

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.

IPR2023-00557
Patent 9,650,871 B2

Before LYNNE H. BROWNE, GEORGE R. HOSKINS, and
SEAN P. O'HANLON, *Administrative Patent Judges*.

BROWNE, *Administrative Patent Judge*.

DECISION

Granting Joint Motion to Terminate Prior to Institution of Trial
Granting Request to Keep Settlement Agreement Confidential
37 C.F.R. § 42.74

On June 20, 2023, Halliburton Energy Services, Inc. and U.S. Well Services, LLC (collectively “the parties”), with our prior authorization (Ex. 1049), filed a Joint Motion to Terminate (“Motion” or “Mot”) this proceeding prior to institution of trial. Paper 8. Concurrently, the parties filed the Order (Ex. 1048) dismissing all claims in related Case No. 6:22-cv-905-ADA pending in the Western District of Texas and their Dismissal Agreement (Ex. 1047). The parties also filed a Joint Request to file the Dismissal Agreement as business confidential information. Paper 7.

In the Motion, the parties certified “that no other agreements, oral or written, exist between the parties in connection with, or in contemplation of, the termination of the proceeding.” Mot. 2. As this proceeding is in the preliminary stage, we find that the parties have explained adequately why termination is appropriate. After reviewing the Dismissal Agreement, we find that it contains business confidential information and determine that good cause exists to treat the Dismissal Agreement as business confidential information under 37 C.F.R. § 42.74(c).

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

In consideration of the above, it is:

ORDERED that the Joint Motion to Terminate this proceeding is GRANTED and the proceeding is hereby terminated; and

FURTHER ORDERED that the parties’ joint request to treat the Dismissal Agreement as business confidential information and to keep the settlement agreement separate from the file of the involved patent under the provisions of 37 C.F.R. § 42.74(c), is GRANTED.

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