

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

RAPID COMPLETIONS LLC,	§
Plaintiff,	§
v.	§
	§
BAKER HUGHES INCORPORATED,	§
BAKER HUGHES OILFIELD OPERATIONS,	§
INC., WEATHERFORD INTERNATIONAL,	§
LLC, WEATHERFORD/LAMB, INC.,	§
WEATHERFORD US, LP, WEATHERFORD	§
ARTIFICIAL LIFT SYSTEMS, LLC, PEAK	§
COMPLETION TECHNOLOGIES, INC.,	§
PEGASI ENERGY RESOURCES	§
CORPORATION, PEGASI OPERATING,	§
INC., AND TR RODESSA, INC.,	§
Defendants,	§
v.	§
	§
PACKERS PLUS ENERGY SERVICES, INC.,	§
RAPID COMPLETIONS LLC,	§
Counterclaim Defendants.	§
	§

Case No. 6:15-cv-724-RWS-KNM

**WEATHERFORD’S FIRST NOTICE OF LETTER BRIEF SEEKING PERMISSION TO  
FILE MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS**

Pursuant to the Court’s Third Amended Docket Control Order (Dkt. 209), Defendants Weatherford International, LLC; Weatherford/Lamb, Inc.; Weatherford US, LP; and Weatherford Artificial Lift Systems, LLC (collectively, “Weatherford”) file this Notice of Letter Brief requesting permission to move for summary judgment of indefiniteness of the term “secure the tubing string in place in the wellbore” for the reasons set forth in the attached Exhibit A.

DATED: 9/20/2016

Respectfully submitted,

/Douglas R. Wilson/

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WEATHERFORD US, LP,  
WEATHERFORD ARTIFICIAL LIFT  
SYSTEMS, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served this 20th day of September, 2016, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/Douglas R. Wilson/  
Douglas R. Wilson

# Exhibit A



Intellectual Property Litigation  
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September 20, 2016

The Honorable K. Nicole Mitchell  
United States Magistrate Judge  
William M. Steger Federal Building and United States Courthouse  
211 West Ferguson Street  
Tyler, Texas 75702

Re: *Rapid Completions LLC v. Baker Hughes Inc., et al.*, Case 6:15-cv-00724-RWS-KNM, Case 6:16-cv-00286-RWS-KNM

Dear Judge Mitchell:

Pursuant to the Court's Third Amended Docket Control Order entered in this action (Dkt. 209), Defendants Weatherford International, LLC; Weatherford/Lamb, Inc.; Weatherford US, LP; and Weatherford Artificial Lift Systems, LLC (collectively, "Defendants") respectfully request permission to file a motion for summary judgment that claims 1, 3-7, 9-10, 12, and 16 of U.S. Patent No. 7,861,774 ('774 Patent) and claims 1-9 of U.S. Patent No. 9,303,501 ('501 Patent) are indefinite. Granting Defendants' proposed summary judgment motion would dispose of all infringement and validity claims for the '774 and '501 Patents in this case, substantially narrowing the case for trial.

**I. Whether Packers Will Secure a Tubing String Hinges on a Number of Factors in a Specific Installation**

Claim 1, the only independent claim of the '774 Patent, recites in relevant part a method for fracturing a hydrocarbon-containing formation accessible through a wellbore, comprising running a tubing string into the wellbore, the tubing string comprising first, second, and third solid body packers alternating with first and second ports opened through the tubing string wall. Claim 1 further requires sliding sleeves covering each of the first and second ports. Most importantly, for purposes of the present motion, claim 1 recites running the tubing string into the wellbore with the first, second, and third solid body packers each in an unset position, setting the first, second, and third solid body packers by expanding them radially outward, and that "the first, second and third solid body packers when expanded, secure the tubing string in place in the wellbore." Claim 1 of the '501 Patent is substantially the same for purposes of this motion. An annotated version of Figure 1a from the '774 Patent is reproduced below showing the packers alternating between ported intervals containing ports covered by sliding sleeves.

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