

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**LIBERTY MUTUAL INSURANCE CO.**  
Petitioner

v.

**PROGRESSIVE CASUALTY INSURANCE CO.**  
Patent Owner

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Cases CBM2012-00003 (Patent 8,140,358)  
CBM2013-00009 (Patent 8,140,358)<sup>1</sup>

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Before JAMESON LEE, JONI Y. CHANG, and MICHAEL R. ZECHER,  
*Administrative Patent Judges.*

CHANG, *Administrative Patent Judge*

ORDER  
Synchronizing Trial Schedules  
37 C.F.R. § 42.5

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<sup>1</sup> This decision addresses an issue that is identical in two cases. Therefore, we exercise discretion to issue one opinion to be filed in each of the two cases. The parties, however, are not authorized to use this style heading in any subsequent papers.

CBM2012-00003 (Patent 8,140,358)  
CBM2013-00009 (Patent 8,140,358)

On April 19, 2013, a telephone conference call was held between respective counsel for the parties and Judges Lee, Chang, and Zecher. The parties jointly requested the conference call to present a proposed schedule for both CBM2012-00003 and CBM2013-00009 trials.

During the conference call, the parties informed the Board that the parties were able to reach an agreement for a coordinated schedule that would synchronize the timelines in both trials. Note that the trials involve the same parties, the same prior art references, and the same patent.

Because the coordination of these two trials, such as conducting both hearings on the same day, would lead to better efficiency, the Board thereby granted the parties' joint request for synchronizing the trial schedules. The Board will enter a revised Scheduling Order that set forth the mutually accepted due dates, for each of the above-identified trial.

It is

**ORDERED** that the parties' joint request for synchronizing the schedules for CBM2012-00003 and CBM2013-00009 is granted; the Board will enter a revised Scheduling Order in CBM2012-00003 and CBM2013-00009.

CBM2012-00003 (Patent 8,140,358)  
CBM2013-00009 (Patent 8,140,358)

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