

US007249037B2

(12) United States Patent Koppes et al.

(54) SYSTEM FOR MANAGING A STABLE VALUE PROTECTED INVESTMENT PLAN

(75) Inventors: **Seth C. Koppes**, St. Louis, MO (US); **Edward J. Lanigan**, St. Louis, MO (US); **William A. Meier**, St. Louis, MO

(US); William A. Meier, St. Louis, MO (US); Richard M. Hurwitz, Wildwood, MO (US); Chris J. Garlich, Ballwin, MO (US); Mark A. Gilje, Crystal Lake Park, MO (US); Scott L. Fargo,

Brentwood, MO (US)

(73) Assignee: Bancorp Services L.L.P., St. Louis,

MO (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35

U.S.C. 154(b) by 627 days.

(21) Appl. No.: 08/709,882

(22) Filed: Sep. 9, 1996

(65) Prior Publication Data

US 2004/0215493 A1 Oct. 28, 2004

(51) **Int. Cl. G06Q 10/00** (2006.01)

(52) **U.S. Cl.** **705/4**; 705/705; 705/36 R

(56) References Cited

U.S. PATENT DOCUMENTS

4,566,066 A	1/1986	Towers
4,642,768 A	2/1987	Roberts
4,648,037 A	3/1987	Valentino

(10) Patent No.: US 7,249,037 B2 (45) Date of Patent: Jul. 24, 2007

4,674,044	Α		6/1987	Kalmus et al.	
4,722,055	Α		1/1988	Roberts	
4,750,121	Α	*	6/1988	Halley et al	705/35
4,752,877	Α		6/1988	Roberts et al.	
4,774,663	Α		9/1988	Musmanno et al.	
4,839,804	Α		6/1989	Roberts et al.	

(Continued)

FOREIGN PATENT DOCUMENTS

JP 2002-686170 * 7/2002

OTHER PUBLICATIONS

Williams, Fred, "Stable value funds feature new twists", Pensions & Investments, Aug. 8, 1994, vol. 22, No. 16, p. 22 (abstract).*

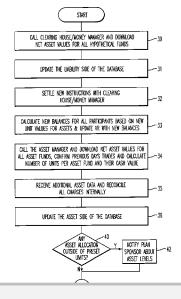
(Continued)

Primary Examiner—Alexander Kalinowski Assistant Examiner—Vivek Koppikar (74) Attorney, Agent, or Firm—Davidson Berquist Jackson & Gowdey LLP

(57) ABSTRACT

Method and system to track, reconcile and administer the values of life insurance policies in separate accounts, including Stable Value Protected funds. Accordingly, targeted returns are translated into unit values on a daily basis for each fund. Additionally the system tracks restrictions (e.g., timing, amount of withdrawal and amount of reallocations) on a premium-by-premium basis, and tracks the book value, market value, duration and targeted return on a client-by-client basis. The system calculates and tracks the payments and credits applicable to a withdrawal or reallocation request, in addition to the liquidation schedules for each fund based on the payment amounts and credits of specific funds. Additionally, daily unit values are calculated given a periodic targeted return (i.e., a quarterly targeted return).

111 Claims, 15 Drawing Sheets



Callidus Ex. 1015 CBM2013-00054 Callidus v. Versata



U.S. PATENT DOCUMENTS

4,933,842 A	6/1990	Durbin et al.
4,942,616 A	7/1990	Linstroth et al.
4,969,094 A	11/1990	Halley et al.
5,101,353 A	3/1992	Lupien et al.
5,126,936 A	6/1992	Champion et al.
5,193,056 A *	3/1993	Boes 705/36
5,214,579 A	5/1993	Wolfberg et al.
5,262,942 A	11/1993	Earle
5,291,398 A	3/1994	Hagan
5,414,838 A	5/1995	Kolton et al.
5,752,236 A *	5/1998	Sexton et al 705/4
5,806,042 A	9/1998	Kelly et al.
5,999,917 A *	12/1999	Facciani et al 705/36
6,343,272 B1*	1/2002	Payne et al 705/4

OTHER PUBLICATIONS

Clark, S E, "Stable Value Investments: A new force in 401(k) plans", Institutional investore, Aug. 1996, vol. 30, No. 8, pp. 89-94.*
Panko, Ron, "John Hancock unveils variable product portfolio enhancements", Best's Review, Jul. 1996, vol. 97, No. 3, p. 94.*
Peters, Catherine, "Metlife and UAM Investment Services introduce new line of defined contribution products", PR Newswire, Dialog file 635 (Business Dateline), No. 722413, 2 pages.*

Markland, Judy, "New and improved GICs keep insurers competitive", Best's Review, Jan. 1996, vol. 96, No. 9, pp. 76.*

Horn, Charles, "Accounting for guaranteed investment contracts: Will GAAP follow the regulatory view?", Bank Accounting & Finance, Winter 1996/1997, vol. 10, No. 2, pp. 30.*

Anonymous, "Market mix", National underwriter, Mar. 6, 1995, vol. 99, No. 10, pp. 25.*

"Mellon Completes Acquisition of Investment Management Business of Certus Financial Corp," PR Newswire, Jun. 6, 1995, From Dialog File 16 (The Gale Group), Accession No. 03887054.*

"Interest rate swings inspire new strategies," by Larry G. Mayewski et al.; Best's Review—Life-Health Insurance Edition, vol. 95, No. 9, p. 45, ISSN: 0005-9706, Dialog ID No. 07660287, From File 2 (Gale Group Trade & Industry Database).*

"The Eighth Annual Symposium—GICS '94 Creating Stable Value Portfolios in the New Product Age", The Institute for International Research, Apr. 24-27, 1994, Naples, FL.

"The Seventh Annual Symposium—GICS '93 Creating Stable Value Portfolios in the New Product Age", The Institute for International Research, Apr. 26-28, 1993, Scottsdale, AZ.

"The Sixth Annual Symposium—GICS '92", Institute for International Research, Apr. 27-29, 1992, Orlando, FL.

"GICS '96 the 10¹⁰ Anniversary Symposium on stable value investing", Institute for International Research, Apr. 21-24, 1996, Naples, FI

"The 3rd Annual Symposium—GICS '89", Institute for International Research, Apr. 10-12, 1989, San Diego, CA.

"The 1993 GIC Association National Forum", International Business Forum, Mar. 8-9, 1993, Washington, DC.

"Risk Analysis of Actively Managed GIC Alternatives", Institute for International Research, Sep. 23, 1992, New York City, NY. Stable Value Product Service Directory, 1995.

C. Jason Psome, "Synthetics Change Game; Traditional GIC Meets Its Match in 'Wrapped' Product", *Pensions & Investments*, Oct. 30, 1995, Section: News, p. 48.

Anthony G. Balestrieri, "New GIC products—and how to judge quality; guaranteed investment contracts; includes related article", *Pension Management*, Oct. 1995, vol. 31, No. 10, p. 28.

Jim Connolly, "Some Insurers Start Offering 'Pooled GIC' Plans", *National Underwriter, Life & Health/Financial Services Edition*, May 15, 1995, Section: Sales News and Trends, p. 8.

Joel Coleman, "Beware the 'wrap factor' in synthetic GICS; guaranteed investment contracts", *Pension Management*, Feb. 1996, vol. 32, No. 2, p. 48.

Judy Markland, "New and improved Gics keep insurers competitive gauranteed investment contracts", *Best's Review—Life-Health Insurance Edition*, Jan. 1996, vol. 96, No. 9, p. 76 ISSN: 0005-9706. Fred Williams, "Synthetics Helping Bond Managers", *Pensions & Investments*, May 27, 1996, Section: News, p. 36.

Fred Williams, "GIC Managers Charge North to Gain Business", *Pensions & Investments*, Feb. 19, 1996, Section: News, p. 26.

"The 4th Annual Symposium—GICS '90", Institute for International Research, Apr. 2-4, 1990, New Orleans, LA.

James F. McDevitt et al., "Plan Sponsor Product Preference Roundtable: Constructing the Perfect Stable Value Option", Apr. 23-26, 1995, Rancho Mirage, CA.

"The 1995 GIC Stable Value Association National Forum", Oct. 25-26, 1995, Washington, DC.

"Boli & Executive Benefits Roundtable '99", Feb. 18-20, 1998, Naples, FL.

"The Ninth Annual Symposium—GICS '95", The Institute for International Research, Apr. 23-26, 1995, Rancho Mirage, CA. "Life Insurance Outlook", Moody's Investors Service, Sep. 1995.

"GIC Stable Value Major Players Symposium", Investment Management Institute, Mar. 8-10, 1998, New Orleans, LA.

MBIA Insurance Corporation, Structured Finance Group Brochure. "3rd Annual GIC/Stable Value Major Players Summit", Investment Management Institute, Feb. 26-27, 1996, Palm Springs, CA.

"The 1993 National GIC Education Forum", The GIC Association, Mar. 8-9, Washington, DC.

"The 1994 GIC/Stable Value Association National Forum Attendee List", Oct. 17-18, 1994, Washington, DC.

"Eight Annual GIC Symposium", Investment Management Institute, Sep. 21-22, 1995, New York City, NY.

"GIC Stable Value Major Players Symposium—Insurance Industry Developments and Trends", Investment Management Institute, Mar. 8-10, 1998, New Orleans, LA.

"U.S. Life Insurance Industry Outlook", Moody's Investors Service, Nov. 1996.

"Trust GIC by the numbers", Providian Brochure, Mar. 31, 1995. "GICs '95 Draws a Crowd", Stable Asset Commentary, Morley Capital Management, Inc., May 5, 1995, vol. 6, No. 5.

"Guaranteed Products Update" May 24, 1994.

David Emmes, "Public Enemy #1: The Truth About the 'D' Word", Apr. 25, 1995.

Michael Lewis, "The Lying Game", The New York Times Magazine.

William H. Gross, "Dale Carnegie in Bondland", Investment Outlook, Pacific Investment Management Company, Apr. 1995.

"TDSP—Tax Deferred Savings Plan", IBM, Jan. 1995.

Jeffrey H. Laderman, "The Peter Lynch of Bonds", BusinessWeek, May 16, 1994.

"Checklist of Key Issues to Consider When Purchasing Synthetic GICs", Bernstein.

"Playing It Safe With Singles", Newsweek, Jul. 4, 1994.

"TDSP—Tax Deferred Savings Plan", IBM, Apr. 1995.

"1997 GIC/Stable Value Major Players' Conference", Investment Management Institute, Feb. 20-21, 1997, Albuquerque, NM.

Kite, Chris W., "New OCC Guidelines for BOLI Ease the Buy", Sales News and Trends, Apr. 14, 1997.

http://www.mfcafe.com/pantry/bps_101298.html, "Stable Value Funds: registered Products and Share Classes for IRA Money".

http://www.Imstrategies.com/httoc~2.html, "Stable Value and GICs", Feb. 10, 2000.

http://www.Imstrategies.com/intro~2.html, "Introduction: The Origins of Stable Value", Feb. 10, 2000.

http://www.Imstrategies.com/types~2.html, "Types of Investment Contracts", Feb. 10, 2000.

http://www.dwight.com/library/gicback.html, "Background History of GICs", Feb. 10, 2000.

http://www.dwight.com/librarylif.htm, "Stable Value/GIC Market History and Overview", Feb. 10, 2000.

http://www.stablevalue.org/sv-archive.html, Stable Value Investment Association, Feb. 10, 2000.



Barreto, Susan, "MetLife Alters Stable Value: Active Management, Wrapped Equities Distinguish New Approach", Pensions and Investments, Apr. 19, 1999.

'Stable Value News: MetLife Turns Up Heat in Stable Value Manager Role", DC Plan Investing, IOMA, Apr. 27, 1999.

"The 13th Annual Symposium on Stable Value Investing GICS '99",

Scottsdale, Arizona, Apr. 25-28, 1999.
Wallace, Thomas L., "Alternative Strategies as Investment Options", Journal of the American Society_, Mar. 1999.

"A Unique Characteristic of Hedge Funds is Their Fee Structure, Which is Incentive-Based", Journal of Financial Service Professionals, Mar. 1999, pp. 89-92.

"What Does Winn-Dixie Mean for Other COLI Programs", Tax Notes, vol. 85, No. 6, Nov. 8, 1999, pp. 714-718.

Brostoff, Steven, "Stable Value Association on A Mission", National Underwriter, Life and Health/Financial Services Edition, Aug. 25,

Luddy, Thomas M., "Building a Global Investment Network", Association for Investment Management and Research, pp. 42-45. JP Morgan Brochure dated Mar. 31, 1997.

White et al., James A., "Employers Take a Closer Look at GICs and Alternatives Amid Insurers' Woes", The Wall Street Journal, Money and Investment Section.

Norris, Jeffrey B., Memo to Marketing Representatives re: Insurance Company Separate Accounts.

OCC Bulletin from the Comptroller of the Currency Administrator of National Banks to CEO's, Department and Division Heads and all Examining Personnel of all National Banks re: Bank Purchases of Life Insurance, Sep. 20, 1996, pp. 1-13.

Beardsley, Samuel F., "Accountants Pay Important Role in GIC Industry", Pension World, Oct. 1990, pp. 16-18.

"Putnam Launches Guaranteed Return Product", Money Management Letter, Apr. 30, 1990, pp. 5 and 7.

Pulliam, Susan, "Improved GICs, Like Old Ones, Still Pose Some Risks", Wall Street Journal, Jan. 23, 1991.

"The Equity Index Product Advisory", Financial Distributors Inc. Abbott, James T., "How Can My Company Get a Piece of the Big (and Rich) COLI Pie?", Reinsurance Report. Third Quarter 1993,

Connolly, Jim, "GUL Grows as Works Foot Benefit Costs", National Underwriter, Life & Health/Financial Services, Jul. 19, 1993, pp. 11, 20-21.

King, Carole, "M Financial, At 15, No Longer Alone", Bests Review, pp. 63-68.

Koco, Linda, "Aetna Raises Individual Life Profile", National Underwirter, Apr. 12, 1993, pp. 7, 9.

MetLife Brokerage, Broker World, Oct. 1992, pp. 130.

Woolley, Suzanne, "Look What Universal Life Begat", Business Week, Dec. 14, 1992.

Koco, Linda, "Two More Index UL Policies Make Their Debuts", National Underwriter, Mar. 10, 1997, pp. 9-10.

Sham, Lilia M., "Bridging the Annuity Gap", Emphasis, 1996, pp.

Streiff, Thomas, "Equity Indexed Products Set to Sweep the Market", National Underwriter, Jul. 1, 1996, p. 16.

Koco, Linda, "A New Indexed Annuity Offers Index Averaging",

National Underwriter, Jul. 8, 1996, pp. 25-26. Koco, Linda, "Physicians Life Unveils 'Equity-Indexed' Annuity", National Underwriter, Jul. 8, 1996, pp. 7, 12.

"Innovations in Developing GIC/BÎC Alternatives", Loews New York Hotel, Dec. 16, 1991.

Foley, Mark J., "An Introduction to Guaranteed Interest Contracts", pp. 1-77.

Fraade, Jon, "Stable Value COLI/BOLI Products", Stable Times, Second Quarter 1999, pp. 15-16.

"The 11th Annual Symposium on Stable Value Investing—GICS '97", Institute for International Research, Apr. 13-16, 1997.

Gallo, Victor A., "Evaluating GIC Product Alternatives", Monograph, No. 1, Sep. 1991.

Gallo, Victor A., "Separate Account GICS: One Solution for Today's GIC Market", Monograph, No. 3, May 1992.

Haendiges, Brian K., "Separate Account GIC Alternatives", Monograph, No. 5, Jan. 1993.

Leach et al., Robert K., "Canadian Life Insurance Companies in the United States", Monograph, No. 10, Aug. 1993

Markland, Judith, "Coping with the New Investment Options for Book Value Funds: A Primer for Plan Sponsors", Monograph, 1993. Turco, Alfred A., "A "Common Sense" Guid to Alternatives and Synthetics: An Outline of Legal Issues", Monograph, Feb. 11, 1994. Krebs, C. Robert, "Considering a Synthetic GIC?", Monograph, vol. 15, Aug. 1994.

Finegan, Steve G., "Reaching the TV Generation: The Use of Video in Your Media Mix", Monograph, No. 17, Oct. 1994.

Danco et al., Ty, "Evaluating GIC Performance", Monograph, Oct.

Ruthizer, Hal B., "Valuation of Credit Impaired Investment Contracts: The Case of Confederation Life Insurance Company", Dec. 1, 1994, pp. 1-9.

Vane, Bruce, "Considerations in the Evaluation of Impaired GIC Contracts" Monograph, No. 18, Feb. 1995.

Urette, Garrison, "GIC Discontinuance Provisions", Monograph, No. 19, May 1995.

Pasko, Dan, "The Pros and Cons of Structured Investment Contracts", Monograph, No. 21, Oct. 1995.

Gallo, Victor A., "Evaluating the Credit Risk of Alternative GIC Products", Monograph, No. 22, Nov. 1995.

Danco, Ty, "'Alpha' GICs: Synthetic GICs Without the Pitfalls", Monograph, No. 24, Feb. 1996.

Speciale, Mark P., "Alpha Synthetic GICs", Monograph, No. 25,

"The 3rd Annual Symposium—GICS '89, The Pension Industry Event on Maximizing Investment Opportunities in the \$150 Billion Market", Apr. 10-12, 1989.

Durgin, Hillary, "Book Value Transfer a Model for Insurers", Pensions and Investments, Aug. 19, 1991.

Williams, Fred, "GICs Awash in Change", Pensions and Investments, Aug. 19, 1991.

"Synthetic GICs—The Basics", Prudential, pp. 1-5.

"The Met Managed GIC-A Proven Approach", MetLife.

Memo to Chris Garlich and John Swoboda re: proposal of Separate Account BOLI Accounting Solution Executive Summary, Dec. 27,

Letter to Jerry Facciani from Neil S. Chaffee re: Confidentiality Agreement, Jun. 22, 1995.

http://www.dwight.com/library/gicback.html, Gold, Jerry, "Background History of GICs", Dec. 11, 2001, pp. 1-5.

LifeCad Sample Reports by Beacon Software Development Com-

http://www.thehartfod.com/corporate/news_issues/1999ife/

1991229.html, "Hartford Life Implements Policylink System to Upgrade Individual Life Insurance Administration", Connecticut, Nov. 16, 2001, pp. 1-2.

http://www.navisys.com/solutions/solution_home_admin.asp, Nov. 15, 2001, pp. 1-2.

http://www.navisys.com/pressroom/20000420.asp, New Jersey, Apr. 20, 2000, p. 1.

"IBC/Infoline's Second Conference on Enhancing Performance with GIC Alternatives The Stable Asset Option Within Defined Contribution Plans", New York, Jul. 27, 1993

"GICs '91—The Fifth Anniversary Symposium", Institute for International Research, Phoenix, Arizona, Apr. 22-24, 1991.

Listing of all U.S. litigations involving U.S. patent No. 5,926,792 (child U.S. Appl. No. 09/157,096).

Bancorp Services L.L.C. v. Hartford Life Insurance Co., United States Court of Appeals Federal Circuit, Appeal No. 03-1181, Decision decided Mar. 1, 2004, 69 USPQ2d 1996 (CA FC 2004), p.

Memorandum and Order, Bancorp Services, L.L.C., vs. Hartford Life Insurance Company and International Corporate Marketing Group, Inc., Civil Action No. 4:00-CV-70 CEJ, United States District Court, Eastern District of Missouri, Feb. 13, 2002.



Action No. 4:00-CV-70 CEJ, United States District Court, Eastern District of Missouri, Feb. 14, 2002.

Order, Bancorp Services. L.L.C., vs. Hartford Life Insurance Company and International Corporate Marketing Group, Inc., Civil Action No. 4:00-CV-70 CEJ, United States District Court, Eastern District of Missouri, Feb. 15, 2002.

Memorandum and Order, Bancorp Services, L.L.C., vs. Hartford Life Insurance Company and International Corporate Marketing Group, Inc., Civil Action No. 4:00-CV-70 CEJ, United States District Court, Eastern District of Missouri, Feb. 25, 2002.

Verdict, Bancorp Services, L.L.C., vs. Hartford Life Insurance Company and International Corporate Marketing Group, Inc., Civil Action No. 4:00-CV-70 CEJ, United States District Court, Eastern District of Missouri, Mar. 15, 2002.

Opening Brief of Plaintiff-Cross Appellant, *Bancorp Services, L.L. C. v. Hartford Life Insurance Company and International Coporate Marketing Group, Inc.*, United States Court of Appeals, Appeal Nos. 02-1431, 03-1181, Mar. 31, 2003.

Reply Brief of Plaintiff-Cross Appellant Bancorp Services, L.L.C., Bancorp Services, L.L.C. v. Hartford Life Insurance Company and International Corporate Marketing Group, L.L.C., United Sates Court of Appeals, Appeal Nos. 02-1431, 03-1181, Jun. 30, 2003. Reply Brief of Defendants-Appellants Hartford Life Insurance Company and International Corporate Marketing Group, L.L.C., Bancorp Services, L.L.C. v. Hartford Life Insurance Company and International Corporate Marketing Group, L.L.C., United States Court of Appeals, Appeal Nos. 02-1431, 03-1181, May 27, 2003.

* cited by examiner



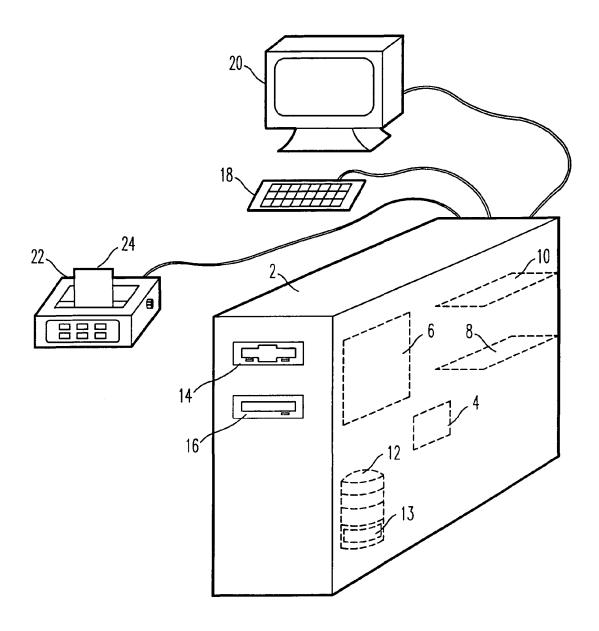


FIG. 1



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

