

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROFRAC HOLDING CORPORATION and
U.S. WELL SERVICES, LLC,
Petitioner,

v.

HALLIBURTON ENERGY SERVICES, INC.,
Patent Owner.

IPR2023-01319
Patent 7,841,394 B2

JOINT MOTION TO TERMINATE PROCEEDING

Pursuant to 35 U.S.C. § 317 and 37 C.F.R § 42.74, and the authorization provided by the Board on October 9, 2024, Petitioners ProFrac Holding Corporation and U.S. Well Services, LLC, and Patent Owner Halliburton Energy Services, Inc., by and through their respective counsel of record, jointly request termination of this proceeding, IPR2023-01319, directed to U.S. Patent No. 7,841,394 (“the ’394 patent”).

Petitioners and Patent Owner have settled their dispute regarding the ’394 patent, including this proceeding and Patent Owner’s assertion of the ’394 patent in the related district court litigation against Petitioner: *Halliburton Energy Services, Inc. et al. v. U.S. Well Services, LLC*, Case No. 6:22-cv-00906-ADA-DTG (W.D. Tex.). The parties do not anticipate further litigation between them concerning the ’394 patent.

Good cause exists to terminate this proceeding because the parties have settled their dispute regarding the ’394 patent and the proceeding is still ongoing with significant work still to be done, including Petitioners’ Reply, Patent Owner’s Sur-Reply, possible motions to exclude, preparation for and participation in the oral argument, and the Board’s preparation of the Final Written Decision. Terminating the proceeding now would thus serve the interests of judicial economy as well as the mutual interest of the parties.

A true and correct copy of the parties’ settlement agreement will be filed as

Exhibit 1018, along with a joint motion to treat the settlement agreement as business confidential information. Pursuant to 35 U.S.C. § 317(b), the parties hereby certify that there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of the proceedings beyond the settlement agreement in Exhibit 1018.

Date: October 9, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on Wednesday, October 9, 2024, I caused a true and correct copy of the foregoing to be served on the following counsel for Patent Owner by electronic mail to the following email addresses:

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