

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

Case CBM2012-00004
Patent 6,064,970

Declaration of John V. Biernacki

Progressive Exhibit 2023
Liberty Mutual v. Progressive
CBM2012-00004

Declaration of John V. Biernacki

I, John V. Biernacki, make the following Declaration pursuant to 28 U.S.C.

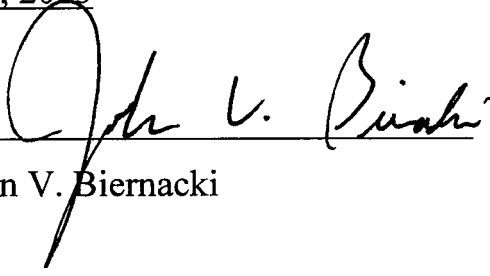
§ 1746:

1. I am an attorney with the law firm Jones Day.
2. I provide this Declaration in connection with the above-identified Covered Business Method Patent Review proceeding. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.
3. Exhibit 2021 hereto is a true and correct copy of CBM2012-00003, Progressive's Exhibit 2014, CBM2013-00004, Progressive's Exhibit 2018, and CBM2013-00009, Progressive's Exhibit 2027 from the deposition of Mary L. O'Neil, which is a copy of a book chapter titled, "Automobile Insurance," "North America," authored by Mary L. O'Neil.
4. Exhibit 2022 hereto is a true and correct copy of excerpted pages from the deposition transcript of Mary L. O'Neil dated September 13, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Date: October 1, 2013

Signature: _____


John V. Biernacki