

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HALLIBURTON ENERGY SERVICES, INC.
Petitioner

v.

U.S. WELL SERVICES, LLC
Patent Owner

Case No. IPR2023-00557
Patent 9,650,871

JOINT MOTION TO TERMINATE PROCEEDINGS
35 U.S.C. § 317; 37 C.F.R. § 42.74(b)

Pursuant to 35 U.S.C. § 317(a), Petitioner Halliburton Energy Services, Inc. (“Halliburton”) and Patent Owner U.S. Well Services, LLC (“USWS”) jointly request termination of the *inter partes* review of U.S. Patent No. 9,650,871, Case No. IPR2023-00557. No decision on institution for this *inter partes* review has been reached yet.

The parties have reached agreement to terminate this *inter partes* review. A true copy of the pertinent written Agreement is being filed separately and concurrently herewith as Exhibit 1047 along with a request to treat it as confidential

business information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.¹ The parties certify that no other agreements, oral or written, exist between the parties in connection with, or in contemplation of, the termination of the proceeding. Pursuant to this Agreement, the federal district court in which Patent Owner asserted the '871 Patent against Petitioner has dismissed the parties' claims with regard to that patent. A true and correct copy of the district court's order of dismissal is attached hereto as Exhibit 1048. On June 2, 2023, the parties informed the Board of the resolution via email and requested authorization to file a motion to terminate the petition with respect to both the Patent Owner and the Petitioner. As set forth in an email dated June 5, 2023 (attached hereto as Exhibit 1049), the Board authorized the filing of the requested motion to terminate this petition.

As stated in 35 U.S.C. § 317(a), because Halliburton and USWS request this termination as to Petitioner Halliburton, no estoppel under 35 U.S.C. § 315(e) with respect to U.S. Patent No. 9,650,871 shall attach to Halliburton.

¹ Pursuant to 37 C.F.R. § 42.74(c), the parties have filed a separate joint request that this Exhibit 1047 be treated as confidential business information and be made available to the parties and the Board only.

Respectfully submitted,

Dated: June 20, 2023

/Elizabeth Durham Flannery/
Elizabeth Durham Flannery
Registration No. 59,509
Baker Botts L.L.P.
910 Louisiana Street
Houston, TX 77002-4995
Phone: (713) 229-2104
Fax: (713) 229-7704
liz.flannery@bakerbotts.com

Lead Counsel for Petitioner

Dated: June 20, 2023

/Brian E. Ferguson/
Brian E. Ferguson (lead counsel)
Reg. No. 36,801
WINSTON & STRAWN LLP
1901 L Street, N.W.
Washington, D.C. 20036
T: 202-282-5276
beferguson@winston.com
PGR-Profrac-USWell@winston.com

Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 20th day of June, 2023, the foregoing Joint Motion to Terminate Proceedings was served by email on the following counsel for Patent Owner:

Brian E. Ferguson (Reg. # 36,801)
BEFerguson@winston.com

Matthew Hopkins (Reg. # 76,273)
MHopkins@winston.com

J. Tyler Boyce (Reg. # 77,570)
TBoyce@winston.com

Respectfully submitted,

Dated: June 20, 2023

/Elizabeth Durham Flannery/
Elizabeth Durham Flannery
Registration No. 59,509
Baker Botts L.L.P.
910 Louisiana Street
Houston, TX 77002-4995
Phone: (713) 229-2104
Fax: (713) 229-7704
liz.flannery@bakerbotts.com

Lead Counsel for Petitioner