

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

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**NOTICE OF STIPULATION OF DUE DATES**

MAIL STOP PATENT BOARD  
Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

Petitioner Liberty and Patent Owner Progressive jointly stipulate to move

Due Date 1 and Due Date 2 as follows:

1. Move Due Date 1 from June 5, 2013, to June 12, 2013; and
2. Move Due Date 2 from August 1, 2013, to August 15, 2013.

These Due Dates were previously set by Scheduling Orders dated April 19, 2013.

Attached is a photocopy of the Scheduling Order Appendixes, with the old Due Dates crossed out and the new dates inserted by hand. This paper is being filed by Progressive Casualty Insurance Co. with the approval of counsel for Liberty Mutual Insurance Co.

Date: May 24, 2013

By: /s/ James L. Wamsley

Calvin P. Griffith  
James L. Wamsley  
John V. Biernacki  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114-1190  
(216) 586-3939

Attorneys For Patent Owner  
Progressive Casualty Insurance Co.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of May, 2013, a true and correct copy of the foregoing NOTICE OF STIPULATION OF DUE DATES was served, in accordance with the parties' electronic service agreement, by electronic mail upon the following counsel for Petitioner Liberty Mutual Insurance Co.

[Steven.baughman@ropesgray.com](mailto:Steven.baughman@ropesgray.com)  
[Nicole.jantzi@ropesgray.com](mailto:Nicole.jantzi@ropesgray.com)  
[LibertyMutualPTABService@ropesgray.com](mailto:LibertyMutualPTABService@ropesgray.com)

/s/ James L. Wamsley  
James L. Wamsley  
Registration No. 31,578  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114-1190  
Attorney for Patent Owner  
Progressive Casualty Insurance Co.

CBM2012-00003  
U.S. Patent No. 8,140,358

**DUE DATE APPENDIX**

- DUE DATE 1**..... ~~June 5, 2013~~ *June 12, 2013*  
Patent owner's response to the petition  
Patent owner's motion to amend the patent
- DUE DATE 2**..... ~~August 1, 2013~~ *August 15, 2013*  
Petitioner's reply to patent owner response to petition  
Petitioner's opposition to motion to amend
- DUE DATE 3**..... **August 28, 2013**  
Patent owner's reply to petitioner opposition to motion to amend
- DUE DATE 4**..... **September 16, 2013**  
Petitioner's motion for observation regarding cross-examination of  
reply witness  
Motion to exclude evidence  
Request for oral argument
- DUE DATE 5**..... **September 25, 2013**  
Patent owner's response to observation  
Opposition to motion to exclude
- DUE DATE 6**..... **October 1, 2013**  
Reply to opposition to motion to exclude
- DUE DATE 7**..... **October 8, 2013**  
Oral argument (if requested)

CBM2013-00009  
U.S. Patent No. 8,140,358

**DUE DATE APPENDIX**

- DUE DATE 1**..... *June 12, 2013*  
~~June 5, 2013~~

  - Patent owner's response to the petition
  - Patent owner's motion to amend the patent
- DUE DATE 2**..... *August 15, 2013*  
~~August 1, 2013~~

  - Petitioner's reply to patent owner response to petition
  - Petitioner's opposition to motion to amend
- DUE DATE 3**..... **August 28, 2013**

  - Patent owner's reply to petitioner opposition to motion to amend
- DUE DATE 4**..... **September 16, 2013**

  - Petitioner's motion for observation regarding cross-examination of reply witness
  - Motion to exclude evidence
  - Request for oral argument
- DUE DATE 5**..... **September 25, 2013**

  - Patent owner's response to observation
  - Opposition to motion to exclude
- DUE DATE 6**..... **October 1, 2013**

  - Reply to opposition to motion to exclude
- DUE DATE 7**..... **October 8, 2013**

  - Oral argument (if requested)