

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PETROLEUM GEO-SERVICES INC.  
Petitioner

v.

WESTERNGECO, LLC  
Patent Owner

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Case IPR2014-00688

U.S. Patent No. 7,080,607

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**PETROLEUM GEO-SERVICES INC.'S LIST OF  
ANTICIPATED PROPOSED MOTIONS**

Pursuant to the Trial Practice Guide, 77 Fed. Reg. 48,756, 48,765-66 (Aug. 14, 2012), in advance of the initial conference call with the Board scheduled for Wednesday, January 14, 2015 at 2:00 p.m. EST, Petitioner Petroleum Geo-Services Inc. (“PGS”) submits the following list of motions that PGS is considering filing in this matter. The list includes motions that are anticipated as of the date of this filing. PGS may seek Board authorization to file additional motions in the future.

**A. Motion Concerning Depositions Under 37 C.F.R. § 42.53(c)(2)**

The parties have conferred and failed to resolve a single issue regarding the duration of depositions of witnesses who submit a declaration in multiple proceedings. PGS asked whether Patent Owner intended to raise any additional issues during the teleconference and received no indication that Patent Owner would do so.

PGS filed declarations from Dr. Brian Evans and Dr. Jack Cole in support of this petition and the petitions filed in IPR2014-00687 and IPR2014-00689. All three trials involve patents with a common specification, and there is a substantial amount of overlap between the technology, declarations and prior art at issue in the three proceedings. Accordingly, PGS proposed to Patent Owner that witnesses who submit declarations in more than one of the three proceedings be available for 9 hours of cross-examination, 3 hours of re-direct examination, and 2 hours of re-

cross examination. Patent Owner has rejected this proposal and requested that each witness be available in each of these three proceedings for the default 13 hours of deposition provided for by 37 C.F.R. § 42.53(c)(2)—a total of 39 hours of allotted deposition time for each witness.

PGS would like to discuss this dispute with the Board during the initial conference call and, to the extent necessary, PGS may file a motion to address the timing or manner in which depositions are taken in this proceeding.

**B. Motion to Exclude Evidence Under 37 C.F.R. § 42.64(c)**

PGS may file a motion to exclude any exhibit to which it serves objections pursuant to 37 C.F.R. § 42.64(b)(1), for example, its objections filed December 30, 2014 (Paper No. 35) to certain exhibits submitted in connection with Patent Owner's Preliminary Response. The bases for any such motion would be as set forth in objections served pursuant to 37 C.F.R. § 42.64(b)(1) and expanded upon in the motion to exclude.

**C. Motion for Additional Discovery Under 37 C.F.R. § 42.51(b)(2)**

If PGS needs additional discovery and the parties are unable to reach an agreement regarding such additional discovery, PGS may file a motion for additional discovery, including in relation to any arguments relating to objective indicia advanced by patent owner.

Dated: January 12, 2015

Respectfully submitted,

/David I. Berl/

David I. Berl

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the above-captioned *Petroleum Geoservices Inc.'s List of Anticipated Proposed Motions* was served on January 12, 2015, by delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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