

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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McClinton Energy Group L.L.C.  
Petitioner

v.

Magnum Oil Tools International, Ltd.  
Patent Owner

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Case No. IPR2014-00993  
Patent 8,459,346

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**PETITIONER'S SECOND SUPPLEMENTAL MANDATORY NOTICES**

Pursuant to 37 C.F.R. § 42.8(a)(3), Petitioner hereby supplements its Mandatory Notices. Specifically, Petitioner supplements Section C below.

### **Mandatory Notices**

#### **A. Real Party-in-Interest (Original - not supplemented)**

The parties in interest for Petitioner are the McClinton Energy Group LLC, Jaycar Energy Group LLC, Surf Frac Wellhead Equipment Co., Motor Mills Snubbing LLC, Stan Keeling and Tony D. McClinton.

#### **B. Standing (Original - not supplemented)**

Petitioner certifies that the '346 Patent, issued on June 11, 2013, is available for *inter partes* review and that Petitioner is not barred or estopped from requesting an *inter partes* review challenging the claims of the '346 Patent.

#### **C. Related matters (Supplemented twice)**

The '346 Patent was asserted against the parties-in-interest in *Magnum Oil Tools Int'l LLC v. Tony D. McClinton et al.*, No. 2:13-cv-00163 (S.D. Tex.), which was consolidated into Case No. 2:12-cv-00099 (S.D. Tex) involving the same parties. The '346 Patent is a continuation of Application No. 13/194,871, filed on Jul. 29, 2011, now U.S. Patent No. 8,079,413 (“‘413 Patent”), which is a continuation-in-part of Application No. 12/317,497, filed on Dec. 23, 2008, now U.S. Patent No. 8,496,052. The '413 Patent is the subject of an instituted *Inter Partes* Review, IPR2013-00231.

### **Supplemental Notice Regarding Related Matters:**

A Final Written Decision in IPR2013-0231 issued on September 2, 2014. *See* IPR2013-0231, Paper No. 31. All of the claims (claims 1-20) of the '413 Patent were found unpatentable. *Id.* at p. 35. The Board's decision in IPR2013-0231 may implicate collateral estoppel and/or patent owner estoppel under 37 CFR § 42.73(d)(3) in the present case.

### **Second Supplemental Notice Regarding Related Matters:**

Patent Owner filed a Request for Rehearing in IPR2013-0231 on October 2, 2014. *See* IPR2013-0231, Paper No. 32. The Board denied the Request. *See* IPR2013-0231, Paper No. 33. The Board's decision bolsters Petitioner's position that collateral estoppel and/or patent owner estoppel under 37 CFR § 42.73(d)(3) should attach to the claims at issue in the present case.

### **D. Lead and Back-up Counsel and Service Information (Previously Supplemented)**

#### Lead Counsel

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**Supplemental Notice Regarding Service Information:**

Pursuant to 37 CFR § 42.10(b), Petitioner consents to electronic service by e-mail to the above e-mail addresses for lead and backup counsel.

Respectfully Submitted,

/Jason A. Engel/

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Date: November 4, 2014

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## CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.105, that service was made on the Patent Owner as detailed below.

*Date of service* November 4, 2014

*Manner of service* Electronic Mail

*Documents served* Petitioner's Second Supplemental Mandatory Notice

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