

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GREENE'S ENERGY GROUP, LLC
Petitioner

v.

OIL STATES ENERGY SERVICES, LLC
Patent Owner

Case IPR2014-00216
Patent 6,179,053

Before LORA M. GREEN, SCOTT A. DANIELS, and JAMES A. TARTAL,
Administrative Patent Judges.

GREEN, *Administrative Patent Judge.*

ORDER
Conduct of Proceedings
37 C.F.R. § 42.5

A conference call was held on Friday, February 21, 2014, between John Feldhaus, representing Petitioner; C. Eric Hawes, representing Patent Owner; and Judges Green, Daniels, and Tartal. Patent Owner requested the call to discuss the types of evidence that may be properly submitted with a patent owner preliminary response, which is currently due March 13, 2014.

The Board advised Patent Owner that evidence in support of a preliminary response may be submitted, provided that it does not constitute new testimonial evidence. *See* 37 C.F.R. § 42.107(c). Patent Owner may submit new testimony with Patent Owner's full response to the Petition.

The Board also cautioned that if a preliminary response is accompanied by a motion to seal, any redacted information cannot be utilized in the Board's decision to institute a proceeding. Thus, parties are encouraged to narrowly tailor any redactions to the information that is confidential, as well as consider other ways of presenting the confidential information that would not require redaction. Additionally, if a party wishes to submit documents under seal, a protective order preserving the confidentiality of designated information must also be submitted. *See* 37 C.F.R. §§ 42.54-55. It is recommended that the parties consider entering into the default protective order set forth in the Office Patent Trial Practice Guide. To the extent that the parties modify the default protective order, the modifications should be indicated in "redline" when the modified default protective order is submitted to the Board.

IPR2014-00216
Patent 6,179,053

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