

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Robert John McMillan et al.	§	Attorney Docket No.:
United States Patent No.: 6,064,970	§	LMIC-018-801
Formerly Application No.: 09/135,034	§	Customer No. 28120
Issue Date: May 16, 2000	§	
Filing Date: Aug. 17, 1998	§	Requester: Liberty Mutual
Former Group Art Unit: 2761	§	Insurance Company
Former Examiner: Edward R. Cosimano	§	

For: Motor Vehicle Monitoring System for Determining a Cost of Insurance

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**PETITION FOR COVERED BUSINESS METHOD PATENT REVIEW OF
UNITED STATES PATENT NO. 6,064,970 PURSUANT TO 35 U.S.C. § 321,
37 C.F.R. § 42.304**

Pursuant to 35 U.S.C. § 321 and 37 C.F.R. § 42.304, the undersigned, on behalf of and acting in a representative capacity for petitioner, Liberty Mutual Insurance Company (“Petitioner” and real party in interest), hereby petitions for review under the transitional program for covered business method patents of claims 1 and 3-18 (all claims) of U.S. Pat. No. 6,064,970 (“the ‘970 Patent”), issued to Progressive Casualty Insurance Company (“Progressive”). A reexamination certificate (6,064,970 C1) issued on January 10, 2012. Petitioner hereby asserts that it is more likely than not that at least one of the challenged claims is unpatentable and respectfully requests institution of a covered business method review of the ‘970 Patent for judgment against Claims 1 and 3-18 (all claims) as unpatentable under §§ 102 and 103, with

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prior art rejections based on the Kosaka, Herrod, New York Guide, Florida Guide and Black Magic references cited herein.¹

¹ As discussed in Section III, *infra*, Petitioner has simultaneously filed a Petition seeking a covered business method review of the '970 Patent requesting judgment against these claims based on different prior art references. Petitioner notes that the Director, pursuant to Rule 325(c), may determine at the proper time that merger of these proceedings may be appropriate.

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