

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIBERTY MUTUAL INSURANCE CO.

Petitioner

v.

PROGRESSIVE CASUALTY INSURANCE CO.

Patent Owner

Cases CBM2012-00002, -00003, -00004, CBM2013-00004, & -00009
Patent Nos. 6,064,970, 8,090,598, & 8,140,358

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

**PETITIONER LIBERTY MUTUAL INSURANCE CO.'S NOTICE OF
DEPOSITION OF MICHAEL J. MILLER**

Pursuant to 37 C.F.R. § 42.53, Petitioner Liberty Mutual Insurance Co. ("Liberty Mutual"), by and through its attorneys will conduct cross-examination by deposition of Michael J. Miller. Mr. Miller's deposition will take place commencing at 9:00 AM EDT on July 17, 2013 and continuing from day-to-day if necessary, at the offices of Jones Day, North Point 901 Lakeside Avenue, Cleveland, OH 44114, or at such other time and place to which the parties may agree or which may be ordered by the Board.

The cross-examination will be taken before a Notary Public or other officer authorized by law to administer oaths. It will be recorded using audiotape and/or by stenographic means. Liberty Mutual also intends to video record the cross-examination of Mr. Miller. The arrangement for the reporter and videographer will be made by counsel for Liberty Mutual.

Respectfully submitted,

ROPES & GRAY LLP

July 3, 2013

By /J. Steven Baughman/

J. Steven Baughman, Lead Counsel

Nicole M. Jantzi

ROPES & GRAY LLP

Prudential Tower

800 Boylston Street

Boston, Massachusetts 02199-3600

Steven.baughman@ropesgray.com

Nicole.jantzi@ropesgray.com

Attorneys for Petitioner Liberty Mutual Insurance Co.

CERTIFICATE OF SERVICE

It is certified that a copy of PETITIONER LIBERTY MUTUAL INSURANCE CO.'S NOTICE OF DEPOSITION OF MICHAEL J. MILLER has been served in its entirety on the Patent Owner as provided in 37 CFR § 42.6.

The copy has been served on July 3, 2013 by causing the aforementioned document to be electronically mailed to:

Calvin P. Griffith, at: cpgriffith@jonesday.com

James L. Wamsley, III at: jlwamsleyiii@jonesday.com

John V. Biernacki at: jvbiernacki@jonesday.com

pursuant to the Petitioner and Patent Owner's agreement.

/s/ Darrell W. Stark

Darrell W. Stark

ROPES & GRAY LLP