

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAKER HUGHES, A GE COMPANY, LLC  
and  
BAKER HUGHES OILFIELD OPERATIONS, LLC,  
Petitioners

v.

PACKERS PLUS ENERGY SERVICES, INC.  
Patent Owner

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Case IPR2016-00598<sup>1</sup>  
Patent 7,861,774

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**JOINT LIST OF DEMONSTRATIVE EXHIBIT OBJECTIONS<sup>2</sup>**

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<sup>1</sup> This paper addresses RC's demonstratives for IPR2016-00598 and -01506.

<sup>2</sup> Filed pursuant to Paper 73.

The Parties file this listing of Petitioners' unresolved objections:

**Rapid Completions' Slides 4-6, 9, 11-14, 40-45, 54-56, 58, 73, 75, 86, 92, 97, 100, 103, 108-109, 112, 114-116, 118, and 120**

**Petitioners' short statement:** The images of witnesses are not in evidence, are irrelevant, and run the risk of eliciting unconscious or implicit biases<sup>3</sup> that should not be permitted to influence the evaluation or weighting of testimony.

**RC's short statement:** Respondent's counsel has been involved in various trials, hearings, and IPR proceedings where pictures are used in this way without this being a problem or even objectionable in the first place.

**Rapid Completions' Slide 13**

**Petitioners' short statement:** The quoted snippets misleadingly omit the highly-relevant intervening testimony at 124:1-16 in Ex. 2085 (IPR2016-01506).

**RC's short statement:** Respondent is not attempting to be misleading; Petitioners are free to present clarifying testimony in their rebuttal presentation. Fed. R. Evid. 106.

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<sup>3</sup> Petitioners in no way suggest the Board is improperly or uniquely biased; rather, studies show that humans by nature have involuntary emotional responses when viewing images of faces with different expressions and/or skin tones. *See, e.g.,*

- <https://www.nbcnews.com/news/asian-america/new-study-exposes-racial-preferences-americans-n413371>;
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4158748/>;
- <https://www.nature.com/articles/s41598-017-00502-3>;
- <https://www.nature.com/articles/srep08478>.

October 31, 2017

/Mark T. Garrett/

Mark T. Garrett

Lead Counsel for Petitioners

/Justin T. Nemunaitis/

Justin T. Nemunaitis

Backup Counsel for Rapid Completions LLC

## **CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on October 31, 2017, a complete copy of JOINT LIST OF DEMONSTRATIVE EXHIBIT OBJECTIONS was served on Patent Owner's Exclusive Licensee via email (by consent), as follows:

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