

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

and

Case IPR2014-00364

Patent 6,289,993

Held: February 11, 2015

BEFORE: SCOTT E. KAMHOLZ, WILLIAM A. CAPP, and JAMES
A. TARTAL, Administrative Patent Judges.

The above-entitled matter came on for hearing on Wednesday,
February 11, 2015, commencing at 1:31 p.m., at the U.S. Patent and
Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2014-00216, Patent 6,179,053 and
Case IPR2014-00364, Patent 6,289,993

APPEARANCES:

ON BEHALF OF THE PETITIONER:

JOHN J. FELDHAUS, ESQUIRE
Foley & Lardner LLP
Washington Harbour
3000 K Street, N.W., Suite 600
Washington, D.C. 20007-5109

ON BEHALF OF THE PATENT OWNER:

C. ERIK HAWES, ESQUIRE
Morgan, Lewis & Bockius LLP
1000 Louisiana Street
Suite 4200
Houston, TX 77002

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P R O C E E D I N G S

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JUDGE KAMHOLZ: Good afternoon. We will hear
argument now in Cases IPR2014-00216 and IPR2014-00364,
Greene's Energy Group, LLC versus Oil States Energy Services, LLC,
concerning U.S. Patent Numbers 6,179,053 and 6,289,993
respectively.

May I ask who -- whoever has control of that extraneous
noise to silence it.

1 MR. FELDHAUS: I'm sorry, Your Honor, yes. I'll have to
2 turn it off. I'm having some difficulty with the computer, Your
3 Honor.

4 JUDGE KAMHOLZ: Counsel for the parties, please
5 introduce yourselves starting with Petitioner.

6 MR. FELDHAUS: If it would please the Court, John
7 Feldhaus of Foley & Lardner for Petitioner Greene's Energy Group.
8 With me is Mr. Brad Roush also with Foley & Lardner. Also with me
9 is Mr. Jim Wynn, the Assistant General Counsel of Greene's Energy
10 Group.

11 JUDGE KAMHOLZ: And Patent Owner.

12 MR. HAWES: Thank you, Your Honor. Erik Hawes,
13 Morgan, Lewis & Bockius, for the Patent Owner Oil States Energy
14 Services, LLC. With me are our colleagues, Neil Ozarkar and Ryan
15 McBeth.

16 JUDGE KAMHOLZ: Welcome to the Board.

17 Per our trial hearing order, each side will have 90 minutes to
18 argue. The parties have agreed to a schedule in which the petition in
19 the '216 case will be argued first, followed by the motion to amend in
20 the '216 case, followed by the petition in the '364 case.

21 The trial hearing order might have been inconsistent to some
22 degree with what the parties had expressed in the Patent Owner's
23 request for oral argument, but is the plan that you had laid out in that
24 request still what you plan to do today?

25 MR. FELDHAUS: Yes, Your Honor, I think that's correct.

1 JUDGE KAMHOLZ: Mr. Hawes?

2 MR. HAWES: Your Honor, we were planning to proceed as
3 laid out in the order from the Board. I remember there was some
4 discrepancy. I honestly don't remember what it was, but my plan was
5 to proceed as the Board had requested in the order that was issued.

6 JUDGE KAMHOLZ: Now, the Patent Owner submitted
7 two sets of demonstratives, one relating to the '216 petition and one
8 relating to the '216 motion to amend and then a separate set of
9 demonstratives for the '364. So as I understood it, the original plan
10 was to have oral argument on the '216 petition, Petitioner, Patent
11 Owner, Petitioner, followed by oral argument on the motion to amend
12 in '216, Patent Owner, Petitioner, Patent Owner and then proceed to
13 the argument on the '364. Are you prepared to do that?

14 MR. HAWES: We can certainly handle it that way. I think
15 that was the original proposal. I'm happy to do it that way or the
16 alternative schedule that the Board had set out.

17 JUDGE KAMHOLZ: Then why don't we do as I had just
18 laid out. So we'll have quite a bit of back and forth between the sides.
19 Is that all right?

20 MR. HAWES: That's perfectly acceptable, Your Honor.

21 MR. FELDHAUS: That's fine, Your Honor.

22 JUDGE KAMHOLZ: All right. For each of these many
23 arguments, the party bearing the burden will go first, followed by the
24 opposing party, followed by a reply. We expect the parties to follow
25 the times that were laid out in that order.

1 Do you have those, Mr. Hawes? I have them here if you
2 need a reminder.

3 MR. HAWES: I don't have that handy, Your Honor. My
4 plan was in the order -- I believe it indicated 90 minutes that the
5 parties would split up as they saw fit among **their** different arguments.

6 JUDGE KAMHOLZ: Yes.

7 MR. HAWES: So that's what I'm planning to do. I honestly
8 -- I couldn't tell you how long each part is going to take, but I can tell
9 you that the total is going to take less than 90 minutes.

10 JUDGE KAMHOLZ: All right. Then when Mr. Feldhaus
11 begins the argument in the '216, you'll indicate how much time you'd
12 like to reserve, how much time you'd like on the clock, and how much
13 you'd like to reserve.

14 MR. FELDHAUS: Yes, Your Honor. Well, like Mr.
15 Hawes, I'm planning to spend about 25 minutes on the basic '216
16 petition argument, then I will spend some time on the reply, some
17 time on the other petition argument and some for the reply of that. I
18 don't have precise times set out, but I would like to be notified when
19 I'm close to 25 minutes on the basic '216 petition.

20 JUDGE KAMHOLZ: All right. I will do that and I'll give
21 both sides periodic reminders of how much time remains and I will
22 leave it to you to arrange the arguments as you wish.

23 We'll probably take a brief recess when the '216 case is
24 finished, just for anybody who needs a minute or two, and then we'll
25 continue with the '364 case.

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