

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAKER HUGHES INCORPORATED and)
BAKER HUGHES OILFIELD)
OPERATIONS, INC.)
)
Petitioners,) IPR2016-01496
) Patent
vs.) 7,134,505 and
) other patents
PACKERS PLUS ENERGY SERVICES,)
INC.,)
)
Patent Owner.)

ORAL AND VIDEOTAPED DEPOSITION OF

HAROLD E. MCGOWEN III

July 27, 2017

ORAL DEPOSITION of HAROLD E. MCGOWEN III, produced
as a witness the instance of the Petitioners, and duly
sworn, was taken in the above styled and numbered cause
on July 27, 2017, from 8:07 a.m. to 2:50 p.m. before
Jeff L. Foster, a Certified
for the State of Texas, at
Cassady, Curry, 2101 Cedar
Dallas, Texas 75201, pursua
Civil Procedure and the pro
record

BAKER HUGHES, A GE COMPANY,
LLC AND BAKER HUGHES
OILFIELD OPERATIONS LLC
Exhibit 1133
BAKER HUGHES, A GE COMPANY,
LLC AND BAKER HUGHES
OILFIELD OPERATIONS LLC v.
PACKERS PLUS ENERGY
SERVICES, INC.
IPR2016-01496

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAKER HUGHES INCORPORATED and)
BAKER HUGHES OILFIELD)
OPERATIONS, INC.)
)
Petitioners,) IPR2016-01496
) Patent
vs.) 7,134,505 and
) other patents
PACKERS PLUS ENERGY SERVICES,)
INC.,)
)
Patent Owner.)

ORAL AND VIDEOTAPED DEPOSITION OF

HAROLD E. MCGOWEN III

July 27, 2017

ORAL DEPOSITION of HAROLD E. MCGOWEN III, produced
as a witness the instance of the Petitioners, and duly
sworn, was taken in the above styled and numbered cause
on July 27, 2017, from 8:07 a.m. to 2:50 p.m. before
Jeff L. Foster, a Certified Shorthand Reporter in and
for the State of Texas, at the offices of Caldwell,
Cassady, Curry, 2101 Cedar Springs, Road, Suite 1000,
Dallas, Texas 75201, pursuant to the Federal Rules of
Civil Procedure and the provisions stated on the

record

A P P E A R A N C E S

THE PETITIONERS:

Mr. Mark T. Garrett
Mr. Eagle Robinson
NORTON, ROSE, FULBRIGHT US, LLP
98 San Jacinto Boulevard, Suite 1100
Austin, Texas 78701-4255
(512) 474-5201
mark.garrett@nortonrosefulbright.com
eagle.robinson@nortonrosefulbright.com

FOR THE PATENT OWNER:

Mr. Justin Nemunaitis
CALDWELL, CASSADY, CURRY
2101 Cedar Springs Road, Suite 1000
Dallas, Texas 75201
(241) 888-4853
jnemunaitis@caldwellcc.com

ALSO APPEARING

Mr. David Guerra, videographer

I N D E X

	PAGE
Appearances.....	2
HAROLD E. MCGOWEN III	
Examination by Mr. Garrett	4
Examination by Mr. Nemunaitis	164
Signature Page.....	167
Reporter's Certificate.....	169

P R O C E E D I N G S

THE VIDEOGRAPHER: On the record at 8:07 a.m., July 27th, 2017 for the deposition of Harold E. McGowen III. Counsel, please state your appearances and the court reporter will then administer the oath.

MR. GARRETT: This is Mark Garrett with Norton Rose Fulbright for petitioners, and with me today is Eagle Robinson, also from Norton Rose Fulbright.

MR. NEMUNAITIS: Justin Nemunaitis for the respondent.

HAROLD E. MCGOWEN III,
having been first duly sworn, testified as follows:

EXAMINATION

BY MR. GARRETT:

Q. Good morning, Mr. McGowen.

A. Good morning.

Q. In your second declaration, which is Exhibit 2081, you don't assert that a POSITA at the time of the invention would have been dissuaded from open-hole multi-zone fracturing due to a concern with induced fractures from adjacent zones growing into each other, correct?

A. Can I do you mind if I look at my report?

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.