

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PACKERS PLUS ENERGY SERVICES INC.,
Petitioner,

v.

BAKER HUGHES OILFIELD OPERATIONS, INC.,
Patent Owner.

Cases

IPR2016-01000 (Patent 9,038,656 B2)

IPR 2016-01003 (Patent 8,261,761 B2)

Record of Oral Hearing
Oral Hearing Held: Monday, June 26, 2017

Before: MITCHELL G. WEATHERLY, BEVERLY M. BUNTING,
and ROBERT L. KINDER, Administrative Patent Judges

The above-entitled matter came on for hearing on Monday, June 26, 2017,
at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria,
Virginia in Courtroom B, at 10:00 a.m.

IPR2016-01000 (Patent 9,038,656 B2)

IPR2016-01003 (Patent 8,261,761 B2)

A P P E A R A N C E S

ON BEHALF OF THE PETITIONER:

SCOTT A. MCKEOWN, ESQUIRE
CHRISTOPHER RICCIUTI, ESQUIRE
OBLON, MCCLELLAND, MAIER & NEUSTADT, LLP
1940 Duke Street
Alexandria, VA 22314
(703) 413-3000

ON BEHALF OF THE PATENT OWNER:

MARK T. GARRETT, ESQUIRE
EAGLE ROBINSON, ESQUIRE
TOM OWENS, ESQUIRE
NORTON ROSE FULBRIGHT US LLP
98 San Jacinto Boulevard
Suite 1100
Austin, TX 78701-4255
(512) 474-5201

IPR2016-01000 (Patent 9,038,656 B2)
IPR2016-01003 (Patent 8,261,761 B2)

1 PROCEEDINGS

2 JUDGE BUNTING: Good morning. Please be seated.

3 We'll get our computers going here.

4 Okay. This is a final hearing in IPR2016-01000
5 and IPR2016-01003 involving U.S. Patent Number 8,261,761. In
6 both cases, the petitioner is Packers Plus Energy Services
7 and patent owner is Baker Hughes Oilfield Operations LLC.

8 I'm Judge Bunting, and I'll be presiding today.

9 Alongside me to my left is Judge Kinder, and to my right is
10 Judge Weatherly.

11 May I have the appearances of counsel beginning
12 with petitioner. Please approach the microphone and say your
13 name.

14 MR. MCKEOWN: Good morning, your Honor. Scott
15 McKeown and Chris Ricciuti of Oblon for Petitioner Packers
16 Plus.

17 JUDGE BUNTING: Thank you. And who will be making
18 the presentation for petitioner?

19 MR. MCKEOWN: I will, Scott McKeown.

20 JUDGE BUNTING: Thank you. In both cases?

21 MR. MCKEOWN: Yes.

22 JUDGE BUNTING: Thank you.

IPR2016-01000 (Patent 9,038,656 B2)

IPR2016-01003 (Patent 8,261,761 B2)

1 And for patent owner?

2 MR. GARRETT: Good morning, your Honor. Mark
3 Garrett. With me today is Eagle Robinson and Tom Owens for
4 patent owner. Also with me today is Andre Porter of Baker
5 Hughes. He's in-house counsel. Excuse me. And Eagle will
6 be making the arguments in both cases.

7 JUDGE BUNTING: All right. Thank you very much.

8 And I'd like to just go over how we're going to
9 proceed today. Per the June 6th, 2017 order, the parties
10 will first present arguments for IPR2016-01000, and each
11 party will have 20 minutes, for a total of 40 minutes.
12 Thereafter, the parties will present their arguments in
13 IPR2016-01003, again having 20 minutes, with a total of
14 40 minutes.

15 Petitioner, you have the burden, so you will go
16 first, followed by patent owner, who will argue its
17 opposition. And, petitioner, you may reserve rebuttal time
18 to patent owner's presentation.

19 If you're using the Elmo, please explain carefully
20 what you're referring to. For example, if you refer to a
21 demonstrative on the screen, state the slide number. If
22 referring to the record, state the exhibit and page number

1 clearly. This is important so that we have clarity in the
2 transcript.

3 I'm going to use the clock on the hearing room
4 wall to time you, and we'll give you a five-minute warning at
5 the end of your argument time.

6 You're reminded that the hearing is open to the
7 public and a full transcript of each hearing will be made
8 part of the record.

9 Before we begin, I'd like to address an email
10 correspondence with the Board. In this email, petitioner
11 expressed a concern with new arguments in patent owner's
12 demonstratives, specifically slides 19 through 26 and 40 to
13 47.

14 The panel has reviewed the submissions of patent
15 owner and determined that liberties were taken with the rules
16 on the use of demonstratives. We also note that petitioner
17 did not submit demonstratives.

18 At this time, patent owner is not authorized to
19 file their demonstratives.

20 And we also note that petitioner filed objections
21 to patent owner's unfiled demonstratives. Therefore, this paper will be
22 expunged because it is not part of the record.

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.