

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**PETROLEUM GEO-SERVICES INC., PGS GEOPHYSICAL AS,
and PETROLEUM GEO-SERVICES ASA
Petitioners**

v.

**WESTERNGECO LLC
Patent Owner**

Cases

**IPR2014-00678 (U.S. Patent No. 6,691,038)
IPR2014-00687 (U.S. Patent No. 7,162,967)
IPR2014-00688 (U.S. Patent No. 7,080,607)
IPR2014-00689 (U.S. Patent No. 7,293,520)**

PATENT OWNER'S INTERROGATORIES TO PETITIONERS

The patent owner, WesternGeco L.L.C (“WesternGeco”), hereby serves interrogatories to petitioners Petroleum Geo-Services, PGS Geophysical AS and Petroleum Geo-Services ASA (“PGS”).

Pursuant to 37 C.F.R. § 42.51(c), WesternGeco requests that production of requested documents be made at such time as may be ordered by the Board at:

Attention: Scott McKeown, Oblon, Spivak, McClelland, Maier and Neustadt, L.L.P., 1940 Duke Street, Alexandria, VA 22314.

INSTRUCTIONS

1. In responding to and producing documents and things responsive to these requests, the responding party will comply with instructions in the Patent Trial Practice Guide. *See* Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756 (Aug. 14, 2012).

2. A responding party shall timely amend its responses if it learns that the response is incomplete or additional responsive information is found.

3. All responsive documents must be produced as they are kept in the usual course of business, in the files or containers in which the responsive documents are maintained, and in the order within each file or container in which such documents are maintained; or all responsive documents shall be organized and labeled to correspond with the requests below.

DEFINITIONS AND CONDITIONS

1. The terms “document” and “thing” have the broadest meaning prescribed in Federal Rule of Civil Procedure 34, including electronically stored information and any physical specimen or tangible item, in your possession, custody, or control.

2. “Communications” shall mean the transmission or receipt of information of any kind through any means (*e.g.*, email, voicemail, audio, computer readable media or oral).

3. “PGS” means Petroleum Geo-Services, PGS Geophysical AS, Petroleum Geo-Services ASA, or a related company, an employee of PGS, or a person acting as an agent of PGS within the scope of that agency.

4. “ION” means ION Geophysical Corporation, an employee of ION, or a person acting as an agent of ION within the scope of that agency.

6. “*Inter Partes* Review Proceedings” means *Inter Partes* Review Case Nos. IPR2014-00678; IPR2014-00687; IPR2014-00688; and IPR2014-00689.

7. “Petitions” means the Petitions filed in the Proceedings seeking institution of *inter partes* review.

8. A party is not required to produce documents, things or information subject to a claim of privilege, including attorney work product. A party

withholding responsive documents on the basis of privilege shall provide a privilege log identifying the responsive documents or information being withheld.

9. The production of responsive documents or information shall not, itself, constitute an express or implied waiver of any privilege held by the producing party.

10. WesternGeco reserves the right to argue that PGS's affirmative reliance on any documents or information produced in response to the interrogatories may constitute a waiver of privilege held by the producing party.

INTERROGATORIES

INTERROGATORY NO. 1.

Disclose and describe all meetings and calls between PGS (or its counsel) and ION (or its counsel) regarding the validity of WesternGeco's patents, such as the February 14, 2014 conference call between Williams & Connolly, Porter & Hedges and Phil Shotts, such disclosure and description including but not limited to:

- (a) the date and time of the meeting or call;
- (b) the names and affiliations of the individuals involved;
- (c) the topics discussed, including whether any inter partes review--instituted, petitioned, or under consideration--was discussed;
- (d) any documents exchanged or discussed

INTERROGATORY NO. 2

Disclose and describe any common interest privilege alleged to exist over communications between PGS or its representatives and ION or its representatives regarding the validity of WesternGeco's patents, such disclosure and description including but not limited to:

- (a) the common interest(s) alleged to exist;
- (b) the date the common interest(s) began;

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