

Petitioner

v.

PROGRESSIVE CASUALTY INSURANCE CO.
Patent Owner

Case CBM2013-00009
Patent 8,140,358

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

DECLARATION OF JORDAN M. ROSSEN

I, Jordan M. Rossen, make the following Declaration pursuant to 28 U.S.C.

§ 1746:

1. I am an attorney with the law firm of Ropes & Gray LLP. I have worked at Ropes & Gray LLP since 2008.
2. I provide this Declaration in connection with Petitioner Liberty Mutual Insurance Co.'s Reply to Patent Owner Progressive Casualty Insurance Co.'s Response in the above-captioned Covered Business Method Patent Review proceeding. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

been added to the bottom of this document but no other alterations have been made.

4. Exhibit 1034 hereto is a true and correct copy of an article published in Paul P. Wang, *et al.*, eds., *Computational Intelligence in Economics and Finance Volume II* pp. 25-61 (Chapter One) (Springer Berlin Heidelberg, 2007), entitled *An Overview of Insurance Uses of Fuzzy Logic*, authored by Arnold F. Shapiro, and downloaded on August 26, 2013 from the publisher's web site, www.springer.com (also available for direct pdf download through google, search for article title and author). Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

5. Exhibit 1035 hereto is a true and correct copy of an article from the *WESCON Conference Record*, pp.536-541 (1993) entitled *A Fuzzy Expert System Approach to Insurance Risk Assessment Using FuzzyCLIP*, authored by Luis A. Carreno, *et al.*, and downloaded on August 26, 2013 from the publisher's website, www.iecexplore.org. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

6. Exhibit 1036 hereto is a true and correct copy of a paper published in *ASTIN Bulletin International Actuarial Association* Vol. 20, No. 1, pp.33-56 (1990),

Exhibit 1036 is a printout from the Casualty Actuarial Society website indicating the date of publication of Exhibit 1036, downloaded on August 26, 2013 from

http://www.casact.org/research/dare/index.cfm?fa=print_view&abstrID=3546.

Page numbers and an exhibit label have been added to the bottom of these documents but no other alterations have been made.

7. Exhibit 1037 hereto is a true and correct copy of an article published in the Journal of Risk and Insurance Vol. 62, No.3, Sept. 1995, entitled *Fuzzy Techniques of Pattern Recognition in Risk and Claim Classification*, authored by Richard A. Derrig, *et al.*, and downloaded on August 26, 2013 from the author's web site,

<http://www.derrig.com/research/FuzzyTechniquesOfPatternRecognition.pdf>. Page

numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

8. Exhibit 1038 hereto is a true and correct copy of an article published in Proceedings of the Casualty Actuarial Society Casualty Actuarial Society - Arlington, Virginia, 1997, pp.734-765, entitled *Adjusting Indicated Insurance Rates: Fuzzy Rules that Consider Both Experience and Auxiliary Data*, authored by Virginia R. Young, and downloaded on August 26, 2013 from the website of the Casualty Actuarial Society,

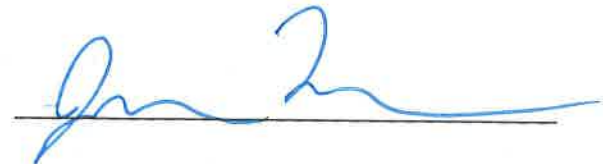
<http://www.casact.org/pubs/proceed/proceed97/97734.pdf>. Appended at the end

documents but no other alterations have been made.

9. Exhibit 1039 hereto is a true and correct copy of Exhibit 2020 from *Liberty Mutual Insurance Co. v. Progressive Casualty Insurance Co.*, Case CBM2012-00002, entitled Supplemental Declaration of Michael J. Miller, and downloaded on August 26, 2013 from the U.S. PTO's Patent Review Processing System web site, <https://ptabtrials.uspto.gov/prweb/>. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

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

Executed on August 16, 2013



Jordan M. Rossen

at Washington, D.C.