

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAKER HUGHES INCORPORATED
and
BAKER HUGHES OILFIELD OPERATIONS, INC.,
Petitioners

v.

PACKERS PLUS ENERGY SERVICES, INC.
Patent Owner

Case IPR2016-00598
Patent 7,861,774

PETITIONERS' REPLY

Petitioner's Exhibit List

Exhibit	Description
1001	U.S. Patent No. 7,861,774 (“the ’774 Patent”)
1002	D.W. Thomson, <i>et al.</i> , <i>Design and Installation of a Cost-Effective Completion System for Horizontal Chalk Wells Where Multiple Zones Require Acid Stimulation</i> , SPE (Society for Petroleum Engineering) 37482 (1997) (“Thomson”)
1003	B. Ellsworth, <i>et al.</i> , <i>Production Control of Horizontal Wells in a Carbonate Reef Structure</i> , 1999 Canadian Institute of Mining, Metallurgy, and Petroleum Horizontal Well Conference (“Ellsworth”)
1004	U.S. Patent No. 5,449,039 (“Hartley”)
1005	Declaration of Ali Daneshy, Ph.D. (“Daneshy1”)
1006	KATE VAN DYKE, FUNDAMENTALS OF PETROLEUM ENGINEERING (4th ed. 1997)
1007	RON BAKER, A PRIMER OF OIL WELL DRILLING (5th ed. (revised) 1996)
1008	U.S. Patent No. 4,099,563 (“Hutchison”)
1009	U.S. Patent No. 5,375,662
1010	U.S. Patent No. 6,257,338 (“Kilgore”)
1011	Excerpts of Prosecution History of the ’774 Patent
1012	U.S. Provisional Application No. 60/404,783
1013	Excerpts of Prosecution History of U.S. Patent No. 7,134,505 (“the ’505 Patent”)
1014	Declaration of Christopher D. Hawkes, Ph.D., P.Geo., regarding the proceedings of the 7th One-Day Conference On Horizontal Well Technology Operational Excellence (Canada November 3, 1999) (including Ex. 1003 at 102-110)
1015	Affidavit of Nancy Chaffin Hunter regarding the proceedings of the 10th Middle East Oil Show & Conference (Bahrain March 15-18, 1997) (including Ex. 1002 at 12/26-23/26) – NOT FILED
1016	Declaration of Rebekah Stacha regarding SPE 37482 (including Ex. 1002 at Ex. A) – NOT FILED
1017	Declaration of Rebekah Stacha regarding SPE 49523 (referencing Ex. 1002 at p. 605, fn.28) – NOT FILED

Exhibit	Description
1018	Table Associated with qrySumNetValuebyFamily from Ex. 2051 (contains PROTECTIVE ORDER MATERIAL)
1019	Affidavit of Nancy Chaffin Hunter, regarding the proceedings of the Production Operation Symposium (Oklahoma City, OK April 2-4, 1995) (including R. Coon and D. Murray, <i>Single-Trip Completion Concept Replaces Multiple Packers and Sliding Sleeves in Selective Multi-Zone Production and Stimulation Operations</i> , SPE 29539 (1995)) (“Coon”)
1020	March 1, 2017 email from Justin Nemunaitis, confirming RE Packer revenue in Ex. 1018 was included in revenue figure reported at Ex. 2034 at 42:9.
1021	Transcript of February 28, 2017 Deposition Testimony of Harold R. McGowen III (“McGowen”)
1022	Second Declaration of Ali Daneshy, Ph.D. (“Daneshy2”)
1023	P.D. Ellis, <i>et al.</i> , <i>Application of Hydraulic Fractures in Openhole Horizontal Wells</i> , SPE/Petroleum Society of CIM 65464 (2000) (“Ellis”)
1024	M.J. Rees, <i>et al.</i> , <i>Successful Hydrajet Acid Squeeze and Multifracture Acid Treatments in Horizontal Open Holes Using Dynamic Diversion Process and Downhole Mixing</i> , SPE 71692 (Sep. 30, 2001) (citing Ex. 1032 at fn. 1) (“Rees”)

Table of Contents

I.	THE EVIDENCE OF OBVIOUSNESS IS STRONG	1
II.	RC’S CHALLENGES TO PETITIONERS’ MOTIVATION LACK MERIT (POR AT 54-56).....	2
III.	RC MISCHARACTERIZES A POSITA’S VIEWS (POR AT 9-21).....	5
	A. Cemented Casing: Not a Requirement.....	7
	B. RC’s “Conventional Wisdom” and Commercial Reasonableness Arguments: Irrelevant and Baseless.....	11
IV.	RC’S SECONDARY CONSIDERATIONS EVIDENCE IS WEAK AND DOES NOT OUTWEIGH THE STRONG EVIDENCE OF OBVIOUSNESS (POR AT 22-40)	12
	A. The Claimed Methods Did Not Contravene Accepted Wisdom (POR at 22-25)	12
	B. RC Has Not Established Nexus (POR at 38-40).....	12
	C. RC’s Industry Praise Lacks a Nexus (POR at 25-29)	16
	D. RC’s Commercial Success Evidence Lacks a Nexus (POR at 35-38)	18
	E. RC’s Copying Evidence Is Meritless (POR at 30-35)	24
V.	SBP SHOULD BE DEFINED.....	24

Table of Authorities

	Page(s)
Cases	
<i>Cable Electric Products, Inc. v. Genmark, Inc.</i> , 770 F.2d 1015 (Fed. Cir. 1985)	20
<i>CaptionCall, L.L.C. v. Ultratec, Inc.</i> , IPR2015-00637, slip op. (P.T.A.B. Sep. 7, 2016)	13
<i>Cisco Sys., Inc. v. C-Cation Techs., LLC</i> , IPR2014-00454, slip op. (P.T.A.B. Aug. 29, 2014)	19
<i>Classco, Inc. v. Apple, Inc.</i> , 838 F.3d 1214 (Fed. Cir. 2016)	15, 16, 17, 18, 19, 20, 22, 23
<i>Ecolochem, Inc. v. S. Cal. Edison Co.</i> , 227 F.3d 1361 (Fed. Cir. 2000)	24
<i>Geo M. Martin Co. v. Alliance Mach. Sys. Int’l</i> , 618 F.3d 1294 (Fed. Cir. 2010)	2, 7, 8
<i>Laird Techs., Inc. v. GrafTech Int’l Holdings, Inc.</i> , IPR2014-00024, slip op. (P.T.A.B. Mar. 25, 2015)	19
<i>LG Chem, Ltd. v. Celgard, LLC</i> , IPR2014-00692, slip op. (P.T.A.B. Oct. 5, 2015)	13
<i>LKQ Corp. v. Clearlamp, LLC</i> , IPR2013-00020, slip op. (P.T.A.B. Mar. 27, 2014)	22
<i>Richdel, Inc. v. Sunspool Corp.</i> , 714 F.2d 1573 (Fed. Cir. 1983)	19, 20
<i>Rothman v. Target Corp.</i> , 556 F.3d 1310 (Fed. Cir. 2009)	24
<i>Wm. Wrigley Jr. Co. v. Cadbury Adams USA LLC</i> , 683 F.3d 1356 (Fed. Cir. 2012)	24
<i>Wyers v. Master Lock Co.</i> , 616 F.3d 1231 (Fed. Cir. 2010)	7, 10

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.