

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIBERTY MUTUAL INSURANCE COMPANY
Petitioner

v.

PROGRESSIVE CASUALTY INSURANCE COMPANY
Patent Owner

Case CBM2013-00004
Patent 8,090,598

DECLARATION OF IVAN ZATKOVICH

Progressive Exhibit 2013

DECLARATION OF IVAN ZATKOVICH

I, Ivan Zatkovich, hereby declare under penalty of perjury:

I. Introduction

A. Scope of Assignment

1. I was retained by the law firm of Jones Day, on behalf of the Progressive Casualty Insurance Company (“Progressive”), to render opinions regarding support in U.S. Patent Application No. 09/571,650 (the “’650 application”) for certain terms in the claims of U.S. Patent No. 8,090,598 (the “’598 patent”).

B. Scope of Declaration

2. The following are materials discussed in this declaration:

- a. The ’598 patent.
- b. The ’650 application.

3. I have been asked, with regard to the priority date of the ’598 patent claims, to opine if the ’650 application discloses the subject matter of the independent claims of the ’598 patent.

C. Background and Experience

4. The following is a summary of my professional experience and qualifications. My complete *curriculum vitae* is provided as Exhibit 2014.

- I have more than 4 years experience designing and implementing vehicle telematics systems and have designed and implemented ecommerce computer systems for the insurance industry, such as for Geico and Hartford.
- I have over thirty-one years experience in computer science, network communications, and software development, which includes eight years of experience in the design and development of financial and insurance business applications including development of claims processing systems, policyholder systems, financial network products, and electronic transaction products.
- I received a Bachelor's degree in Computer Science, with a minor in Electrical Engineering Digital Circuit Design, from the University of Pittsburgh in 1980. I completed a master's thesis in Computer Networks.
- In addition to a master's thesis, my other publications include articles on network design in Byte Magazine and programming techniques and tutorials in Sync Magazine. I also presented a paper concerning High Volume Web Content at the Momentum conference in August 2003. I have given presentations on ICGS Computer Graphic Standards at the Institute of Electrical and Electronics Engineers (IEEE) SigGraph Conference, as well as on Internet publishing standards at the Momentum

Conference.

- My professional memberships include IEEE, International Internet Society, and Association for Computing Machinery.
- I have served as a committee member for ISO and ANSI standards organizations where I had the responsibility of defining disk and network communication standards.
- My certifications include IBM Websphere Certified Solutions Expert, Capability Maturity Model (CMM), and Project Management Professional (PMP).

5. Specific systems that I have designed and developed include:

- Utility Partners – Customized Wireless Telematics Systems for Gas and Electric utility companies. These systems contained:
 - Wireless communications between the field service trucks and the remote central dispatch system.
 - Monitoring of the status of the field service representatives and truck location.
 - Wireless transmission and receiving of work order information and status to and from the field service truck.
- GEICO – Designed and developed eCommerce website for GEICO Policyholders to:

- Allow policyholders to retrieve policy information, coverage and premium information.
- Recommend and change policy parameters and re-estimate premiums.
- Provide on-line policy quotes to new visitors.
- Hartford Insurance – Designed and developed eCommerce website for Policyholders and Claims adjusters for:
 - Online submission of auto insurance claims.
 - Automation of claims processing.
 - Performing subrogation application to determine the share of settlements for multiple policy coverage.
- Smith Barney – Developed remote access network infrastructure & wireless PDA financial system.

6. Examples of cases where I have previously testified are:

- *Swapalease v. Sublease Exchange.com* (Patent Litigation)

Opined on the infringement of eCommerce systems and online exchange of auto lease contracts, and the provision or transfer of auto insurance for auto lease requirements.

- *ABC inc. v. Cisco WebEx* (Patent Litigation)

Opined on the use and transmission of data from a remote module to a

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