, and uses the calculation to determine whether funds are deposited to or withdrawn from a single deposit account in which all clients' deposit funds are kept. Clients can make unlimited withdrawals, such as by check, credit card, debit card, or electronic transfer, through the administrator. By placing the administrator as the holder of a single account, legal exemptions to the limitation on earning interest in demand accounts is *effectively* facilitated.

**13 Claims, 2 Drawing Sheets**



# US RE43,246 E

Page 2

U.S. PATENT DOCUMENTS			FOREIGN PATENT DOCUMENTS			
			7,809,640	B1	10/2010	Bent et al.
			7,933,821	B1	4/2011	Bent et al.
5,710,889	A	1/1998	8,032,456	B1	10/2011	Bent et al.
5,765,144	A	6/1998	8,036,986	B2	10/2011	Jacobsen
5,774,880	A	6/1998	8,051,005	B2	11/2011	Jacobsen
5,781,654	A	7/1998	2001/0032182	A1	10/2001	Kumar et al.
5,802,499	A	9/1998	2002/0007330	A1	1/2002	Kumar et al.
5,806,048	A	9/1998	2002/0046144	A1	4/2002	Graff
5,806,049	A	9/1998	2002/0069147	A1	6/2002	Sheehan et al.
5,812,987	A	9/1998	2002/0082981	A1	6/2002	Madden
5,826,243	A	10/1998	2002/0087454	A1	7/2002	Calo et al.
5,852,811	A	12/1998	2002/0091637	A1	7/2002	Bent et al.
5,864,685	A	1/1999	2002/0128951	A1	9/2002	Kiron et al.
5,875,437	A	2/1999	2002/0161707	A1	10/2002	Cole et al.
5,878,258	A	3/1999	2002/0165757	A1	11/2002	Lisser
5,878,405	A	3/1999	2002/0178098	A1	11/2002	Beard
5,884,285	A	3/1999	2002/0194099	A1	12/2002	Weiss
5,890,141	A	3/1999	2003/0023529	A1	1/2003	Jacobsen
5,893,078	A	4/1999	2003/0041003	A1	2/2003	Kayser, III
5,903,881	A	5/1999	2003/0135437	A1	7/2003	Jacobsen
5,905,974	A	5/1999	2003/0149646	A1	8/2003	Chen et al.
5,940,809	A	8/1999	2003/0163403	A1	8/2003	Chen et al.
5,941,996	A	8/1999	2003/0177092	A1	9/2003	Paglin
5,946,667	A	8/1999	2003/0191702	A1	10/2003	Hurley
5,950,175	A	9/1999	2003/0200174	A1	10/2003	Star
5,974,390	A	10/1999	2003/0208438	A1	11/2003	Rothman
5,978,779	A	11/1999	2003/0236728	A1	12/2003	Sunderji et al.
6,014,642	A	1/2000	2004/0039674	A1	2/2004	Coloma
6,016,482	A	1/2000	2004/0107157	A1	6/2004	Bleunven et al.
6,026,438	A	2/2000	2004/0111361	A1	6/2004	Griffiths et al.
6,041,314	A	3/2000	2004/0128229	A1	7/2004	Raines et al.
6,044,371	A	3/2000	2004/0128235	A1	7/2004	Kemper et al.
6,047,324	A	4/2000	2004/0138974	A1	7/2004	Shimamura et al.
6,049,782	A	4/2000	2004/0153398	A1	8/2004	Baumgartner et al.
6,052,673	A	4/2000	2004/0162773	A1	8/2004	Del Rey et al.
6,088,685	A	7/2000	2004/0177036	A1	9/2004	Nutahara et al.
6,092,056	A	7/2000	2005/0044038	A1	2/2005	Whiting et al.
6,105,005	A	8/2000	2005/0091137	A1	4/2005	Woeber
6,108,641	A	8/2000	2005/0102225	A1	5/2005	Oppenheimer et al.
6,112,191	A	8/2000	2005/0102226	A1	5/2005	Oppenheimer et al.
6,119,093	A	9/2000	2005/0108120	A1	5/2005	Malka et al.
6,131,810	A	10/2000	2005/0108149	A1	5/2005	Bent et al.
6,154,770	A	11/2000	2005/0114246	A1	5/2005	Coloma
6,189,785	B1	2/2001	2005/0154662	A1	7/2005	Langenwalter
6,192,347	B1	2/2001	2005/0228733	A1	10/2005	Bent et al.
6,226,623	B1	5/2001	2006/0047593	A1	3/2006	Naratil et al.
6,317,783	B1	11/2001	2006/0106703	A1	5/2006	Del Rey et al.
6,324,523	B1	11/2001	2006/0155644	A1	7/2006	Reid et al.
6,363,360	B1	3/2002	2006/0167773	A1	7/2006	Yang et al.
6,374,231	B1	4/2002	2006/0213980	A1	9/2006	Geller et al.
6,513,020	B1	1/2003	2006/0273152	A1	12/2006	Fields
6,970,843	B1	11/2005	2007/0043666	A1	2/2007	Burdette
7,089,202	B1	8/2006	2007/0118449	A1	5/2007	De La Motte et al.
7,103,556	B2	9/2006	2007/0130065	A1	6/2007	Staab et al.
7,124,101	B1	10/2006	2007/0143196	A1	6/2007	Colvin
7,133,840	B1	11/2006	2007/0255655	A1	11/2007	Kemper et al.
7,206,761	B2	4/2007	2007/0271174	A2	11/2007	Bent et al.
7,216,100	B2	5/2007	2007/0276752	A1	11/2007	Whiting et al.
7,328,179	B2	2/2008	2007/0288400	A1	12/2007	Menon
7,376,606	B2	5/2008	2008/0015985	A1	1/2008	Abhari et al.
7,383,223	B1	6/2008	2008/0046358	A1	2/2008	Holm-Blagg et al.
7,401,037	B2	7/2008	2008/0065532	A1	3/2008	De La Motte
7,440,914	B2	10/2008	2008/0097899	A1	4/2008	Jackson et al.
7,509,286	B1	3/2009	2008/0120228	A1	5/2008	Bent et al.
7,519,551	B2	4/2009	2008/0133280	A1	6/2008	Ziegler
7,536,350	B1	5/2009	2008/0133396	A1	6/2008	De La Motte
7,596,522	B1	9/2009	2008/0222053	A1	9/2008	Jacobsen
7,603,307	B2	10/2009	2009/0006985	A1	1/2009	Fong et al.
7,640,199	B1	12/2009	2009/0012899	A1	1/2009	Friesen
7,668,771	B1	2/2010	2009/0138412	A1	5/2009	Jacobsen
7,668,772	B1	2/2010				
7,672,886	B2	3/2010				
7,672,901	B1	3/2010				
7,672,902	B1	3/2010				
7,680,716	B1	3/2010				
7,680,734	B1	3/2010				
7,716,131	B2	5/2010				
7,752,107	B1	7/2010				
7,752,129	B2	7/2010				
7,769,688	B1	8/2010				



## OTHER PUBLICATIONS

- Bent, "Bruce Bent Makes Money Market Funds Act Like Bank Accounts," Equity BBDP, Oct. 5, 1998, 3 Sheets.
- Anderson et al. "Retail Sweep Programs and Bank Reserves," Federal Reserve Bank of St. Louis Review, Bell & Howell Information and Learning Company, vol. 83, Issue 1, 24 Sheets, Jan. 1, 2001.
- Blackwell, Aba to Approve System for Sharing Deposit Coverage, American Banker (Feb. 11, 2003).
- Blackwell, "New Pitch: Deposit Insurance Sharing," American Banker Online, pp. 1-4, Jan. 21, 2003.
- Certificate of Deposit Registry Service: Keeping deposits in the corn patch; Banknews, Mar. 2003.
- Declaration of Mr. Bruce Bent II, Vice Chairman and Registrant of Applicant on the date of first commercial use of the service providing interest and FDIC insurance for checking accounts by means of a system using money market deposit accounts (MMDA's) of Oct. 23, 1997.
- Ginovsky, Heavyweight Funding, Bankers News, vol. II, Issue 5, p. 1-2 Mar. 4, 2003.
- Chapelle, "Merrill's Rivals Say They, Too. Offer Services Beyond Banking," Securities Data Publishing on Wall Street, 2 Sheets, Feb. 1, 2003.
- Chapelle et al. "Peering Into Tomorrow: At the Threshold of a New Century, Brokers and Others Discuss Where They were Going," Securities Data Publishing on Wall Street, 6 Sheets, Dec. 1, 1999.
- Coyle, "A Look at commercial Demand Deposit Options," America's Community Banker, vol. 9, Issue 2, Bell & Howell Information and Learning Company, 9 Sheets, Feb. 1, 2000.
- Crockett, "Big Banks Found Stepping Up Marketing of 'Sweep' Accounts," American Banker, vol. 159, No. 198, American Banker Inc., 3 Sheets, Oct. 13, 1994.
- Fredrickson, "Rising Rates Rescue Money Fund Firm Reserve Profits by Picking Niches," Crain's New York Business, Crain Communications Inc., vol. 20, Issue 51, 2 Sheets; Dec. 20, 2004.
- Hoffman, "Reserve's FDIC-Insured Account Draws Regionals; But some see little need for insurance," Crain Communications Inc., Investment News, 2 Sheets, Jun. 4, 2001.
- Keenan, "Tapping Brokerages for Alternative to CDs," American Banker, The Financial Services Daily, 3 Sheets, Feb. 18, 2004.
- Lavine, "Check Out High-Yield Checking Accounts," Broward Daily Business Review, vol. 39, No. 102, 2 Sheets, Apr. 27, 1998.
- McReynolds, "The Power of Cash: Ho-hum cash can be great product (and lead to more business) in troubled times," Securities Data Publishing on Wall Street, 3 Sheets, Jun. 1, 2002.
- McReynolds et al. "Unusual Products for Unusual Times," Securities Data Publishing on Wall Street, 6 Sheets, May 1, 2001.
- Potter, "As Sweep Accounts Continue to Grow, So do Community Bank Options," America's Community Banker, vol. 9, Issue 8, Bell & Howell Information and Learning Company, 3 Sheets, Aug. 1, 2000.
- Share, "New Service Skirts FDIC's \$100K Limit," Dialog Web Command Mode, 2 Sheets, Jun. 13, 2003, <http://www.dialogweb.com/cgi/dwclient>.
- Smith, "IBAA Won't Push Interest-Bearing Checking for Business; Says Too Few Members Want It," The American Banker, 2 Sheets, Apr. 18, 1996.
- Stafford, "New Bank Program Allows \$1 Million in Insured Deposits," Dialog Web Command Mode, 3 Sheets, Aug. 24, 2003, <http://www.dialogweb.com/cqi/dwclient>.
- Wilson, "How Cash Management Services Can Help Your Bank Cultivate New Relationships with Commercial Customers," America's Community Banker, vol. 10, Issue 5, Bell & Howell Information and Learning Company, 8 Sheets, May 1, 2001.
- "Man Bites Dog: Funds Move Into Banking," IBC's Money Fund Selector, 2 Sheets, Nov. 6, 1998.
- About iMoneyNet, Inc., About iMoneyNet's Money Funds Division, 4 Sheets, Aug. 21, 2003, <http://www.ibcdata.com/about.htm>.
- "Reverse Ups Insurance Limit on Money Market Account," Thomson Financial Inc., Mutual Fund Market News, 1 Sheet, Aug. 26, 2002.
- "The Reverse Funds to Offer up to \$600,000 of FDIC Insurance on Reserve Insured Deposits; Addressing Investor Needs for Increased Safety, Flexibility and a Competitive Yield," Business Wire, Inc. Business Wire, 2 Sheets, Aug. 13, 2002.
- "The Bank of New York adds a \$300,000 FDIC-Insured Money Market Account Option to its Dividend Income Checking Account," PR Newswire Associations, Inc., PR Newswire, 2 Sheets, Apr. 18, 2002.
- The Reserve Fund, Study of U.S. Appl. No. 6,374,231, 1 Sheet.
- "Bank of Oak Ridge to Offer FDIC Insurance on up to \$1.5 Million," Dialog Web Command Mode, 2 Sheets, Sep. 25, 2003, <http://www.dialogweb.com/cgi/dwclient>.
- Reserve Management Corporation, Reserve Insured Deposits, U.S. Appl. No. 76/315,600, Issued.
- The Reserve, "What Sets Us Apart," 2 Sheets, Oct. 4, 2006, [http://www.ther.com/bank/bank\\_wsua.shtml](http://www.ther.com/bank/bank_wsua.shtml).
- The Reserve, "Reserve Insured Deposits," 2 Sheets, Oct. 4, 2006 [http://www.ther.com/ps/ps\\_fif.shtml](http://www.ther.com/ps/ps_fif.shtml).
- The Reserve, "Company History," 3 Sheets, Oct. 4, 2006 <http://www.ther.com/aboutus/history.shtml>.
- The Reserve, "Reserve Insured Deposits Program," 2 Sheets, Oct. 4, 2006, [http://www.ther.com/bank/bank\\_insdep.shtml](http://www.ther.com/bank/bank_insdep.shtml).
- Reserve Insured Deposits, United States Patent and Trademark Office, Reg. No. 2,694,910, Registered Mar. 11, 2003, 1 Sheet.
- U.S. Appl. No. 09/677,535, filed Oct. 2, 2000, Bruce Bent et al.
- U.S. Appl. No. 10/825,440, filed Apr. 14, 2004, Bruce Bent et al.
- U.S. Appl. No. 11/641,046, filed Dec. 19, 2006, Bruce Bent et al.
- U.S. Appl. No. 11/840,052, filed Aug. 16, 2007, Bruce Bent et al.
- U.S. Appl. No. 11/840,060, filed Aug. 16, 2007, Bruce Bent et al.
- U.S. Appl. No. 12/385,522, filed Aug. 10, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/408,507, filed Mar. 20, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/408,511, filed Mar. 20, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/408,523, filed Mar. 20, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/453,387, filed May 8, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/453,388, filed May 8, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/453,389, filed May 8, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/453,390, filed May 8, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/622,979, filed Nov. 20, 2009, Bruce Bent et al.
- U.S. Appl. No. 12/794,448, filed Jun. 4, 2010, Bruce Bent et al.
- U.S. Appl. No. 12/794,545, filed Jun. 4, 2010, Bruce Bent et al.
- U.S. Appl. No. 12/816,092, filed Jun. 15, 2010, Bruce Bent, II et al.
- U.S. Appl. No. 12/829,961, filed Jul. 2, 2010, Bruce Bent et al.
- An iMoneyNet Special Report, Brokerage Cash Sweep Options: The Shift from Money Funds to FDIC-Insured Bank Deposit Accounts, by Peter G. Crane & Michael F. Krasner, iMoneyNet, Nov. 2004, 66 pages.
- Email from Olivia Kim to Charles Macedo on Jun. 9, 2010 with attachment of Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation, and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Defendant Deutsche Bank Trust Company America's responses to Intrasweep's common interrogatory Nos. 1-5, Confidential-Attorneys only, Civil Action No. 09 Civ. 2675 (VM) (AJP).
- Email from Olivia Kim to Charles Macedo on May 13, 2010 with attachment of Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation, and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Defendant Deutsche Bank Trust Company America's responses to Double Rock's Common interrogatory Nos. 1-10 to defendants Reservation of Right, Civil Action No. 09 Civ. 2675 (VM) (AJP).
- Email from Olivia Kim to Charles Macedo on May 13, 2010 with attachment of Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation, and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Defendant Total Bank Solutions, LLC's responses to Double Rock's Common interrogatory Nos. 1-10 to defendants, Reservation of Right, Civil Action No. 09 Civ. 2675 (VM) (AJP).
- IDC Deposits, online, <http://idcdeposits.com/>, 2009, 1 Sheet.
- Insured Bank Deposit Program Summary Information Statement, Information Statement, and list of Eligible Program Banks Effective Feb. 10, 2005, 11 pages.
- Lawsuit by Island Intellectual Property LLC, et al., against Deutsche Bank Trust Company Americas, et al.; Defendant Deutsche Bank Trust Company Americas' Fifth Supplemental Responses to Island IP's First Set of Common Interrogatories to All Defendants (No. 7); Case No. 09 Civ. 2675 (VM)(AJP); Sep. 16, 2010; 9 pages.



- Lawsuit by Island Intellectual Property LLC, et al., against Deutsche Bank Trust Company Americas, et al.; Defendant Total Bank Solutions, LLC's Fifth Supplemental Responses to Island IP's First Set of Common Interrogatories to All Defendants (No. 7); Case No. 09 Civ. 2675 (VM)(AJP); Sep. 16, 2010; 9 pages.
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, and Double Rock Corporation against Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, including Cover Sheet, Summons, Complaint and Rule 7.1 Statement, Mar. 24, 2009, Case No. 09 CV 2677.
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, and Double Rock Corporation against Promontory Interfinancial Network, LLC and MBSC Securities Corporation, including Cover Sheet, Summons, Complaint and Rule 7.1 Statement, Mar. 24, 2009, Case No. 09 CV 2675.
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Stipulation and Order, Oct. 29, 2009, Case No. 09 CV 2675 (VM) (AJP) (Document 73).
- Letter from Gilbert T. Schwartz, Skadden, Arts, Slate, Meagher & Flom to Oliver Ireland, Associate General Counsel, Board of Governors of the Federal Reserve System; Dec. 18, 1987; 19 sheets.
- Letter from Roger M. Zaitzeff, Seward & Kissel to Gilbert T. Schwartz, Associate General Counsel, Board of Governors of the Federal Reserve System; May 10, 1983, 5 sheets.
- Promontory Interfinancial Network, Promontory Interfinancial Network Announces New Deposit Placement Service, Jan. 21, 2003, 3 Sheets.
- Promontory Interfinancial Network: Frequently Asked Questions (FAQs), Feb. 5, 2003, 5 pages.
- Wayne Hummer Money Market Fund Brochure, Performance Data as of Mar. 31, 2003, including Commentary page (attached <http://www.whummer.com/funds/money.asp> and [http://www.whummer.com/fund\\_dis.htm](http://www.whummer.com/fund_dis.htm)), 4 pages.
- Wayne Hummer Money Market Fund, "Annual Financial Statements," Mar. 31, 2003, 12 pages.
- Wayne Hummer Investment Trust, Investment Company Act File No. 811-3880, "Start Investing Today . . .," Prospectus, Jul. 31, 2002, 44 pages.
- Wayne Hummer Management Company, retrieved from the Internet: "Organization & Clients," <http://www.whgmtco.com>; "Assets Under Management—Dec. 31, 2002," <http://www.whgmtco.com/asset.htm>; "Equity & Mid Cap Growth Investment Philosophy," <http://www.whgmtco.com/equ-phil.htm>; "Economic & Market Commentary—Jan. 2003," <http://www.whgmtco.com/commentary.htm>; "Management Team," <http://www.whgmtco.com/team.htm>; "Fixed Income Performance," <http://www.whgmtco.com/fix-perf.htm>; "Mid-Cap Equity Performance," <http://www.whgmtco.com/mid-perf.htm>; "All Equity Performance," <http://www.whgmtco.com/all-perf.htm>, 11 pages. [retrieved on Jul. 2, 2003].
- Wayne Hummer Market Letter, Jul./Aug. 2003, 2 pages.
- Wayne Hummer Investments, "Wintrust Financial Corporation Reports Second Quarter Earnings; Second Quarter Net Earnings Up 45%," Jul. 18, 1 page.
- Weber Shandwick Worldwide, News: For Immediate Release, "Wayne Hummer Investments Names New President & CEO," Apr. 2003, 2 pages.
- Wayne Hummer Investments, retrieved from the Internet: "Our People Focused on Your Investments," Jul. 2, 2003, <http://www.whummer.com/>; "Stocks & Bonds," [http://www.whummer.com/stocks\\_bonds.htm](http://www.whummer.com/stocks_bonds.htm); "Mutual Funds," [http://www.whummer.com/mutual\\_funds.htm](http://www.whummer.com/mutual_funds.htm); "Morning Comments," <http://www.whummer.com/morningcomments.asp>, 6 pages. [retrieved on Jul. 2, 2003].
- Wayne Hummer Investments, "Investment Executives," retrieved from the Internet: [http://www.whummer.com/investment\\_executives.htm](http://www.whummer.com/investment_executives.htm), 2 pages. [retrieved on Jul. 2, 2003].
- Wayne Hummer Investments LLC, "Consolidated Statement of Financial Condition," with Report of Independent Auditors, Dec. 31, 2002, 12 pages.
- Wintrust Financial Corporation, "Wintrust Financial Corporation Reports Record Earnings for the Fourth Quarter and Year; Fourth Quarter Net Earnings Up 53%," 22 pages.
- Wayne Hummer Investments, "A Letter to Wayne Hummer Investments Clients & Friends," Jul. 18, retrieved from the Internet: <http://www.whummer.com/wintrust2qEarnings.html>, 1 page [retrieved on Jul. 3, 2003].
- Wayne Hummer Investments; Insured Bank Deposits Program—Frequently Asked Questions; obtained Dec. 26, 2002; 4 pages.
- Wayne Hummer Investments, "Contact Us," retrieved from the Internet: [http://www.waynehummer.com/contact\\_us.htm](http://www.waynehummer.com/contact_us.htm), 6 pages [retrieved on Jan. 8, 2003].
- Wayne Hummer Investments for Life, Booklet, 2003, 25 pages.
- Wayne Hummer, "For Time-Proven Professionalism," Booklet, 2003, 13 pages.
- Wayne Hummer, "Insured Bank Deposits™ Program Information Statement," obtained Dec. 26, 2002; 12 pages.
- Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsch Bank Trust Company Americas, et al.*; Defendant Deutsche Bank Trust Company Americas' Second Supplemental Responses to Double Rock's Interrogatories Nos. 2, 8 and 9, Jul. 2010, 65 pages.
- Exhibit 2, Invalidity Chart: U.S. Appl. No. 4,985,833 (Oncken)—U.S. Pat. No. 7,668,771, Jul. 2010, 14 pages.
- Exhibit 5, Invalidity Chart: Merrill Lynch Business Advantage Program—U.S. Pat. No. 7,668,772, Jul. 2010, 7 pages.
- Exhibit 8, Invalidity Chart: Harken Financial Services Sweep Product—U.S. Pat. No. 7,668,771, Jul. 2010, 9 pages.
- Exhibit 9, Invalidity Chart: Wayne Hummer—Insured Bank Deposit Program—U.S. Pat. No. 7,668,771, Jul. 2010, 12 pages.
- Exhibit 10, Invalidity Chart: U.S. Patent Application Publication No. 2007/0043666 (Burdette), U.S. Pat. No. 7,668,771, Jul. 2010, 9 pages.
- 2 CDs (1) Non-Confidential Exhibits and Material regarding Deutsch Bank Trust Company Americas' (DBTCA) 2<sup>nd</sup> Supp Res to Double Rock's Interrogatory No. 2; (2) Prior Art for IC Non-Confidential Material—Bates-numbered documents for Exhibits 2, 5, 8, 9, and 10 Invalidity Charts, Jul. 2010.
- Letter to R.M. Zaitzeff, from W.W. Wiles, dated Jun. 22, 1983 (response to May 10, 1983 letter re: offering of MMDAs), 6 pages.
- Letter to G.T. Schwartz, from O.I. Ireland, dated Jun. 22, 1988 (response to Dec. 18, 1987 letter re: proposed modifications to Merrill Lynch's CMA Program), 5 pages.
- Information Statement, "Alliance Insured Account," Sep. 1999; 6 pages.
- Investors MoneyAccounts<sup>SM</sup> and Insurance Plus Service Agreement, attached Schedule A (List of Banks Participating in the Insurance Plus Service), IMAD Mar. 1994, 3 pages.
- Investors Money Account<sup>SM</sup> (an FDIC-insured money market account), IMA-1 (Mar. 1994), 4 pages.
- Investors MoneyAccount<sup>SM</sup>, "The FDIC-Insured Money Market Investment with an Important Plus," IMA Oct. 1995, 2 pages.
- 1985 SEC No-Act. Lexis 2756, Investment Company Act of 1940—Section 3(a)(1), 2(a)(36); Securities Act of 1933—Section 2(1), Nov. 29, 1985, Kemper Financial Services, Inc., 9 pages.
- Insured Money Account Program Agreement and Disclosure Statement, (attached Schedule A—Deposit Account Terms), faxed Mar. 28, 2000; 10 pages.
- First National Bank in Brookings, Certificates of Deposit [online] [retrieved on Jul. 17, 2009]. Retrieved from the Internet: Certificates of Deposit, <URL: <http://web.archive.org/web/20000524121111/www.firstnb.com/cd.htm>>; Multi-Bank CDs, <URL: <http://web.archive.org/web/20000524132934/www.firstnb.com/mbcd.htm>>, 5 pages.
- Summary of Commentary on Current Economic Conditions by Federal Reserve Districts, Jan. 1985, 44 pages.
- 12 CFR Ch. II (Jan. 1, 2009 Edition), pp. 124-125.
- Product Strategy, "Money Fund \$\$ Moving to Bank Deposits, Distributors Start to Install Bank Deposit Accounts to Replace Money Funds," 6 FRC Monitor, Dec. 2003, 2 pages.
- Board of Governors of the Federal Reserve System, "The May 1998 Senior Financial Officer Survey," May 1998, (attached Appendix A: Survey Questions and Responses; Appendix B: Glossary; Appendix C: Examples of Key Reserve Concepts), 48 pages.



- Interest Rate Review, A Publication of the Meyer Weekly Interest Rate Survey, "A Look at Tiers," Apr. 1987, 6 pages, vol. 11, No. 4.
- LexisNexis, the American Banker, "Merrill Joins Money Market Account, CMA; Broker Begins Testing With 12 Institutions," Sep. 23, 1983, 4 pages.
- Bent et al., Office Action, App. No. 10/071,053, with attached SB08, date considered Mar. 10, 2009, 2 pages.
- Merrill Lynch & You, "Financial Services The Way You Want, When You Want Them," Jan. 2000, 16 pages.
- Exhibit 1, "FA/FB Account 1997 First Transactions, TRX Types: PU, PP, TA, PT," Aug. 2003, p. 1-2.
- Advertisement: Where Your Interest is?, Mutual Funds, Oct. 1997; 1 page.
- Advertisement: It's 1997, Do You Know Where Your Interest Is?, Mutual Funds, Dec. 1993, p. 46.
- USPTO Office Action, Interview Summary, U.S. Appl. No. 11,767,827, Date Mailed Sep. 23, 2009, 4 pages.
- USPTO Office Action, Office Action Summary, U.S. Appl. No. 11,767,827, Date Mailed Jun. 5, 2009, 35 pages.
- Service Mark Application, Applicant: Reserve Management Corporation, Mark: Reserve Insured Deposits, (attached Power of Attorney, Declaration, Drawing Page Sep. 21, 2001, 6 pages.
- Letter to R.L. Kratzer, from T.J. Vezeau, Re: U.S. Appl. No. 6,374,231, dated Jan. 10, 2003, 1 page.
- Letter to C.R. Macedo, from R.L. Rainey, Re: Promontory Interfinancial Network, LLC, dated Jul. 22, 2008, (attached Attachments A-E), 35 pages.
- Letter to C.R. Macedo, from R.L. Rainey, Re: Promontory Interfinancial Network, LLC, dated Oct. 16, 2008, (attached Attachments A-C), 22 pages.
- Letter to C.R. Macedo, from R.L. Rainey, Re: Promontory Interfinancial Network, LLC, dated Feb. 23, 2009, (attached Exhibit A-B), 21 pages.
- Letter to R.L. Kratzer, from T.J. Vezeau, Re: U.S. Appl. No. 6,374,231, dated Jan. 10, 2003 (with various attachments), 128 pages.
- Memo to Bruce Bent, from Bruce Bent II, Re: S&M Status, Oct. 15, 1997 (cc: Arthur, Mary, Marianne, Joe, Pat, Cathy, Michelle), 1 page.
- Memo to Marianne, Ralph, Customer Service, from Bruce Bent II, Re: Reserve IDA, Sep. 4, 1997, 1 page.
- Memo to Marianne, Pat, Bruce Bent, from Bruce Bent II, Re: Reserve Insured Deposit Account, Sep. 4, 1997, 1 page.
- American Express—Meeting Notes, Sep. 26, 2000, 2 pages.
- American Express Financial Advisors Customized FDIC Product with Tiered Balances, Jan. 24, 2001, 2 pages.
- American Express Conference Call Minutes, Topic: Tiered Balances, Jan. 25, 2001 @ 3:00pm-4:00pm, 2 pages.
- Letter to A.J. Bufalino, from C.R. Macedo, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, May 8, 2007, (enclosing Jan. 3, 2006 letter to A.J. Bufalino, Feb. 23, 2006 letter to A.J. Bufalino, Mar. 16, 2006 letter to C. Macedo, U.S. Appl. No. 6,374,231, U.S. Publication No. 2002/0091637 A1, U.S. Publication No. 2005/0108149 A1, U.S. Publication No. 2005/0228733 A1, U.S. Publication No. 2006/0212385 A2, U.S. Publication No. 2006/0212389 A2), 510 pages.
- Merrill Lynch & Co., Inc., Form 10-K405 (Annual Report (Regulation S-K, item 405)), Filed Mar. 14, 2002 for the Period Ending Dec. 28, 2001, 248 pages.
- Merrill Lynch, "Information Statement Regarding changes to Interest Rates on Deposits in the Merrill Lynch Banks," Nov. 12, 2007, 2 pages.
- QUESTessentials, "Quest Insured Account," May 17, 1994, 3 pages.
- Information Statement, "Quest Insured Account," (attached Appendix A), 5 pages.
- OCC Insured Bank Deposit Account (attached are p. 2 of Quest for Value Funds Daily Data, Jun. 1993; OCC Insured Account Rate Table), 3 pages.
- CIBC World Markets, "Insured Bank Deposit Account," Information Statement, Jul. 1, 2000, 2 pages.
- Letter to Client, from M.J. Hensle, Re: Salomon Smith Barney Bank Deposit Program<sup>SM</sup>, (attached Q&A: Important Information about the New Salomon Smith Barney Bank Deposit Program), Aug. 16, 2020, 14 pages.
- Salomon Smith Barney, "Bank Deposit Program Disclosure Statement," 3 pages.
- FDIC, FDIC Law, Regulations, Related Acts—4000—Advisory Opinions, Oct. 22, 1987, J. W. Via, Jr., Counsel [online] [Retrieved on Jan. 22, 2010]. Retrieved from the Internet: URL: <http://www.fdic.gov/regulations/laws/rules/4000-2560.html>, 1 page.
- FDIC, FDIC Law, Regulations, Related Acts—4000—Advisory Opinions, Jun. 28, 1993, J. A. DiNuzzo, [online] [Retrieved on Jan. 22, 2010]. Retrieved from the Internet: URL: <www.fdic.gov/regulations/laws/rules/4000-8240.html>, 2 pages.
- FDIC, FDIC Law, Regulations, Related Acts—4000—Advisory Opinions, Jul. 23, 1986, D. H. Jones [online] [Retrieved on Jan. 22, 2010]. Retrieved from the Internet: URL: <www.fdic.gov/regulations/laws/rules/4000-2120.html#fdic400086-21>, 2 pages.
- Merrill Lynch—Pierce, Fenner & Smith, Inc., "The Merrill Lynch Cash Management Account®," Financial Service, Jan. 1985, 18 pages.
- Merrill Lynch, "Insured Savings™ Account Fact Sheet," The Merrill Lynch Cash Management Account® Financial Service, 11 pages.
- CMA, "A Guide to Your CMA Account," Jan. 1995, 38 pages.
- American Banker, Salomon's Sweep Plan Raises FDIC Fund Alarm [online], Dec. 6, 2000 [retrieved on Apr. 13, 2009]. Retrieved from the Internet: <URL: http://www.americanbanker.com/printthis.html?id=2000120603YJGEZD>, 2 pages.
- The Insured Deposit Account: "Money in the Bank," p. 5; Three Little Letters. Three Big Ways to Save in 1998, p. 4.
- LexisNexis, The American Banker, Sep. 23, 1983, Merrill Joins Money Market Account, CMA; Broker Begins Testing With 12 Institutions, Byline: A. Arvan, 4 pages.
- Merrill Lynch & Co Inc—MER, 10k Wizard, Form 8-K, "Report of Unscheduled Material Events or Corporate Changes," Filed Mar. 7, 2002, 51 pages.
- Federal Reserve System, Lexsee 51 FR 9632, "Definition of Deposit and Technical Amendments," Action: Final Rule, Mar. 20, 1986, 13 pages.
- Federal Reserve System, Lexsee 56 FR 15494, "Regulation D--Reserve Requirements of Depository Institutions," Action: Final Rule, Apr. 17, 1991, 5 pages.
- Federal Reserve System, Part 201—Reserve Requirements of Depository Institutions (Regulation D)12 CFR Ch. II (1-1-10 Edition), pp. 94-128, Pt. 204-Pt. 205.
- Letter to G.T. Schwartz, from O.I. Ireland, dated Jun. 22, 1988, Re: response to letter of Dec. 18, 1987 regarding proposed modifications to Merrill Lynch's CMA Program, 5 pages.
- Federal Reserve System, Lexsee 47 FR 55207, "Reserve Requirements of Depository Institutions; Money Market Deposit Account," Dec. 8, 1982, Action: Final Rule, 5 pages.
- Insured Bank Deposits™ Program Summary Information Statement, 11 pages.
- Insured Bank Deposits™ Program Information Statement, (attached List of Eligible Program Banks, Effective May 9, 2002; New Account Application, Joint Account Agreement), 11 pages.
- Wayne Hummer Investments, "Insured Bank Deposits™ Program, Frequently Asked Questions," 4 pages.
- American Express—Meeting Notes Sep. 26, 2000, 2 pages.
- American Express Financial Advisors Customized FDIC Product with Tiered Balances, Jan. 24, 2001, 2 pages.
- American Express Conference Call Minutes, Jan. 25, 2001 @ 3:00pm-4:00pm, Topic: Tiered Balances, 2 pages.
- Memorandum to M. Peterson, J. Whitt, R. Wroten, E. Naumes, E. Deal, B. McCain, from J.E. Oncken, Jun. 15, 1990, Re: Insured Savings Update (with attachments), 7 pages.
- Insured Savings, "Correspondent Agreement," including Exhibits A-D, 28 pages.
- Insured Savings, "Project Team Meeting," Feb. 2, 1989, 21 pages.
- Insured Savings, "Overview & Marketing Plan," Presented by: J.E. Oncken, Dec. 6, 1988, (including Exhibit A), 23 pages.
- Letter to V.J. Best, from J.E. Oncken, dated Apr. 18, 1988, 2 pages.
- Letter to M.L. Duke from K. Johnson, dated Dec. 27, 1989, (attached Insured Savings Correspondent Agreement, Exhibits A-D, letter to M.L. Duke from K. Johnson dated Nov. 21, 1989 and Account Information Sheet), 39 pages.



- Memorandum to J. Oncken, J. Scurlock, B. Standefer, E. Piner, T. Cyr, from K. Johnson, dated Jul. 5, 1990, Re: Attached Insured Savings Letters (with attachments), 9 pages.
- E.D.S.—First City Austin Electronic Mail, from J. Oncken, to T. Cyr, Re: Depository Levels at Insured Savings Depositories, Nov. 2, 1989, 1 page.
- Cash Management Balance Monitoring Agreement and Memorandum from Ed Piner to Cash management Line of Business Representatives dated May 21, 1991(with attachments), 8 pages.
- Merrill Lynch, Insured Savings Account Fact Sheet, The Merrill Lynch Cash Management Account® Financial Service, Jan. 1986, 4 pages.
- Merrill Lynch Money Markets, Inc., Merrill Lynch Capital Markets, “The Insured Savings Account, Issuer Guide to Offering MMDAs through Merrill Lynch,” Sep. 1986; 36 pages.
- Merrill Lynch, The Merrill Lynch Capital Builders<sup>SM</sup> Account Financial Service, Insured Savings<sup>SM</sup> Account Participating Depository Institutions, 1996, 2 pages.
- Insured Deposit Account, May 21, 1996, 14 pages.
- An Introduction to the Smith Barney Insured Deposit Account, 8 pages.
- Smith Barney Inc. Capital Markets, Debt Origination Group Memo, to J. Mandelbaum, from T. Hamilton, cc: R. Holloman, H. Bald, S. Becton, Re: Insured Deposit Account, Oct. 10, 1995; Smith Barney Inc. Capital Markets, Debt Origination Group Memo, to B. Holloman, from T. Hamilton, cc: W. Heinzerling, H. Morris, COPs, Re: New Product Proposal for Insured Deposit Account, Sep. 18, 1995, 2 pages.
- Insured Deposit Account, Product Description for the Investor, Draft as of Sep. 20, 1995, 8 pages.
- Promontory Interfinancial Network, 3, Sheets, <http://www.promnetwork.com/index.html>, (2003).
- Mutual Funds Magazine, Bargain Basement Funds, Oct. 1997, 2 Sheets.
- Mutual Funds Magazine, Bargain Basement Funds, Oct. 1997, 1 Sheet.
- Mutual Funds Magazine, Bargain Basement Funds, Oct. 1997, 1 Sheet.
- Money Fund Report, IBC Financial Data, Inc., Nov. 6, 1998, 1 Sheet.
- Lieberman et al., Market Watch, “How Important are Banks?” FDIC Insurance on Deposits Just One Continuing Advantage, Oct. 17, 2006, 3 Sheets.
- Declaration of Mr. Bruce Bent II, Vice Chairman and Registrant of Applicant. (3 Sheets) and Exhibits A, B, C and D (6 Sheets).
- Anderson et al. “Retail Sweep Programs and Bank Reserves,” Federal Reserve Bank of St. Louis Review, Bell & Howell Information and Learning Company, vol. 83, Issue 1, 24 Sheets, Jan. 1, 2001.
- Announcing Changes in Automatic “Sweep” Investment Options, LPL Financial Services, Linsco/Private Ledger, Member NASD/SIPC, 26 Sheets.
- Insured Cash Account Program Disclosure Booklet, LPL Financial Services, Linsco/Private Ledger, Member NASD/SIPC, 14 Sheets.
- California Independent Bankers, ICBA Independent Community Bankers of America, Banker Bulletin, 2006, CIB 16<sup>th</sup> Annual Convention, vol. 4, Issue 6, [http://www.cib.org/banker\\_bulletin.htm](http://www.cib.org/banker_bulletin.htm) 2 Shhets.
- AB 2011 Assembly Bill—Chaptered, [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2001-2050/ab\\_bill\\_20060925\\_chaptered.html](http://www.leginfo.ca.gov/pub/bill/asm/ab_2001-2050/ab_bill_20060925_chaptered.html), 2006, pp. 1-3.
- AB 2011 Assembly Bill—Enrolled, [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2001-2050/ab\\_2011\\_bill\\_20060816\\_enrolled.html](http://www.leginfo.ca.gov/pub/bill/asm/ab_2001-2050/ab_2011_bill_20060816_enrolled.html), 2006, pp. 1-3.
- AB 2011 Assembly Bill—History, Complete Bill History, [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2001-2050/ab\\_2011\\_bill\\_20060925\\_history.html](http://www.leginfo.ca.gov/pub/bill/asm/ab_2001-2050/ab_2011_bill_20060925_history.html), 2006, p. 1.
- AB 2011 Assembly Bill—Bill Analysis, Senate Amendments [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2001-2050/ab\\_2011\\_cfa\\_20060811\\_161755\\_asm\\_floor.html](http://www.leginfo.ca.gov/pub/bill/asm/ab_2001-2050/ab_2011_cfa_20060811_161755_asm_floor.html), 2006, pp. 1-3.
- AB 2011 Assembly Bill—Bill Analysis, Senate Rules Committee, Third Reading, [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2001-2050/ab\\_2011\\_cfa\\_20060705\\_161454\\_sen\\_floor.html](http://www.leginfo.ca.gov/pub/bill/asm/ab_2001-2050/ab_2011_cfa_20060705_161454_sen_floor.html).2006, pp. 1-7.
- The Reserve Funds Press Release “The Reserve Funds and Frontier Bank Partner to Offer Revolutionary Banking Product,” 5 Sheets, Aug. 1, 2000.
- U.S. Appl. No. 60/307,815, filed Jul. 27, 2001.
- U.S. Appl. No. 60/323,865, filed Sep. 20, 2001.
- Letter From William W. Wiles, Secretary of the Board, Board of Governors of the Federal Reserve System, Jun. 22, 1983, 6 Sheets.
- DI 48, Excerpts of Transcript of Hearing, U.S. Dist. Ct., District of Delaware, Civil Action No. 82-680, Apr. 8, 1983, 5 sheets.
- DI 56, Interrog. Response, U.S. Dist. Ct. District of Delaware, Civil Action No. 82-680, May 20, 1983, 15 Sheets.
- DI 99, Suppl. Interrogatory Response, U.S. Dist. Ct., District of Delaware, Civil No. 82-630, May 30, 1984, 6 Sheets.
- Letter from Michael Bradfield, General Counsel, Board of Governors of the Federal Reserve System, Nov. 16, 1984, 4 Sheets.
- Board of Governors of the Federal Reserve System, 1984 Fed. Res. Interp. Ltr. LEXIS 56, Nov. 16, 1984, 3 Sheets.
- Letter From Oliver I. Ireland, Associate General Counsel, Board of Governors of the Federal Reserve System, Jun. 22, 1988, 5 Sheets.
- Board of Governors of the Federal Reserve System, 1988 Fed. Res. Interp. Ltr. LEXIS 141, Jun. 22, 1988, 3 Sheets.
- Board of Governors of the Federal Reserve System, 1989 Fed. Res. Interp. Ltr. LEXIS 77, Mar. 14, 1989, 2 Sheets.
- Board of Governors of the Federal Reserve System, 1989 Fed. Res. Interp. Ltr. LEXIS 154, Jun. 21, 1989, 2 Sheets.
- Board of Governors of the Federal Reserve System, 1990 Fed. Res. Interp. Ltr. LEXIS 94, Feb. 1, 1990, 1 Sheet.
- Board of Governors of the Federal Reserve System, 1991 Fed. Res. Interp. Ltr. LEXIS 232, Jan. 30, 1991, 2 Sheets.
- CMA, The Merrill Lynch Cash Management Account Financial Service, Insured Savings Account Participating Depository Institutions, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Nov. 1992, 2 Sheets.
- Board of Governors of the Federal Reserve System, 1994 Fed. Res. Interp. Ltr. LEXIS 156, Jun. 24, 1994, 3 Sheets.
- CMA, Insured Savings Account Fact Sheet, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Jul. 1994, pp. 47-54.
- Board of Governors of the Federal Reserve System, 1994 Fed. Res. Interp. Ltr. LEXIS 314, Oct. 17, 1994, 2 Sheets.
- Board of Governors of the Federal Reserve System, 1994 Fed. Res. Interp. Ltr. LEXIS 419, Oct. 14, 1994, 4 Sheets.
- CMA, The Merrill Lynch Cash Management Account Financial Service, Insured Savings Account Participating Depository Institutions, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Mar. 1995, 2 Sheets.
- Letter from Stephanie Martin, Assoc. General Counsel, Board of Govenors of the Federal Reserve System, Apr. 22, 2004, 8 Sheets.
- Bank Deposit Program, Online [http://web.archive.org/web/20030620100115/http://www.smithbarney.com/products\\_servi](http://web.archive.org/web/20030620100115/http://www.smithbarney.com/products_servi), Jan. 19, 2001, 4 Sheets.
- Letter From Jamey Basham, Attorney, LEXSEE 1990 FDIC Interp. Ltr., Lexis 1, Federal Deposit Insurance Corporation, FDIC-90-02, Jan. 3, 1990, 2 Sheets.
- Letter From Colleen Curran Harvey, Deputy Chief Counsel, Jan. 8, 1985; Letter From Merle Y. Waldman, Nov. 14, 1984; Letter From Merle Y. Waldman, Sep. 24, 1984; Letter From Merle Y. Waldman, Aug. 8, 1984, Lexsee 1985 Sec No- Act., Lexis 1593, Securities Exchange Act of 1934—Section 15(a), 11 Sheets.
- The Insured Savings Account, Issuer Guide to Offering MMDAs Through Merrill Lynch, Merrill Lynch Money Markets, Inc., “Operational Guide to the Merrill Lynch MMDA Program 1986”, Sep. 1986 3 Sheets.
- FDIC Federal Register Citations: Email from Bert Ely to Comments, Mar. 8, 2006, Subject: Large-Bank Deposit Insurance Determination Proposal- RIN 3064-AC98—[Regs@fdic.gov](mailto:Regs@fdic.gov). Attached, also from FDIC Federal Register Citations: Email From American Banker, by Bert Ely, Feb. 24, 2006, Viewpoint: FDIC’s Account-Link Plan a Pointless, Costly Threat.
- Letter to Mr. Jonathan L. Levin, Esq., From Oliver Ireland, Associate General Counsel, Oct. 18, 1996, 2 Sheets.
- Letter to Mr. L.P. Fleming, Jr., Esq., From Oliver Ireland, Associate General Counsel, Feb. 7, 1995, 3 Sheets.



- Letter to Mr. James E. Creekman, Group Vice President, From Oliver Ireland, Associate General Counsel, Aug. 1, 1995, 4 Sheets.
- Letter to Ms. Brenda L. Skidmore, Senior Vice President, From Oliver Ireland, Associate General Counsel, Aug. 30, 1995, 4 Sheets.
- Part: 2, Monetary Policy and Reserve Requirements, Subpart—Regulation D, Board Interpretations of Regulation D, Transaction Accounts—Linked to Time Deposits, vol. 1, Federal Reserve Regulatory Service, 2 Sheets.
- 12 C.F.R. Part 329—Interest on Deposit, Source: 51 FR 10808, Mar. 31, 1986, 5 Sheets.
- Merriam-Webster Online Dictionary, 10th Edition, Definition of “Associated”, 2 Sheets.
- Merrill Lynch & You, “Financial Services The Way You Want, When You Want Them,” Jan. 2000 4 Sheets.
- Merrill Lynch, Pierce, Fenner & Smith Incorporated, “Information Statement,” 2000, 12 Sheets.
- Lawsuit by Island Intellectual Property LLC, Lids Capital. LLC, Double Rock Corporation and Intrasweep LLC, against Promontory Interfinancial Network, LLC, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Complaint, Apr. 14, 2009, Case No. 09 CV 3750.
- Lawsuit by Promontory Interfinancial Network, LLC against Double Rock Corporation, p/k/a Reserve Management Corporation, Island Intellectual Property LLC and Lids Capital LLC, including Cover Sheet, Summons and Complaint, Apr. 14, 2009, Civil Action No. 3:09 CV 217.
- Lawsuit by Promontory Interfinancial Network, LLC against Double Rock Corporation p/k/a Reserve Management Corporation, Island Intellectual Property LLC, Lids Capital LLC and Intrasweep LLC, Amended Complaint, Apr. 15, 2009, Civil Action No. 3:09 CV 217.
- Capital Briefs: Corporate Checking Account Relief Sought, American Banker, vol. 162, Jul. 28, 1997, 1 Sheet.
- CMA, Insured Savings Account Fact Sheet, Merrill Lynch, Pierce, Fenner & Smith Incorporated, 1997, pp. 49-57.
- CMA, The Investor Credit Line Service, Cost-Effective Financing for the '90s, Merrill Lynch, Pierce, Fenner & Smith Incorporated, 1997, pp. 36-46.
- CMA, The Merrill Lynch Cash Management Account Financial Service, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Jan. 1997, 35 Sheets.
- Deposit Growth Strategies for Financial Institutions, New Sweep Account Helps Retain \$40 Million in Business Deposits, vol. 7, No. 12, The Reserve Funds, May 2001, 1 Sheet.
- FDIC, Federal Deposit Insurance Corporation, Letter to Mr. Ronald Rexter, Feb. 28, 2003, From Michelle M. Borzillo, Counsel Supervision and Legislation Section, 2 Sheets.
- Financial Services Industry, “Web Watch: Trading Company Bundles CDs for Better Rates,” Community Banker, Jun. 2002, online, [http://findarticles.com/p/articles/mi\\_ga5344/is\\_200206/ai\\_n21313883/](http://findarticles.com/p/articles/mi_ga5344/is_200206/ai_n21313883/).
- Finistar, Providing FDIC Insured Funds as a Stable Source of Deposits to Commercial Banking Institutions, 16 Sheets, [www.Finistar.com](http://www.Finistar.com).
- Frost Bank, Member FDIC, Checking Accounts, 1 Sheet, Sep. 19, 2003, [https://www.frostbank.com/cgi-bin/ecom/frost1/scripts/products/product\\_detail.jsp?BV\\_...](https://www.frostbank.com/cgi-bin/ecom/frost1/scripts/products/product_detail.jsp?BV_...)
- In The Know, Important Information About Your Account, Smith Barney Citigroup, 2005, 6 Sheets.
- Letter From Joseph A. DiNuzzo, Counsel, Oct. 20, 1999, FDIC, Federal Deposit Insurance Corporation, 1 Sheet.
- Letter From Roger A. Hood, Assistant General Counsel, Jul. 16, 1986, FDIC, Federal Deposit Insurance Corporation, Legal Division, 1 Sheet.
- Merrill Lynch Announces Beyond Banking, The Power of Advice For Smarter Cash Management, Jan. 8, 2 Sheets.
- Merrill Moves CMA Cash to Bank, Street Talk, on Wall Street, Nov. 2000, p. 26.
- Money Fund Report, Bank of New York Adds Insured Sweeps Option, Friday, May 3, 2002, The Reserve Funds, 1 Sheet.
- Money Fund Report, Insured Cash Sweep Options Proliferate, Friday, Jun. 1, 2001, The Reserve Funds, 1 Sheet.
- Money Market Insight's, Goldman Sachs May Create Bank to Offer Insured Cash Sweeps, Aug. 2002 Issue, 3 Sheets.
- Munk, Merrill Makes New Push Into Traditional Banking, Dow Jones Newswires, Jan. 3, 2003, 1 Sheet.
- O'Brian, “Money-Market Funds Suit Many Investors, But Proud Creator Frets About Extra Risk,” Re-Printed From the Wall Street Journal, Monday, Nov. 6, 2000, Dow Jones & Company, Inc., 2 Sheets.
- On Wall Street, Helping Brokers Build A More Successful Business, The Power of Cash, Jun. 2002, 2 Sheets.
- On Wall Street, Helping Brokers Build A More Successful Business, Unusual Products For Unusual Times, May 2001, 2 Sheets.
- Online, [www.usabancshares.com](http://www.usabancshares.com), Brave New World, 1999, 2 Sheets.
- Ring, National/Global, “Amex Spans The Globe in Retail Bank Buildup,” Nov. 27, 2000, 1 Sheet.
- Sweeping Your Firm Into FDIC Insured Deposits, Harken Financial Services, Aug. 4, 2006, 8 Sheets.
- Testimony of Bruce R. Bent, CEO of The Reserve Funds, Before The Financial Institutions and Consumer Credit Subcommittee House Financial Services Committee U.S. House of Representative, Hearing On H.R. 758 and H.R. 859, Mar. 5, 2003, 4 Sheets.
- The Depository Trust Company, B#: 3875, Oct. 1, 2002, Settlement/Underwriting, From: Denise Russo, Director, Underwriting, 6 Sheets.
- The Reserve Funds, Objectives, Observations & Strategies for American Enterprises Inv., Oct. 18, 2000, 11 Sheets.
- The Reserve Funds, NJBA Endorses New Sweep Account Offers New Jersey Banks Deposit Growth, Retention, for Immediate Release, May 23, 2001, 1 Sheet.
- The Reserve Funds, Reserve Management and Irwin Union Bank and Trust Company Partner to Offer The Reserve Return Sweep, For Immediate Release, Mar. 8, 2001, 2 Sheets.
- The Unmatched Sweep Solution From the Cash Management Expert, 2 Sheets.
- Waddell, “Sweeping Clean,” Advisor, The Advisor to Advisors, 2 Sheets.
- Lawsuit by Island Intellectual Property LLC, Intrasweep LLC and Double Rock Corporation against Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Complaint for Patent Infringement, May 19, 2009, Case No. 09 CIV 4673.
- Lawsuit by Promontory Interfinancial Network, LLC against Double Rock Corporation p/k/a Reserve Management Corporation, Island Intellectual Property LLC, Lids Capital LLC and Intrasweep LLC, Complaint, May 19, 2009, Civil Action No. 3:09 CV 322.
- Lake Forest Bank & Trust Company, Introducing MaxSafe Deposit Accounts with up to \$3.75 Million in FDIC Insurance, [www.lakeforestbank.com/maxsafe](http://www.lakeforestbank.com/maxsafe), 2 Sheets.
- Seven Times the Security of a Normal CD, Introducing our MaxSafe CD, 4 Sheets.
- Introducing our MaxSafe CD with up to \$700,000 of FDIC Insurance, 4 Sheets.
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Consolidated First Amended Complaint, Jury Trial Demanded, Jun. 11 2009, Civil Action No. 09 CIV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Answer and Counterclaims, Answer of Defendant Promontory Interfinancial Network, LLC, Jun. 25, 2009, Case No. 09 CV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Answer and Counterclaims, Answer of Defendant MBSC Securities Corporation, Jun. 25, 2009, Case No. 09 CV 2675 (VM).



- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Jury Trial Demanded, Total Bank Solutions, LLC's Answer to Consolidated First Amended Complaint and Counterclaims, Jun. 25, 2009, Civil Action No. 09 CIV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Jury Trial Demanded, Deutsche Bank Trust Company Americas' Answer to Consolidated First Amended Complaint and Counterclaims, Jun. 25, 2009, Civil Action No. 09 CIV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Jury Trial Demanded, Deutsche Bank AG's Answer To Consolidated First Amended Complaint, Jun. 25, 2009, Civil Action No. 09 CIV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, The Island Plaintiffs' Reply to Defendant Promontory Interfinancial Network LLC's Counterclaims, Jul. 9, 2009, Civil Action No. 09 CIV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, The Island Plaintiffs' Reply to Defendant MBSC Securities Corporation's Counterclaims, Jul. 9, 2009, Civil Action No. 09 CIV 2675 (VM).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, The Island Plaintiffs' Reply to Defendant Deutsche Bank Trust Company Americas' Counterclaims, Jul. 9, 2009, Civil Action No. 09 CIV 2675 (VM).
- Dreyfus Insured Deposit Program, Disclosure Statement and Terms and Conditions, Dreyfus A BNY Mellon Company, 8 Sheets.
- Dreyfus Insured Deposit Program, Multiple List Program—Effective May 11, 2009, 1 Sheet.
- Finistar Reg. No. 2,939,558, Registered Apr. 12, 2005.
- The Pershing Press, Dreyfus Insured Deposit Program, Issue 2, Aug. 2008, [http://www.pershing.com/news/pershing\\_press/news\\_466244.html](http://www.pershing.com/news/pershing_press/news_466244.html), 1 Sheet.
- Memorandum from Ken Johnson re: Insured Deposit Products, Aug. 18, 1992, 3 pgs.
- Memorandum from John E. Oncken re: Insured Savings Update, Jun. 15, 1990, 7 pgs.
- Memorandum from John E. Oncken re: *Brokered Deposit Issue vs. Insured Savings*, Mar. 22, 1990, 8 pgs.
- Memorandum from Ed Piner re: Insured Savings Product Update, Feb. 1, 1990, 4 pgs.
- Insured Savings Correspondent Agreement with Exhibits A-D, 28 pgs.
- First City, Texas Insured Savings Agency Agreement with Exhibits A-B and Insured Savings Program, 10 pgs.
- Product Bulletin from Bill McCain, Subject: Insured Savings Product Announcement, May 8, 1989, 7 pgs.
- Insured Savings Project Team Meeting, Feb. 2, 1989, 16 pgs.
- Insured Savings Product Description, Product Name: Insured Savings, Product Description: U.S. Appl. No. 4,985,833, 3 pgs.
- Letter to Tim C. Lear, Sep. 20, 1988, 1 pg., with Memorandum from Ed Piner, re: Insured Savings Product, Nov. 9, 1988, and Letter from Tara L. Cyr, Dec. 9, 1988, 1 pg.
- Automatic Insured Deposit Method, Patent Application Information, Jul. 11, 1988, 17 pgs.
- Insured Savings, Overview & Marketing Plan, Dec. 6, 1988, 23 pgs.
- Memorandum from Dick Zinser, re: A First City-Austin deposit program to hold existing customers' deposits, Mar. 17, 1988, 7 pgs.
- Insured Savings Remote Site Sweep Procedures, 3 pgs.
- Letter to Malcolm L. Duke, Dec. 27, 1989 with Insured Savings Correspondent Agreement, Exhibits A-D, and Letter to Malcolm L. Drake, Nov. 21, 1989, 37 pgs.
- Memorandum from Ken Johnson, re: Attached Insured Savings Letters, Jul. 5, 1990, 1 pg.
- Letter to Jerry Crutsinger, Jul. 3, 1990, 1 pg.
- Letter to Bill Goertz, Jul. 3, 1990, 1 pg.
- Letter to Susan Goodwin, Jul. 3, 1990, 1 pg.
- Insured Savings Rate Change Notice, 1 pg.
- Addendum to Insured Savings Agency Agreement, 1 pg.
- Letter to Paula Martin, Jul. 3, 1990, 1 pg.
- Letter to John Lovell, Jul. 3, 1990, 1 pg.
- Insured Savings Balance Limits form, 1 sheet.
- Email from John Oncken re: Depository Levels at Insured Savings Depositories, Nov. 2, 1989, 1 pg.
- Cash Management Balance Monitoring Agreement Form 1 sheet.
- Memorandum from Ed Piner, Subject: Discontinuation of Automatic Balance Monitoring in conjunction with Insured Savings Accounts, May 21, 1991, 1 pg.
- Blank form letter from Edward N. Piner, May 24, 1991, 1 pg.
- Letter from First City National Bank of Austin, Sep. 20, 1982, 5 pgs.
- First City, Texas—Austin, Special Products, Feb. 20, 1992, with Schedule A & Schedule B, 6 pgs.
- Letter From William W. Wiles, Secretary of the Board, Board of Governors of the Federal Reserve System, Jun. 22, 1983, 6 Sheets. (Previously disclosed).
- Letter From Oliver I. Ireland, Associate General Counsel, Board of Governors of the Federal Reserve System, Jun. 22, 1988, 5 Sheets. (Previously disclosed).
- Alliance Insured Account, Information Statement, Sep. 1999, 6 sheets.
- Lawsuit by Carlo DeBlasio et al. And Merrill Lynch & Co., Inc. et al., Opinion and Order, Jul. 27, 2009, Civil Action No. 07 CIV. 318, 47 pgs.
- Lawsuit by Carlo DeBlasio et al. And Merrill Lynch & Co., Inc. et al., Second Amended Class Action Complaint, Jury Trial Demanded, Jun. 11, 2007, Civil Action No. 07 cv 318, 137 pgs.
- Investors MoneyAccount<sup>SM</sup> and Insurance Plus Service Agreement, Schedule A, 3 sheets.
- Investors MoneyAccount<sup>SM</sup> (an FDIC-insured money market account), 4 sheets.
- Investors MoneyAccount<sup>SM</sup> The FDIC-Insured Money Market with an Important Plus., 2 sheets.
- Investment Company Act of 1940—Section 3(a)(1), 2(a)(36); Securities Act of 1933—Section 2(1), Nov. 29, 1985, Kemptner Financial Services, Inc., 9 pgs.
- Insured Money Account Program Agreement and Disclosure Statement, 11 sheets.
- First National Bank in Brookings, Certificates of Deposit, 5 sheets.
- Board of Governors of the Federal Reserve System, Blank Form Letter, Apr. 22, 2004, 8 pgs.
- FDIC Law, Regulations, Related Acts, 4000—Advisory Opinions, FDIC-93-35, Jun. 28, 1993, 2 sheets.
- §204.134, 12 CFR Ch. 11 (Jan. 1, 2009 Edition), 2 sheets.
- Money Fund \$\$ Moving to Bank Deposits, 6 *FRC Monitor*, Dec. 2003, 2 sheets.
- Crane, P. & Krasner, Mike, *An iMoney Net Special Report<sup>SM</sup>*, “Brokerage Cash Sweep Options: The Shift from Money Funds to FDIC-Insured Bank Deposit Accounts”, Nov. 2004, 64 pgs.
- The May 1998 Senior Financial Officer Survey, *Board of Governors of the Federal Reserve System*, with Appendix A, 48 pgs.
- Interest Rate Review© A Publication of *Meyer Weekly Interest Rate Survey*, A Look At Tiers, vol. II, No. 4, Apr. 1987, 6 pgs.
- Interest Rate Review© A Publication of *Meyer Weekly Interest Rate Survey*, A Study of Historical Rates and Yields, vol. II, No. 6, Jun. 1987, 8 pgs.
- Blank form letter to Oliver Ireland, Oct. 7, 1994, 1 pg.
- Letter to L.P. Fleming, Jr. Esq., Feb. 7, 1995, 3 pgs.
- Letter to James E. Creekman, Aug. 1, 1995, 4 pgs.



- Letter to Brenda L. Skidmore, Aug. 30, 1995, 4 pgs.
- Merrill Lynch & Co., Inc. Form 10-K405 (Annual Report (Regulation S-K, item 405)), Filed Mar. 14, 2002 for the Period Ending Dec. 28, 2001, with Schedules, Exhibits, and 2001 Annual Report, 248 pgs.
- Merrill Lynch & You, "Financial Services The Way You Want, When You Want Them," Jan. 2000, 4 Sheets. (Previously disclosed).
- Merrill Lynch, Pierce, Fenner & Smith Incorporated, "Information Statement," 2000, 12 Sheets. (Previously disclosed).
- Merrill Lynch, Information Statement Regarding Changes to Interest Rates on Deposits in the Merrill Lynch Banks, Document 64-14, Nov. 12, 2007, Case 1:07-cv-00318, 2 sheets.
- Street Talk, "Merrill Moves CMA Cash to Bank", *On Wall Street*, Nov. 2000, 1 sheet.
- Quest Insured Account, *QUESTessentials*, 3 sheets.
- Quest Insured Account, *Information Statement*, 5 sheets.
- OCC Insured Bank Deposit Account, 3 sheets.
- Insured Bank Deposit Account, *Information Statement*, Jul. 1, 2000, 2 sheets.
- Letter from Marilyn J. Hensle, announcing Salomon Smith Barney Bank Deposit Program.<sup>SM</sup>, with Q&A, 14 sheets.
- Bank Deposit program Disclosure Statement, *Salomon Smith Barney*, 3 sheets.
- FDIC Law, Regulations, Related Acts, 4000—Advisory Opinions, FDIC-87-25, Oct. 22, 1987, 1 sheet.
- FDIC Law, Regulations, Related Acts, 4000—Advisory Opinions, FDIC-86-21, Jul. 23, 1986, 2 sheets.
- The Merrill Lynch Cash Management Account, Financial Service, 18 pgs.
- The Insured Savings Account, Issuer Guide to Offering MMDAs through Merrill Lynch, 27 pgs.
- Insured Savings Account Fact Sheet, The Merrill Lynch Cash Management Account Financial Service, 1987, 11 pgs.
- CMA Insured Savings Account Fact Sheet, 1994, 9 pgs.
- A Guide to Your CMA Account, 1995, 19 pgs.
- Insured Savings Account Fact Sheet, The Merrill Lynch Cash Management Account Financial Service, 1985, 4 pgs.
- CMA Insured Savings Account Fact Sheet, 1997, 13 pgs.
- Blackwell, Rob, Salomon's Sweep Plan Raises FDIC Fund Alarm, *American Banker*, Dec. 6, 2000, 2 pgs.
- Insured Deposit Account (IDA), May 21, 1996, 11 pgs.
- An Introduction to the Smith Barney *Insured Deposit Account*, 1995, 8 pgs.
- Memorandum from Ted Hamilton re: Insured Deposit Account, Oct. 10, 1995, 13 pgs.
- The Insured Deposit Account: "*Money in the Bank*", 1997, 2 sheets.
- Merrill Joins Money Market Account, CMA; Broker Begins Testing With 12 Institutions, *Lexis Nexis*, Sep. 23, 1983, 4 pgs.
- Form 8-K Merill Lynch & Co Inc—MER, Filed: Mar. 7, 2002, Report of unscheduled material events or corporate changes, 41 pgs.
- Lawsuit by Island Intellectual Property LLC and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, Complaint for Patent Infringement, Jury Trial Demanded, Feb. 23, 2010, Case No. 10 CV 1518, (Document 1).
- Lawsuit by Island Intellectual Property LLC and Lids Capital LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, Complaint for Patent Infringement, Jury Trial Demanded, Mar. 16, 2010, Case No. 10 CV 2268.
- Quest Cash Management Services Memorandum to Tom Duggan, Re: Quest Insure Account, Nov. 16, 1993.
- Canada Deposit Insurance Corporation, 1 page, (<http://www.cdic.ca/e/index.html>).
- Canadian Payments Association, 2 pages, (<http://www.cdnpay.ca/home/home.asp>).
- Deutsche Bank Insured Deposit Program, Marketing Literature 2007, 3 pages.
- Federal Register: Oct. 9, 1997 (vol. 62, No. 196), pp. 52809-52868. <http://www.fdic.gov/news/news/inactivefinancial/1997/fil97111b.html>.
- Garmhausen, "Matching Small Banks with Large Muni Deposits," *American Banker*, Online The Financial Services Resource, Oct. 4, 2005, 4 pages, <http://www.finstar.com/docs/AmericanBanker.html>.
- Hencke, "New Rules for FDIC deposit Insurance", ABA Bank Compliance, vol. 20, No. 7, Jul./Aug. 1999, pp. 31-37.
- Jong et al., "The Valuation and Hedging of Variable Rate Savings Accounts," University of Amsterdam, Nov. 15, 2001, 23 Sheets.
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Andrew W. Stern, including Exhibits A, B, C, D, E and F, Nov. 12, 2007, Case No. 07-cv-318 (RJS) (Document 59).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Joel P. Laitman in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Dismissal of the Second Amended Class Action Complaint, Including: "Client Commitment"; "Get Started Today"; "Total Merrill"; "Guideline for Business Conduct"; "Commitment To Clarity"; "Cash Management Account"; "Information Statement Regarding Changes To Interest Rates On Deposits in Merrill Lynch Banks", . . .
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Joel P. Laitman in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Dismissal of the Second Amended Class Action Complaint, Including: . . . Feb. 5, 2008 (Document 72).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Joel P. Laitman in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Dismissal of the Second Amended Class Action Complaint, Including: . . . Feb. 5, 2008 (Document 73).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Joel P. Laitman in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Dismissal of the Second Amended Class Action Complaint, Including: . . . Feb. 5, 2008 (Document 74).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Joel P. Laitman in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion For Dismissal of the Second Amended Class Action Complaint, Including: . . . Feb. 5, 2008 (Document 75).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Kenneth I. Schacter, including Exhibits A, B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q and R, Nov. 14, 2007, Case No. 07-cv-318 (RJS) (Document 69).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Mathew J. Terry in Support of Motion to Dismiss by Defendants Wachovia Corporation, Wachovia Securities, LLC, Wachovia Bank, N.A., and Wachovia Bank of Delaware, N.A., including Exhibits A, B, C and D, Nov. 14, 2007, Case No. 07-318 (RJS) (Document 67).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Declaration of Scott D. Musoff in Support of The Merrill Lynch Defendants' Motion to Dismiss The Second Amended Class Action Complaint, ECF Case, Nov. 12, 2007, Case No. 07-cv-318 (RJS) (Document 64).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Reply Declaration of Kenneth Schacter including Exhibits S and T, Mar. 6, 2008, Case No. 07-cv-318 (RJS) (Document 81).
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Second Amended Class Action Complaint, Jury Trial Demanded, Introduction and Summary of Allegations, Jun. 11, 2007, Case No. 07-cv-318-VM.
- Lawsuit by Carlo DeBlasio et al. against Merrill Lynch & Co., Inc. et al., Supplemental Declaration of Matthew J. Terry in Support of Motion to Dismiss by Defendants Wachovia Corp., Wachova Securities, LLC, Wachovia Bank N.A., and Wachovia Bank of Delaware, N.A., including Exhibits A and B, Mar. 6, 2008, Case No. 07-cv-318 (RJS) (Document 79).
- Lawsuit by Carlo DeBlasio, et al. against Merrill Lynch & Co., Inc., et al., Opinion and Order Regarding Motions, Jul. 27, 2009, Case No. 07 CIV 318(RJS).
- Lawsuit by Island Intellectual Property LLC and Intrasweep LLC against Institutional Deposits Corp., Complaint for Patent Infringement, Jury Trial Demanded, Nov. 4, 2009, Civil Action No. 09 CV 3079.



- Lawsuit by Island Intellectual Property LLC and Intrasweep LLC, Answer of Defendant Institutional Deposits Corp. to Complaint for Patent Infringement, Dec. 10, 2009, Case No. 09 CV 03079 (JEC), (Document 16).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Stipulated Dismissal of Deutsche Bank AG Without Prejudice, Nov. 19, 2009, Civil Action No. 09 CIV 2675 (VM) (AJP) (Document 79).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Deutsche Bank Trust Company Americas' First Amended Answer to Consolidated First Amended Complaint and Counterclaims, Dec. 4, 2009, Civil Action No. 09 CIV 2675 (VM) (AJP), (Document 86).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Total Bank Solutions, LLC's First Amended Answer to Consolidated First Amended Complaint and Counterclaims Dec. 4, 2009, Civil Action No. 09 CIV 2675 (VM) (AJP) (Document 87).
- Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation and Intrasweep LLC against Promontory Interfinancial Network LLC, MBSC Securities Corporation, Deutsche Bank AG, Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Stipulated Dismissal of Counts I-III of Defendant Promontory Interfinancial Network, LLC's, Counterclaim with Prejudice, Oct. 19, 2009, (Document 68).
- Letter to William R. Burdette, CEO, Apr. 6, 2009, FDIC, Federal Deposit Insurance Corporation, 2 pages.
- Letter to William R. Burdette, CEO, Nov. 15, 2007, FDIC, Federal Deposit Insurance Corporation, 5 Sheets.
- Mutual Fund Dealers Association, 1 page, (<http://www.mfda.ca/>).
- Total Bank Solutions, Bank Sweep FAQs <http://www.totalbanksolutions.com/sweepbnkfaqs.htm>, Sep. 23, 2005, 2 pages.
- Total Bank Solutions, Bank Sweep FAQs, <http://www.totalbanksolutions.com/sweepbnkfaqs.htm>, Nov. 2, 2005, 3 pages.
- Total Bank Solutions, Bank Sweep Products, Deutsche Bank, <http://www.totalbanksolutions.com/banksweep.htm>, Sep. 23, 2005, 1 page.
- Total Bank Solutions, Bank Sweep Products, <http://www.totalbanksolutions.com/banksweep.htm>, Appendix 3, Oct. 18, 2005, 2 pages.
- Total Bank Solutions, Bank Sweep Products, <http://www.totalbanksolutions.com/banksweep.htm>, Nov. 2, 2005, 2 pages.
- Total Bank Solutions, Brokerage Sweep FAQs, <http://www.totalbanksolutions.com/brokerfaqs.htm>, Nov. 2, 2005, 3 pages.
- Total Bank Solutions, Brokerage Sweep, <http://www.totalbanksolutions.com/brokersweep.htm>, Nov. 2, 2005, 1 page.
- Total Bank Solutions, Deposit Bank FAQs, <http://www.totalbanksolutions.com/depositbnkfaqs.htm>, Nov. 2, 2005, 2 pages.
- Total Bank Solutions, Deposits, Deutsche Bank, <http://www.totalbanksolutions.com/deposits.htm>, Sep. 23, 2005, 1 page.
- Total Bank Solutions, Deposits, <http://www.totalbanksolutions.com/deposits.htm>, Nov. 2, 2005, 2 pages.
- Total Bank Solutions, Deutsche Bank Insured Deposit Program, DB Insured Deposit Program Features, <http://www.totalbanksolutions.com/features.htm>, Sep. 23, 2005, 2 pages.
- Total Bank Solutions, Deutsche Bank Insured Deposit Program, <http://www.totalbanksolutions.com/>, Sep. 23, 2005, 1 page.
- Total Bank Solutions, <http://www.totalbanksolutions.com/>, Mar. 16, 2007, 8 pages.
- Total Bank Solutions, <http://www.totalbanksolutions.com/overview.htm>, Nov. 2, 2005, 1 page.
- Total Bank Solutions, Insured Deposit Program Features, <http://www.totalbanksolutions.com/features.htm>, Nov. 2, 2005, 2 pages.
- Total Bank Solutions, Insured Deposit Program, <http://www.totalbanksolutions.com/Insureddeposits.htm>, Nov. 2, 2005, 2 pages.
- Total Bank Solutions, Partners & Affiliates, <http://www.totalbanksolutions.com/partners.htm>, Nov. 2, 2005, 3 pages.
- Total Bank Solutions, Partners & Affiliates, <http://www.totalbanksolutions.com/partners.htm>, Oct. 25, 2005, 3 pages.
- Total Bank Solutions, Strategic Partners, Nov. 2, 2005, 1 page.
- Total Bank Solutions, TBS Deposit Account, About Our Broker Products, <http://www.totalbanksolutions.com/brokerproducts.htm>, Sep. 7, 2005, 2 pages.
- Total Bank Solutions, TBS Management Team, <http://www.totalbanksolutions.com/management.htm>, Appendix 1, Oct. 18, 2005, 1 page.
- Total Bank Solutions, TBS Management Team, <http://www.totalbanksolutions.com/management.htm>, Nov. 2, 2005, 2 pages.
- Total Bank Solutions, TBS Management Team, <http://www.totalbanksolutions.com/management.htm>, Oct. 25, 2005, 2 pages.
- Total Bank Solutions, TBS Bank Deposit Account, Oct. 2004, 6 pgs.
- Total Bank Solutions, [web.archive.org/web/20050126044216/http://totalbanksolutions.com](http://web.archive.org/web/20050126044216/http://totalbanksolutions.com), Jan. 26, 2005, 2 pgs.
- USA Mutual Partners Insured Cash Shelter Account Terms and Conditions, 11 pages, 2009 USA Mutuals Partners, Inc.
- Wachovia Securities, Important Information for Clients Concerning Changes in Automatic "Sweep" Arrangements, Oct. 1, 2003, 6 sheets.
- American Express—Meeting Notes, Sep. 26, 2000, 2 pages.
- Email to [abufalino@vedderprice.com](mailto:abufalino@vedderprice.com), from S. Johnson, Re: ReserveFunds and Wayne Hummer, dated Jul. 14, 2003 (attached email to S. Johnson, from [abufalino@vedderprice.com](mailto:abufalino@vedderprice.com) on Jun. 26, 2003, Re: ReserveFunds and Wayne Hummer), 2 pages.
- Fax to T. Vezeau, from L. Boone, Re: BBII's request to fax to you, dated Dec. 26, 2002 (attached Memo to K.A. Jacklin, from A. Rova, Re: Lert discovery, dated Dec. 23, 2002), 3 pages.
- Letter to A.J. Bufalino, from C.R. Macedo, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, Our File: 71297/80, dated Jan. 3, 2006, 2 pages.
- Letter to A.J. Bufalino, from C.R. Macedo, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, Our File: 71297/80, dated Feb. 23, 2006, 1 page.
- Letter to A.J. Bufalino, from C.R. Macedo, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, Our File: 71297/80, dated May 8, 2007, 2 pages.
- Letter to A.J. Bufalino, from C.R. Macedo, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, Our File: 71297/80, dated May 8, 2007 (attached Appendices 1-3) 6 pages.
- Letter to A.J. Bufalino, from S. Johnson, Re: Response to May 29, 2003 letter/email correspondence, dated Aug. 5, 2003, 1 page.
- Letter to A.J. Bufalino, from S. Johnson, Re: Response to May 29, 2003 letter/email correspondence dated Aug. 5, 2003 (enclosing Jul. 16, 2003 letter to T.M. McDonald, May 29, 2003 fax to B. Bent II, Jan. 10, 2003 letter to R.L. Kratzer, note page), 7 pages.
- Letter to A.J. Bufalino, from S. Johnson, Re: U.S.P.N. 6,374,231, dated May 29, 2003, 2 pages.
- Letter to A.J. Bufalino, from T.J. Vezeau, Re: U.S.P.N. 6,374,231, dated Feb. 11, 2003, 1 page.
- Letter to C.R. Macedo, from A.J. Bufalino, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, Our File: 71297/80, dated Mar. 16, 2006, 1 page.
- Letter to C.R. Macedo, from A.J. Bufalino, Re: Reserve Management Corporation, Wayne Hummer Investments LLC, Our File: 71297/80, dated Mar. 16, 2006, 1 page.
- Letter to J. Van De Graff, from R.L. Kratzer, Re: Reserve Management Corp. Assertion, dated Feb. 13, 2003, 1 page.
- Letter to R.L., Kratzer, from T.J. Vezeau, Re: U.S.P.N. 6,374,231, dated Jan. 10, 2003, 1 page.
- Letter to T.J. Vezeau, from A.J. Bufalino, Re: U.S.P.N. 6,374,231, dated Feb. 7, 2003, 1 page.
- Letter to T.M. McDonald, from B. Bent II, Re: FDIC insured money market products, dated Jul. 16, 2003, 1 page.
- Letter to T.M. McDonald, from B. Bent II, Re: FDIC insured money market products, dated Jul. 16, 2003 (enclosing Jul. 14, 2003 email to [abufalino@vedderprice.com](mailto:abufalino@vedderprice.com), May 29, 2003 letter to A.J. Bufalino, Feb. 13, 2003 letter to J. Van De Graaff, Feb. 11, 2003 letter to A.J. Bufalino, Feb. 7, 2003 letter to T.J. Vezeau, Jan. 10, 2003 letter to R.L. Kratzer), 9 pages.
- Memo to Marianne, Pat, Bruce Bent, from Bruce Ben II, Re: Reserve Insured Deposit Account, Sep. 4, 1997, 1 page.
- Case for "CORE" Deposits, Historic Degree of Stability, 2006, 1 page.



Lawsuit by Island Intellectual Property LLC, Lids Capital LLC, Double Rock Corporation, and Intrasweep LLC against Deutsche Bank Trust Company Americas, and Total Bank Solutions, LLC, Defendants' Preliminary Invalidity Contentions, Mar. 12, 2010, Civil Action No. 09 Civ. 2675 (VM) (AJP).

Lawsuit by Island Intellectual Property LLC and Intrasweep LLC against Institutional Deposits Corp., Defendant Institutional Deposits Corp.'s Preliminary Invalidity Contentions, Case No. 09-CV-03079-JEC.

Exhibit 1, Invalidity Chart: IMA and Insurance Plus Service Agreement, U.S. Patent No. 7,509,286, 21 pgs.

Exhibit 2, Invalidity Chart: Investors Money Account<sup>SM</sup> System, U.S. Patent No. 7,509,286, 26 pgs.

Exhibit 3, Invalidity Chart: Insured Money Account System, U.S. Patent No. 7,509,286, 26 pgs.

Exhibit 4, Invalidity Chart: U.S. Patent No. 4,985,833 (Oncken), U.S. Patent 7,509,286, 21 pgs.

Exhibit 5, Invalidity Chart: First City Bank of Texas' Insured Savings Program, U.S. Patent No. 7,509,286, 39 pgs.

Exhibit 6, Invalidity Chart: Quest Insured Account, U.S. Patent No. 7,509,286, 19 pgs.

Exhibit 7, Invalidity Chart: CIBC World Markets—Insured Bank Deposit Account, U.S. Patent No. 7,509,286, 16 pgs.

Exhibit 8, Invalidity Chart: Merrill Lynch CMA/ISA Service, U.S. Patent No. 7,509,286, 72 pgs.

Exhibit 9, Invalidity Chart: 1983 Fed Letter, U.S. Patent No. 7,509,286, 16 pgs.

Exhibit 10, Invalidity Chart: Merrill Lynch Banking Advantage Program ("MLBA Program"), U.S. Patent No. 7,509,286, 22 pgs.

Exhibit 11, Invalidity Chart: Merrill Lynch & You + MLBA Information Statement, U.S. Patent No. 7,509,286, 18 pgs.

Exhibit 12, Invalidity Chart: Smith Barney Insured Deposit Account, U.S. Patent No. 7,509,286, 22 pgs.

Exhibit 13, Invalidity Chart: Smith Barney Bank Deposit Program, U.S. Patent No. 7,509,286, 18 pgs.

Exhibit 14, Invalidity Chart: Alliance Insured Account, U.S. Patent No. 7,509,286, 16 pgs.

Exhibit 15, Invalidity Chart: Reserve's American Express Presentation, U.S. Patent No. 7,509,286, 16 pgs.

Exhibit 16, Invalidity Chart: U.S. Patent No. 7,376,606 (Jacobsen), U.S. Patent No. 7,536,350, 6 pgs.

Exhibit 17, Obviousness Combinations Chart, U.S. Patent No. 7,509,286, 351 pgs.

Adler, Joe, "Promontory to Roll Out Deposit Service Insuring Liquid Funds", American Banker, Feb. 22, 2010, 1 sheet.

Lawsuit by Island Intellectual Property LLC and Intrasweep LLC against Institutional Deposits Corp., Consent Order, Apr. 21, 2010, Case No. 09-CV-3079 (JEC).

Lawsuit by Island Intellectual Property LLC and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC Deutsche Bank Trust Company Americas' answer to plaintiffs' Feb. 23, 2010 Complaint and Counterclaims, May 4, 2010, Civil Action No. 09 Civ. 2675 (VM) (AJP).

Lawsuit by Island Intellectual Property LLC and Intrasweep LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Total Bank Solutions, LLC's answer to plaintiffs' Feb. 23, 2010 Complaint and Counterclaims, May 4, 2010, Civil Action No. 09 Civ. 2675 (VM) (AJP).

Lawsuit by Island Intellectual Property LLC and Lids Capital LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Deutsche Bank Trust Company Americas' answer to plaintiffs' Mar. 16, 2010 Complaint and Counterclaims, May 4, 2010, Civil Action No. 09 Civ. 2675 (VM) (AJP).

Lawsuit by Island Intellectual Property LLC and Lids Capital LLC against Deutsche Bank Trust Company Americas and Total Bank Solutions, LLC, Total Bank Solutions LLC's answer to plaintiffs' Mar. 16, 2010 Complaint and Counterclaims, May 4, 2010, Civil Action No. 09 Civ. 2675 (VM).

Lawsuit by Island Intellectual Property LLC et al., against Deutsche Bank Trust Company Americas, et al.; Expert Report of Richard T. Powers Concerning Invalidity of U.S. Pat. Nos. 7,509,286; 7,519,551; 7,536,350; 7,668,771; 7,668,772, 7,672,886; and 7,680,734; and Exhibits A-R; Civil Action No. 09 Civ. 2675(VM)(AJP), Oct. 28, 2010; 1,119 pages.

Lawsuit by Island Intellectual Property LLC, et al. against Deutsche Bank Trust Company Americas, et al.; Expert Report of Ivan Zatkovich Regarding Validity and Enforceability of the Asserted Claims of the Patents-in-Suit; Civil Action No. 09 Civ. 2675 (VM)(AJP); Nov. 23, 2010; 192 pages. The redacted items were designated as confidential in a Protective Order in this case.

Lawsuit by Island Intellectual Property LLC, et al. against Deutsche Bank Trust Company Americas, et al.; Expert Report of the Honorable Gerald J. Mossinghoff and Exhibits A-E; Civil Action No. 09 Civ. 2675 (VM)(AJP); Nov. 23, 2010; 107 pages.

U.S. Appl. No. 12/025,402, filed Feb. 4, 2008, Bent.

Dreyfus Insured Deposit Program Disclosure Statement and Terms and Conditions, received Mar. 2008, 12 pages.

Lawsuit by Island Intellectual Property LLC against Clearview Correspondent Services, LLC, et al.; Complaint for Patent Infringement; Civil Action No. 1:11-cv-448 (LO/TRJ); Apr. 26, 2011; 55 pages.

Lawsuit by Island Intellectual Property LLC against First Southwest Company; Complaint for Patent Infringement; Civil Action No. 1:11-cv-00371-UNA; Apr. 26, 2011; 42 pages.

Lawsuit by *Island Intellectual Property LLC v. Clearview Correspondent Services, LLC, et al.*; Branch Banking & Trust Company's Answer to Complaint and Counterclaims; Civil Action No. 1:11-cv-448-LO-IDD; Jun. 20, 2011; 13 pages.

Lawsuit by *Island Intellectual Property LLC v. Clearview Correspondent Services, LLC, et al.*; Clearview Correspondent Services, LLC's Answer to Complaint and Counterclaims; Civil Action No. 1:11-cv-448-LO-IDD; Jun. 20, 2011; 12 pages.

Lawsuit by *Island Intellectual Property LLC v. Clearview Correspondent Services, LLC, et al.*; Scott & Stringfellow, LLC's Answer to Complaint and Counterclaims; Civil Action No. 1:11-cv-448-LO-IDD; Jun. 20, 2011; 12 pages.

Lawsuit by *Island Intellectual Property LLC v. First Southwest Company*; First Southwest Company's Answer to Complaint and Counterclaims; Civil Action 1:11-cv-371-SD; Jun. 20, 2011; 11 pages.

Garton, Thomas W.; Are LLC Banks in the Cards? Stay Tuned; Fredrikson & Byron, P.A.; Jun. 2003; [http://www.fredlaw.com/articles/banking/bank\\_0306\\_twig.html](http://www.fredlaw.com/articles/banking/bank_0306_twig.html); 2 pages.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas et al.*; Declaration of Olivia M. Kim in Support of Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101; Oct. 6, 2011; Case 1:09-cv-02675-VM, Document 197.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas, et al.* Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101; Nov. 2, 2011; Case 1:09-cv-02675-VM, Document 201.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas, et al.*; Defendants Reply in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101; Nov. 15, 2011; Case 1:09-cv-02675-VM, Document 208.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas, et al.*; Defendants' Response to Plaintiffs' Statement of Additional Material Facts in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101; Nov. 15, 2011; Case 1:09-cv-02675-VM, Document 209.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas, et al.*; Order; Dec. 7, 2011; Case 1:09-cv-02675-VM, Document 212.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas, et al.*; Supplemental Declaration of Olivia M. Kim in Support of Defendants' Opening and Reply Claim Construction Briefs; Nov. 15, 2011; Case 1:09-cv-02675-VM, Document 207.



Martens, Don W.; letter to Hon. Victor Marrero re. supplement to letter of Nov. 28, 2011 on tentative rulings on claim construction in *Island Intellectual Property LLC et al. v. Deutsche Bank Trust Co., et al.*; Nov. 28, 2011; Case 1:09-cv-02675-VM; Document 211.

Martens, Don W.; letter to Hon. Victor Marrero re. tentative rulings on claim construction in *Island Intellectual Property LLC et al. v. Deutsche Bank Trust Co., et al.*; Nov. 28, 2011; Case 1:09-cv02675-VM, Document 210.

Lawsuit by *Island Intellectual Property LLC, et al. v. Deutsche Bank Trust Company Americas, et al.*; Special Master's Report and Rec-

ommended Decision on Defendants' Summary Judgment Motion of Invalidity Under 35 U.S.C. § 101; Dec. 19, 2011.

Britt, Phil; "Struggling with sweep accounts", *America's Community Banker*, v6, n12, p. 18-23, Dec. 1997.\*

News article; "Regulators Support Demand Deposit Bill", *Regulatory Compliance Watch*—Mar. 9, 1998; p. 1; vol. 9, No. 10.\*

\* cited by examiner



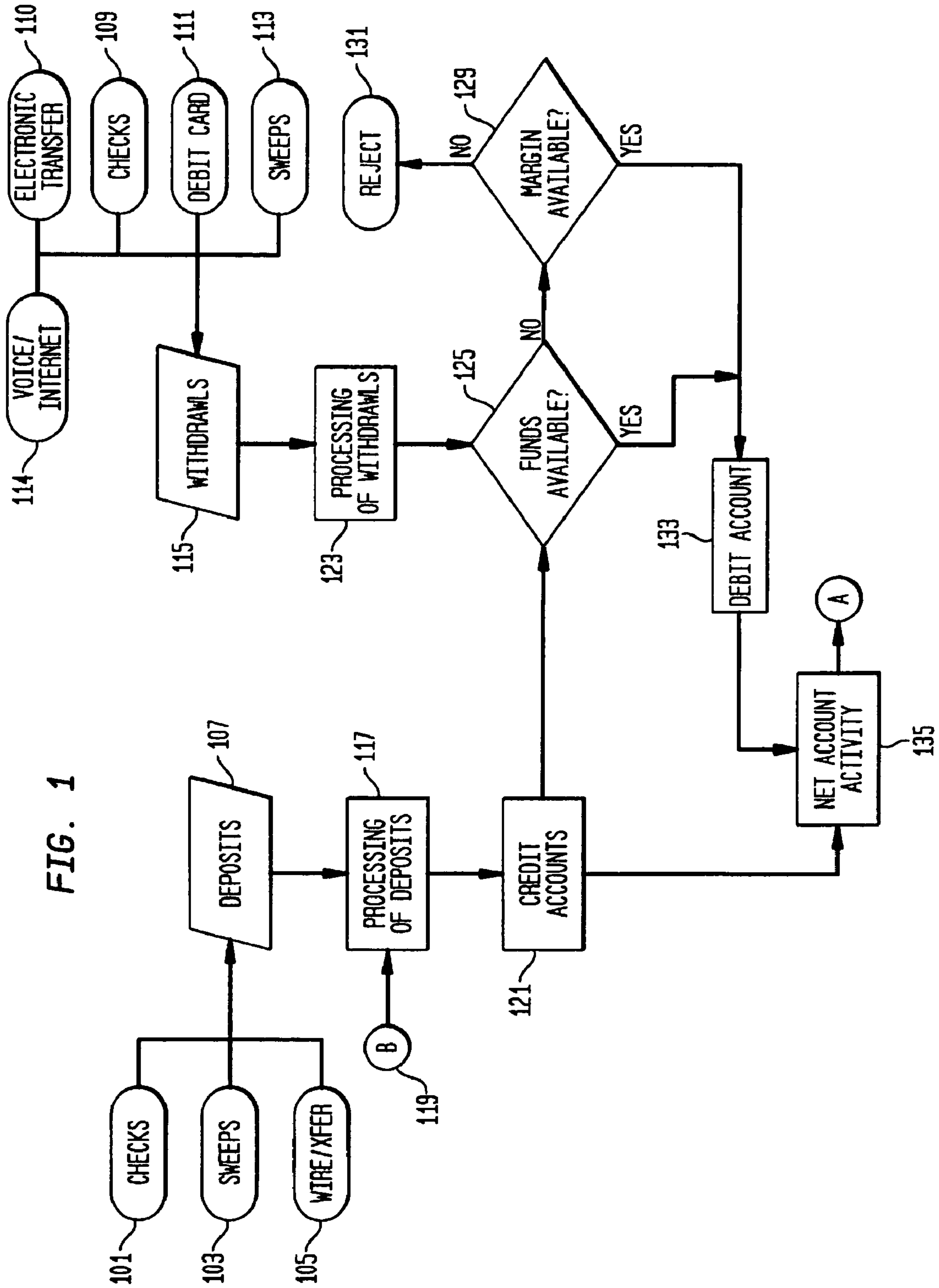
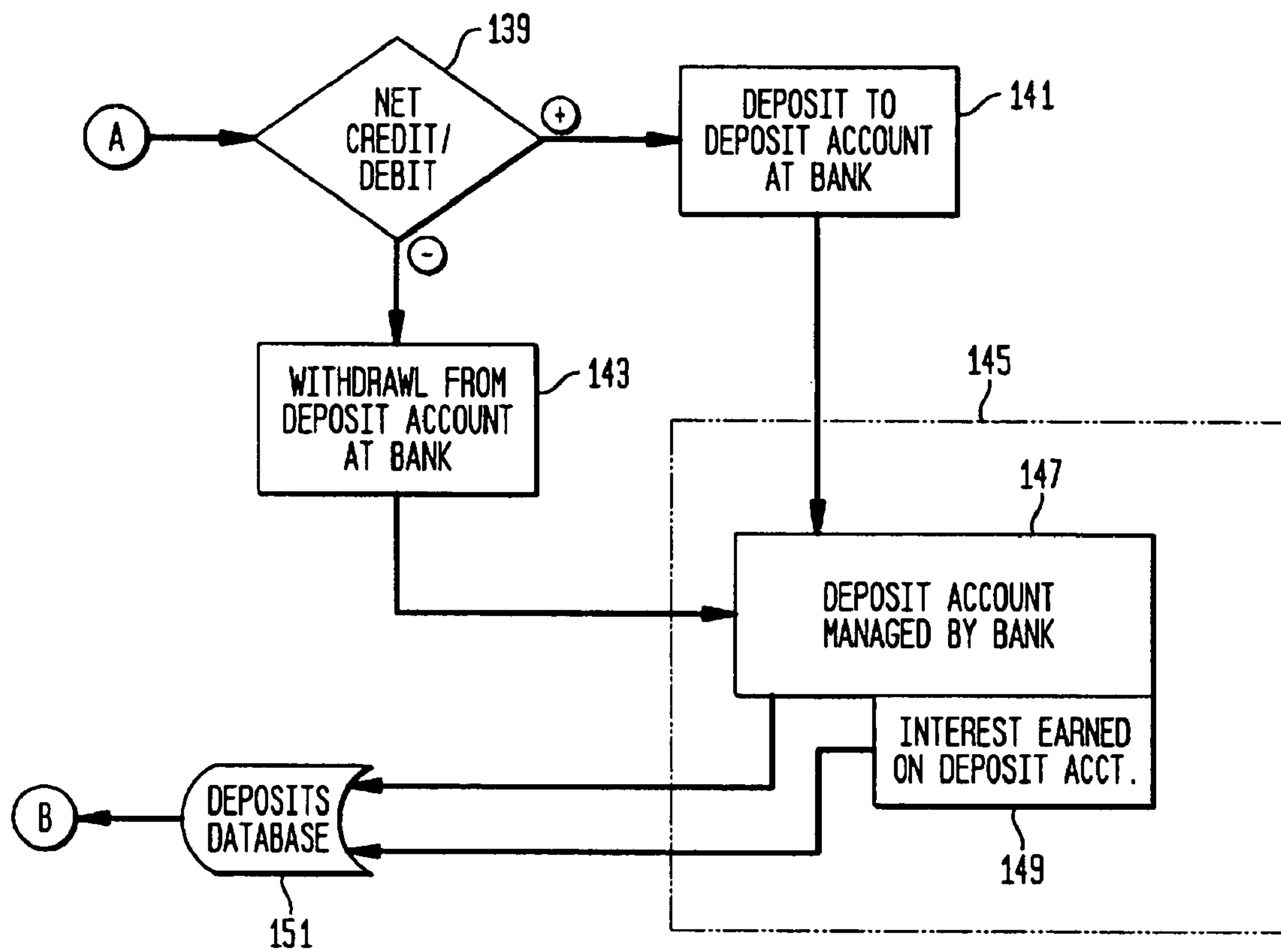


FIG. 1



FIG. 2





## MONEY FUND BANK SYSTEM

**Matter enclosed in heavy brackets [ ] appears in the original patent but forms no part of this reissue specification; matter printed in italics indicates the additions made by reissue.**

## BACKGROUND OF THE INVENTION

## 1. Field of the Invention

The novel system is in the field of account transaction processing and provides an administered money fund banking system that is integrated with an insured deposit account.

## 2. State of the Art

The Federal Deposit Insurance Corporation ("FDIC") is a federal governmental entity that provides insurance for deposits in most banks and savings institutions in the United States. Bank deposits are insured by the FDIC's Bank Insurance Fund ("BIF") and savings institutions' deposits are insured by the FDIC's Savings Association Insurance Fund ("SAIF"). The rules governing insurance of deposits of institutions insured by the BIF and the SAIF are the same. The FDIC bases insurance coverage on the concept of ownership rights and capacities: **[finds]** *funds* held in different ownership categories are insured separately from each other, and funds of the same ownership but held in different accounts are subsumed under the same insurance coverage. The amount of insurance covered provided to depositors of each institution insured by BIF and SAIF is the same: \$100,000.00 to the owner(s) of the funds in the account(s), including principal and interest.

Title 12, Part 329, of the Code of Federal Regulations ("CFR") specifies that "no bank shall, directly or indirectly, by any device whatsoever, pay interest on any demand deposit." (12 C.F.R. § 329.2.) A "deposit" is any money put into a savings account, a checking account, or time account such as a certificate of deposit. A "demand" account is one from which the owner of the account can demand that funds be drawn and paid elsewhere, either to another account (of the same or a different owner) or to a third party. These payments are typically made via a bank draft or check, or a credit or debit card. A account different than a demand account is an account where all or a fixed amount of the principal must be maintained in the account for a period of time to achieve the particular benefits offered by that account. As stated in this section of the CFR, a "demand deposit" includes any deposit in account under which terms the depositor is authorized to make, during any month or statement cycle of at least four weeks, more than six transfers by means of a preauthorized or automatic transfer of telephone (including data transmission) agreement, order or instruction, which transfers are made to another account of the depositor at the same bank, to the bank itself, or to a third party provided that such an account will be deemed a demand deposit if more than three of the six authorized transfers are authorized to be made by check, draft, debit card or similar order made by the depositor. (12 C.F.R. § 329.1(b)(3).) On the other hand, withdrawals from a deposit account are not deemed to be included within the six transfers permitted for a nondemand account when the withdrawals are made by mail, messenger, telephone (via check mailed to the depositor), automated teller machine, or in person. In essence, unless the funds of a deposit are held in a NOW account (18 U.S.C. 1832(a)), an account in which a depositor has the ability to make at least six transfers will be deemed a

demand account and no interest will be payable on the funds therein. Therefore, owners of demand accounts are denied interest on their funds.

## SUMMARY OF THE INVENTION

In light of this regulatory scheme, it would be beneficial to provide depositors of demand accounts with interest from the funds on deposit while simultaneously providing unlimited (or at least six) transfers of the funds therein. For example, it would be beneficial to provide such depositors with the ability to deposit funds into the demand account from various sources, and to make payments from the demand account via different instruments, without limitation as to the number of transfers, and still earn interest on the funds in the clients' accounts.

To accomplish these and other objectives, this invention provides a system for managing a plurality of accounts for multiple clients by administering at a banking institution a single insured deposit account in which all of the funds for the insured deposit accounts are held, providing a database having client information for each client's account, administering clients' deposits to and withdrawals from each of their accounts, authorizing whether funds in a particular clients account can be used for each payment requested from that client's account, determining as the net transaction of the sum of the insured money market account deposits and withdrawals from the plurality of insured money market accounts on a regular periodic basis, using the determination of the net transaction to deposit funds to or withdraw funds from the single insured deposit account, distributing interest earned on the single deposit account to each of the clients in proportion to their portion of funds in the deposit account, and updating the database for each client's deposits and authorized demand payments.

## BRIEF DESCRIPTION OF DRAWINGS

FIGS. 1 and 2 show flow chart depicting certain processing steps the system follows at the administrator's end.

## DESCRIPTION OF SPECIFIC EMBODIMENTS OF THE INVENTION

The present system will be described with reference to an administrator, which can be brokerage, a bank, or another entity with which clients can institute financial transactions such as deposits and demand payments. The administrator appears to each client as if it were, in part, a bank, by accepting deposits for the client's account and by authorizing (and then making) payments demanded by the client from his account. The funds for all of the clients are pooled into a single fund that is maintained as an insured deposit account at a licensed banking institution. This system is preferably implemented in combination with a brokerage account so that the client can centralize all of his financial needs: deposit of funds; demand orders for payment (checking); payment authorization by debit card; securities transactions; retirement plans; and the like.

The following description of the hardware and software is for exemplification of a working system; other architectures can be fashioned to make the systems and perform the methods claimed herein. The system has been implemented on a mainframe computer (e.g., an IBM Application Starterpac 3000 model A20, which is capable of processing 63 million instructions per second) with an operating system such as OS/390 and MVS/ESA running a relational database (e.g.,



DB2 type database). The [programing] *programming* languages are IBM COBOL, CICS languages along with IBM's CSP screen generation language. For such a system, memory requirements are satisfied with 768 Gigabytes of storage (preferably, e.g., 1024G with a disk storage and recovery system, such as RAID). Communications generally are run on a mixed SNA and TCP/IP network. Communications with a local area network via a local control unit can be implemented using a token ring. Connection to an internal network has been made via an IBM open systems adapter (OSA) running TCP/IP, which allows File Transfer Protocol (ftp) via a firewall. Bisynchronous and synchronous file transfer protocols are made through various dial-up media. Terminal Access runs on an Ethernet local area network, using an SAA gateway, and other gateways (e.g., Cytrix and Netsoft) for remote access. Additionally, several lease lines for several applications and terminal access are supported by the system.

FIGS. 1 and 2 show flowchart depicting certain processing steps the system follows at the administrator's end. It should be understood that the order in which these steps are performed may be varied without impairing the achievement of the aforementioned objects of the invention. The client adds funds ("deposits") to his account typically via check 101, sweeps 103 of funds from another account (e.g., a broker/dealer account), and/or by wire and other transfers 105 (such as fed funds wire and direct deposit via ACH) for investment in an FDIC insured money fund account. These funds are deposited in a deposit account with a bank on behalf of the participant. The amount of each of the deposited items is summed 107 to determine the deposits for each client, preferably on a regular periodic basis (e.g., daily) or instantaneously. On the other side, the administrator provides the participant with access to his funds by various methods: payments can be made from funds drawn from the account by check 109; electronic funds transfer 110; debit card 111 authorized by the client (and ACH debit); sweeps of funds 113 to another account (e.g., a broker/dealer account); and electronic and voice access 114 (e.g., internet on-line banking, banking by telephone) for automated transaction requests; and transactions authorized by mail. A "sweep" is an automated movement of funds between a client's other account (e.g., a broker/dealer account) and his insured deposits account (in either direction). The registration on the other account and the insured deposit account are identical; there is a one for one relationship between the brokerage account and the insured deposits account.

The sum of the deposits is processed 117 with information 119 from a database (described later) that stores information about the demand account for each client. Each client's account is credited 121 with the sum of the deposits for that particular account, which may amount to zero on a particular day. Similarly, the sum [and] of withdrawals are processed 123 to determine what should be debited from the account, which may also amount to zero on a particular day. The deposits and withdrawals for each account during a given period are compared 125 to determine whether sufficient [finds] *funds* are present in the client's account, including the added funds, to pay the withdrawals requested by the client. In other words, processing determines which client accounts to credit or debit for the various transactions (sweep, checks, debit cards, ACH, etc.) received each business period (e.g., daily). These transactions can be received from one or more sources, such as brokerage firms (sweep transactions), banks (deposits made by wire [trasfer] *transfer*, checks presented for payment, ACH, debit card transactions), the mail (check deposits, redemption requests), and telephone requests. "Telephone" requests can be performed by voice, conversing

with an operator/broker or a voice response system, or via a touch-tone phone using a menu system, or electronically via the internet using email or the World Wide Web (e.g., a web page, [preferably] *preferably* secure, onto which users can log in and conduct on-line banking). The final step in the day's processing is to determine the net credit or debit for the deposit account at the bank; the net activity represents all transactions that were processed that day for all insured deposit accounts.

If sufficient funds are not available for drafts and other orders to pay, the requested withdrawal(s) are denied and the client's total account information is again accessed to determine 129 if the client has sufficiently available margin to cover the requested withdrawal(s) (other than, preferably, sweep transactions). If insufficient funds and insufficient margin are available, then the requested withdrawal is denied 131. The client's margin typically is determined by the value of the clients funds held in the client's broker/dealer (securities) account. When sufficient funds are available in the insured deposit account, or a sufficient margin is available in the client's securities account with the administrator, then a debit is made 133 to the client's insured deposit account in the amount of the withdrawal(s) allowed (based on the funds and margin then available) and the processed and authorized withdrawals are paid as directed by the client. The sum of the processed credits 121 and the processed debits 133 are determined for all of the administrator's clients to arrive at a net account activity determination 135. The order in which credits and debits are processed depends upon a subjective protocol and/or operation of law. For example, transactions that are pre-approved (such as authorized debit card transactions, and sweeps) are likely to be processed when received; transactions requiring authorization or acceptance by a third party (such as a bank draft or check) may be credited to the insured deposit account but not available for withdrawal until authorization or acceptance.

The net account activity determination 135 is then used to determine a net credit/debit 139 for the single deposit account held at the bank that contains all of the funds of all of the administrator's clients; the deposit account must be debited or credited to account for all clients' deposits and withdrawals during the period. If the net result is positive (e.g., amount of deposits processed minus amount of authorized withdrawals processed is positive), then the calculated amount is deposited 141 to the single account. If the net result is negative (e.g., amount of deposits processed minus amount of withdrawals processed is negative), then the calculated amount is withdrawn 143 from the single deposit account. An individual insured money market account is maintained for each client on a administrator's database. Each transaction received for an account is individually posted against the client's account on the database. Funds are exchanged between the appropriate parties to cover transactions (broker for sweep transactions; bank for debit cards, checks, ACH, etc.). These transactions are posted and settled prior to any activity taking place in the insured deposit account at the bank. In a preferred embodiment, the last movement of funds on each day is the net movement of funds (credit or debit) that takes place in the deposit account at the bank. The sum of the account balances (principle plus interest) for clients participating in the this system equals the balance in the deposit account at the bank.

The information from the calculations of a net credit/debit 139 are used to implement the processing of the actual deposit or withdrawal (141, 143) to the deposit account, and that information (and funds, if required) is sent to the bank 145 to execute the actual deposit or withdrawal required. If the deposit account is to be credited, then deposits are transferred



5

to the bank and credited to the deposit account 147; conversely, if funds are to be withdrawn from the deposit account, a bulk withdrawal is made from the deposit account to account for the withdrawals that have been authorized from the clients' accounts; in essence, the withdrawal from the deposit account need only make up the difference between the authorized withdrawals and the deposits. If the client wishes to use his excess margin buying power for overdraft protection, the broker/dealer transmits the client's available margin line to the administrator regularly (preferably daily). The available margin line will be taken into consideration when checks, debit card, and other draft and order to pay transactions (e.g., ACH debits, on-line banking withdrawals, and other electronic payments) are processed. If the client's margin line is used to process a check or debit card transaction, a loan will be created and transmitted to the broker dealer by the administrator. Preferably, the broker dealer maintains the margin loan on his system and will pay the administrator for all funds advanced. Using this methodology for margin accounts, there is no effect on the deposit account at the bank.

The bank pays interest 149 on the single deposit account to the administrator. Based on the amount of each client's funds in the deposit account as a function of the total amount in the deposit account, the administrator determines the interest amount (if any) each client is owed (based also on the period during which the interest was determined on a particular account balance). Because all of the clients' [finds] funds are in a single account under the name of the administrator, the administrator earns the interest and distributes the interest earned to each of the clients. Further, the limitation on transfers from [a] an interest-bearing account is inapplicable to the clients because their funds are held by the administrator in a demand account and interest for the client is determined only on that portion of those [finds] funds maintained in the bank's deposit account. Preferably, if necessary, the administrator makes any withdrawals from the deposit account in person.

After the deposit account has been credited or debited in accordance with the determination for that period of the sum of the deposits and withdrawals from clients, and the interest earned on the single deposit account, this information is transferred back to the administrator's deposits database 151. This database includes information about each client (such as name, address, and other important or desired demographic and tax information about each client's account), as well as financial information regarding the client's holdings on deposit in the bank (i.e., that client's portion of the single deposit account) and holdings with the administrator (e.g., securities and the like).

As seen, the administrator maintains several relationships that provide services for the insured money market accounts. These various entities provide transaction data that is transmitted to the administrator and processed. Preferably, the administrator is its own transfer agent and provides a shareholder accounting system. Preferably, accounts may be opened through a broker dealer that is a client of the administrator, or directly with an application and check.

The administrator may allow a client with an account under the present system to access his funds by check or with a debit card; in such a case, the administrator has arranged for these services and maintains these relationships which are separate and apart from the deposit account. Banks that provide check and card services will transmit a file each day to the administrator that contains the checks presented for payment and/or the debit card transactions. The transactions that apply to his account under the present system are out sorted and processed against the administrator's database. The administrator will settle with each bank for the transactions that were processed.

6

The administrator may accept direct deposit of payroll, social [secerity] security, or pensions for accounts. The clients' accounts are updated as these files are received and processed. The administrator may also accepts ACH debit transactions, which are initiated by the client's bank or a third party at the client's request.

The administrator may also provide the participants with automated bill paying services. Participants preferably provided with a touchtone bill paying system and/or an internet on line banking service. Bill payment requests may be downloaded each morning for processing.

The foregoing description is meant to be illustrative and not limiting. Various changes, modifications, and additions may become apparent to the skilled artisan upon a perusal of this specification, and such are meant to be within the scope and spirit of the invention as defined by the claims.

What is claimed is:

**[1. A method for managing a plurality of demand accounts for multiple clients whose funds are held at a banking institution in a single insured money market deposit account, comprising:**

- providing a database having client information for each account;
- administering clients' deposits to and withdrawals from each of their demand accounts;
- authorizing or rejecting the use of funds in a particular client's demand account for each demand payment requested from that client's account;
- determining the net transaction aggregated across all said demand account deposits and withdrawals on a regular periodic basis;
- using the determination of the net transaction to deposit funds to or withdraw funds from said single insured money market deposit account;
- distributing interest paid on said single money market deposit account to said clients' demand accounts; and
- updating the database for each client's deposit and authorized demand payment.]

**[2. The method of claim 1, wherein withdrawals are made by at least one method selected from the group consisting of drafts (checks), credit card, debit card, sweeps, electronic transfer, and combinations thereof.]**

**[3. The method of claim 1, wherein deposits are made by at least one method selected from the group consisting of drafts (checks), sweeps, electronic transfers, and combinations thereof.]**

**[4. A system for managing a plurality of demand accounts for multiple clients whose funds are held at a banking institution in a single insured money market deposit account, comprising:**

- a database having client information for each demand account;
- a device for administering clients' deposits to and withdrawals from each of their demand accounts;
- a device for authorizing or rejecting the use of funds in a particular client's demand account to be used for each demand payment requested to be paid drawn on funds from that client's demand account;
- a device for determining the net transaction aggregated across all said demand account deposits and withdrawals on a regular periodic basis;
- a comparison device for determining from the net transaction whether to deposit funds to or withdraw funds from said single insured money market deposit account;
- a device for distributing interested earned on said money market deposit account among the clients; and



7

a device for updating the database for each client's; deposits and authorized demand payments.】

【5. The system of claim 4, wherein withdrawals are in the form of at least one type selected from the group consisting of drafts (checks), credit card, debit card, sweeps, electronic transfers, and combinations thereof.】

【6. The system of claim 1, wherein deposits are in the form of at least one type selected from the group consisting of drafts (checks), sweeps, electronic transfers, and combinations thereof.】

【7. A data processing system for implementing and managing plural client transaction accounts providing a return to each of said clients, by aggregating the assets associated with said client transaction accounts for deposit in a corresponding insured deposit account and providing a return on assets held therein, said system comprising:

- a. transaction input processor for receiving transactions, including deposits and/or withdrawals to one or more of said plural client accounts;
- b. account computation processor responsive to said transactions and capable of calculating a corresponding balance for each said client transaction account, including determining and crediting said transaction account with a return associated with said balance of each said client accounts;
- c. memory module storing data on said plural client accounts, wherein account balances are periodically updated to include said corresponding return to each of said client accounts; and
- d. said computation processor assessing the aggregate activity of said plural client transaction accounts for a respective period, and calculating an asset adjustment to said insured deposit account, to permit adjustment of the amount in said insured deposit account by a method consistent with maintaining the insured and interest bearing status of said insured deposit account.】

【8. The system of claim 7, wherein said transaction input processor accesses a client account by one or more transaction methods selected from the group consisting of check, withdrawal, credit card, electronic fund transfer, debit card, sweep, internet communication, voice activation, and banking by telephone.】

【9. The system of claim 8, wherein said transaction input processor accesses said account by three or more of said methods.】

【10. The system of claim 8, wherein said transaction input processor accesses said account by five or more of said methods.】

【11. The system of claim 7, wherein said computational processor responds to withdrawal transactions for a client's account by assessing fund availability and based, in whole or in part, thereon approving or denying said withdrawal transaction.】

【12. The system of claim 11, wherein said computational processor applies margin requirements to said client's account in assessing a withdrawal transaction therefrom.】

【13. The system of claim 7, wherein the return for the insured deposit account is used to determine the returns for the plural client accounts.】

【14. The system of claim 8, wherein transactions further include automated bill paying.】

【15. The system of claim 7, wherein periodic deposits to a client's account include one or more of the following: direct automated payroll; direct social security; automated sweep from another of that client's accounts; electronic funds transfer; and manual check deposit.】

8

【16. A data processing method for tracking and managing a plurality of client transaction accounts and providing a return to each of said accounts, the funds associated with said accounts aggregated for deposit in a corresponding insured deposit account providing a return on assets held therein, comprising the steps of:

- a. creating one or more account memory ledgers and storing therein select data for one or more of said plurality of client transaction accounts;
- b. storing in said memory ledgers account data including a current or periodic account balance as well as an identification of an account owner or beneficiary;
- c. tracking deposits to and withdrawals from each of said client transaction accounts and adjusting the balance for each in response to such transactions;
- d. creating an insured deposit account in which funds from a plurality of said client transaction accounts are deposited, and managing said insured deposit account by assessing the aggregate activity of said plural client transaction accounts for a respective period and calculating an asset adjustment to said insured deposit account to permit adjustment of the amount in said insured deposit account by a method consistent with maintaining the insured and return bearing status of said insured deposit account; and
- e. calculating an aggregate transactional value for said client accounts having funds held in said insured deposit account over a selected period of time and determining a net asset adjustment for said insured account, to be implemented in a manner consistent with retaining its status as insured and providing a return on the assets.】

【17. The method of claim 16, wherein said transactions into or out of a client's transaction account include sweeps into or sweeps out of said account.】

【18. The method of claim 16, further comprising calculating a corresponding return for each client transaction account having funds maintained in said insured account based on the return on the assets held in the insured deposit account.】

【19. The method of claim 18, wherein withdrawal transactions resulting in a negative net balance for a client's account trigger a margin approval process for such account.】

20. *A method for managing plural transaction accounts for multiple clients, comprising:*

*providing a database operatively connected to one or more computers, the database having (i) client information for each of a first plurality of the transaction accounts, and (ii) pooled account information associated with a single insured money market deposit account at a licensed banking institution holding funds from the first plurality of transaction accounts;*

*processing, by the one or more computers, client account transaction data comprised from a second plurality of the transaction accounts, the client account transaction data for a respective transaction account comprising data associated with one or more deposits and/or transfers to and/or one or more withdrawals and/or transfers from the respective transaction account during a period of time, wherein during a month period client account transaction data for at least one respective transaction account comprises at least more than six (6) withdrawals and/or transfers by check and/or debit card and/or ACH debit and/or sweep from said respective transaction account;*

*determining, by the one or more computers, a net transaction aggregated across all of said transaction data associated with at least the second plurality of the transac-*



tion accounts for the period of time, where more than six (6) of the net transactions determined over the month period are negative;

determining, by the one or more computers, a net credit/debit amount based on at least in part the respective net transaction associated with the respective period of time, which corresponds to an amount of funds to deposit and/or transfer to or withdraw and/or transfer from the single insured money market deposit account at the licensed banking institution through a different bank, so that during the month period there are more than six (6) net credit/debit amounts that are negative and correspond to withdrawals and/or transfers from the single insured money market deposit account;

obtaining data, at the one or more computers, for an amount of interest earned in the licensed banking institution on funds held in said single insured money market deposit account;

obtaining data, at the one or more computers, for each of a respective third plurality of the transaction accounts, for a respective amount of interest to be credited to the respective transaction account from the interest earned in the single insured money market deposit account at the licensed banking institution;

distributing by crediting the transaction accounts, using the one or more computers, the interest from said single insured money market deposit account to said transaction accounts based at least in part on the respective amounts of interest obtained for the respective transaction accounts; and

updating, by the one or more computers, the client information and the pooled account information in the database, taking into consideration at least in part the client account transaction data, the net credit/debit amounts, and the amounts of interest credited to the respective transaction accounts.

21. The method of claim 20, wherein client transaction account data comprises withdrawal data associated with one or more withdrawals made by at least one method selected from the group consisting of drafts (checks), credit card, debit card, sweeps, electronic transfer, and combinations thereof.

22. The method of claim 20, wherein client transaction account data comprises deposit data associated with one or

more deposits made by at least one method selected from the group consisting of drafts (checks), sweeps, electronic transfers, and combinations thereof.

23. The method of claim 20, further comprising authorizing or rejecting the use of funds in a particular client's transaction account for each demand payment requested from that client's transaction account.

24. The method of claim 20, wherein one or more of the transfers and/or withdrawals from said single insured money market deposit account are requested in person.

25. The method of claim 20, wherein one or more of the transfers and/or withdrawals from said single insured money market deposit account are requested by mail.

26. The method of claim 20, wherein one or more of the transfers and/or withdrawals from said single insured money market deposit account are requested by messenger.

27. The method of claim 20, wherein one or more of the transfers and/or withdrawals from said single insured money market deposit account are requested by telephone and distributed by mail.

28. The method of claim 20, wherein one or more of the transfers and/or withdrawals from said single insured money market deposit account are requested by automated teller machine.

29. The method of claim 20, wherein for the step of determining a net transaction by aggregating across all transaction account deposits and withdrawals of the second plurality of the transaction accounts, one or more of the withdrawals are made by at least a debit card.

30. The method of claim 20, further comprising: determining for each of the respective third plurality of the transaction accounts, via the one or more computers, a respective amount of interest owed to the respective transaction account as a function of a respective total amount of funds from the respective transaction account held in the single insured money market deposit account at the licensed banking institution.

31. The method of claim 20, wherein the second plurality is equal to the first plurality.

32. The method of claim 20, wherein the third plurality is equal to the first plurality.

\* \* \* \* \*