

Weatherford Internatio
v.
Baker Hughes Oilfield Ope

IPRs2019-00708 and
U.S. Patent No. RE4

Patent Owner's Demor

'708 IPR (Giroux)

Claim Construction / Claim 1

Claim 1 “requires that the sleeve be capable of moving from a closed position to the [second,] open position in response to passage pressure.” EX2001, ¶22 (cited in '708 POR)

1. A valve for subterranean use, comprising:
a housing having a passage therethrough and a port in a wall thereof;

a sleeve having a flow path therethrough movably mounted in said passage of said housing between a first position where said port is closed and a second position where said port is at least in part open;

a piston associated with said sleeve for moving said sleeve, said piston selectively isolated from passage pressure until a predetermined pressure is reached.

Claim Construction / PO: Ordinary Meaning

first (fûrst), adj. 1. being before all to time, order, rank, importance, etc., number of one: *the first edition; the*

EX2003, 4

a brand of
sec·ond (sek/ənd), adj. 1. next after the ordinal number for two. 2. being the first of two parts. 3. next after the first

EX2003, 5

“Applying these meanings, the ‘first’ position is before respect to order, necessitating that the sleeve be in position before moving to the second position.” (EX2003, 5-6; POR 5-6).

Claim Construction / Petitioner: Conventions

“[C]laim 1’s use of ‘first’ and ‘second’ to distinguish is **a common patent-law convention** to distinguish an element or limitation.” ’708 Reply 2 (quoting *Free Mo*)

“Reciting a ***first position*** and a ***second position*** ‘s impose a serial or temporal limitation.” ’708 Petition

“But [these] holding[s are] context dependent.” ’7

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