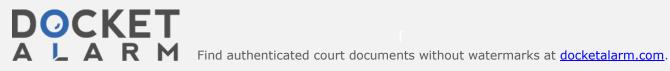
	Page 1
1	UNITED STATES PATENT AND TRADEMARK OFFICE
2	BEFORE THE PATENT TRIAL AND APPEAL BOARD
3	~~~~~~~~~~~~~~~
4	
5	LIBERTY MUTUAL INSURANCE COMPANY,
6	
7	Petitioner,
8	
9	vs.
10	
11	PROGRESSIVE CASUALTY INSURANCE CO.,
12	
13	Patent Owner.
14	
15	~~~~~~~~~~~~~~~
16	
17	TELEPHONIC PETITION HEARING
18	
	AUGUST 29, 2013
19	2:30 p.m.
2 0	Taken at:
	Jones Day
21	901 Lakeside Avenue
	Cleveland, Ohio
2 2	
23	Todd L. Persson, Notary Public
2 4	
25	



Page 2 1 APPEARANCES: On behalf of the Petitioner, via 3 teleconference: 4 5 Ropes & Gray, LLP, by 6 J. STEVEN BAUGHMAN, ESQ. 700 12th St. Northwest One Metro Center 8 Washington, DC 20005 10 (202) 508-460011 steven.baughman@ropesgray.com 12 On behalf of the Patent Owner: 13 14 Jones Day, by 15 CAL GRIFFITH, ESQ. 16 JAMES L. WAMSLEY, III, ESQ. 17 JOHN BIERNACKI, ESQ. 901 Lakeside Avenue 18 19 Cleveland, OH 44114 20 (216) 586-393921 2.2 23 24 25



```
Page 3
    APPEARANCES, Continued:
1
 2
    APPEAL BOARD (vie teleconference):
 3
 4
                  JUDGE JAMESON LEE (Chair)
 5
                  JUDGE JONI CHANG
6
                  JUDGE MICHAEL ZECHER
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
```



		Page 4
1	MR. GRIFFITH: Your Honor, Cal	
2	Griffith with Jones Day, along with my	
3	partners, John Biernacki and Jim Wamsley. And	
4	we notified the Board that we would have a	
5	court reporter on the call, and we have a court	14:31:58
6	reporter here as well, Mr. Todd Persson.	
7	JUDGE LEE: Representing Liberty	
8	Mutual?	
9	MR. GRIFFITH: I'm sorry, Your	
10	Honor. We represent the Progressive Casualty	14:32:08
11	Insurance Company.	
12	MR. BAUGHMAN: Your Honor, Steve	
13	Baughman, at Ropes & Gray. I have a colleague	
14	with me, but he won't be entering an appearance	
15	today.	14:32:21
16	JUDGE LEE: The court reporter is	
17	fine. Thank you. Will we be getting a copy of	
18	the transcript, I hope?	
19	MR. GRIFFITH: Surely, I hope.	
20	JUDGE LEE: And you'll provide one	14:32:31
21	to the other side?	
22	MR. GRIFFITH: Yes.	
23	JUDGE LEE: Thank you. And	
24	Progressive asked for this call?	
25	MR. GRIFFITH: Yes, Your Honor.	14:32:38



		Page 5
1	This is Cal Griffith speaking. The issue that	
2	brings us here today involves, at our request,	
3	four CBMs, specifically 2012-2, -3 and -4, as	
4	well as CBM 2013-9.	
5	Your Honor, the same issues are	14:33:00
6	involved in one additional CBM for which a	
7	reply was filed on Tuesday, and I've spoken	
8	about this with Mr. Baughman, and that is	
9	2013-4, relating to yet another of the	
10	Progressive patents. And it has the same	14:33:21
11	issues involved with whether the reply is a	
12	proper reply, and whether the reply evidence is	
13	proper reply evidence.	
14	I want to let Your Honor know that	
15	Mr. Baughman and I, as well as one of his	14:33:40
16	partners, spoke a couple of times about this,	
17	or maybe more than that, but certainly in a	
18	little detail we spoke at least a couple of	
19	times about the issues here and whether the	
20	replies were proper.	14:34:03
21	Now, one of the issues that we	
22	spoke about is a somewhat mundane issue, if you	
23	will, of formatting, and the fact that their	
24	replies were not properly formatted. That's	
25	not true with the one filed this week. It was.	14:34:21



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

