

Paper No. __

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GREENE'S ENERGY GROUP, LLC

Petitioner

v.

OIL STATES ENERGY SERVICE, L.L.C.

Patent Owner

Case IPR2014-00216

Patent No. 6,179,053

PETITIONER OPPOSITION TO MOTION TO AMEND

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EXHIBIT LIST

Ex. #	Exhibit
1001	U.S. Patent No. 6,179,053 (“’053 patent”)
1003	Canadian Patent Application 2,195,118 (“Dallas ’118”)
1004	U.S. Pat. No. 4,632,183 (“McLeod”)
1005	U.S. Pat. No. 4,076,079 (“Herricks”)
1009	October 28, 2014 Deposition of L. Murray Dallas (“10/28/14 Dallas Dep.”)
1011	Deposition of Dr. Gary R. Wooley (Nov. 12, 2014) (“Wooley Dep.”)
1013	Deposition of Thomas W. Britven (Nov. 11, 2014) (“Britven Dep.”)
1014	Declaration of Gregg S. Perkin In Support Petitioner Opposition to Motion to Amend
1021	U.S. Patent No. 5,372,202 (“Dallas ’202”)
1022	U.S. Patent No. 4,867,243 (“’243 patent”)
2012	Expert Declaration in IPR2014-00216 for U.S. Patent No. 6,179,053 by Dallas for Lockdown Mechanism for Well Tools Requiring Fixed-Point Packoff by Dr. Gary R. Wooley (“Wooley Response Decl.”)
2017	Expert Declaration for the OSES Motion to Amend in IPR2014-00216 for U.S. Patent No. 6,179,053 by Dallas for Lockdown Mechanism for Well Tools Requiring Fixed-Point Packoff by Dr. Gary R. Wooley (“Wooley MTA Decl.”)
2018	Declaration of Thomas W. Britven (“Britven Decl.”)
2020	U.S. Patent 4,241,786 (“Bullen”)

I. Introduction

Patent Owner, Oil States Energy Services, LLC, has moved to amend challenged claims 1 and 22 by adding three limitations: (1) the mandrel includes a packoff assembly that seals against a fixed-point packoff in a tubing head spool of a wellhead assembly; (2) the apparatus includes a setting tool that is removable from the other portions of the apparatus for inserting a bottom end of the mandrel through the wellhead; and (3) the lockdown mechanisms are mechanical and the second lockdown mechanism locks without the use of hydraulic pressure.

As discussed in GEG's Reply, Canadian Patent Application 2,195,118 ("Dallas '118") (Ex. 1003) discloses every limitation of unamended claims 1 and 22 and therefore clearly anticipates those claims. Moreover, the additional limitations proposed by OSES are present in Dallas '118 and/or constitute an obvious modification of Dallas '118, and therefore fail to distinguish the amended claims over the prior art.

Dallas '118 clearly discloses a mandrel with a packoff assembly that seals against a fixed-point packoff in a tubing head spool of a wellhead assembly and therefore identically meets limitation (1).

With respect to limitation (2), the mandrel of Dallas '118 protrudes from the bottom of the tool and a separate tool is required to insert the bottom end of the mandrel through the wellhead. As used in the '053 patent, the nonspecific term

“setting tool” applies to any tool used for this purpose and therefore limitation (2) is met by Dallas ’118. At the very least, it would have been obvious to use exactly the same prior art separate “setting tool” as disclosed in the ’053 patent to insert the mandrel of Dallas ’118.

Finally, the prior art makes clear that use of a well-known wellhead isolation tool mechanical lockdown mechanism in place of a hydraulic locking mechanism as required by limitation (3) was a design choice that would have been obvious to one of ordinary skill at the time of the filing date of the ’053 patent in 1999.

OSES also alleges that the tool of amended claim 1 achieved commercial success. However, OSES fails to show any nexus between the alleged commercial success and amended claim 1. In addition to all of the features of amended claim 1 being shown in the prior art, OSES admits that full bore access is required for commercial success, but is not a feature of amended claim 1.

II. Dallas ’118 Includes a “packoff assembly that seals against the fixed-point packoff within the tubing head spool”

The first additional feature proposed by OSES in amended claims 1 and 22, a packoff assembly that seals against a fixed-point packoff within a tubing head spool, is identically met in the Dallas ’118.

In Figs. 3 and 4 of Dallas ’118, shown below, the mandrel of claims 1 and 22 is met by mandrel 28, mandrel extension 58 and packoff assembly 68, which packs off in tubing head spool 82. Dallas ’118, 00014:9-13, 00014:25-29, 00015:17-31;

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