

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HALLIBURTON ENERGY SERVICES, INC.,
Petitioner,

v.

SCHLUMBERGER TECHNOLOGY CORPORATION,
Patent Owner.

Case IPR2017-01575 and IPR2017-01577
Patent 8,905,133 B2

Before PATRICK R. SCANLON, HYUN J. JUNG, and
JEREMY M. PLENZLER, *Administrative Patent Judges*.

PLENZLER, *Administrative Patent Judge*.

ORDER

Conduct of the Proceeding
37 C.F.R. § 42.5

On April 24, 2018, the Supreme Court held that a decision to institute under 35 U.S.C. § 314 may not institute on less than all claims challenged in the petition. *SAS Inst., Inc. v. Iancu*, 2018 WL 1914661, at *10 (U.S. Apr. 24, 2018). In our Decision on Institution¹, we determined that Petitioner demonstrated a reasonable likelihood that it would establish that at least one of the challenged claims of U.S. Patent No. 8,905,133 B2 is unpatentable. IPR2017-01575, Paper 16, 18–19; IPR2017-01577, Paper 16, 18–19. We modify our institution decision to institute on all of the challenged claims and all of the grounds presented in the Petitions.

The parties shall confer to discuss the impact, if any, of this Order on the current schedule. If, after conferring, the parties wish to otherwise change the schedule or submit further briefing, the parties must, within one week of the date of this Order, request a conference call with the panel to seek authorization for such changes or briefing.

In consideration of the foregoing, it is hereby:

ORDERED that our institution decision is modified to include review of all challenged claims and all grounds presented in the Petition; and

FURTHER ORDERED that Petitioner and Patent Owner shall confer to determine whether they desire any changes to the schedule or any further briefing, and, if so, shall request a conference call with the panel to seek authorization for such changes or briefing within one week of the date of this Order.

¹ We issued a single decision addressing both cases.

IPR2017-01575 and IPR2017-01577
Patent 8,905,133 B2

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