

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

Parametric Technology Corporation, )  
Opposer, )  
v. )  
PLMIC, LLC, )  
Applicant. )

78835516

Opposition No. 91/174,641

**TTAB**

PLMIC, LLC, )  
Opposer, )  
v. )  
Parametric Technology Corporation, )  
Applicant. )

Opposition No. 91/177,168

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Trademarks, 2900 Crystal Drive, Alexandria, VA 22202-3514 on the date set forth below.

November 21, 2008

Date of Signature and of Mail Deposit

By:

Thomas V. Smurzynski  
Thomas V. Smurzynski  
Attorney for Applicant

**SUBMISSION OF TRANSCRIPT OF DEPOSITION OF  
SUMANT MAUSKAR (WITH EXHIBITS)**

Parametric Technology Corporation herewith submits the certified transcript of the deposition of Sumant Mauskar, taken during its initial testimony period, along with copies of the exhibits introduced during the deposition.

One of the exhibits (Exhibit 2) is filed under seal in accordance with a Stipulated Protective Order filed with the Trademark Trial and Appeal Board on July 25, 2007. That is, the exhibit is submitted in a sealed envelope marked:



12-02-2008

This envelope is sealed pursuant to Protective Order in Opposition No. 91/174,641 and 91/177,168 and its contents are not to be disclosed or revealed to persons other than Board personnel or outside counsel of record for the parties to this proceeding.

PARAMETRIC TECHNOLOGY CORPORATION

Date: Nov. 21, 2008

By Thomas V. Smurzynski

Thomas V. Smurzynski  
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Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing SUBMISSION OF TRANSCRIPT OF DEPOSITION OF SUMANT MAUSKAR (WITH EXHIBITS) was served by first-class mail, postage-prepaid, on counsel for Applicant, Edward A. Haffer, Sheehan Phinney Bass & Green, P.A., 1000 Elm Street, P.O. Box 3701, Manchester, NH 03105-3701, on this 21<sup>st</sup> day of November, 2008.

Thomas V. Smurzynski  
Thomas V. Smurzynski

Volume I  
Pages 1 to 32  
Exhibits 1 - 11

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

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PARAMETRIC TECHNOLOGY      :
CORPORATION,               :
      Opposer,             :
      vs.                  :
      PLMIC, LLC,          :
      Applicant.           :
-----x
:
PLMIC, LLC,                :
      Opposer,             :
      vs.                  :
PARAMETRIC TECHNOLOGY      :
CORPORATION,               :
      Applicant.           :
-----x

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DEPOSITION OF SUMANT MAUSKAR, a witness called on behalf of the Parametric Technology Corporation, taken pursuant to the Federal Rules of Civil Procedure, before Daniel P. Wolfe, Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the Offices of Lahive & Cockfield, LLP, One Post Office Square, Boston, Massachusetts, on Monday, September 22, 2008, commencing at 1:00 p.m.

PRESENT:

Lahive & Cockfield, LLP  
(by Thomas V. Smurzynski, Esq.)  
One Post Office Square, Boston, MA 02109,  
for Parametric Technology Corporation.

(continued on next page)

PRESENT (continued):

Sheehan Phinney Bass + Green PA  
(by Maria E. Recalde, Esq.)  
One Boston Place, Boston, MA 02108,  
for PLMIC, LLC.

Also present: Christopher J. MacKrell, Esq.,  
Parametric Technology Corporation.

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E X H I B I T S, Continued

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
10	Copy of cover page of <i>Apparel Magazine</i> , January 2006, and two other pages from the magazine	22
11	Data sheet for FlexPLM dated January 2006	23

\* \* \* \*

## P R O C E E D I N G S

SUMANT MAUSKAR

1 a witness called for examination by counsel for  
2 Parametric Technology Corporation, having been  
3 satisfactorily identified by the production of his  
4 driver's license and being first duly sworn by the  
5 Notary Public, was examined and testified as  
6 follows:  
7  
8

## D I R E C T E X A M I N A T I O N

BY MR. SMURZYNSKI:

Q. Would you please state your name.

A. Sumant Mauskar.

Q. What is your address, your residence?

A. 8 Southwood Drive, Southborough,  
15 Massachusetts 01772.

Q. Are you currently employed?

A. Yes.

Q. Where is that?

A. At Parametric Technology.

Q. What is your position there?

A. I am senior vice-president, Global  
22 Services.

Q. How long have you had that position?

A. Two years.

1 Q. Have you had any previous positions at  
2 Parametric Technology Corporation?

3 A. Yes, I have.

4 Q. What were those?

5 A. To go backwards --

6 Q. Yes.

7 A. Okay. I was vice-president of Global  
8 Services for two years. Then I was director in  
9 Global Services for about three years. Then I was a  
10 manager in Global Services for I'd say about three  
11 years. Then prior to that I was a consultant.

12 Q. So how long were you a consultant?

13 A. I was a consultant for five years.

14 Q. Was Parametric Technology Corporation your  
15 only client?

16 A. I was a consultant with Parametric  
17 Technology.

18 Q. I see.

19 A. I was working as a consultant for PTC.

20 Q. Did you have any employment experience  
21 before the position of consultant at PTC?

22 A. No. I was in grad school.

23 Q. What school was that?

24 A. University of Massachusetts at Amherst.

1 Q. What degree did you get at grad school?

2 A. Master's in manufacturing.

3 Q. Do you remember what year that was?

4 A. '94.

5 Q. And you have an undergrad degree?

6 A. Yes, I do.

7 Q. Where was that from?

8 A. That's from University of Bombay.

9 Q. When did you complete that?

10 A. In 1991.

11 Q. Can you please tell me briefly what kind of  
12 business PTC, which I will use to refer to  
13 Parametric Technology Corporation, is in.

14 A. Sure. PTC produces software and services  
15 for implementing that software for PLM, which is  
16 Product Lifecycle Management, and essentially the  
17 software is to help companies who develop products  
18 design and manage the information related to those  
19 products.

20 Q. Are there other kinds of software and  
21 services that Parametric Technology Corporation  
22 provides? I am asking here now generally what the  
23 corporation does.

24 A. Yes. Most of our services are around PLM.

1 PLM itself is a pretty vast definition. So I would  
2 say PLM is our core competency.

3 Q. For the company?

4 A. For the company, yes.

5 Q. For about how long has PTC been in  
6 business?

7 A. PTC has been in business for about 20  
8 years, I would say. I may be off a little bit, but  
9 I'd say about 20.

10 Q. Do you recall what the original software  
11 was that PTC sold?

12 A. Sure. It was Pro Engineer.

13 Q. Does it still sell Pro Engineer?

14 A. Yes.

15 Q. Does Pro Engineer have anything to do with  
16 FlexPLM?

17 A. No.

18 Q. So there's other products besides FlexPLM?

19 A. Absolutely.

20 Q. You talked briefly about the FlexPLM  
21 product. Can you talk a little bit more about what  
22 it does.

23 A. Sure. FlexPLM product is a product that is  
24 built for managing the information created during

1 the design of apparel and footwear for companies in  
2 that space, including retailers like J.C. Penny  
3 which have their own private branch. Essentially,  
4 it is an information management system for designing  
5 anything from shirts to shoes, et cetera.

6 Q. Is it primarily a software product?

7 A. Yes, it is.

8 Q. Are there any services that are associated  
9 with the software?

10 A. Yes. We have services which are used to  
11 implement that software.

12 Q. What do you mean by that? What kind of  
13 services?

14 A. So every company has a different process  
15 for designing their products. And what we do as  
16 part of Global Services is we take our standard  
17 software and configure that software for the unique  
18 needs of the customer.

19 Q. And you provide support or training?

20 A. We provide training. We provide support.  
21 We do configuration management of the product.

22 Q. What has been your relationship to the  
23 FlexPLM product?

24 A. I was managing the services related to this

1 product right from the point of the acquisition to  
2 now, about a month back.

3 Q. What do you mean by "the acquisition"?

4 A. So we acquired the FlexPLM technology  
5 through Aptavis in 2004, I believe. 2004.

6 Q. Could you spell "Aptavis" for the court  
7 reporter.

8 A. A-p-t-a-v-i-s.

9 Q. So you were at Parametric Technology  
10 Corporation when this acquisition was made?

11 A. Correct.

12 Q. Were you working on a similar product at  
13 Parametric Technology Corporation at the time?

14 A. Yes. We had a product called "Windchill"  
15 which was created for doing the same type of  
16 information management but for discrete  
17 manufacturing companies, companies that make cars or  
18 airplanes. So I was working with that. And we  
19 started working with Timberland and worked with  
20 Aptavis who took our base product and built  
21 something specific to retail.

22 Q. Did that become the FlexPLM?

23 A. That became the FlexPLM product.

24 Q. I am going to ask the reporter to mark that

1 as Exhibit 1 and then I will ask you to identify it.

2 (Document marked as Mauskar

3 Exhibit 1 for identification)

4 Q. Actually, I will identify it as a copy of a  
5 specimen that was submitted to the Patent and  
6 Trademark Office with Parametric Technology  
7 Corporation's applications for FlexPLM, which is  
8 part of the consolidated trademark opposition  
9 proceedings here. But I am going to ask you if you  
10 will take a look at that and tell me what it means  
11 to you.

12 A. That's a CD that we ship with our software.  
13 It is the cover of the CD.

14 Q. I am now going to ask the court reporter to  
15 mark that as Exhibit 2.

16 (Document marked as Mauskar

17 Exhibit 2 for identification)

18 Q. This one I will ask you to identify.

19 A. Sure. That's the Statement of Work that we  
20 executed with Timberland for implementing FlexPLM.

21 Q. It looks from Page 1 that you are described  
22 as the author.

23 A. Correct.

24 Q. What does that mean? That you authored

1 this Statement of Work?

2 A. I authored this Statement of Work.

3 Q. What does the Statement of Work do?

4 A. The Statement of Work basically outlines  
5 what work we are going to be performing for this  
6 client.

7 Q. I ask you to turn to -- what do you think  
8 is the best part of this Statement of Work to sort  
9 of summarize the work that was done?

10 A. I would say right on the executive  
11 overview. We talk about what we are going to do at  
12 a high level.

13 Q. Did you provide the work that is described  
14 in this statement to the client?

15 A. Yes, we did.

16 Q. Does this Statement of Work describe what  
17 that work was?

18 A. Yes.

19 MR. SMURZYNSKI: I am going to note for the  
20 record, by the way, that this is marked  
21 "Confidential Attorneys Eyes Only." At some  
22 appropriate point later we can talk about how to  
23 mark this when it is submitted to the Patent and  
24 Trademark Office.

1 MS. RECALDE: Also for the record, it  
2 appears some of the pages have been redacted as  
3 well.

4 MR. SMURZYNSKI: Yes.

5 Q. What is the date of this Statement of Work?

6 A. The execution date is 26th of May.

7 Q. What year?

8 A. 2005.

9 Q. You were going to say something else?

10 A. I was going to say that the document itself  
11 was work-in-progress. There were multiple  
12 iterations of it between us and the customer.

13 Q. But this is the form in which it was  
14 executed?

15 A. Exactly.

16 Q. Is this the first use of the term "FlexPLM"  
17 by PTC to describe this software and these services?

18 A. In a contract, yes.

19 Q. Was there any other discussion before this  
20 of the term "FlexPLM"?

21 A. Right. We were discussing the use of the  
22 term prior to that internally as we were trying to  
23 figure out the name for the product upon  
24 acquisition, and this was one of the first places

1 where we used the term to capture the name that we  
2 were going to use.

3 Q. I am going to ask you to turn to Page 32 of  
4 this Statement of Work where there is something  
5 referred to as "Appendix B: Training."

6 A. Mm-hmm.

7 Q. Then on that page, in the second, third,  
8 fourth, fifth page behind, there are descriptions,  
9 apparently, of different kinds of training. Can you  
10 tell us what those refer to?

11 A. Sure. This is a training that we provided  
12 to the client and appropriate members of the client  
13 on the different aspects of the software. So Page  
14 32 was the functional training. As you can see,  
15 that was more suited for the users of the  
16 application where we covered how the software works.  
17 Then we had the system architecture training. That  
18 was more geared towards the IT people; more  
19 hands-on. Then we had the customization, which was  
20 geared toward the application developers for the  
21 customer because the customer intended to have their  
22 own in-house staff trained on this since they wanted  
23 to do work on this after we were gone.

24 Q. Then the next one is --

1           A.     I'm sorry.  And then that's the  
2 administration class again.  It is kind of geared  
3 towards the administrators who were going to  
4 administer the application.

5           Q.     Was all of this training, as far as you  
6 know, provided to the customer?

7           A.     Yes.

8           MR. SMURZYNSKI:  I am going to ask that  
9 this be marked as Exhibit 3.

10                   (Document marked as Mauskar

11                   Exhibit 3 for identification)

12           Q.     I am going to ask if you can identify that,  
13 please.

14           A.     Sure.  It is from the *Apparel Magazine*.  It  
15 is their guide for software and IT solutions.

16           Q.     Is there a date on that magazine?

17           A.     Sure.  September 2005.

18           Q.     Can you turn to the second of the two pages  
19 that comprise the exhibit.  Can you tell me what  
20 that second page shows.

21           A.     It talks about PTC as one of the solution  
22 providers that *Apparel Magazine* had done research on  
23 and talks -- gives a brief description of PTC's  
24 FlexPLM product.

1 Q. What kind of magazine is *Apparel Magazine*?

2 A. *Apparel Magazine* is a magazine that is  
3 geared towards the apparel industry, so it covers IT  
4 needs in that industry.

5 MR. SMURZYNSKI: I am going to ask that  
6 this be marked as Exhibit No. 4.

7 (Document marked as Mauskar  
8 Exhibit 4 for identification)

9 Q. Will you identify this, please.

10 A. That is what we call a "data sheet" for  
11 FlexPLM from a few years back.

12 Q. This is a two-page document. Is there a  
13 date or a code for date on the second page?

14 A. Yes, at the bottom right.

15 Q. What does that tell you?

16 A. September '05.

17 Q. So is that the date that this was --

18 A. This sounds about right.

19 Q. -- distributed?

20 A. Yes.

21 Q. What is a data sheet?

22 A. A data sheet is basically a product  
23 overview. It talks about the salient features of  
24 the product. So this data sheet, it talks about all

1 the different things that FlexPLM has from a  
2 capability standpoint. Then it also talks a little  
3 bit about the types of services we provide around  
4 the product.

5 Q. Is this an accurate description of the  
6 product and services that PTC was providing under  
7 the "FlexPLM" mark in September of 2005?

8 A. Absolutely.

9 Q. Who uses this data sheet?

10 A. This data sheet is used by sales and  
11 marketing at various points. They will give it to  
12 customers when they go meet them or we would hand  
13 them out in exhibitions or other venues where  
14 potential customers would be there.

15 MR. SMURZYNSKI: I am going to ask that  
16 this next document be marked as Exhibit 5.

17 (Document marked as Mauskar  
18 Exhibit 5 for identification)

19 Q. I am going to ask you to identify this  
20 exhibit.

21 A. It is a press release that we had when Liz  
22 Claiborne selected FlexPLM as their solution for  
23 PLM.

24 Q. What is the date of this press release?

1 A. October 11, 2005.

2 Q. Who gets copies of these press releases?

3 A. These press releases are sent out over the  
4 wire and they are picked up by all news agencies and  
5 they are also released internally for all PTC  
6 customers.

7 MR. SMURZYNSKI: I am going to ask you to  
8 mark the next exhibit, No. 6.

9 (Document marked as Mauskar  
10 Exhibit 6 for identification)

11 Q. I will ask you to identify this document.

12 A. This looks like a snapshot from our  
13 internal training system, PTC University, of all the  
14 classes that we offer under FlexPLM.

15 Q. What is PTC University?

16 A. It is a Web-based tool that we have that  
17 allows us to store training content so consultants  
18 and application engineers can log in there and get  
19 trained. And this is a description of all the  
20 different classes that are available for those  
21 individuals.

22 Q. What are the dates of the classes that are  
23 available here on this sheet?

24 A. On this sheet, they start from October 12,

1 2005, all the way through the release in April of  
2 2007.

3 Q. I see some dates here that are December  
4 of -- does that say December of 2008? Would that  
5 mean it is available until 2008?

6 A. No. I think these -- I'm not quite sure  
7 what the second date is, actually.

8 Q. I see.

9 A. It is available from this date. I am  
10 looking at the "available from" date. That's the  
11 date that it is available from. I'm not quite sure  
12 what the "disc from" date is.

13 Q. This meant that these courses were  
14 available over the Web on the dates described here  
15 as the availability dates?

16 A. Right. What this says is that these are  
17 the classes that are available for a consultant.  
18 They log into the Web site. Some of them are  
19 Web-based. "ILT" means "instructor led." The first  
20 two classes, for example, the ones that were  
21 available in 2005, those were instructor led. So we  
22 put them in the catalog that these are available for  
23 a consultant, but they were available as instructor  
24 led. Then as we continued developing the training

1 material, we released Web-based training which comes  
2 later, as you can see, in 2006. In 2005 if you had  
3 logged in, you would have seen two entries which  
4 said these are the two classes that are available,  
5 FlexPLM business analyst training and business  
6 customization training.

7 Q. Are these classes available only to  
8 customers who already have a relationship with PTC  
9 regarding FlexPLM?

10 A. These are available to customers who buy  
11 our software, and they are available to internal PTC  
12 employees.

13 MR. SMURZYNSKI: I am going to ask the  
14 reporter to mark this as Exhibit 7.

15 (Document marked as Mauskar  
16 Exhibit 7 for identification)

17 Q. I will ask you to identify this.

18 A. It is a press release from MEXX, which is a  
19 division of Liz Claiborne, after they had gone live  
20 with our solution, FlexPLM solution.

21 Q. Is this a press release of MEXX or is it a  
22 press release of PTC?

23 A. It is a press release of PTC for MEXX.

24 Q. I see. What is the date of that press

1 release?

2 A. November 2005. November 30.

3 Q. Was this press release circulated in the  
4 same way that the earlier press release you  
5 described was circulated?

6 A. Yes.

7 MR. SMURZYNSKI: I am going to ask the  
8 reporter to mark that as Exhibit No. 8.

9 (Document marked as Mauskar  
10 Exhibit 8 for identification)

11 Q. I am going to ask you to identify this  
12 document.

13 A. It looks like an article from the *Cadalyst*  
14 *Magazine*.

15 Q. Do you know that magazine?

16 A. Yes. It is a magazine for the PLM space.

17 Q. Is there a date on this? I guess I would  
18 call it a reprint.

19 A. December 1, 2005.

20 Q. Does it describe the PTC PLM product?

21 A. Yes, it does.

22 Q. Is that an accurate description of the  
23 FlexPLM product?

24 A. Yes, it is.

1 Q. It talks a little bit about the origin of  
2 the FlexPLM product, particularly a person named  
3 Brion Carroll. Is that an accurate description of  
4 his role in the origins of the FlexPLM product?

5 A. Yes, it is.

6 MR. SMURZYNSKI: I am going to ask for  
7 Exhibit No. 9 to be marked.

8 (Document marked as Mauskar  
9 Exhibit 9 for identification)

10 Q. Can you identify this document, please.

11 A. Sure. That's PTC's press release after  
12 Fila had selected us as their PLM solution.

13 Q. Is there a date on this press release?

14 A. January 09, 2006.

15 Q. Was this press release circulated in the  
16 way you described the other press releases having  
17 been circulated?

18 A. Yes, it was.

19 MR. SMURZYNSKI: I ask that we mark the  
20 next exhibit, No. 10.

21 (Document marked as Mauskar  
22 Exhibit 10 for identification)

23 Q. I will ask you to identify that, please.

24 A. It is a copy of the *Apparel Magazine* from

1 January 2006.

2 Q. I am going to ask you to turn to the third  
3 page of that exhibit. Can you identify that page.

4 A. That's an advertisement. It looks like an  
5 advertisement from PTC for the NRF Show.

6 Q. Was that part of the *Apparel Magazine*?

7 A. Yes.

8 MR. SMURZYNSKI: I am going to ask that to  
9 be marked as Exhibit No. 11.

10 (Document marked as Mauskar  
11 Exhibit 11 for identification)

12 Q. I will ask you to identify that document.

13 A. That's a data sheet for FlexPLM.

14 Q. Is there a date on this data sheet?

15 A. It is probably at the back. Yes. It is  
16 January of '06.

17 Q. Was this a data sheet that was circulated  
18 in the same way that the earlier data sheets you  
19 described were?

20 A. Yes, it was.

21 Q. Does this describe the product and services  
22 that PTC was distributing at the time of this data  
23 sheet?

24 A. Yes, it does.

1 Q. There are some, it looks like, screen shots  
2 on the first page of the exhibit. Can you tell me  
3 what those are.

4 A. This is screen shot of the sample  
5 collection board which basically allows you to show  
6 the different colors for the products that you are  
7 making. And then the next one is a dashboard for --  
8 it is showing the product's lifecycle and the work  
9 that has to be done for releasing a product.

10 Q. In the upper right-hand corner of each of  
11 these screen shots I see a logo form of the word  
12 "FlexPLM." Does that appear on the screens of the  
13 FlexPLM software when it is used by customers?

14 A. Yes, on every screen.

15 Q. Has that been used on screens of the  
16 software since May of 2005?

17 A. Yes.

18 Q. I want to ask whether as part of your  
19 duties you are generally knowledgeable about the  
20 revenue that PTC receives from sale of -- is  
21 "license" the correct word?

22 A. Yes.

23 Q. -- licenses for FlexPLM software or the  
24 services.

1 A. Yes, I am familiar.

2 Q. Can you estimate what the revenue was in  
3 this past year, 2007?

4 A. 2007, we did about \$4 million in software  
5 revenue, in license revenue.

6 Q. Are services charged for separately?

7 A. Yes, they are.

8 Q. Do you know what the revenue for those  
9 would have been in 2007, approximately?

10 A. They would have been approximately \$13  
11 million.

12 Q. What do you expect the revenue to be in  
13 2008?

14 A. In 2008 we believe the license revenue will  
15 be around \$5 million and service revenue will be  
16 around \$10 million.

17 Q. Now I am going to go back to 2006. Can you  
18 tell us approximately what the revenue were for  
19 product and the services then?

20 A. Sure. The license revenue was around \$2  
21 million. And the service revenue was the same  
22 range, \$13-\$14 million.

23 Q. How about 2005? That's the year the  
24 product was introduced.

1           A.     Right.   In 2005 I think we did about half a  
2 million dollars in software and about \$7 million in  
3 services.

4           Q.     Have these products and services provided  
5 by PTC under the "FlexPLM" mark been available  
6 continuously since May of 2005?

7           A.     Absolutely.

8           Q.     The Statement of Work that we discussed  
9 that was Exhibit No. 2, is that the pattern for how  
10 FlexPLM software and services are provided to  
11 customers?

12          A.     Yes.   Every services engagement has an SOW  
13 associated with it.

14          Q.     How is the FlexPLM software and services --  
15 how are they marketed?

16          A.     They are marketed in numerous ways.   We  
17 call on customers directly using our sales team.   We  
18 have advertisements in magazines, Web sites.   We go  
19 to industry events and have booths.   We have joint  
20 marketing activities with consulting companies that  
21 operate in this space.

22          Q.     Do the direct sales -- are the direct sales  
23 marketing the people who use the data sheets?   Is  
24 that where those are typically used?

1 A. They are used in all these events, yes.

2 Q. You have continued to call the product and  
3 services "FlexPLM" all this time?

4 A. Correct.

5 MR. SMURZYNSKI: I'm through, then, with my  
6 examination. I will invite you to cross-examine.

7 MS. RECALDE: I have a couple of questions.

8 THE WITNESS: Sure.

9 CROSS EXAMINATION

10 BY MS. RECALDE:

11 Q. Going back to Exhibit 2, which I believe is  
12 the exhibit that you testified is the classes that  
13 were available. Just for clarification, originally  
14 you testified that they were available to  
15 consultants, and then you indicated they were  
16 available to customers that have bought FlexPLM and  
17 internal PTC employees. Is it the three different  
18 categories of people that you intend to mean  
19 "consultants" to be the PTC employees?

20 A. No. I just kind of grouped them together.  
21 Once it goes up on PTC University, all PTC employees  
22 can see them if they go search.

23 Q. I am trying to figure out what you meant by  
24 "consultants."

1           A.     I work in the Global Services Group, so we  
2 call our employees "consultants" because they do  
3 consulting work and they are the predominant users  
4 of this training. But if someone from Research and  
5 Development wanted to go in, they could see the  
6 training class. So that's what I meant, consultants  
7 and employees.

8           Q.     And the classes to either one of those  
9 categories were available to them from the  
10 "available from" dates as listed on Exhibit 2?

11          A.     Yes. They were available much before that.  
12 That was when they officially got into the PTC  
13 University catalog.

14          Q.     What do you mean by "they were available  
15 way before that"?

16          A.     Because we had to train our consultants on  
17 our software, so we had training classes available  
18 on the software.

19          Q.     Going back to the definition of  
20 "consultants," so that I'm clear, when you referred  
21 to "consultants" in that context you are referring  
22 to PTC employees?

23          A.     Employees, correct. Whenever I say  
24 "consultants" it is PTC employees.

1 MR. SMURZYNSKI: Excuse me. I think you  
2 have been referring to that as Exhibit 2. It is  
3 Exhibit 6.

4 MS. RECALDE: Absolutely, yes. Exhibit 6.  
5 Thank you.

6 Q. Now going to Exhibit 2 --

7 A. Okay.

8 Q. -- which you have identified as the  
9 Statement of Work. Was the use in Exhibit 2 the  
10 first use of "FlexPLM" outside PTC?

11 A. Probably, at least from my perspective.

12 MS. RECALDE: I have no further questions.

13 MR. SMURZYNSKI: Okay. We are done, then.

14 (Whereupon, the deposition was  
15 concluded at 1:45 p.m.)  
16  
17  
18  
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24

C E R T I F I C A T E

I, Sumant Mauskar, do hereby certify that I have read the foregoing transcript of my testimony, and further certify that said transcript (with/without) suggested corrections is a true and accurate record of said testimony.

Dated at Southborough, this 18 day of NOVEMBER 2008.

[Signature]

\* \* \* \* \*

On this 18<sup>th</sup> day of November, 2008, before me, the undersigned Notary Public, personally appeared Sumant Mauskar and proved to me through satisfactory evidence of identification, which was MA drivers license, to be the person whose name is signed above.

[Signature]

Notary Public

My commission expires: September 3, 2015.

## C E R T I F I C A T E

1  
2 I, Daniel P. Wolfe, a Notary Public within and  
3 for the Commonwealth of Massachusetts, do hereby  
4 certify that the foregoing deposition of Sumant M.  
5 Mauskar was taken on behalf of Parametric Technology  
6 Corporation, in pursuance of the notice hereto  
7 annexed, before me, at the Offices of Lahive &  
8 Cockfield, LLP, One Post Office Square, in the City  
9 of Boston, in the Commonwealth of Massachusetts, on  
10 the 22nd day of September, 2008; that said witness  
11 was by me duly sworn before the commencement of his  
12 testimony; that the testimony of said witness was  
13 reduced to typewriting under my direction; that the  
14 opposing party, PLMIC, LLC, was present and  
15 represented by counsel during the taking of said  
16 testimony; that said testimony was taken at the  
17 aforementioned place and was commenced at 1:00 p.m.  
18 on the 22nd of September, 2008, and was concluded on  
19 the same date at 1:45 p.m.; that I am not related to  
20 or employed by either of the parties, or their  
21 attorneys or agents, or interested directly or  
22 indirectly in the matter in controversy either as  
23 counsel, attorney, agent or otherwise; and that  
24 counsel for the parties, agreed in my presence that

1 the reading and signing of the deposition by the  
2 witness can be in the presence of any officer duly  
3 authorized to administer oaths in the United States.

4 In testimony whereof, I have hereunto set  
5 my hand and affixed my seal of office at Boston,  
6 Massachusetts this 1st day of October, 2008.

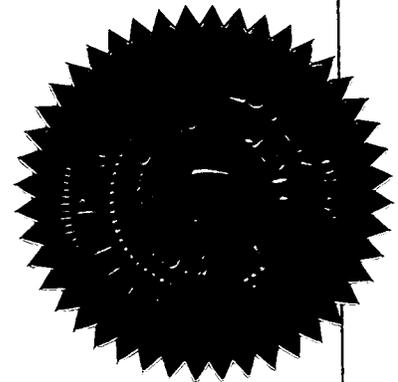
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Notary Public

My Commission Expires:

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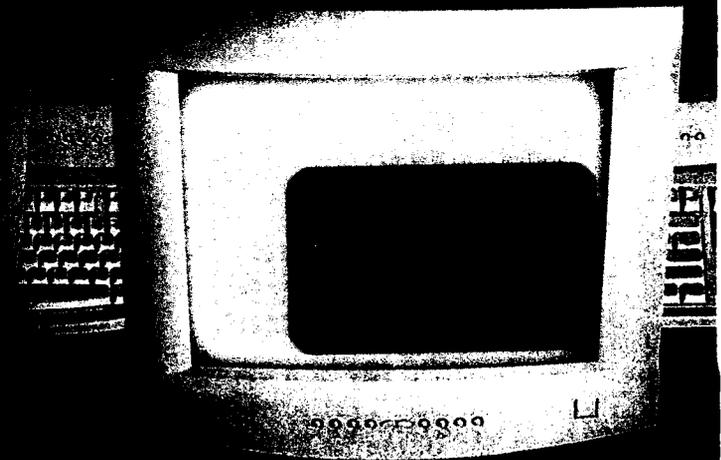
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PAD System is a leader in the integration of complete and flexible CAO/FAO solutions dedicated to the apparel, textiles, leather and 3D animation industries. From its inception, PAD System has striven to fulfill the specific needs of all its clients — from young designers to major companies. Functioning with Windows and Macintosh, PAD System software is able to satisfy the technical requirements of model makers, designers and other patternmakers while meeting management priorities — that is, reducing costs and improving productivity. The company was founded in Montreal in 1988 by apparel industry specialists. Today PAD System is present on all five continents (54 countries, more than 20,000 users) and has a network of more than 40 distributors around the world. PAD System's highest performing software is translated into 11 languages and taught in more than 200 schools. With a complete design suite — each with its own style, size and fit preferences — Pattern — Placement — Production — the software offered by PAD System represents a set of cutting-edge modules that are complete, coherent and compatible with the competition. In addition, it may also be used with the majority of standard peripherals on the market, such as digitizing tables, plotters, automated knives and even scanners.

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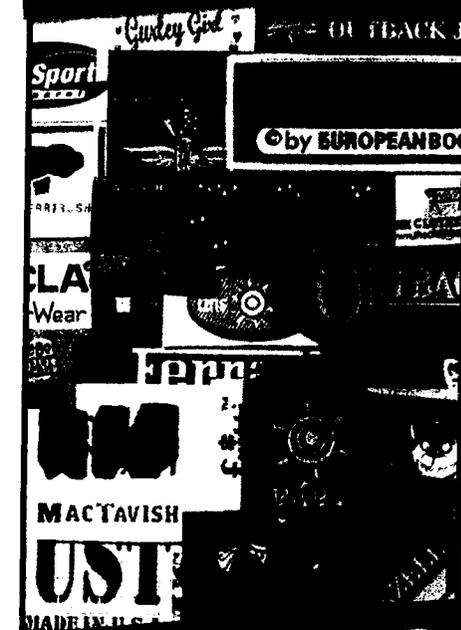
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# FlexPLM™

## Enterprise PLM for the Retail, Footwear & Apparel

Industry leaders adopt full enterprise PLM over traditional point solution PDM to unify teams and stay ahead of the pack.

To win in the highly competitive and time-sensitive retail, footwear and apparel market (RFA), manufacturers and retailers alike must react quickly to constantly changing fashion trends and successfully deliver quality products that meet consumer expectations. Reducing the time from concept to the consumer through an increasingly complex global maze of partners and suppliers has emerged as a key competitive advantage.

### FlexPLM – Scalable Enterprise PLM propels the Retail, Footwear & Apparel Industry

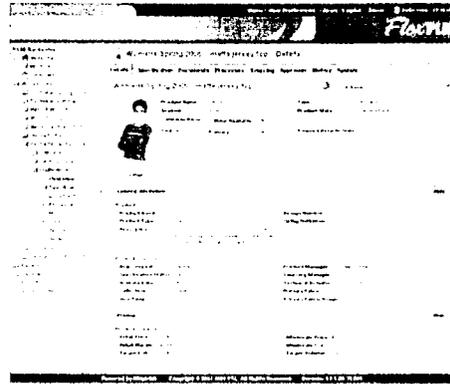
Market leaders are embracing a decisive breakthrough in Product Lifecycle Management (PLM) to move beyond limited RFA PDM solutions and digitally stitch together collaborative development teams. Designers, merchandisers and planners can now easily capture, manipulate and instantly access information based on a single, Web-based version of the product.

FlexPLM delivers an intuitive set of automated tools in a unified user environment to streamline communication, track milestones, pre-empt performance bottlenecks and provide instant visibility of all product development steps. Because FlexPLM is scalable, the cumulative productivity gains for teams with complex, daily roles performing multiple tasks generate a tangible and compelling ROI. It's the next paradigm shift in making the product development world smaller and easier to manage.

#### With full out-of-the box functionality powered by PTC's proven Windchill™ platform, FlexPLM delivers superior results

Successfully deployed across multiple industries, Windchill has become the standard for excellence in PLM. As the fully integrated platform for FlexPLM, it leverages the core functionality of the most detailed, RFA-specific PDM solutions to scale across thousands of concurrent enterprise users. The proven benefits of streamlining the product development process include:

- Improved information exchange and process control across the extended supply chain
- Reduced time-to-market from concept to consumer
- Increased revenues and profitability
- More product innovation with higher quality and lower overall development cost
- Increased staff productivity and satisfaction



Bring everyone on your team together with RFA-specific dashboards that can be user configured to suit your unique requirements

#### Capabilities Overview

- Centralized product repository to share and control all forms of product information throughout the extended value chain
- Pure, scalable, Web-based architecture to allow secure access to thousands of concurrent users across organizational and geographical boundaries
- Event Tracking and Management
- Lightweight viewing and mark-up of information from various CAD and desktop authoring tools
- Streamlined process management and approval routings through automated, world-class workflow
- Portfolio Management
- Enterprise Systems Integration

#### Line Planning

The FlexPLM Line Plan Viewer provides the gathering place for all the contributors to your line development effort, reaching across brands, departments and business units in real time to enable a true collaborative process. Products are represented with detailed information including images, fabrics, and development status. Users can easily configure the Line Plan view based upon their role or responsibility in the organization.

#### Color Management

FlexPLM allows companies to define colors using your preferred color system including Pantone®, NRF, RGB definition or freeform.

- Integrates with Spectrophotometer technology
- Automated Lab Dip management
- Color Palette control
- Formula and testing management



### Seasonal Calendar Management

FlexPLM provides the definition and management of Seasonal Product Lines that are created and maintained from an interactive Web-based Line Plan view.

- Forecasting by Product Categories
- Seasonal Calendar/Timelines
- Add-Drop Management
- Executive Dashboard Reporting

### Product Data Management

For each style created, FlexPLM supports Product Data Management definitions including image capture, construction details, points of measure and automated graded measurements based on Product/SKU size runs, providing the ability to create and manage every aspect of your product development infrastructure.

- Web-based Product Specifications
- Quick costing
- Real time image markup and collaboration capability
- Configurable forms, fields, security and user interface
- Proven global deployment ensures a rapid return on investment

### Bill of Materials (BOM)

FlexPLM provides the ability to fully detail the BOM of a Product/SKU, including detailed costing of materials.

- Ability to fully detail the BOM of a style and its associated SKUs, as well as size specific support
- Easy-to-use interactive interface for defining BOM and referencing the Materials Library with specifics on suppliers, associated color and source/factory-specific BOM details

### Communication

FlexPLM enables project team members to instantly share ideas and build off the input of each other with features including:

- Discussion Forums
- Online Meetings
- Subscription and Notification

### Material and Supplier Management

FlexPLM is capable of defining and managing a central library of Fabric and Trim (Materials) for use in Product and SKU definitions, and Formalize supplier selection based on price, lead-time, or quality.

- Ability to collaborate and visually mark up images, prints and graphics in real time.
- Each material can be associated to one or more colors and one or more suppliers. Includes the ability to establish supplier-specific reference numbers, pricing, approval status, as well as when prices become effective.

### Automated Product Development Processes

FlexPLM employs a powerful workflow engine that automates many business processes to streamline execution and repetition while removing distance barriers.

- Reusable workflow templates automate common processes and enforce execution of key activities
- Tailorable forms define process tasks and tie together relevant information
- Automatic distribution of tasks to team members
- Deadlines with escalation policies for proactive and follow-up notifications
- Task reassignment to help project leaders pre-emptively relieve bottlenecks and facilitate workflow
- Advanced workflow definition capabilities to automate proprietary processes, including support for nested processes, process referencing, conditional branching, voting, synchronization, timers, iterative loops, and response-based routing

### Scalable and Secure

FlexPLM is underpinned by web-based Windchill®, a scalable platform, capable of handling thousands of concurrent users. Windchill is PTC's proven platform that uses standard Web technology to perform common information management functions. This technology delivers seamless compatibility with standard Web servers, browsers, Java™ 2EE and Java Beans, Java Server Pages, Java Message Service, HTML, HTTP, HTTPS, XML, XSL, SOAP, and LDAP.

### Expertise you can trust

PTC brings 20 years of PLM industry leadership and thousands of successful engagements to their commitment to serve the RFA Industry with stability, strength and dedication.

PTC Global Services has a proven implementation approach that ensures a predictable, rapid, low-risk deployment and an impressive ROI. PTC's proven methodology prepares customers to adopt new processes and motivate target users to successfully utilize applications and achieve measurable gains in productivity.

PTC Global Customer Service offers you round-the-clock access to the help you need from the industry's best support team or our award-winning Web tools. With more than 200 Certified Technical Support Engineers, and global certification to ISO 9001 standards, you can always be confident of high-quality responsiveness from PTC.

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967-FLEXPLM-DS-0905



The Product Development Company™

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## **LIZ CLAIBORNE INC. SELECTS PTC® RETAIL, FOOTWEAR AND APPAREL SOLUTION AS COMPANY-WIDE PLM STANDARD**

*Scalable, web-based enterprise PLM solution improves collaboration and configuration capabilities, reduces time to market*

**NEEDHAM, MA. – October 11, 2005** - PTC (Nasdaq: PMTC), the Product Development Company™, today announced that Liz Claiborne Inc., a leading designer and marketer of an extensive range of fashion apparel and accessories for women, men, teens, children and infants, has standardized on FlexPLM™, PTC's, Retail, Footwear and Apparel Solution for enterprise product lifecycle management. The solution leverages the power and scalability of Windchill®, PTC's web-based product data management and collaboration solution, to enhance the product development process in the retail, footwear and apparel industry.

The retail, footwear and apparel product development process is complex and companies are challenged to reduce time-to-market and product costs while improving product quality and information exchange. Liz Claiborne required a solution that would optimize its product development processes to support its transformation to a highly integrated supply chain development model. FlexPLM will help Liz Claiborne to enhance global product development by improving value chain collaboration throughout the product lifecycle. One of the most significant challenges in the global product development process is managing and controlling access to product data and imagery. This is especially important when a company collaborates on designs internally, as well as with suppliers from around the world.

“The business landscape in which we operate is changing dramatically, and we are adopting aggressive strategies and global infrastructure investments to drive future growth. Implementation of PLM based technologies will enable a more agile, collaborative and integrated product design and development process across the entire value chain. Supply chain optimization is integral to developing and delivering compelling, trend-right products in an increasingly competitive business environment,” said John Sullivan, senior vice president of Systems, Sourcing and Service, Liz Claiborne Inc. “In alignment with Liz Claiborne's business transformation and vision, PTC was chosen as our single source provider of PLM solutions based on their best-in-class technology, company scale, stability and proven success in the Retail, Footwear and Apparel markets.”

“Traditional PDM offerings have not adequately addressed the collaborative nature of the retail, footwear and apparel industry,” said Matthew Austin, marketing program director, consumer products, PTC. “The FlexPLM solution addresses the unique requirements of the industry to

manage product development across a complex global value chain and is fast emerging as an authentic source of competitive advantage.”

**About Liz Claiborne Inc.**

Liz Claiborne Inc. designs and markets an extensive range of fashion apparel and accessories for women, men, teens, children and infants. The Company also markets fragrances for women and men. The 41 brands in the Liz Claiborne Inc. portfolio are available at more than 30,000 points of sale worldwide. For more information, visit [www.lizclaiborneinc.com](http://www.lizclaiborneinc.com).

**About FlexPLM, PTC's Solution for Retail, Footwear and Apparel**

PTC solutions for retail, footwear and apparel are designed to meet the product lifecycle management requirements of retailers, branded manufacturers and their suppliers. These web-based solutions are comprised of FlexPLM and provide configurable functionality and information visibility across the enterprise and its supply chain. PTC is a leading provider to top retail, footwear and apparel brands worldwide.

**About PTC**

PTC (Nasdaq: PMTC) provides leading product lifecycle management (PLM), content management and enterprise publishing solutions to more than 40,000 companies worldwide. PTC customers include the world's most innovative companies in manufacturing, publishing, services, government and life sciences industries. PTC is included in the S&P 500 and Russell 2000 indices. For more information on PTC, please visit <http://www.ptc.com>.

Except for the historical information contained herein, matters discussed in this news release may constitute forward-looking statements that involve risks and uncertainties that could cause actual results to differ materially from those projected. These include: the successful development and integration of the technology necessary to offer an integrated Product Development System for the Retail, Footwear and Apparel industry that adequately responds to evolving customer requirements; continued growth in the adoption of PLM solutions by consumer products customers; and PTC's ability to maintain relationships with key employees, customers and other strategic partners within, and extend our solutions to, vertical industries beyond the discreet manufacturing verticals traditionally served by PTC; as well as other risks and uncertainties detailed from time to time in reports filed by PTC with the Securities and Exchange Commission, including the Company's most recent reports on Form 10-K and 10-Q. The announcement of any particular standardization on PTC software is not necessarily indicative of the timing of recognition of revenue therefrom or the level of revenue for any particular period.

PTC, The Product Development Company, Product First, Windchill and FlexPLM are trademarks or registered trademarks of Parametric Technology Corporation or its subsidiaries in the United States and in other countries.

Cat ID	Format	Creator	Audience	Avail From	Disc From	Course Name
CN-GS-090	ILT Class	Global Services	Internal	10/12/2005	12/31/2006	FlexPLM Business Analyst Training
CN-GS-096	ILT Class	Global Services	Internal	11/15/2005	12/31/2006	FlexPLM Customization Training
TRN-1889-S	ILT Class	Customer Education	Customer	3/6/2006	No Date	FlexPLM 5.0 Customization
TRN-1887-S	ILT Class	Customer Education	Customer	3/6/2006	No Date	Introduction to FlexPLM 5.0
TRN-1888-S	ILT Class	Customer Education	Customer	3/6/2006	No Date	FlexPLM 5.0 Business Administration
TS-GS-112	ILT Class	Global Services	Internal	5/24/2006	12/31/2006	FlexPLM 6.0 Update
TS-GS-100	ILT Class	Global Services	Internal	6/2/2006	6/1/2007	FlexPLM 6.0 Update
PK-GS-133	WB/Recording	Global Services	Internal	6/14/2006	4/27/2007	PDS Implementer Q&A - FlexPLM 6.0
TS-TS-004	WB/Recording	Tech Support	Internal	6/29/2006	12/31/2010	FlexPLM Overview and Troubleshooting for Technical Support
TS-TS-003	WB/Recording	Tech Support	Internal	7/5/2006	12/31/2010	FlexPLM Technical Overview for Technical Support
CN-GS-129	WB/Recording	Global Services	Internal	8/14/2006	8/14/2007	FlexPLM 6.0 Update - Features & Functions Overview
TS-GS-035	WB/Recording	Global Services	Internal	10/31/2006	4/30/2007	FlexPLM 6.1 Cognos Integration
TS-GS-036	WB/Recording	Global Services	Internal	10/31/2006	12/31/2008	FlexPLM 6.1 Overview
DS-GS-027	WB/Recording	Global Services	Internal	11/1/2006	12/31/2008	FlexPLM Who is Who
TS-GS-037	WB/Recording	Global Services	Internal	11/1/2006	12/31/2008	FlexPLM Testing Specification
TS-GS-038	WB/Recording	Global Services	Internal	11/1/2006	12/31/2008	FlexPLM Specification Management
TS-GS-039	WB/Recording	Global Services	Internal	11/1/2006	12/31/2008	FlexPLM Knowledge Management PDS Advisor
TS-GS-040	WB/Recording	Global Services	Internal	11/2/2006	5/2/2007	FlexPLM Measurement (5.x or prior)
TS-GS-041	WB/Recording	Global Services	Internal	11/2/2006	12/31/2008	FlexPLM Calendar
TS-GS-042	WB/Recording	Global Services	Internal	11/2/2006	12/31/2008	FlexPLM Data Migration (5.x)
TS-GS-043	WB/Recording	Global Services	Internal	11/2/2006	12/31/2008	FlexPLM SSP & CSP (5.x)
TS-GS-044	WB/Recording	Global Services	Internal	11/5/2006	5/5/2007	FlexPLM BOM Overview (5.x)
PK-GS-151	WB/Recording	Global Services	Internal	11/20/2006	5/20/2007	FlexPLM Server Side Plug-In
DS-GS-028	WB/Recording	Global Services	Internal	11/20/2006	12/31/2008	FlexPLM Server Side Plug-In
DS-GS-029	WB/Recording	Global Services	Internal	1/10/2007	12/31/2008	FlexPLM Hierarchy
DS-GS-031	WB/Recording	Global Services	Internal	1/29/2007	12/31/2008	FlexPLM 6.1.1 Release Review
DS-GS-032	WB/Recording	Global Services	Internal	2/13/2007	8/13/2007	FlexPLM Performance Benchmark Results
DS-GS-033	WB/Recording	Global Services	Internal	2/13/2007	8/13/2007	FlexPLM Adobe Illustrator Integration
TS-GS-048	WB/Recording	Global Services	Internal	2/22/2007	12/31/2007	FlexPLM End to End Navigation Exercise
TRN-2115-T	ILT Class	Customer Education	Customer	3/1/2007	No Date	FlexPLM 6.1 Customization
TRN-2114-T	ILT Class	Customer Education	Customer	3/1/2007	No Date	FlexPLM 6.1 Business Administration
TRN-2116-T	ILT Class	Customer Education	Customer	3/1/2007	No Date	Introduction to FlexPLM 6.1 Business Administration
TRN-2116-CK	WB/Recording	Customer Education	Customer	3/6/2007	No Date	Introduction to FlexPLM 6.1 Business Administration - Course Kit
TRN-2115-CK	WB/Recording	Customer Education	Customer	3/6/2007	No Date	FlexPLM 6.1 Customization - Course Kit
TRN-2116-S	ILT Class	Customer Education	Customer	3/6/2007	No Date	Introduction to FlexPLM 6.1 Business Administration
TRN-2115-S	ILT Class	Customer Education	Customer	3/6/2007	No Date	FlexPLM 6.1 Customization
TRN-2114-S	ILT Class	Customer Education	Customer	3/6/2007	No Date	FlexPLM 6.1 Business Administration
SAB-CE/2340	WB/Recording	Customer Education	Customer	3/26/2007	No Date	FlexPLM 6.1 Application Administration - Course Kit
TS-GS-052	WB/Recording	Global Services	Internal	3/27/2007	9/27/2007	FlexPLM Configuration, Change and Build Management
TS-GS-050	WB/Recording	Global Services	Internal	3/27/2007	9/27/2007	FlexPLM Introduction to Realized Value Platform (RVP)
SAB-CT-1096	WB/Recording	Customer Education	Customer	3/28/2007	No Date	COACH - Introduction to FlexPLM Navigation
PK-GS-161	WB/Recording	Global Services	Internal	4/16/2007	10/16/2007	FlexPLM 6.1 M10 Baseline Introduction
DS-GS-037	WB/Recording	Global Services	Internal	4/16/2007	10/16/2007	FlexPLM 6.1 M10 Baseline Deep Dive Material and Color
DS-GS-038	WB/Recording	Global Services	Internal	4/18/2007	10/18/2007	FlexPLM 6.1 M10 Baseline Deep Dive Product, Specification, BOM and Cost
PK-GS-163	WB/Recording	Global Services	Internal	4/19/2007	10/19/2007	FlexPLM 6.1 M10 Baseline Deep Dive Sourcing and Supplier Mgmt
TRN-WBT125-S	WB/Recording	Customer Education	Customer	4/23/2007	4/23/2007	FlexPLM 6.1 - Application Orientation



The Product Development Company™

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**MEXX TO IMPLEMENT PTC® RETAIL, FOOTWEAR AND APPAREL SOLUTION AS PART OF LIZ CLAIBORNE, INC. COMPANY-WIDE PLM STANDARD**

*Scalable, web-based enterprise PLM solution improves collaboration and configuration capabilities, reduces time to market*

**NEEDHAM, MA. – November 30, 2005** - PTC (Nasdaq: PMTC), the Product Development Company™, today announced that Liz Claiborne Inc., (NYSE: LIZ) a leading designer and marketer of an extensive range of fashion apparel and accessories for women, men, teens, children and infants, has standardized on FlexPLM™, PTC's Retail, Footwear and Apparel Solution for enterprise product lifecycle management. Mexx, one of Europe's leading lifestyle brands, will be among the first companies in the Liz Claiborne brand portfolio to adopt the solution. The solution leverages the power and scalability of Windchill®, PTC's web-based product data management and collaboration solution, to enhance the product development process.

The retail, footwear and apparel product development process is complex and companies are challenged to reduce time-to-market and product costs while improving product quality and information exchange. Liz Claiborne required a solution that would optimize its product development processes to support its transformation to a highly integrated supply chain development model. After an in-depth review of leading solutions providers, PTC was selected because the company's solutions most closely met the diverse needs of Liz Claiborne's global portfolio of over 40 brands. FlexPLM will help Liz Claiborne to enhance global product development by improving value chain collaboration throughout the product lifecycle. One of the most significant challenges in the global product development process is managing and controlling access to product data and imagery. This is especially important when a company collaborates on designs internally, as well as with suppliers from around the world.

"The business landscape in which we operate is changing dramatically, and we are adopting aggressive strategies and global infrastructure investments to drive future growth. Implementation of PLM-based technologies will enable a more flexible collaborative and integrated product design and development process across the entire value chain. Supply chain optimization is integral to developing and delivering compelling, trend-right products in an increasingly competitive business environment," said John Sullivan, senior vice president of Systems, Sourcing and Service, Liz Claiborne Inc. "In alignment with Liz Claiborne's business transformation and vision, PTC was chosen as our single source provider of PLM solutions

based on their best-in-class technology, company scale, stability and proven success in the Retail, Footwear and Apparel markets.”

“Traditional PDM offerings have not adequately addressed the requirements and overall collaborative nature of the retail, footwear and apparel industry,” said Matthew Austin, marketing program director, consumer products, PTC. “FlexPLM addresses Liz Claiborne’s key requirements for scalability and configurability to manage their product development across a complex global value chain.”

#### **About Liz Claiborne Inc.**

Liz Claiborne Inc. designs and markets an extensive range of fashion apparel and accessories for women, men, teens, children and infants. The Company also markets fragrances for women and men. The 41 brands in the Liz Claiborne Inc. portfolio are available at more than 30,000 points of sale worldwide. For more information visit [www.lizclaiborneinc.com](http://www.lizclaiborneinc.com).

#### **About FlexPLM, PTC’s Solution for Retail, Footwear and Apparel**

PTC solutions for retail, footwear and apparel are designed to meet the product lifecycle management requirements of retailers, branded manufacturers and their suppliers. These web-based solutions are comprised of FlexPLM and provide configurable functionality and information visibility across the enterprise and its supply chain. PTC is a leading provider to top retail, footwear and apparel brands worldwide.

#### **About PTC**

PTC (Nasdaq: PMTC) provides leading product lifecycle management (PLM), content management and dynamic publishing solutions to more than 40,000 companies worldwide. PTC customers include the world’s most innovative companies in manufacturing, publishing, services, government and life sciences industries. PTC is included in the S&P 500 and Russell 2000 indices. For more information on PTC, please visit <http://www.ptc.com>.

Except for the historical information contained herein, matters discussed in this news release may constitute forward-looking statements that involve risks and uncertainties that could cause actual results to differ materially from those projected. These include: the successful development and integration of the technology necessary to offer an integrated Product Development System for the Retail, Footwear and Apparel industry that adequately responds to evolving customer requirements; continued growth in the adoption of PLM solutions by consumer products customers; and PTC’s ability to maintain relationships with key employees, customers and other strategic partners within, and extend our solutions to, vertical industries beyond the discreet manufacturing verticals traditionally served by PTC; as well as other risks and uncertainties detailed from time to time in reports filed by PTC with the Securities and Exchange Commission, including the Company’s most recent reports on Form 10-K and 10-Q. The announcement of any particular standardization on PTC software is not necessarily indicative of the timing of recognition of revenue therefrom or the level of revenue for any particular period.

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## PLM Strategies—If the Shoe Fits

Refashioning PLM for retail, footwear and apparel industries.

Dec 1, 2005

By: Kenneth Wong

Cadalyst

# cadalyst

JACK, MY FAVORITE cobbler, was looking glum. Apparently his supplier had, without consulting him, shipped a box of nails with slightly larger heads. Unschooled in the art of shoemaking, I inquired why he was fussing over such a trifle. He explained why he couldn't just buy any nails off the shelf. He uses them to secure taps and heels to shoe bottoms. The smooth surface of a nail's head can cause skidding, so the bigger the diameter, the more likely his customer will twist an ankle or break a leg.

Jack's shoe-repair business probably won't make a good PLM case study, but Liz Claiborne's fashion empire does. Its portfolio spans more than 40 brands, from sunglasses and swimwear to suits and jewelry. At any given moment, it's directing the development, creation and distribution of multiple product lines, each one defined by a complex set of variables: color, size, material, pricing and so on. When Liz Claiborne goes shopping for a PLM system, it can't simply be something generic. Like my cobbler Jack, Liz Claiborne requires something tailor-made, something that takes into account the unique characteristics and practices of the footwear and apparel industries.

### Windchill Gets a Makeover

Long before he became PTC's vice-president of engineering and research and development, Brion Carroll stumbled on the apparel industry's secret: "I walked into a brand store, and I saw all the products sitting there. I knew that they were handling four to six seasons simultaneously, juggling hundreds of suppliers and dozens of factories. I realized all of them had to be defined, designed and controlled. So I thought, well, they must have some hot systems doing this for them." As it turned out, they didn't.

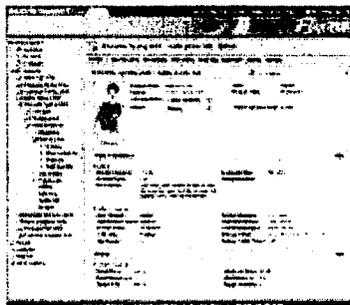


Figure 1. PTC's FlexPLM, formerly Aptavis's FlexPDM, is a Windchill-based solution tailored to suit the needs of the retail, footwear and apparel industries.

Carroll was flabbergasted to discover that many apparel makers and retailers were using Excel, Lotus and homegrown applications written in Fox Pro or Visual BASIC to track their data. Later he started Aptavis Technologies to supply the much-needed system. FlexPDM was a Windchill-based solution aimed specifically at the footwear and apparel industries (figure 1). Aptavis was recently acquired by PTC and Aptavis' FlexPDM is now PTC's FlexPLM ([www.ptc.com](http://www.ptc.com)). In October, Liz Claiborne became PTC's customer.

Adopting Windchill for the retail, footwear and apparel industries begins with a careful consideration of the breadth of roles involved: designer, merchandiser, product manager, sourcing, costing and so on. The next step is to assemble a PLM environment that complements the unique functions of these roles: line planning, color management, specification management, material and supplier management and so on.

"[Apparel makers] want to be able to specify,

for instance, that the men's line is expected to create \$140 million in a certain geographic region. Then they'll break it down further; they'll say this line consists of certain shirts and pants in certain quantities. When they start discussing the revenue potential for each line, they want to view wholesale price, quantity, cost and profit margin. Portfolio management, line definition and forecasting are intimately woven into the way they do business," observes Carroll. With this in mind, Carroll and his team gave FlexPLM an Excel-like interface that allows users to easily view, configure and edit fields (figure 2).

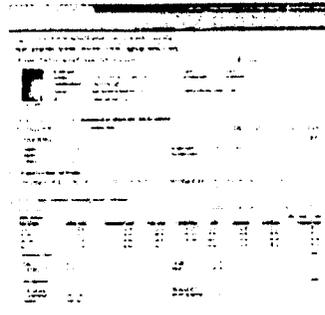


Figure 2. For effective sourcing and manufacturing, FlexPLM presents a comprehensive view of each product complete with supplier information, cost, duty, commission and all relevant variables.

Operators of this PLM system range from the designer with the latest Apple G5 on a T1 line to the stockroom manager with a five-year-old PC on a dial-up connection. To accommodate them, FlexPLM operates with a small-footprint client. "People are using their browsers to access the information," Carroll says. "They can't be downloading little applets and engines that run in the background; they have to be able to get in from anywhere, on Macintosh or PC, so we made sure the technology is pure HTML and Javascript. We are also aware of the diversity of our customers, so we greatly ease the implementation process by striving for an 85% out-of-box solution that is highly configurable and scalable to grow as our customers' solutions grow."

### We Need to Breathe the Same Air

Matthew Austin, PTC's director of marketing for its Consumer Products Group, recently met with leading Asian suppliers to U.S. apparel makers. One of the presenters, an executive from a Chinese firm, stressed the importance of data synchronicity, in a literal translation that turned his pronouncement into an ancient maxim: "We need to breathe the same air." Words to live by, as Austin sees it.

As retailers like Claiborne start to use PLM solutions, they will become capable of not only monitoring and managing their supply chains, but adjusting them as well. Depending on the feedback they receive on how well or poorly certain product lines are doing, they can cancel purchase orders or add suppliers. In addition, the footwear and apparel industries have heavily invested in technologies such as RFID (radio frequency identification) to better understand their consumers. Austin predicts that, in a few years, those that have integrated PLM technologies into their operations will be able to use the sales data from one season to drive the development of the next. That means Liz Claiborne and its loyal customers will be breathing the same air.

### MatrixOne, Ready to Wear

In May, while retailers were marking down their spring collections to make room for the airy summer clothes arriving soon, MatrixOne ([www.matrixone.com](http://www.matrixone.com)) released its Accelerator for Apparel Design and Development, the latest in a series of industry-specific PLM solutions. In the Webcast presented at the launch, Kurt Andersen, the company's vice-president of solutions consulting, outlined some of the business challenges that keep today's executives awake at night: globalization, the remote nature of workgroups and the lack of common processes, among others.

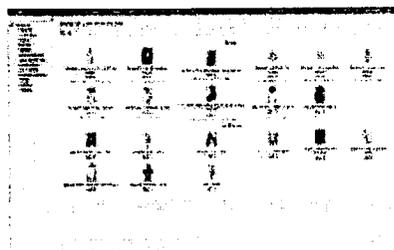


Figure 3. This line-plan view is configured to show the entire set of products for the benefit of the catalog channel.

The Accelerators are meant to address the need for "a single version of the truth" for supplier collaboration (sounds to me like a variation of "breathing the same air"). The Apparel Accelerator is a role-based application, giving each participant exactly what he or she needs to see to complete the designated tasks. For effective supplier management, the application lets users assign levels of authority. Whereas a trusted vendor may be given the right to edit fields, new vendors may be restricted to viewing the data. Tamara Saucier, MatrixOne's principal industry consultant for retail solutions, explains, "The extended operation coverage includes the creation and management of line plans. After reviewing the market and trend information, your merchants and buyers can start to build line plans. They can include seam, body information, inspirational images, color direction, attributes, assortment preferences and so on. Everything is instantly updated, so if there are changes in design direction, it can be communicated instantly."

The flexibility of the application also allows users to configure the interface. The line plan view, for instance, can be customized as a textual view for the retail channel, which is usually more interested in the



The Product Development Company™

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## **FILA SELECTS PTC® RETAIL, FOOTWEAR AND APPAREL SOLUTION AS COMPANY-WIDE PLM STANDARD**

### *Scalable, Web-based Enterprise PLM Solution Enhances Global Product Development*

**NEEDHAM, MA. – January 09, 2006** - PTC (Nasdaq: PMTC), the Product Development Company™, today announced that Fila®, a leading designer and marketer of an extensive range of luxury sport apparel, accessories and footwear for active sports-minded women and men, has standardized on FlexPLM™, PTC's Retail, Footwear and Apparel solution for enterprise product lifecycle management. The solution leverages the power and scalability of Windchill®, PTC's web-based product data management and collaboration software solution. Fila will use the solution to reduce time-to-market and product costs while improving product quality and information exchange.

One of the most significant challenges in the global product development process is managing and controlling access to product data and imagery throughout the supply chain. FlexPLM will help Fila enhance global product development by optimizing its supply chain in order to develop and deliver compelling, trend-right products in an increasingly competitive business environment. This is especially important when a company collaborates on designs internally, as well as with suppliers from around the world. Fila will implement PTC's solution for its US, Italian, Hong Kong and Guangdong operations in both the footwear and apparel categories. The company's initial focus will be line planning, materials, technical packs, calendar and workflow management.

"Consolidation throughout the footwear and apparel supply chains has created an environment of more choice for the consumer and more competition among fewer manufacturers," said Kristin Kohler, vice president of Global Product/general manager at Fila. "As the industry matures, consumer expectations increase in terms of brand and product, as well as the creation of a clear point of difference in the marketplace. Fila's goal in re-positioning the brand in this environment is to align various processes in the organization to successfully deliver against this challenge. The FlexPLM solution will help us achieve our goals by providing more transparency and collaboration to the product development process, a higher level of product analysis, and a better focus on delivering the right Fila product to the consumer."

"Traditional PDM offerings have not adequately addressed the collaborative nature of the retail, footwear and apparel industry," said Matthew Austin, marketing program director, consumer products, PTC. "FlexPLM addresses the unique requirements of the industry to manage product development across a complex global value chain and is fast emerging as an authentic source of competitive advantage."

### **About Fila**

Fila was conceived in 1911 in Biella in the shadows of the Italian Alps. The brand made a dramatic debut as an elite performance brand in 1973. Over the years the brand has drawn attention from the elite likes of Reinhold Messner, Alberto Tomba, and current U.S. Open Champion Kim Clijsters. Fila offers its distinctive luxury goods in eight categories, ranging from performance collections to casual wear. To learn more about the brand, please visit [www.fila.com](http://www.fila.com).

Fila is a subsidiary of Sport Brands International (SBI), which creates, develops, produces and distributes athletic brands including Fila, Ciesse and Cloudveil. The Fila brand has its most vital market penetration in the Americas, Europe and Asia. SBI is a privately held entity with global operations in Milan, Italy; New York, New York; and Sparks, Maryland. Research and development facilities are additionally located in Montebelluna, Italy.

### **About PTC Solutions for Retail, Footwear and Apparel**

PTC solutions for retail, footwear and apparel are designed to meet the product lifecycle management requirements of retailers, branded manufacturers and their suppliers. These web-based solutions are comprised of FlexPLM™ and provide configurable functionality and information visibility across the enterprise and its supply chain. PTC is a leading provider to top retail, footwear and apparel brands worldwide.

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# SOURCING & LOGISTICS: PRIVATE LABEL CASE STUDY

Technology & Business Insight – From Concept to Consumer

EDGE

EDGELL

# PERRY ELLIS

*Perry Ellis' Joseph Roisman, Luis Paez and Filiz Yavuz have embraced IT investment as the primary driver in executing on the firm's phenomenal growth.*

►► PLUS

RETAIL ENTERPRISE  
DC Rehaul at  
Jos. A. Bank

SUPPLY CHAIN  
Diesel's CPM  
Success

MANUFACTURING  
Color Management  
Strategies

PTC 70

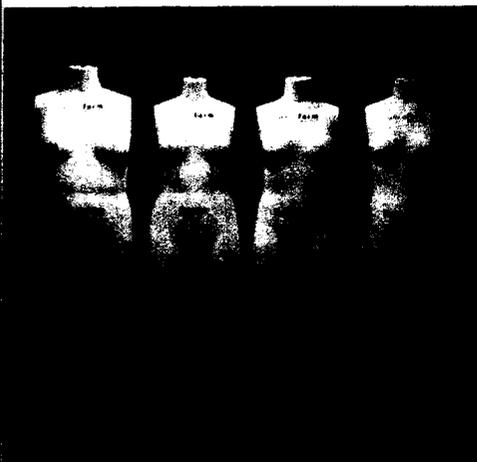
## Time's Up for the Hourglass

Research shows most dominant female form is the rectangle.

"We can talk all day about measurements, but actually a 32-inch waist with a larger hip [vs.] a smaller hip is going to make a very big difference to the cut of the pant," says Janice Wang, CEO of AlvaProducts.

Wang is talking about the results of a study conducted in partnership with Dr. Cindy Istook of North Carolina State University. The study analyzed results from the [TC]² Size USA survey to assist the apparel industry in identifying the true body shapes of its target market.

Individual measurements are not as important as the sum total of the body type they describe; it is more important to evaluate the body as a unified whole, says Wang.



Research from N.C. State and AlvaProducts has revealed four main body shapes for American women today: The rectangle, spoon, inverted triangle and hourglass.

By taking this approach, apparel brands will be able to tackle some of the fit issues that plague the industry — poor-fitting clothing is one of the most common reasons that women return apparel to stores, she says.

A root cause of many of these ill-fitting garments is the underlying industry misconception that the hourglass figure is the dominant body shape of American women today. Wang says that most of the customized fit mannequins it produces for its clients, which she says represent some of the biggest brands on the market, are formed in an hourglass shape and

represent women from a size missy 8 to a size plus 20.

Yet research from the study shows that the hourglass figure is the least dominant shape of women, making up only 8.4 percent of the 6,318 U.S. women scanned, and that it almost does not exist in women larger than a size 8. Because of this misconception, many women are unable to find clothes designed to fit their body shape, and apparel brands are losing business from this large untargeted segment of the population, says Wang.

In her research, Istook defined nine body shapes which were then trimmed to four dominant, basic types. With the measurements and samples of body scans, AlvaProducts has produced mannequins to represent these four main body shapes, which are described as follows, in order of representation among U.S. women today.

- **Rectangle Shape:** The bust and hips are basically the same circumference, although the hips can be .85 inches larger than the bust. The waist is less than nine inches smaller than the bust. This shape made up 46.12 percent of the sample.
- **Spoon Shape:** The hips are larger than the bust by two inches or more. The waist is less than 9.25 inches smaller than the bust. This shape made up 20.92 percent of the sample.
- **Inverted Triangle:** The bust is 3.6 inches or larger than the hips, and the waist is less than nine inches smaller than the bust. This shape made up 13.83 percent of the sample.
- **Hourglass:** The bust and hips are basically the same circumference, although the bust can be up to one inch larger than the hips. The waist is then nine inches or more smaller than the bust. This made up 8.40 percent of the sample.
- **Other shapes** made up 10.72 percent of the sample.

By creating models for each shape, AlvaProducts will help the industry translate women's body shapes into meaningful terms, and to make the shift away from the hourglass figure, concludes Istook.

— Jordan K. Speer

## PLM COMING ON STRONG

### Liz Claiborne Selects PTC for Enterprise PLM

Liz Claiborne Inc. is adopting PTC's retail, footwear and apparel solution for its enterprise product lifecycle management (PLM), company-wide across its 42 brands.

The technology uses Windchill, PTC's web-based product data management and collaboration tool, which will help Liz Claiborne optimize its global product development processes, allowing the company to manage product data and images, and enabling collaboration on designs both internally and with global suppliers.

In turn, improvement of its product development processes will help to transform the company to a highly integrated supply chain development model, said John Sullivan, senior vice president of systems, sourcing and service, Liz Claiborne.

"Supply chain optimization is integral to developing and delivering compelling, trend-right products in an increasingly competitive business environment," he said.

► for more information: [www.ptc.com](http://www.ptc.com)

### Freeborders Releases New Version of PLM Suite for Apparel Retail

Freeborders has introduced PLM Suite 3.5, the latest release of its product lifecycle management software solution for retail. The solution is designed to enable retailers to streamline the development processes.

The new release has been beta-tested by customers including J.Jill and Sara Lee Courtaulds, and features enhanced manufacturing and costing visibility, improved data integration and the release of FB Source, a new fully-integrated sourcing management application.

FB Source enables retailers to further reduce lead times by managing vendors more effectively, Freeborders reports. Features include RFQ management, real-time web-based vendor evaluations and sourcing plans.

Other enhancements to Suite 3.5 include new business planning capabilities in FB Line Optimizer and multiple-page storyboard creation in FB Storyboard.

► for more information: [www.freeborders.com](http://www.freeborders.com)

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# FlexPLM™

Enterprise PLM for the Retail, Footwear & Apparel Industry

Industry leaders are now embracing full enterprise Product Lifecycle Management to unify teams and drive process efficiency.

Today's top brands and retailers must react quickly to constantly changing fashion trends to deliver quality products that meet consumer expectations. To reduce time-to-market, yet maintain margins in a complex global sourcing environment, top companies are now adopting Product Lifecycle Management (PLM) solutions across the enterprise to gain a key competitive advantage.

## Scalable, Enterprise PLM designed specifically for Retail, Footwear & Apparel

FlexPLM 5.0 is an intuitive, Web-based solution that streamlines communication, tracks milestones, pre-empts performance bottlenecks, and provides instant visibility throughout the product development value chain. Highly scalable and fully configurable, FlexPLM enables global product teams to work more efficiently and productively.

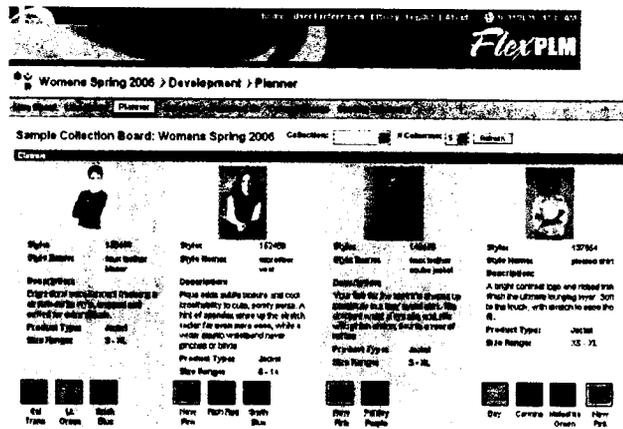
## Powered by PTC's proven Windchill® platform—delivering the right product at the right price at the right time

FlexPLM 5.0 leverages PTC's Windchill, a fully integrated platform proven in process-intensive industries, to improve the productivity of thousands of concurrent users. The benefits of FlexPLM to the product development process include:

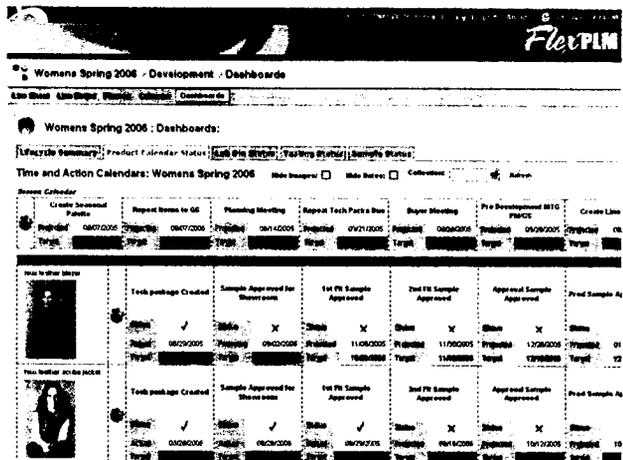
- Improved information exchange and process control across the extended supply chain
- Reduced time-to-market from concept to consumer
- Increased revenues and profitability
- More product innovation with higher quality and lower overall development cost
- Increased staff productivity and effectiveness

### FlexPLM 5.0 Capabilities Overview:

- A centralized product repository to share and control all forms of product information throughout the value chain
- Scalable, pure Web-based architecture enables secure access across organizational and geographical boundaries
- Event Tracking and Calendar Management
- Streamlined process management and approval routings through automated, world-class workflow
- View and mark-up capabilities from various CAD tools
- Enterprise Systems Integration capability



Comprehensive product data is easily depicted in FlexPLM



FlexPLM's user-friendly dashboards provide instant visibility of the process.

### PTC: Expertise You Can Trust

PTC brings 20 years of PLM industry leadership, thousands of successful engagements, and an unwavering commitment to realizing value.

PTC Global Services has a proven Retail, Footwear & Apparel implementation approach that ensures a predictable, rapid, low-risk deployment and an impressive ROI. This proven approach prepares customers to adopt new processes and to successfully utilize applications to achieve measurable gains in productivity.

PTC's ISO 9001-certified Customer Care provides round-the-clock coverage from the industry's best support team, using award-winning Web tools. With more than 200 Certified Technical Support Engineers, you can always be confident of high-quality responsiveness from PTC.

### FlexPLM—Smarter, Faster, Better

FlexPLM 5.0 blends the best of PDM point solution data management with the latest in global enterprise workflow and process management technology. The result is a smoother product development process with a single, Web-based version of accurate product information.

### The FlexPLM module suite includes:

#### Business/Season Planning

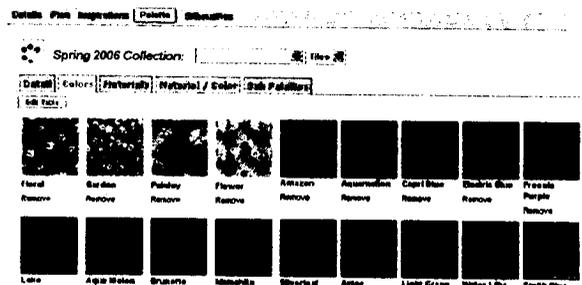
- Formalize business objectives per financial or strategic goals
- Identify Season contribution/targets per Business Objectives
- Track Business Objects/Season Targets per Product/Line Development

#### Merchandise/Line Planning

- Optimize merchandising mix across company, brands, roles
- Aggregate design trends, themes, concepts
- Collect and control all forms of digital product data

#### Color Management

- Establish and enforce Color Definition using industry standards
- Define and regulate Color usage per Seasonal Palettes
- Associate Color to Material and Supplier
- Automate Lab Dip process with Vendor Portal access
- Integrate Color Definition and Quality Control systems



Color information is easily accessed from a central library.

#### Materials Management

- Formalize a comprehensive Materials Library structure
- Associate Materials/Supplier information on cost and quality
- Determine Materials Usage – Product, Seasonal Commitments

#### Product Specifications Management

- Collaborate with online view/mark-up, sketches
- Share designs and construction details with vendors
- Standardize Points of Measure and Graded Measurement
- Define Bill of Materials at the Product/Colorway, Size and Source level
- Export all data with the new PDF Generation feature



Designs and sketches link easily to product data in a single, Web-based environment.

#### Product Sourcing/Costing

- Associate Product/SKU to one or more Source/Factory
- Support Factory Level Product/Colorway Costing
- Perform Product Source Bidding using Vendor Portal
- Increase sourcing control with real-time quality audits

#### Sample Management

- Support Product Sample – Fit, Prototype, Production
- Track Point of Measure performance per Fit Sample
- Track Product Sample Processing and Vendor Quality

#### Vendor Collaboration

- Support collaborative product development with new Vendor Portal
- Manage Product Source with integrated RFQ process
- Select Material Vendors with online Material Request
- Conduct product design reviews with partners and suppliers
- Leverage a single Web location for all product data

#### Scalable and Secure

The proven, Web-based Windchill platform makes FlexPLM 5.0 fully scalable, capable of handling thousands of concurrent users. This technology delivers seamless compatibility with standard Web servers, browsers, Java™ 2EE and Java Beans, Java Server Pages, Java Message Service, HTML, HTTP, HTTPS, XML, XSL, SOAP, and LDAP.

For more information about FlexPLM, please visit [www.ptc.com](http://www.ptc.com).

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